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Revisiting Gender in Rapidly Changing Asia

edited by
Ragnhild Lund, Philippe Doneys and Bernadette P. Resurrección
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This book stems from a Norwegian research project that aims to both revisit and rethink the concept of gender in a rapidly changing Asia. Starting from Cornwall’s call to revisit the ‘gender agenda’, seen as having ‘retained little of the radical promise that was once vested in its promotion’ (Cornwall 2007: 69), the project has allowed individual researchers to grapple with new ways of understanding gender in development contexts in an effort to address the emancipatory and transformative agendas of feminism and development. The book presents some of the findings of their research and represents a conscious effort, borrowing the idea of ‘sciences from below’ from Harding (2008), to incorporate descriptions of how gender is understood and produced in different ways by people in the Asian region.

The overall objective of the book is to revisit gender as a concept that can engage simultaneously with change and continuity in today’s Asia, but with greater intellectual reflexivity to examine multiple, intersecting and complex dimensions of identity and difference, and formerly unacknowledged sources of social power from institutions and their emerging discourses. The book ascertains whether gender as a social analytic has remained true to its earlier feminist promise for emancipatory and empowering outcomes for women and men or whether it has instead blunted this possibility. As Cornwall (2007: 77) suggests:

Revisioning the ‘gender agenda’, then, calls both for rupture and renewal: […] It calls for seeing ‘women’ and ‘men’ as plural categories constituted by social practices, including those of development agencies themselves. It calls for paying closer attention to everyday lives and struggles in diverse contexts, understanding and articulating better what it takes to make a real difference to the relations of power that all that euphemistic talk about ‘gender equality’ obscures.
Individual chapters, written by gender scholars from Europe and Asia, critically examine the concept of gender in the context of emerging development issues relating to four broad thematic areas: *Gender over time*, which basically deals with revisiting the field repeatedly or after a substantial period of time, reflecting on the value of conducting longitudinal research; *Power, policy and practices*, which revisits different dimensions of governance and power, gender mainstreaming and activism involved; *Environment and resources*, which deals with new ways of examining dispossessions, dams, disasters and mobilities; and *Gender justice and rights*, which focuses on the often complex and at times contradictory dimensions of religious and secular legal frameworks. In unravelling how revisiting gender has led the authors to rethink gender in multiple ways, some of the chapters revisit areas from previous research, while others rethink ways in which gender has been framed and depoliticized in current practices, and therefore address how gender has been changed, both as a normative process influencing social roles and relations and as an object and/or a concept of research.

**The study and methodology**

The researchers of the study ‘Revisiting gender in development: complex inequalities in a changing Asia,’ funded by the Research Council of Norway for the period 2011–2014, worked together in the above-mentioned thematic groups. However, in the course of the work process and during annual meetings in the larger group, issues were identified that cut across the themes of the four groups. It was gradually understood how entangled our themes were – methodologically, conceptually and empirically – which called for better understanding of gender as a process, as situated and time-specific, and as entangled with power structures such as legal frameworks and development practices.

The authors in the *Gender over time* group have realized the need to raise questions about revisiting studies, reworking methodologies and employing new perspectives that respond to changing contexts, and how local researchers may provide a ‘revised gaze’ to work already done. They also learnt to consider the challenges of reflexivity, namely multiple dimensions of reflecting on self, changing theory, and changing research subjects. Two studies (Chapters 2 and 3) are concerned
with longitudinal aspects of the respective authors’ previous work in Malaysia, and the changing subjectivities of gender.

The following issues are raised by the *Power, policy and practices* group: there are disconnections between gender politics and development; doing gender mainstreaming has created social difference and has not always served the empowerment goals of women; the axis of gender is seen in one-dimensional terms; there is a need to see gender’s intersectional nature with class, ethnicity and age; there is an uneasy relationship between donors and beneficiary organizations relating to issues of accountability within donor organizations; and the boundaries between state and non-state entities are blurred. Four presentations (Chapters 4–7) under this theme aim to examine critically their work on gender mainstreaming, activism, and the role of gender in international and local institutions.

The key concerns for the researchers in the *Environment and resources* group are that there are new environment–market relations and these affect women and men in expected and unexpected ways, many of which have deepened existing inequalities and also create new forms of stratification as well as opportunities; that gender relations and norms have been proven to be resilient in the face of wider environmental and policy changes; and that global environmental regimes since the mid-1990s have recycled essentialist women–environment frameworks despite past critiques and created new ways of positively coping with environmental change and climate variability (Chapters 8–10).

The following key issues are crucial for researchers in the *Gender justice and rights* group: contrasting legal norms are being applied at multiple scales; hegemonizing particular ethnicities and religions takes place through the vehicle of law; and understanding that there is a need to construct and conceive a culturally-neutral platform for adjudication. The notions of gender justice and human rights are examined through the lens of local practices and institutions. The aim is to understand the application of rights in a changing Asia, where transnational norms are imported and reinterpreted locally. However, at the same time, the realities of women’s and men’s lives in the region should provide new insights into the relevance of gender with regards to justice, equality, and rights. Two chapters (11 and 12) explore how legal systems in a Muslim context can underpin continuity yet provide a locus for change and a call for gender justice.
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Science from below

The various individual studies work towards the common goal of formulating an analytical approach to studying gender and development that is based on field research. The authors question their positions as socially located researchers, since research is a process of exercising and yielding power. They express concern about how they can better reflect women and men’s new ‘lived realities’ (Rigg 2007) to inform our understanding of gender and development and to grasp the conflicting and overlapping inequalities and opportunities in a restructuring Asia. For most of the authors, this means doing ethnographies and practising grounded science. As they have inquired from ‘below’ (Harding 2008), they have sensitized themselves to the changing power relations and contested notions of power of those ‘below’ as well as those ‘above.’ Equally important, they also question modernist received wisdoms, such as gender and development’s ‘top-down’ definitions of and prescriptions for empowerment.

Most of the individual studies aim at understanding global–local interactions and dynamics when studying processes of change. This implies considering ways in which globalization is at play in constructions of masculinity and femininity, along with ways in which gender has shaped and inflicted globalization. In this sense, having one big project made up of individual case studies representing many different Asian contexts may provide fresh and cumulative insights into the new complex and transnational realities of women and men in the Asian region.

Although we did not follow a prescribed methodology for all the individual studies, the research reported in most of the chapters used qualitative methods of data collection, in part influenced by Harding’s (2008) suggestion of practising sciences from below. Although the interviewees (except in one study, reported in Chapter 7) may not have contributed directly to the design or methodologies used in the studies, many of the contributors to this volume have attempted to rethink concepts by holding them up to the light of practice and everyday life. In this regard, many of the studies included here use a feminist standpoint to rethink gender concepts. Some of the studies revisit research sites – in some cases decades after the original study – while others aim to shed light on gender concepts and theories using a phenomenological approach. Several methods have been used in the individual studies,
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ranging from participatory workshops, focus groups discussions, and in-depth interviews to surveys. Thus, the methods of data collection varied according to the needs and contexts of the different case studies. We also find that all authors rethink gender in multiple ways by cutting across the themes that are described.

Acknowledgements

This book would not have been possible without the participation of our research partners and communities, who generously gave their time and effort to our respective projects. Their insights, thoughts and reflections have greatly contributed to what is presented here, although responsibility for errors of fact and interpretation remain the responsibility of the named authors. We particularly thank Professor Kristi Anne Stølen who initially launched the idea of a project on rethinking gender, but with a different focus.

We also thank the Research Council of Norway/NORGLOBAL for the generous support to our research project: *Revisiting gender in development: complex inequalities in a changing Asia*.

The Editors

References


Contributors

Zaireeni Azmi is currently pursuing her PhD in National University of Malaysia (UKM), Malaysia. Her field of interest is in the area of gender, culture and politics.

Ari Darmastuti is a lecturer at as well as Chairperson of the Masters Programme of Government Science at the Faculty of Social and Political Sciences, the University of Lampung, Indonesia. Her research interests focus on gender and environment, politics and women’s human rights.

Donna L. Doane is working as a researcher and visiting faculty in Gender and Development Studies at the Asian Institute of Technology, Thailand, and as a programme consultant for HomeNet South Asia in Ahmedabad, India. Her interests centre on socio-economic approaches to gender, informal workers and urban poverty, social protection, and conflict, prejudice and discrimination.

Philippe Doneys is Assistant Professor of Gender and Development Studies at the Asian Institute of Technology, Thailand. His research interests cover issues related to gender and empowerment, gender and health (especially HIV), migration and gender-based violence, particularly in South and Southeast Asia.

Rebecca Elmhirst is Principal Lecturer in Human Geography at the University of Brighton, UK. Her research interests lie in feminist political ecology, and the gender dimensions of natural resource governance, displacement and migration in Indonesia.

Noraida Endut is Associate Professor and Director at the Women’s Development Research Centre (KANITA), Universiti Sains Malaysia. Her research ranges from issues like domestic violence and polygamy to sexual harassment, women in decision-making positions and women’s access to justice in the Sharia courts.
**Contributors**

**Wang Fengxian** is Associate Research Fellow at the Institute of Sociology, Beijing Academy of Social Sciences. She is engaged in gender studies with a focus on marriage and family, community service and non-governmental organizing.

**Julaikha B. Hossain** is working as an Affiliate Faculty in Gender and Development Studies at the Asian Institute of Technology, Thailand. Her research interests are gender and development with emphasis on the policies and programmes for mainstreaming gender and women’s empowerment; gender, laws and human rights; and gender, organization and employment in Asia.

**Kyoko Kusakabe** is an Associate Professor at Gender and Development Studies, School of Environment, Resources and Development, Asian Institute of Technology, Thailand. She has been engaged in research on gender analysis of migration and mobility and regional economic integration in the Mekong Region.

**Merete Lie** is Professor at the Department of Interdisciplinary Studies of Culture, Norwegian University of Science and Technology. Her research interests are gender, technology and globalization with a particular interest in assisted reproductive technologies.

**Ragnhild Lund** is Professor at the Department of Geography, Norwegian University of Science and Technology. Her current research interests are related to processes of social change in the Global South, in particular mobility, forced migration, gender, youth, and indigenous people in Asia.

**Cecilia Milwertz** works as Senior Researcher at the Nordic Institute of Asian Studies (NIAS), Copenhagen University. Her core interest is on how people at the micro-levels of society in the People’s Republic of China aim to shape and change the policies and practices that structure their lives.

**Smita Mishra Panda** is Professor at the School of Management, Centurion University of Science and Technology, Odisha (India). Her research interests include gender issues in development, natural-resource management (water, livelihoods and institutions), indigenous peoples and rural development.
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Bernadette (Babette) P. Resurrección is a Senior Research Fellow at the SEI Asia Centre, Bangkok. She has considerable experience researching gender, livelihoods, climate change adaptation, migration, and natural resource management in Cambodia, the Philippines, Thailand and Vietnam.

Ingrid Rudie is a Professor Emérita at the Department of Social Anthropology, University of Oslo. Her main research focus has since the early 1960s been on changing family and household organisation and gender in the Kelantan Province in Malaysia.

Edsel E. Sajor is an Associate Professor at the Urban Environmental Management program at the Asian Institute of Technology. He has done teaching, research and consulting on flooding, climate change, land use planning and development in Thailand, Philippines, Vietnam and Cambodia.

Prak Sereyvath is Director of Cambodia Institute for Research and Development (CIRD) in Phnom Penh, Cambodia. He is working on agriculture-based rural development, and is a co-founder of CEDAC (Centre d’Étude et de Développement Agricole Cambodgien) before founding CIRD.

Rashida Shuib is a Professor at the Universiti Sains Malaysia (USM) in Penang, Malaysia. She coordinates the Women’s Health Development Unit located in the School of Medical Sciences. Her research interests are in the fields of gender and health, women’s health and medical sociology.

Shanthi Thambiah is Associate Professor at the Gender Studies Programme, Faculty of Arts and Social Sciences, University of Malaya. Her current research interests are in the areas of changing gender relations and livelihood strategies of indigenous communities in Malaysia, gender and migration; families in flux and gender relations, gender, work and public policies.
CHAPTER 1

Introduction

Ragnhild Lund, Philippe Doneys and Bernadette P. Resurrección

Multiple ways of rethinking gender

Scholars have generally agreed that ‘gender’ is a type of ontological social difference based on cultural notions of femininity and masculinity, and that by signifying such a difference, power is concurrently produced between women and men. This translates into relations of inequality and a disproportionate share of disadvantage, position, obligations, and opportunities between women and men. This consensus, we believe, needs further rethinking and unpacking.

In our attempts to rethink gender, we re-examine past studies that have considered gender as one-dimensional and somewhat fixed and, as such, have centred on a singular feminine subject. We come to understand more and more that gendered subjectivities are complex, intersect with other types of subjectivities, are in process of change, and are materialized by discourses and practices. We also question current institutional applications of gender in development practice, examining the ways in which gender is being framed and interpreted at different levels, and seeking new explanations for why in many instances gender has been technocratized, simplified and disassociated from its political goal of empowerment. Ultimately, therefore, this book demonstrates how gender is in motion and entangled with multiple processes of producing identities, power and inequalities.

Current gender and development approaches are inadequate to match the complexity of gendered lives. We set out to examine how the complexities can inform our conceptualization of gender and development practice, as we search for new tools that defy simplifications and are not resistant to fluidity, messiness or incorporating and intersecting the
material with the symbolic, and with the unstable and mobile nature of gender. In rethinking gender, we examine the following subject areas as they guide us to challenge past assumptions about gender that cross-cut the various domains of changing gendered livelihoods, power, policies and practices, environment and resources, and justice and human rights.

The discussions that emerge in the various chapters are that gender as a category for social analysis in development has not always led to the transformation of inequalities. Hence, in multiple ways they raise the following specific points and questions below, challenging the relevance of gender in development, both in theory and development practices. These points also serve as cross-cutting and guiding themes that bind all sub-projects together.

**Continuity and change**

Processes of change contain elements of striving for continuity – new ways of behaving that preserve existing gender inequality – as well as striving for equal relations. Are some areas of gender relations more resilient and others more fluid? The challenge is to examine the conditions under which these realities change and/or remain the same.

All of the authors relate to continuity and change in some way or other. They revisit former field sites and communities, studying how and whether the dynamics and identities of gender change and reproduce under the political-economic, political-ecological and cultural transitions that much of the Asian region has undergone. Three chapters deal with the significance of environmental change, recurring events of disasters and resettlements, exploring how and whether change has become inscribed in people's lives or whether their gendered lives and selves have remained resilient (Chapters 8, 9, and 10). Among the various chapters on power, policy, and practices, one explores how gender analysis contributes to understanding changing life trajectories (Chapter 6), two chapters critically examine changing gender and development practices (Chapters 4 and 5), and one chapter (Chapter 7) studies how women activist groups manage to change attitudes, gender relations and communal awareness of societal problems.

Two chapters explicitly focus on gender and changing livelihoods in self-reflective ways. In Chapter 2, Merete Lie, Ragnhild Lund and Zaireeni Azmi explore change and continuity in gender relations, and how changing understandings of gender are produced by local and
global actors. Since 1986, Merete Lie and Ragnhild Lund have studied the transfer of Norwegian companies from Norway to Asia from a social research perspective. During 2011 and 2012, their field site was ‘revisited’ by a young Malaysian researcher, Zaireeni Azmi, with the intention of scrutinizing the Western view of the previous studies and incorporating a new gender lens, as well as providing new insights from the field. The three authors’ contribution to rethinking gender is partly a self-reflective exercise, as they try to unpack how gender was understood at different junctures of their work. They critically explore the methodological issue of doing longitudinal, reflexive, cross-cultural and cross-generational research; how they have understood continuity and change previously and how they understand these concepts now; and how they understand women and gender. They have found that the analytical approaches employed previously are valuable, but have limitations when they attempt to study transformations over time. A more dynamic, process-oriented, and flexible approach to studies of gender and social change is needed. Bringing in a young Malaysian researcher provided new perspectives and observations to supplement Lie and Lund’s previous analyses. The outcome for both the local and the foreign researchers was that the exercise unpacked each researcher’s biases and triggered ideas about what continues and what changes, and how they may rethink gender. Not only did they learn about continuity and change in women and men’s lives and livelihoods in their study area; they also learned about continuities and discontinuities at the levels of their own positioning and the changing theoretical conceptualizations of gender. The authors conclude that the change/continuity perspective remains useful in a process of rethinking gender because it can explain how gender is continuously produced in time and space.

In a similar vein, Rashidah Shuib and Ingrid Rudie (Chapter 3) studied change and continuity in two villages in the northeastern part of Malaysia. The ‘foreigner’, Ingrid, has studied change and continuity in two phases, and in two time periods 20 years apart. More than 20 years later, Rashidah, the ‘local researcher’, was introduced to the field in order to conduct a restudy. Both researchers launched their restudy with the dual aim of tracing empirical changes ‘on the ground’ and introducing an alternative gaze, in this case to substitute an insider’s gaze for that of an outsider and subject the field to a different theoretical ‘reading’.
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Two interrelated concepts are introduced: ‘translating gender’ and ‘rethinking gender’. Translating gender has a bearing on the researchers’ differing backgrounds and contemporary collaboration, but also on the ‘translation’ that has taken place over time between different vantage points, as both researchers were exposed to different empirical scenarios and theoretical inputs. This translation through time implies inevitably an ongoing rethinking of gender and reflects the researchers’ personal history of making sense of their research. Although the ‘revisit’ by the ‘local’ researcher actually threw a wider net to capture the village dynamics, the focus of the chapter has been narrowed down to marriage. On the east coast of Malaysia marriage is still perceived as the norm and families are still the place to return to for support upon the birth of new family members, even when the new parents have left their original family home. Furthermore, the village is still the place for family members to return to for festivals. Women’s power to organize, adapt and reconstruct responses to situations has not changed. They have shown resistance as well as resilience and provide evidence of strong social power. Disturbingly, polygamy seems to be acceptable among the young and educated, but there are also more reflective thinking and silent resistance about it as a family institution. In the authors’ opinion there is a need to develop an indigenous feminism to understand better what is happening.

Power

Power is a cross-cutting issue in all chapters in this book. The authors are concerned with how they deal with power and the processes that hegemonize the identities of groups, regulating their gender and ethnic identities. The authors also enquire into what instruments and institutions (religious, legal and development-related) are being constituted and employed in such processes and conversely, how gender works in the process of countering power, thereby redefining power relations at both societal and household level. Can more equal gender relations also restructure institutional power to address ‘complex inequalities’?

Three chapters examine particularly the interpretative power of gender in development institutions and seek to understand whose knowledge and voices are produced. They investigate how the interpretative power of current languages on gender disciplines practice and action in development institutions and activism.
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Donna L. Doane and Philippe Doneys’ chapter (4) examines whether empowerment has become a buzzword, as Andrea Cornwall suggested, or whether it still has relevance in the context of economic empowerment projects in the Greater Mekong Sub-Region. The presentation begins with an inquiry into how women’s economic empowerment projects are designed in each of the four countries studied in the region (Cambodia, Laos, Myanmar and Vietnam), and how empowerment has been defined and can therefore be assessed as one of the key objectives of the projects. The findings from interviews indicate that the conception of ‘empowerment’ appears to differ significantly depending on the level at which the concept is used: with international organizations focused on a rights-based approach, through national-level government agencies and women’s organizations often constrained by the translation of ‘power’ as an overtly political endeavour, down to the provincial or local level, where the concept of empowerment seems to be more ‘reflective’ of local cultures and values, and where people often explain empowerment as a household or community process. Another key explanation of difference is the meaning of words used in the translation of empowerment, some of which reflect the ‘power’ component whereas others use a more diluted term referring to capacity, which suggests that empowerment becomes a very different endeavour depending on contexts, languages, and even gender-related conceptions and priorities. Such findings suggest that empowerment is not a standard recipe to be used in all contexts. Although organizations have attempted to obtain bottom-up evaluation of empowerment, the authors argue that these attempts begin with a preconceived idea of what empowerment involves, and that the concept itself needs to be defined by the communities in which empowerment is to take place in order for this process to be meaningful.

Cecilia Milwertz and Wang Fengxian focus on how development practices are gendered in Chapter 5. They analyse the implicit gender coding of a capacity-building technology offered by two North American organizations to a non-governmental organization (NGO) in the People’s Republic of China working on gender and development issues. Their analysis responds to calls for critical investigation of the practices of development agencies in relation to the status of gender in development and it questions the roots of ‘NGO-ization’ practices that
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aim to create modern and sustainable NGOs according to new public management paradigms. The two USA-based organizations offering capacity building and the Chinese NGO in receipt of it were all strongly committed to addressing gender issues and practising gender awareness. Drawing on Sandra Harding’s (2008) understanding of the gender coding of modernity, the authors argue that the capacity-building process was nevertheless implemented with a paradoxical lack of gender awareness. Harding warns that even purportedly progressive scientific and technological projects are doomed to fail if they do not engage critically with the way in which the dominant understanding of modernity associates the feminine with the primitive and therefore marginalizes and excludes it. The authors of Chapter 5 suggest the recognition of gender as one element of hegemonic understandings of modernity, in this case in the form of implicitly masculine-coded capacity-building technology and feminine-coded NGO practice and the valorization of masculine-coded knowledge in relations between givers and receivers of development aid.

From another vantage point, Kyoko Kusakabe and Prak Sereyvath explore the concept of intersectionality and its importance in gender analysis by studying the different business trajectories within a group of women border-traders in fish, at the Cambodian–Thai border (Chapter 6). Since the opening of border trade between Cambodia and Thailand, there have been large differences in the way women traders have developed their businesses. The variety of business trajectories of women traders – unlike the stereotype that women’s business stays small and at subsistence level – highlights the need for a more intersectional analysis to understand the diversity of women’s lives, and the types of women who engage in these businesses. By exploring various factors and events that influence their businesses, the authors are able to grasp how, by seeing the world from the women’s viewpoint – a feminist standpoint epistemology – and by taking intersectionality at the core of their analysis, they are able to add value to gender analysis in capturing the diversity of women’s lives. A major finding is that as opposed to gender programmes that encourage cooperation and solidarity, the studied women traders saw other traders as competitors. This point chimes with Crenshaw’s (1991) landmark work on intersectionality, where she drew attention to feminists’ frequent neglect of intragroup differences.
Chapter 7 explores how exploited individuals and indigenous groups have become active in resisting contemporary market-oriented development practices. Here, Ragnhild Lund and Smita Mishra Panda analyse activism among Adivasi women in Odisha, an eastern state in India, where gender mainstreaming is relatively new to non-governmental organizations (NGOs) and local self-help groups (SHGs). The authors enquire about the women’s lived realities and what has made them mobilize, what they have achieved, and whether their activism has contributed to changing gender relations. The authors introduce the analytical concepts ‘body space’ and ‘spaces of resistance’ in an attempt to unpack how women are forced to push their bodies into struggles for better lives and at the same time explore how their resistances are intertwined with contextual and structural factors. By studying particularly Adivasi women’s activism to fight increasing alcoholism and the erosion of natural resources in their home environment, it is found that activism has contributed to transforming attitudes and gender relations. At the same time, women’s activism is embedded in their inferior structural positioning of patriarchy, local power relations, and neo-liberalist policies. This presentation concludes that rethinking gender has been possible in three ways: first, increasing insights have been produced by introducing a new conceptual lens, which includes the spaces of individuals and the collective; second, activism has changed gender relations, indicating that gender relations are contextually defined and in constant change; and third, activism has changed attitudes and awareness among women and men, adding new insights into how activism changes people.

Environment and resources
As already mentioned, the authors of this volume are sensitive to the practices that materialize gender and other types of social difference. This permeates Chapter 7, on indigenous women’s activism, the chapters on policy and practices (Chapters 4–6), the self-reflexive chapters on changing gender (2 and 3), how gender is (re)produced in feminist research (Chapter 2), and the chapters on how legal institutions and religion cement gender difference and (in)justice (11 and 12). Specifically, the three chapters dealing with resources and the environment shed light on performative environments and gender, focusing on how gendered subjectivities and natural events are materialized through people’s mobilities.
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In Chapter 8, Rebecca Elmhirst and Ari Darmastuti document the gendered workings of power and lived experiences of men and women in rural Lampung, Indonesia, in the context of the ‘forces’ of nature associated with rapid environmental change and lives lived increasingly across multilocal settings. The authors compare the experiences of women in two contrasting geographical settings in rural Lampung: an area gazetted for conservation where women have established themselves as coffee entrepreneurs, and a resettlement area where food crop failures and the expansion of oil palm are inextricably linked with women’s engagement in migration for work overseas. Rethinking gender is done through a materialist feminist political ecology approach, which takes account of new realities in the province: new environmental realities, new crops, new forms of (multilocal) livelihood, and new aspirations. A key concern is to reveal that nature is not just a ‘context’ but an agent, by demonstrating the agential properties of a changing nature for people, and in this case, specifically women in Lampung. In both case study areas, people demonstrate contrasting relationships with nature through their agricultural and livelihood practices, which sets in motion particular pathways of dispossession or entitlement. From a policy point of view, the chapter considers the implications of this materialist version of gender–nature for establishing gender policy in Lampung (and elsewhere), as gender action plans are being devised and rolled out amidst the charged politics of resource access and control in the province.

In Chapter 9, Bernadette P. Resurrección and Edsel E. Sajor focus on the impacts of flood events in the Quezon Province in the Philippines, through the lens of mobility studies and feminist political ecology. Post-disaster mobility is on the rise, despite the fact that people were already largely mobile even prior to the great flood events or that movement can also be triggered by wider political-economic conditions in the Philippines today. Humanitarian agencies and government organizations address people’s disaster recovery needs through active programming in disaster risk reduction and preparedness. However, they often sidestep the fact that disasters and disaster recovery are significant meaning-making events and processes, in which people make sense of their present and future life trajectories. Current thinking on gender mainstreaming flood and disaster planning and mitigation tends to oversimplify how disasters strike and affect women and men, and sub-
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sequently also how gender shapes disaster responses and recovery from disasters. There is a need to go beyond easy notions of gender-specific impacts where women are often claimed to be immediately disadvantaged and vulnerable. The authors recognize that narratives of mobility and disaster play an important role in the constitution of gender and that productions of difference become exercises imbued with power and inequality, exclusions, and new chains of vulnerability.

In another vein, Shanti Thambiah (Chapter 10) describes the multiple and shifting livelihood strategies of the Bhuket people, in the Malaysian state of Sarawak on the island of Borneo. She examines how different individual and household livelihood portfolios draw from specific patterns of resource mobilization, social organizations and gender dynamics. In the context of resettlement due to the Bakun Hydroelectric Dam Project, Bhuket women and men have been experimenting with different livelihood strategies and men tend to draw from their social capital as hunters while women tend to draw from their social capital as gatherers. This type of experimentation, combining wage employment, subsistence farming, and dependence on natural resources from the forest, has been practised by the Bhuket even before their resettlement. The strategy can be seen repeated in the resettlement but within the context of vanishing and emerging resources and livelihood opportunities. The Bhuket are undergoing change but also practising continuity by maintaining their mobility and being flexible in their livelihood strategies in the context of competing demands and constraints in an increasingly stratified economic environment. Gender and livelihood are performed using the hunting and gathering cultural template of adaptation to situation and context. The author argues that the fluidity or flexibility of gender relations does not accord with the fixity of development. The chapter emphasizes that livelihoods constitute gender in dynamic ways that usually do not match the culturally static and fixed ways of gender and development policy interventions.

Gender justice and equality

Two chapters examine gender justice in religious institutions and law, inquiring into how current legal practices represent local reinterpretations of past and present norms and institutions.

Noraida Endut shows how Islamic law constitutes a compulsory regulating source of personal law for Muslims in Malaysia. Her chapter
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(11) documents how substantive and procedural provisions of Islamic law have gone through various changes and how discourses and testimonies about their discriminatory and detrimental effects on women are quite pervasive. She asks whether Islamic law as practised in Malaysia is consistent with the transcendental ideals of the Syariah as contained in the sacred sources, whether it is capable of affording equal and just treatment for Muslim women in the context of their contemporary lived realities, and what the practices in the administration of the Islamic legal subsystem in Malaysia can inform us about achieving the aims of substantive justice and thus gender equality. The chapter presents the findings and analyses of a study conducted in relation to these questions. The researchers involved in the study observed proceedings in Syariah courts in Malaysia to capture and examine texts and contexts of the administration of justice in family law cases of Muslims. The chapter concludes that the Syariah courts have not shown consistent efforts towards the development of Syariah jurisprudence that seeks to unpack the present realities of families and thus the realities of contemporary positions of women and men. Thus, the law may not have been applied contextually to ensure optimal justice based on fundamental principles of Islam and as a consequence may impact on women’s access to justice.

In the courts, proceedings are interspersed with remarks that reflect court officials’ views on gendered roles in marriage. Although these remarks are mostly subtle and not overt, they may form critical influences to judicial decision-making by developing normative interpretations of legal rights and responsibilities based on gendered perspectives. The author suggests that understanding and recognizing such discourses are important since they have real consequences on the prescription of justice and, more specifically, on the attainment of gender justice.

In her chapter (12), Julaikha B. Hossain argues that the laws that immediately affect women’s rights and gender justice in Bangladesh in everyday life are primarily personal laws. The constitution of Bangladesh reiterates the principle of equality before the law, equal treatment and protection of law, and non-discrimination irrespective of religion, race, caste and gender. However, these guarantees operate in the public domain, whereas the personal (family) laws, derived from all the religions, are plural and the amalgamation of the culture of the society, religious norms, and interpretation by Western jurists of these cultures and...
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religion. Therefore, personal laws concerning, for example, marriage, divorce and property inheritance of both Muslims and Hindus suffer from various misinterpretations, and distortions that lead to discriminations against women, and hence face serious challenges in Bangladesh. In an effort to understand better and evaluate the country’s effectiveness in ensuring gender justice, the author rethinks some of these complexities through the focus on the plurality of legal jurisdictions in Bangladesh. This prompts Hossain to ask how the intersection of personal laws, customary practices and social spaces impacts on gender justice within the plural legal jurisdictions in Bangladesh and how these laws, practices and spaces often collide with the norms of equality enunciated in constitutions, legislations and human-right treaties – thus weakening the framework for achieving gender justice and women’s struggles for empowerment in the country.

Structure of the book

The present book is organized in four thematic sections preceded by an introduction and followed by a conclusion. Although the individual researchers work across different geographical and disciplinary boundaries, they position themselves actively towards the initial objectives of the umbrella research programme, as presented above. Inspired by the mentioned critique of Cornwall (2007), Harding (2008) and others that gender has been understood as one-dimensional, fixed or given in research and development practice have made us focus on men and women’s lived realities on the ground (Rigg 2007). Fieldwork in different Asian contexts – revisits or new – has led us to examine the ways in which gender is operationalized in projects and institutions. By attempting to rethink gender, it became clear that it was no longer one dimensional, fixed and independent, thus prompting us to view gender as entangled. This has enabled the editors to re-engage with gender and development studies on new terms, as is further presented and discussed in the concluding chapter (13).

References

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Introduction

Since 1986, we, Merete Lie and Ragnhild Lund, have studied the transfer of Norwegian companies from Norway to Asia from a social research perspective. At the beginning of our work in the late 1980s, we pursued two perspectives: one based on the economic significance of industrial work for workers, their families and the local community, and the other related to the changes in life course between mothers’ and daughters’ generations, incorporating women’s perceptions of themselves, processes of change, and their environment. Over the years, these perspectives became more integrated, and we have positioned ourselves in relation to various discourses related to the restructuring of the global economy and the use of female labour. The aim of our research is to study change and continuity in gender relations, and how changing understandings of gender are produced by local and global actors.

We began our work by studying the relocation of Norwegian production to newly industrialised countries (NICs), such as Singapore and Malaysia, and its impact on local female workers. At that time, some of the previous low-wage countries had succeeded in adapting to the new economies of the NICs, which had increasingly become capable of indigenous growth, new product development and export-oriented production. Another shift of global production took place during the
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early 1990s, when increasing flows of information, knowledge and services became more prominent. We studied how these changes affected production and workers in the increasingly consumer- and market-oriented societies in Southeast Asia. As part of this work we conducted an in-depth study of women who lived in a Federal Land Development Agency (FELDA) settlement scheme3 in southern Malaysia, a district where men and women traditionally engaged in small-scale farming or worked as estate labourers. In the 1980s and 1990s, several factories were established in this area. Among others, a Norwegian factory was set up in 1979, which recruited mainly young women living in the nearby settlements. According to local norms, young unmarried women were expected to be shy and reserved, and not to participate in public activities on their own. Hence, those who traditionally were most protected became those who took up work outside the village and brought new ideas and values back to the village. By entering the modern economic sector, those young women also increased their economic importance in their households considerably and thereby acted as promoters of social change. As a result, the women challenged the cultural tradition that defined men as the heads of households and main economic providers, and actively negotiated their gendered positions in the local society.

In this chapter, we seek new understanding by revisiting not only the field but also our own study, with the aim of firstly identifying processes of change and continuity, and secondly revisiting our analytical approach in order to reconceptualise gender in our own analyses. Our point of departure is the long-term fieldwork that was carried out during the period 1988–2006 in the FELDA settlement in order to study women’s life-course changes and livelihood strategies related to global economic change. We have since found that during that period our analyses were affected by the general trends within feminist and gender studies, such as the change from women’s studies to gender studies, and the warning against essentialism and dichotomisation in gender studies. During the period 2011–2012, our field site was ‘revisited’ by a young Malaysian researcher, Zaireeni Azmi, with the intention of scrutinising the Western view of the previous studies and incorporating a new gender lens, as well as providing new insights from the field.
In the following, we argue that our empirical findings did not only provide insights into the role of Malaysian women in global industry, and what changed and what remained specific in their lives, but also contributed theoretically and critically to discourses on gender and global economic restructuring. In the following discussion, we attempt to rethink gender through an analysis of the changes in the studied local community. Our perspective has been influenced by the changing theories, concepts and research approaches over time. However, it was the empirical findings that made us question those theories. Our contribution to gender theory is thus partly a self-reflexive exercise, as we try to unpack how gender was understood at different junctures of our work. Data from recent fieldwork are used to demonstrate the importance of a reflective approach to empirical studies and to give insight into the ways gender is produced in the local society and in local workplaces.

In the following, we first reflect on the opportunity for undertaking a longitudinal approach in the field and the ways the researchers were situated in relation to the informants, as well as what implications this has for the analyses. Thereafter, we explore how we juggled the concepts of women, gender and feminism in our studies of change and continuity in women’s lives and livelihoods. With these reflections in mind, we examine some of the changes that we have observed over time, and then reanalyse the changes by utilising the notion of ‘producing gender’.

Revisiting gender by being critically reflexive

The longitudinal approach of our study – involving various revisits over many years – gave us a unique opportunity to document social transformations over time. Arriving as outsiders to Malaysian culture, multiple visits to the field enabled us to build knowledge about a context that we found increasingly complex and multifaceted. On our first visit we experienced a local community that faced a stagnant economic situation due to meagre income from the land. Then, the children of the settlers grew up and young women began to take work in foreign companies that increasingly were becoming established in the area. Through later visits, we learnt about a rapidly changing community and observed how remittances from children (particularly daughters) with easy access to jobs (both locally and in Singapore) created wealth in the village. During the last visit, in 2006, we learnt about a village in which
the sedentary population was ageing and the younger population was migrating to semi-urban residential areas. These contextual changes mirrored the situation for the women we interviewed. On each visit, we observed that some of the workers we had spoken with on previous visits had left the village. We found that the women had diversified their careers by taking one of three options: some were still working as industrial workers, others had found work in the informal sector (running food stalls), and some had become housewives. Zaireeni’s contribution was to ‘revisit’ the same study area and interview the second and third generations of women living in the FELDA settlement. This approach provided generic knowledge about changes in Malay women’s lives and work, as well as further insights into the processes of socio-economic change in Malay society. The female factory workers were not only important actors of change during our first visits to the field, but also continued to build skills from working life that enhanced their capabilities. Facing these multifaceted processes of change, we searched for conceptualisations of gender that included the processual, situational and relational.

Such revisits also provided opportunities for critical reflections about what we did at various junctures. Our professional insights developed out of changes in our own life cycles – transformations from junior to senior researchers, from busy mothers of small children to middle-aged women with no children at home, and from young lecturers to senior faculty members with numerous scientific responsibilities. Altogether, these experiences resulted in some gains but deprived us of others, such as the ability to stay in the field for any length of time and be continuously updated on what is happening. However, brief revisits over a considerable life span of more than 25 years enabled us to gain insights into the changes in the local community. The changes in our own lives provided a lens to reflect on change and continuity in the lives of the women we studied. A further benefit of the revisits is that changes were more readily apparent after our absences than they would have been if they had been observed gradually.

The last step in our longitudinal study was that Zaireeni revisited the field, made her own observations and held her own interviews, and undertook a critical reading of our publications. The idea was that she would use another angle for observation, and hopefully come closer to
the informants and have a better background for interpreting what the informants said.

**Zaireeni’s story**

When I agreed to take up the challenge of ‘revisiting’ the study site, I was slightly nervous because livelihoods are not my area of interest. Throughout the process, I was concerned about the appropriate positioning of myself as a researcher. The challenge was to revisit the site and provide fresh insights from the field, and at same time examine the previous studies. I struggled in my position as a junior researcher aiming to extend the research previously done by two senior researchers, on a topic with which I was not familiar. My anxiety resulted from the question of whether I would be able to meet their expectations of conducting the research. On the other hand, I felt rather comfortable about visiting and studying a group of women in my own country, who were of the same cultural background as me. Reflecting on the situation, I remember thinking that I would probably have a better chance of understanding the women than Norwegian researchers who have different cultures and might approach the study with another interpretation. My identity as a Malay and a woman placed me as an insider in the community, and could thus be expected to afford me easy access to information. However, I later realised that this underlying assumption was incorrect because the women in the FELDA were from different parts of Johor Bahru, and in the majority of cases their descendants had come from Indonesia. Consequently, their lived realities were as different from mine as from the Norwegians.

How did I position myself? It was evident that sometimes I shared experiences, opinions and perspectives with my informants, and at other times I did not. Differences are to be expected as well as similarities such as gender, language and identity (Asselin 2003). My identity as an apprentice to Ragnhild and Merete enabled me to visit respondents from the previous study but finding new informants proved challenging. Although I began the study by positioning myself as Ragnhild and Merete’s junior researcher, during the research process I
had to utilize my other identities as a woman, a mother, a wife, a Malay, or just another researcher in order to gain the trust of the informants and settlers. I also wanted to be seen as a good researcher who was not just following instructions. Further, I wanted to be seen as someone with experience in conducting research. This realization came after one of the respondents queried: ‘How many questions do you have to ask? They [Ragnhild and Merete] did not ask so many questions like you did. And it [the interview] did not take as long as the one that we are having right now’ (first fieldwork session, October, 2011). The struggle to project myself as a good researcher probably had influenced my decision to extend the research scope of the study to include women's participation in formal and informal politics, the field with which I am more familiar.

I felt that if I had stayed within the settlement and socialised with the women instead of renting a room at the nearby hotel and visiting FELDA every now and then I probably would have established a better rapport with the women and observed their everyday interactions. However, in practice, the fieldwork was done every two or three months and I went armed with limited information with which to understand and observe the women’s mobility, especially their mobility at night. However, after my fourth visit I started to realize that I had gained the trust of some of the women when they invited me to stay overnight in their house during my next visit. Sometimes they would discuss the politics of FELDA's community and genuinely engage with me in their conversations. In the beginning, I realised that the majority of the new respondents (third generation) were introduced to me by one informant who was well known in the village. The introductions went smoothly because the informant set up the interviews. It became clearer to me that although I was a Malay woman I needed to build a rapport with the participants in order to be accepted. Gaining access to the respondents and fieldwork should become easier once a good rapport has been built and the respondents begin to trust the researcher (Oakley 1981). Reflecting on Oakley’s statement, I
realised that it was incorrect to assume that the women would tell me everything that I wanted to know just because I was a Malay woman researcher. I also realised that I could never fully remove myself from the research, since my background as an educator, a researcher and a Malay woman would both consciously and subconsciously influence my interactions with the women and hence their responses. I accepted that the women had certain perceptions about their lives and politics, partly because of the socializing process and partly because their exposure to information differed from my own experience. I also noted that the women were willing to share their stories if I shared mine. At the same time, I was aware that I could not fully remove myself from the respondents. Sharing values and experiences became part of the process of gaining their trust. Both I and my respondents experienced satisfaction from the exchange of information during the interviews.

From the beginning, the women tried to impress me with accounts of FELDA’s success and how the scheme had changed their parents’ lives as well as their own. Many remarks were made to display their indebtedness and gratitude to the government, as they perceived the scheme as a means to help poor Malays. In their eyes, the FELDA scheme had resulted in a successfully organized village that enjoyed many benefits given by the government and provided monthly incomes for various families. As part of the research, I explored the women’s life experiences by examining continuity and change in their lives. My parents’ families was originally from a rural area on the east coast of Malaysia and had gone through similar generational changes in which all the female relatives had left the house to work – in the informal sector for extra income and their own survival, although in my family the changes differed from those experienced by the women in FELDA. However, as a feminist researcher, I ignored my own story and took for granted what the women in my family had gone through. Thus, as a young researcher, I used our similarities to connect with my respondents and our differences to explore the new knowl-
It was a surprise to learn how much the Malay researcher also considered herself an outsider in the FELDA village. Her urban and academic background meant that, despite sharing the informants’ language, her understanding and interpretation had an insider/outsider aspect. Nonetheless, our positioning as co-authors differed in the sense that Merete and Ragnhild were acknowledged as foreigners both by themselves and by the informants, whereas Zaireeni’s situation was more ambiguous. In the presentation of self, when Merete and Ragnhild first went to the village, they were both associated with the global influx in the area. Zaireeni, as a Malaysian, was associated with national political controversies related to the FELDA schemes, even though she was not anxious to enter the village at the time of the national elections. Thus, she lacked the foreigners’ advantage of being perceived as ignorant when she was talking to the interviewees. Still, we found that Zaireeni, to a further extent than the foreigners, was able to gain information beyond what was explicitly given in interviews, and to understand the ways her informants evaluated the options and choices of local women.

**Conceptualising gender**

The analytical tools available to us from the late 1980s onwards were from the overlapping fields of women studies, gender studies and feminist studies. Our reanalysis revealed that we had shifted our analytical focus between the following:

- **Women.** In this respect, our analytical focus aligned with Norwegian Research Council’s ‘Women and Development’ research programme that we were part of in the 1980s. The programme involved several sub-studies, and various methods of data collection were used to provide information on different aspects of Norwegian industrialisation and the role of female labour. In some respects, the categories of women and men were taken as given from the outset, and this was particularly visible in our first fieldwork. It could be said that we simply took local categorisations for granted, asking, for example, what women could...
do, how their practices were interpreted, and what room there was for change in women’s behaviour.

- **Gender.** This was introduced as our analytical concept to understand women’s opportunity situation locally, and how their choices were embedded in gendered relationships and local traditions. Inspired by Harding (1986) and Scott (1986), our starting point was unpacking a gender system that included different levels. In our research, we were most concerned with the interface between the structural level (economic restructuring on a global scale and gendered division of labour) and the local level (gender as perceived locally and individually). Although we employed the concept of gender, we hardly included men, either in our data or in our theoretical and analytical work. In that sense, our analyses were still inclined towards ‘women studies’, but we were aware of gender relations on the structural and local levels.

- **Feminist analysis.** We used a feminist perspective as a framework for analysis, in the sense that we introduced a feminist perspective on the asymmetrical relationship between women and men. The asymmetrical relationship involved a gendered division of work between wage labour and domestic work, both within the labour market and between access to the formal and informal labour markets. It also involved patriarchal traditions regarding women’s control of their own life and the decisions and actions they could take to change it. In that sense, power structures and power relations framed the analysis, but in the detailed analysis of the empirical data we preferred a more open approach to studying both the companies’ strategies and the women’s choices.

To summarise thus far, throughout our study we used a general framework of a feminist perspective, which generally implied a focus on women, also in our case. A perspective of gender structures and gender relations was employed in our analysis, but it was hampered by our empirical focus on women. How men reacted to women’s work was, for example, a question that we asked the women and not the men. Still, because we included data on local development, it was not a ‘women only’ analysis, but a broad analysis of women’s options and strategies within a global-local context, focusing on the FELDA community and the Norwegian factory.
Our feminist approach was from the start related to the thesis of ‘super-exploitation of the female labour force in the new globalised economy’. Feminist researchers built on the thesis of a new international division of labour, which implied a transfer of assembly work from the Global North to the Global South in order to benefit from cheap labour costs (Fröbel et al. 1980). Feminist research emphasised how the biggest industries, namely electronics and clothing, recruited young inexperienced women, and the super-exploitation thesis reflected that women were not only paid less than men, but also employers exploited women’s docility, patience and nimble fingers (Elson and Pearson 1981; Nash and Fernandez-Kelly 1983).

When we explored the above academic discourses in our research (Lund and Lie 1989, 2005) our concern was to understand the lived realities of the women working in the Norwegian-owned factory, while relating these experiences to structural changes in the global economy and strategies of transnational companies. While we positioned our work with the academic discourses of globalisation and ‘tested’ them against our empirical material, we found that they contributed very little to an understanding of the local processes of change. Consequently, we searched for analytical approaches that could better grasp the dynamics and complexity of what was happening at the local level (e.g. Appadurai 1996, 2001; Ong and Collier 2005). After our revisits to the field in the 1990s and 2000s, we used our empirical findings to construct alternative analytical tools and concepts within the arising globalisation discourse, of which the ‘glocal’ – implying the analysis of local/global interfaces – was most useful (Lie and Lund 1999, 2005).

Today, we find that the discourse of super-exploitation of women still lingers. In feminist analyses, multinationals and neoliberalist policies are still perceived as the cause of a gendered pattern of exploitation (Pearson et al. 2004; Mahmoud and Kabeer 2006; Pearson 2007; Chant 2010). Although recognising that there are serious problems related to women’s working conditions and low wages, the question still remains as to whether having a job is, after all, more positive than not, and whether focus on transnational companies (TNCs) leads to a neglect of the role of patriarchal local traditions within the same processes of change. These were matters of heated debate during the 1980s (Heyzer 1988; Ong 1987; Mies 1986; Lim 1985; Elson and Pearson 1981). Today, particularly when
we acknowledge the growth of welfare in Malaysia and a rising middle class, we find that the thesis of super-exploitation of the female labour force has reached an impasse, as it cannot provide theoretical insights that go beyond capitalist expansion and the exploitation of women. Much less is understood of how men and women deal with such work, how they reap benefits, and how these economic changes are elements of more complex realities in which women take an active part (Rigg 2007).

To summarise our critique of the super-exploitation perspective, we find that it is primarily focused on external actors (i.e. TNCs) and less directed at local processes. Associated with this, it is too focused on change, whereas looking into lived realities locally reveals the twin processes of continuity and change. Moreover, the super-exploitation perspective does not address the intriguing question of which choices actually indicate change. However, we realise that although our analyses were concerned with processes taking place locally, we still worked on the impacts of the restructuring of the global economy. Our interest was to study these impacts on the local level – involving a perspective of women as actors and not as victims – and emphasise the importance of local traditions where the local and the global meet. Today, our concern is to leave behind the underlying model of company (cause) and women workers (effect), and open up to a broader perspective of gendering processes. Our input into rethinking gender is made by looking into processes of change and continuity of how gender is produced at work and in the local community.

Continuity and change
Understanding social continuity and change is a major concern in social sciences and gender studies related to globalisation and rapid modernisation processes and, more generally, to feminists’ interest in change. Over the past 25 years or so, economic restructuring, political regime changes, and development programmes in Asia have been followed by studies of change in women’s lives. Nevertheless, according to Addison and Jones (2005), changes in the family and economy have not necessarily changed traditional gender roles or the structures of society that have upheld traditional gender ideals.

Continuity and change were significant dimensions in our research all along, both methodologically and theoretically. Like Smith (2012),
who showed that change is a contested term, we found it quite difficult both to define and to operationalise: to understand what social change is, when it happens, and for whom, and to determine when what appears as change can also be interpreted as continuity. As our major concern was with understanding how the entrance of women into the factory workforce led to societal, economic and cultural changes, we found inspiration in the works of Norman Long’s actor-oriented approach, and introduced the notion of women as active agents of change (Lie and Lund 1994; Lund 1994) – as subjects rather than victims – and Pierre Bourdieu’s (1977) work on *habitus* and *praxis*, which provided insights into what changes and what remains.

Long’s work (Long 1989, 2001; Long and Long 1989), for example, shows how ‘discontinuities’ occur when discrepancies in values, interests, knowledges and power occur in places of intersection between different social fields or levels of social organisations, and hence, for example, in male–female relations, when the actors have different interests and are backed by different resources. Discontinuities happen when ‘processes of change often contain elements of both a striving for continuity – new ways of behaviour that preserve, or at least are compatible with, ‘old’ gender values – as well as striving to achieve ‘new’ values’ (Stølen and Vaa 1991: 7). In our case, when the foreign company recruited female labour, the young daughters replaced the role of fathers as the main income earners in some respects; thus, gender roles had to be redefined. This provoked discontinuities in the meaning of gender, which had to be renegotiated. Today, we find that such discontinuities continue to exist and have become inherent parts of new globalised realities. Still, we argued all along that lived realities can only be understood through an analysis of how they are produced and (re)negotiated locally (Rigg 2007). We use some recent findings from the FELDA village, which Zaireeni visited, to explore how gender relations are continuously changing, on the structural level as well as the local level. Structurally, the gender division of labour between men and women and among women keeps changing. It is dynamic. Clearly, in such situations, gendered identities also keep changing and are dynamic.

The father of one of the factory girls we talked to lamented: ‘She is wearing trousers these days. I don’t know what is she up to’ (Lie and Lund 1991). The quote exemplifies frustration about the changes observed
in the young working women, and indicates a lack of knowledge about what the girls who work in the factory do outside the home and village. We found numerous examples of puzzled and even negative perceptions of modern women and we interpreted such statements as gendered discontinuities. The factory workers were perceived somewhat negatively in Malaysia as having little education and needing to work because their parents were poor; they were also at risk because they moved around in public spaces and were stigmatised as minah karan (‘hot’ girls). However, our investigation indicated that such labelling was imposed on them by the media. The villagers themselves were pleased that their daughters contributed to the livelihood of their families, who were poor and struggled to survive in the new settlement. The parents told us that their daughters were good women and had not changed. In addition, the women workers themselves appreciated the fact that they were beyond their parents’ control and expressed on several occasions that they were happy to be modern Malay women and were less concerned about their status as industrial workers.

In 2012, Zaireeni identified two groups of women workers: those who worked to support their families (the majority) and those who worked to earn extra money or because they liked going to work. While women of the second generation generally worked to support their parents, women of the third generation considered work necessary when their husbands’ income was not sufficient to meet family needs. For the first group, an unmarried daughter who earned cash was not stigmatised due to the fact that working to support the family was believed to be more important than anything else:

There used to be a negative perception of women who worked in the factory. Life was difficult at that time and we cannot be too choosy ... Outsiders would think ... ‘Hmm ... why factory work?’ Indeed, this factory work had negative perceptions at that time. (Woman of the second generation, age 42)

However, within the settlement, the status of factory workers was not considered negative, but rather one that offered women and men the opportunity to gain work experience and supplement the family income. Women of the third generation generally found jobs outside the settlement; some were entrepreneurial and started their own business:
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Nowadays, many of the people in FELDA in my generation, the third generation, work and live outside the FELDA ... male or female ... [we are] not picky [in choosing work] ... many of my friends open their own business ... some of them even work as clerks but their rank is high ... [and they receive] better pay. ... My sisters and I are teachers. (Woman of the third generation, age 32)

Several of the third-generation women had higher education and hence new ambitions:

I will continue to work ... because I’m educated ... and I have personal liability ... car loan and loan for my education so I will [work] ... no matter what will happen, my decision is, I will be working. ... If he [my future husband] really can afford to pay all my expenses ... I do not mind, but if he cannot afford ... working is a better choice for me. ... I do not want to rely on my husband in the future ... (Woman of the third generation, age 25, who married 10 months after the interview and was still working at that time)

For women of both the second and third generations, factory jobs were preferred for economic reasons and seen as a step towards a better job. There was no longer a debate over whether factory work contributed to a decline in morals among young women. Instead, women were proud of their contribution to the village. Zaireeni found women stating that the FELDA scheme provided them with many benefits, including education. Despite being stigmatised as factory girls and coming from poor settlements, the women presented themselves as participants in the government’s development policy to eradicate poverty:

Back then, people did not have much regard for people from FELDA. ... People would ask ‘Where are you from?’ We were ashamed to answer [that we were] from FELDA. ... But now [we are] proud to claim that we are from FELDA. The government has lifted FELDA to a high level ... [and] now the [new] generation of FELDA lives comfortably. (Woman of the third generation, age 32)

For women from both the second and third generations, the first priority was to care for their families (husband and children). Many had stopped working once they were married because their husbands had asked them to do so (Ramli 1999). When given a choice, they chose their families over work and emphasised their role as good wives and
mothers. However, most women of the second generation in the FELDA settlement worked out of necessity:

They [the second generation] do not give money to their parents every month. Their parents already have money. They do not need money. ... Sometimes, it is the parents who help their grandchildren. ... Things are expensive ... [but] FELDA gives a high income to the settlers. That’s why I say I’m very lucky to be here ... to be a child of the settlers, although I do not receive FELDA’s money. But the joy of my mother when she received a salary from FELDA ... They no longer live in poverty so I’m happy for them.

The above quote underscores that women of the second generation had to work when they were young in order to support their parents, and at the time of the interview they had to work for the survival of their own families. The third-generation women had more comfortable lives than their mothers, and had less need to work.

Women of all generations claimed that they shared household work with their husbands. According to a few first-generation men and women that Zaireeni met, both men and women had to work at FELDA’s oil-palm plantation in the morning, when they first came to the settlement. At home, they did the household chores together: the husband would clean the house while the wife cooked. The pattern was the norm in the settlement, since both understood the hardship that the other had to go through. Besides, as settlers, they did not have help from kin, such as grandparents. According to young women of the third generation, household tasks remain shared:

If I work, my husband will take or send our children to school or send them to my parents’ house. After that, my husband will help the children with [their homework]. Later, when I get home from work, I will do the duties of a housewife. If I don’t cook, my husband will do it ... He will fold the clothes. My husband trains our children to do house chores. If the father does not cook, then the son will do it while another will wash clothes ... My husband had been trained like that by his sister. (Woman of the third generation, age 33)

In public spaces, in contrast to the men, women were seen playing active roles in society with respect to economic activities, religious ceremonies, and activities related to children and school:
When I look around ... well, I'm not trying to say bad things about other people ... but the men ... they really like to melepak (loitering) ... doing nothing. ... During the day, they will loiter at the food stall in front of the school. ... At night you can also see them in a group. ... Sometimes they play dam (chess). ... They are lazy. ... Somebody else is working on their land, so they just do nothing. (Man of the second generation)

If I organised a programme, many women turned up. Women are more concerned ... for example, at school, the number of women [who] showed up was higher than men. We don't know what went wrong. (FELDA male officer)

Although many of the young generation, women and men, found work outside the village many people of both generations preferred to stay in the FELDA settlement instead of moving to nearby towns and cities. They did so for several reasons: firstly, they wanted to reduce their living expenses; secondly, they preferred to live in a community-based society; thirdly, they had to take care of their elderly relatives who were either too sick or too old to live alone. Only a few women preferred to live outside the settlement, for reasons of independence. Particularly the second argument for staying in the FELDA represents continuity, because the women wanted to share communal activities such as Islamic rites and customs related to birth, marriage and death.

Religious activities were especially important to the older generation. One of the main issues to emerge from discussions on Islam within Malay society was that of veiling. During Malaysia's Islamic revival, beginning in the 1970s, the veil became a symbol of identity, loyalty and commitment to Islam. Before that time, women had dressed in traditional Malay dress and some wore selendang (a shawl) to cover their heads. During industrialisation, young women went to work without covering their head. However, the transformation of women's attire from baju kurung (the traditional attire) to trousers raised more concern from the settlers than veiling. During our visits, most women in the FELDA settlement wore trousers and a blouse or t-shirt, especially the young women. Only the first generation women and women older than 50 years wore baju kurung:

I've lived in Kuala Lumpur for six years and worked there. There are many influences [such as] friends, discos, karaoke, boyfriends, and so on. ... many factors that could have influenced me ... but I was not
affected. I carried myself on self-esteem, [and] life principles. Religion is the foundation of life. Religion obliges us to cover ourselves. (Woman of the second generation, age 43)

By contrast, young women thought differently:

If I go out with friends [from the settlement] I will wear a headscarf, but sometimes I don’t. In college I do not wear scarves. … Sometimes I go to my classes wearing the veil but when I go out with my friends … I do not cover my head. (Woman of the third generation, age 21)

While not all of the young people believed that veiling was an act of faith, some changes were evident. The way the women in the village both upheld religious ceremonies and changed them shows how religion represents both continuity and change.

Producing gender at work and in the local society

In rethinking our analytical focus, we immediately noticed our tendency to see the categories of women and men as given, while in contrast our study identified change and diversification. In hindsight, we see an underlying premise in our analyses, namely the search for the effects of and responses to global economic restructuring. Our premise was, and still is, that this can only be studied in its complexity at a local level, and that changes take place at the interface of the global and the local (Lie and Lund 1999, 2010). However, we find that our perspective on the economic global restructuring emphasised globalisation as an ongoing process, yet we did not follow this up with a dynamic perspective on gender.

In this chapter, our aim is to reorientate our theoretical and analytical perspective towards identifying how perceptions of gender are produced within particular contexts and in ongoing processes of change and continuity. Informed by the data – i.e. observations of the rapid (local) changes in women’s lives and understandings of what men and women are and can do – we searched for more dynamic and process-oriented perspectives that aligned with trends in gender theory, such as the emphasis on performativity and the productive aspect of discourse and practice (Butler 1991), and openness to cultural variation in the understanding of the categories of women and men (Moore 1994). We found the perspective of ‘doing gender’ still relevant (West and Zimmerman 1987) for thinking in a more process-oriented way. Hence,
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a combination of the theoretical trends within feminist studies and the changes we observed contributed to shifting our perspective in a more dynamic fashion.

At the outset, we found it useful to draw on a structuralist perspective to determine how the Norwegian companies were embedded within an international division of labour. As mentioned, there was a contrast between the prevalent theoretical studies at the time of our fieldwork and our empirical findings of diversity in the Norwegian companies and their decisions about location and recruitment strategies. This made us question several of the assumptions of contemporary research, particularly the emphasis on cheap female labour as a major factor in the restructuring of the international division of labour. Through an in-depth study of one Norwegian company situated locally in southern Malaysia, we were able to identify the complexity of that company’s decision-making when relocating, its changing strategies over time, and how it adapted to local traditions in order to attract local labour. However, the theories we referred to in our studies were too static for our empirical findings of the complex and dynamic processes of social change.

The company in our case study did not relocate in search of female labour only. First, production in Singapore had become too costly for the company unit – it was searching for a new location across the border in the rapidly industrialising state of Johor. Second, the company in Malaysia had employed a large majority of female labour for some time. However, this was but one step in a long chain of decisions, and only by skipping the relocation history of the company might one jump to the conclusion that this adhered very neatly to the above-mentioned debate about the new international division of labour in industrial production. Third, the management had to make local searches to determine whether local labour was available and to determine how to make the company acceptable and attractive to the type of workers that it was targeting. Thus, a perspective that includes the dynamics and interdependency of local and global actors is needed.

The recruitment of workers and the organisation of work are areas in which we can specifically employ a more analytical framework with regards to determining how understandings of gender act as both cause and effect, in the sense that gender is a principle for work organisation (a cause) and, through daily practice, understandings of gender difference are
also confirmed (an effect). These gendered causes and effects take place in a setting where both the global and local actors understand women and men as fixed categories, but where their understandings of the contents of these categories in terms of gender roles and gender relations may vary to a large extent. The paradoxical situation is that the ‘global and local actors’ must reach an understanding of this, while often not acknowledging how their basic, or doxic, perceptions of gender differ (Bourdieu 1977).

In the studied case, the gendered division of work was special in the sense that the local management consisted of three women: the local manager, the technical director and the economic manager. Only a few men were employed – as transport workers and to manufacture big tuna hooks. Most of the workers sat around tables in groups of six workers at each table, doing manual work such as attaching a nylon rod to tiny hooks or making simple fish flies. The pace was speeded up by a piece-rate system, but most workers did not respond to the incentives. They considered patience to be the most important qualification for the work, followed by accuracy and speed. Consequently, these qualities were acquired through working at the factory, and later confirmed as female qualities.

Contrary to other studies of women factory workers in the global economy, in the studied factory, women were not subjected to tight discipline monitored by personal or technologically mediated control (Ngai 2005; Ong 1987; Rofel 1992). In other respects, the company adhered to a gendered division of labour in the sense that only unskilled manual work was transferred to the factory in Malaysia, and women were situated at the very end of a global production chain. The production by women who were docile and uninterested in their work and advancement was achieved by placing them in positions where they had no overview of production and no opportunity to move around and gain information, and where nobody expected them to work for longer than a short period (Kaul and Lie 1982).

In our analysis published in 1994, we used the term ‘perfect fit’ to describe the relationship between, on the one hand, the company’s demand for employees to engage in simple, repetitive, manual tasks, and, on the other hand, the local population’s need for cash income and a generation of young women looking for opportunities outside the home (Lie and Lund 1994). However, this forced young women to ‘squeeze’ between
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expectations from the company to be modern women and expectations from the local community to be true to traditional norms of behaviour. The notion of the perfect fit for the needs of both the local society and the factory may be questioned, because it tends to close the analysis rather than look into the particular and different understandings of gender by various actors, and even more importantly identify how gender is produced by the company’s policies of recruitment and work organisation. The management of the company claimed that only women were fit for the work tasks. Young men did not have the necessary patience and tended to take sick leave or resign rather quickly. In interviews with the staff, informants presented female workers as possessing the qualities needed for the work, namely dexterity, patience, accuracy and, to a varying degree, the swiftness needed to cope with the piece-rate system, in contrast to male workers. When promoting some of the women as line leaders, management acknowledged other qualities, such as how they exercised authority over other women. The workers, however, were also consistently referred to as ‘the girls’, expected to need only pocket money and to leave their jobs when they married. Rather than finding the work in accordance with their personal or professional qualities, the workers considered their job as an opportunity to meet other young women and gain new experiences outside the household and local social control, while also earning money for the household and their private use. The prescriptions of gendered qualities and the policies that made the women workers adhere to the standards set by the company had the effect of producing gender in categories of docile women and lazy men. By recruiting women and men to different positions within the organisation of work, the company’s practices confirmed these differences, so that they were understood in dichotomous, gendered terms.

The overall framework of change and continuity makes it easy to fall into the theoretical trap of understanding the foreign company as representing change, and associating the local community with tradition and resistance to change. In this respect, we observe the company acting as a mediator of both change and conservative values. The latter is found in the way management presented women in terms that they must have perceived as traditional or ‘given’ female qualities, such as docility and patience, and thus produced women and femininity in such terms. Furthermore, in the local community, gender was produced as
dichotomous, but people alternated between presenting young women as changing and unchanging. However, the changes they observed were apparently difficult to interpret – as seen in the above-mentioned quote from the father who observed his daughter wearing trousers, yet was unable to understand what that meant. More often, parents emphasised that their daughters had not changed. We interpreted this as a counter-argument to the media representation of the minah karan, but in hindsight realise how persistently this metaphor contributed to a discourse of continuity of gender norms (by interpreting new behaviour as adhering to traditional values) and a strong normative pressure against the change of these norms and values.

The storylines we produced from the interviews and talks with the parent generation actually presented young men as changed and young women as unchanged. This is surprising, since women had taken up work in foreign companies whereas young men had remained in the FELDA village and were more often unemployed. However, according to the parents, the young men’s unemployment was the background to change. The young women’s work was interpreted as an act of assistance to the family and thus a continuity of the plight of a dutiful daughter, even if duty was previously defined as staying at home, helping with the housework, and looking after younger siblings. This indicates how gender is produced discursively by interpretations of what women and men do and say during processes of social change.

The significance of rethinking gender
In this chapter, our argument has concentrated on (1) the methodological issue of doing longitudinal, reflexive, cross-cultural and cross-generational research; (2) how we understood continuity and change previously, and how we understand these concepts now; and (3) how we understand women and gender. In general, we find that the analytical approaches employed previously are valuable but have limitations when we attempt to study transformations over time. A more dynamic, process-oriented and flexible approach to studies of gender and social change is needed.

Embedded in our argument is the attempt to be critically reflexive. We searched for insights into how we can study continuity and change by examining what we did before, determining its value and identify-
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ing what earlier research can contribute to what seems new. Bringing in a young Malaysian researcher to redo and rethink our previous work provided new perspectives and observations to supplement our previous analyses. In the beginning, this was understood to be an effort to conflate asymmetrical relations between junior and senior persons and between Western and Malaysian persons, and at the same time conflate power relations between the Malaysian researcher and the research participants. The outcome for both the local and the foreign researchers was that the exercise unpacked our biases and triggered ideas about what continues and what changes, and how we may rethink gender. Not only did we learn about continuity and change in women and men’s lives and livelihoods in our study area, but also we learned about continuities and discontinuities at the levels of our own positioning and the changing theoretical conceptualisations of gender. Reflecting on our different positioning in the field, we find it meaningless to state that one position provides a better point of view than another position. Instead, we find that viewpoints and relationships to informants differ, and our challenge when evaluating and interpreting data, is to include these aspects. Thus, we cannot just present a linear development of change and continuity over time but must include the factors that we have mentioned: the changes in the researchers’ lives and status; the difference between a first-time visit versus later meetings with the same informants; the impact of being a foreigner or a Malaysian; and the use of new theoretical tools to interpret data, but with the former theories still included in our ‘toolkit’.

Our attempt to rethink our previous work on female workers and their lived realities in Malaysia made us aware of how persistently we focused on women, both empirically and analytically, despite maintaining gender as our main concept of analysis. Our concern was with changing the perspective of women from victims to actors and making them visible as important actors of change in the local community. In most of our early work, we took the two categories of gender – women and men – for granted, and did not analyse how they were produced, in the local factory and community as well as the national media and politics. In that way, gender categories were established and naturalised despite the changes that women were enforcing by making new choices for their lives. Still, one point that contributed to destabilise a man-woman
dichotomy endowed with ‘given’ power relations were observations of how gender relations were modified by age. The women we studied initially were young, unmarried, first-generation industrial workers. Not only did their status in the local community increase with age, but they also paved the way for younger generations to take for granted opportunities beyond marriage and family life.

As we see it now, the two most important dimensions of an analysis of the global restructuring of labour are the complexity of the companies’ decision-making processes and the dynamics of change and footloose behaviour. Gender relations thus surface as only one factor among many. This does not diminish the importance of a gender lens, but emphasises that it must be considered dynamically and as integrated with a host of other factors. For example, no general pool of cheap female labour exists, because circumstances vary enormously with regards to ‘access’ to female labour outside the home and local community, what types of work are associated with male and female genders, and what other opportunities are available. Hence, gendered structures cannot be taken as frameworks for local studies, but the dynamics of gender, as entangled in local processes, can feed back into theories of gender on a global level. Likewise, our critique of the thesis of super-exploitation is that it provides a general answer to the oppression of women but leaves too many unanswered questions in relation to our observations.

Nonetheless, emphasising women as actors and focusing on women exclusively leads to the pitfall of ‘blaming the victim’ and leaving gendered power relations in the shade. The present refocus on the manner in which gender is produced has the advantage of not posing women’s choice and actions as the (sole) means of changing gender relations. With our previous perspective of women as actors, gender relations surfaced solely as part of the ‘conditions’ for women’s actions, or alternatively as a locus of change due to women’s actions. Our new lens, producing gender has the advantage of opening up a broader perspective, where gender is involved at many levels. What gender means and how it is and should be enacted normatively, by global as well as local actors, is more clearly integrated in this analytical perspective. We will still argue in favour of a broad collection of data in gender analysis and models of analysis that include the broad array of elements relevant to understanding how perceptions of gender – in terms of norms and values, gender
roles, and identities – are produced and reproduced during processes of social change (Lie and Lund 1994, p. 159).

Our contribution to rethinking gender is also to argue that our previous work is a stepping stone for thinking anew about contextual and structural gender. We learned that Malay ideals of what constitutes a good woman have changed, as has Malay society, which has become more open in many ways. The local community under study produced gender by allowing their daughters to work in industry, but at the same time communicated that they were dutiful and unchanged. To us, the change/continuity perspective remains useful in a process of rethinking gender because it can explain how gender is continuously produced in time and space. Against the above, we conclude that our rethinking process should be continuous; it is not about before and now, but about how we continue to build knowledge of how gender is produced and reproduced.

Notes

1 The third author, Zaireeni Azmi, has contributed substantially to the sections on positionality and continuity and change. Without her contribution, the lived realities of the present could not have been presented here.

2 The project 'Women in Norwegian Industry in Malaysia: Integration or Marginalisation' was started in 1986 as part of a research programme on women and development funded by the Norwegian Council for Applied Social Science (which became merged with the Research Council of Norway in 1987). Data were collected during 1987–1989, during a total field study period of five months. Later, fieldwork was conducted during several revisits from 1990 to 2008. The project involved several related studies in Singapore, Malaysia, and China, and various methods of data collection were used to gather information on different aspects of Norwegian industrialisation and the role of female labour (Lie and Lund 1991, 1994, 2008).

3 The Federal Land Development Agency (FELDA) was established in 1956, before independence, to advise, finance, and coordinate various state land settlements. The agency was responsible for the resettlement of rural poor into newly developed areas in the early 1960s. FELDA is one of the largest Malay settlements in Malaysia, representing 15 per cent of the national population. FELDA’s schemes are generally open only to ethnic Malaysians, who form a majority of the Malaysian population. In 2013
there were about 112,635 settlers dispersed in 11 FELDA settlements, the largest of which was the Johor Bahru settlement, with 28,971 settlers. http://www.felda.net.my/feldav3/index.php?option=com_content&view=article&id=112&itemid=103&lang=bm (accessed 2 August 2013).

4 For simplification, and irrespective of whichever author’s voice is presented, we use ‘we’, ‘us’, and ‘ours’ throughout this chapter.

5 The first generation were the FELDA settlers, who were relatively young at the time of the FELDA establishment in the 1960s. The second generation included their daughters, who became workers in global industries during the 1980s. Representatives of these generations were interviewed by Ragnhild and Merete (with the assistance of interpreters). Zaareeni interviewed some of the same women, as well as some who had not been interviewed before: 24 from the second generation and 17 from the third generation.

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CHAPTER 3

Translating Gender through Time and Theories: a Case Study of Living, Thinking and Rethinking

Rashidah Shuib and Ingrid Rudie

Introduction

This chapter is based on the fieldwork and findings of two researchers, one foreign and the other local. Ingrid, the foreigner, studied change and continuity in two villages in Kelantan in the northeastern part of West Malaysia in two phases and in two time periods, 20 years apart. The restudy was launched with a double ambition: to trace empirical changes on the ground, and to introduce an alternative gaze, in this case, to substitute an insider’s gaze for that of an outsider and subject the field to a different theoretical reading.

The chapter title mirrors the history of our study and the important aspects of our present approach. Translating gender has continuously taken place over time between different vantage points as we have been exposed to changing empirical scenarios and theoretical inputs. This translation through time inevitably implies an ongoing rethinking on a modest scale in a researcher’s personal history of making sense. Translating also has a bearing on our different backgrounds and contemporary collaboration with this chapter; as the third study progressed we entered into discussions that brought about more translation and rethinking, working towards perspectives that partly bridge the gap between our different points of departure.

The bulk of the chapter consists of Rashidah’s presentation of her restudy, while Ingrid has contributed inputs to the general framework. Rashidah has chosen to focus on an analysis of marriage. Marriage is a powerful ‘knot’ in the gender system, lying as it does, to quote DAWN
(1995) at the intersection between ‘production’ and ‘reproduction’, ‘between economic activity and the care of human beings’, while at the same time activating moral, legal, economic, political and ritual practices. In the middle stands the gendered person whose individuality and social identity are deeply affected. The theme of marriage is also present in a number of Ingrid’s publications. This will hopefully help to bridge the time gap, follow lines of development, and energise theoretical reflections particularly around notions of social power and its dynamics within the context of the private realm.

We shall now take the reader through the following steps: after a brief introduction to the researchers’ trajectories in gender studies and their involvement in the Kelantan Malay field, we revert to a more thorough discussion of roads to rethinking gender before we enter into Rashidah’s analysis of marriage such as it is manifested in the lives of consecutive generations of local women.

The researchers’ trajectories in gender studies: likenesses and differences

Both researchers have devoted a major part of their careers to gender studies, but their disciplinary backgrounds and specific research experiences have been different.

Ingrid is primarily an anthropologist and secondarily a student of gender. Her two Malaysian studies are important parts of her way into gender research, as her whole Malaysia experience can be described as a process of living, thinking and rethinking gender. This started with the first fieldwork in 1964–65 when she explored local communities with an analytical focus on family and household organisation. The study was designed as an anthropological live-in fieldwork, where the researcher tries to get close to people’s lived reality. This ambition resulted in a strong experience of ‘living gender.’ Because of the Malay community’s rules about gender segregation, she was ‘stuck’ with the women as well as generously ‘adopted’ by them. However, the issue of gender had not yet developed academically so Ingrid was unable to focus fully on the opportunities close at hand in this field situation. During the 1970s, she was drawn into gender studies partly through early landmark works in the anthropology of women (e.g., Ortner 1974; Ortner and Whitehead 1981;
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Rosaldo and Lamphere 1974; Schlegel 1977) and partly as a response to students and colleagues who demanded discussions within the field.

The second Malaysia fieldwork in 1986–88 was explicitly gender focused, and definitely anthropological in its theoretical and methodological approach. A main thrust of the study was an exploration of life careers in a historical phase of rapid economic and political development. This entailed an attempt at theorising the reproduction of culture, including the gender system, as a process of acquiring skills and propensities that mirrored the different experiences of consecutive generations. Ingrid’s 1994 monograph ended in an epilogue with open questions about future developments and a certain critical scrutiny of the author’s own theoretical approaches. This epilogue sets the stage for the restudy.

Rashidah is more firmly based in action-oriented research within a clear-cut feminist approach and her disciplinary home lies further towards the health pole, with a concern with health and reproduction (understood to be biological, economic and social reproduction). She has a formal academic background in social sciences, communications and education, and a strong informal educational background in gender studies (gender training by WHO and others) and activist work. Her early roots in Women in Development in 1982 took hold while she was pursuing her PhD in the United States. Gradually the gender framework became the lens of her academic field. This was further strengthened by her activism in women’s health and gender, sexual and reproductive health research in preparation for the 1994 International Conference on Population and Development and the 1995 Fourth World Conference on Women in Beijing. She switched officially academic fields in the School of Medical Sciences based in Kelantan, the state where this third visit was conducted, created her own niche and slowly gained recognition as the gender and health specialist. Thus, gender, health (particularly sexual and reproductive health and rights, and women’s health) and development have become her focus of academic and advocacy work. She has also been actively involved in the discourse on Islam, and its impact on women’s lives within the context of gender and social justice. She considers herself to be a feminist academic/activist, drawing inspiration for her research from women’s lived realities. The whole process demands reflexivity.

As with Ingrid, conversations with those who were once interviewed by her (first generation), or posing similar categories of questions to
their daughters (second generation) and the third generation, triggered a process of reflection for the researcher and the respondents. There were shared memories not only based on Ingrid’s work but also based on shared experiences of living as Malay women. Marriage, which brought Rashidah to Kelantan, was one of those shared experiences.

**Exploring the Kelantan field**

In her book, *Visible Women in East Coast Malay Society*, Ingrid quotes Foster’s observation (Foster et al 1979) on how returning researchers, studying change, ‘end up being equally fascinated by the enduring features of a society’, and that a ‘re-visit results in a deeper and richer understanding of the culture’ (Rudie 1994a: 32–32). Her second fieldwork offered her the richness of looking and understanding society from different vantage points.

Rashidah too had different vantage points, as a Malaysian ‘outsider’, a non-Kelantanese who has been living in the state since 1985 and as a feminist academic-activist who works with grassroots women. Rashidah has developed a taste of being Kelantanese, of being a local. Yet she is conscious of the fact that she remains an ‘outsider’, particularly aware that her command of the local dialect gives her away. There are differences between Ingrid and Rashidah, yet both are actually bound by one common thread. Both are ‘outsiders–insiders.’ Rashidah’s entry into the village and the conversation starter was ‘Norma’, a combination of Norway and Malaysia, a name given to Ingrid by the villagers. Few knew her as Ingrid. Rashidah found it fascinating that she had to ‘step into the river’ using Norma, a foreigner.

Much has changed in the state of Kelantan since Ingrid began her first field study shortly after Malaysia’s independence. Kelantan’s political landscape has changed – from being ruled by the Barisan Nasional ruling party in Malaysia to being taken over by PAS (Parti Islam Semalaysia or Pan-Malaysian Islamic Party), whose ideological platform is framed by Islamic legal theory. Yet the state’s economic development, follows closely Malaysia’s neo-liberal economic agenda.

Globalisation has long reached its shores. The most recent example was the opening of a well-known foreign supermarket chain on the Kelantan river bank, occupying an area that used to produce corn, melons and vegetables. On the opposite side of the river, just a bit further
down, is the research site whose riverbank still produces agricultural products, some of which may be found at the supermarket. This collusion of Islamic political ideology, development and modernity, must have impacted the lives of the locals. Ingrid interrogated some of those changes during her second visit. Yet, one can safely assume that there are still socio-cultural elements in the villages that remain intact. Apart from examining threads of change and continuity, the challenge for Rashidah was also to see what Ingrid did not see or what she saw differently. Ingrid expected that Rashidah, with a different academic background and a Malay cultural identity, would have approached the field in a different way. Rashidah herself was not so certain that this would take place, being conscious always of her own Western exposure and feminist stance.

Roads to rethinking gender: feedback loops between experience and theory

We have drawn attention to how we both have been based in grassroots experiences in our research, and how a process of thinking and rethinking can arise from lived experience. The rethinking need not qualify as theoretical development, but its dynamism is akin to the feedback loops between experience, method and theory in the research process proper. We shall now explore more thoroughly this dynamism, both in ‘real life’ and in analytical understanding. Our main focus will then be on gender systems and meanings of social power.

Gender systems and social power

We see a gender system as a dynamic sociocultural system of conventions, beliefs, practices and values that structure the world. Gender systems have built up over generations around a biological sex difference. Because sociocultural systems emerge in an adaptive process between human actors within different environments, they vary all over the globe. Gender is ever-present in human societies and is, by necessity, part of multiple intersecting dimensions and subject to flux and transformation. This has posed a challenge to anthropologists trying to strike a balance between their understanding of this flux and variability, on the one hand, and universalising feminist theories on the other. The challenge is also posed to those whose work places gender at the centre of analysis. Gender analysis and patriarchy are not sufficient to
explain the complex lived realities of women and men. The intersection of power relations and its impact on our lives still leaves much to be researched and understood. Work by the Canadian Research Institute for the Advancement of Women (CRIAW) to develop an Intersectional Feminist Framework is an example of recent attempts to forge new thinking in this area (CRIAW 2006).

At the final workshop for the project behind this volume, the concept of ‘social power’ came up as one possible road to rethinking gender. This fits well with Rashidah’s questioning whether women’s visibility in Kelantan’s economy and, assumedly, their control of financial resources means that they are empowered. This alludes to the concept of ‘power within’ and ‘power to’ (Rowlands 1997, 2003).

In social-science literature, understandings of power have moved from a notion of outright coercion to a more fine-grained understanding of how different forms of power are embedded in social life, taking different and often camouflaged shapes (Bell 1992, Plowman 1995: 121–2). Power is an ambiguous concept and it is complex. It can take on different meanings, most basically as ‘power over’ (others), ‘power to’ (do things) and ‘power with’ (as a co-operative mode). These are frequently used distinctions (Berger 2005; Kabeer 1994). Literature is profuse with examples of power and empowerment that can be seen as varieties of these basic forms, as bargaining power, negotiating power or liberating power based on knowledge: situated knowledge (Haraway 1988) and epistemological advantage of the marginalised (Bowell 2011). In its crudest form, ‘power over’ can be based on physical strength – between male and female, grown-up and child.

Gender systems as sociocultural systems contain practices, values and rules, sometimes in the form of judicial laws, to either justify or prohibit such crude power. Examples of this are legislation against corporeal punishment in many modern societies. Other examples can be found in religiously based practices, as in fundamentalist forms of Christianity and Islam. Within families and households, the gendered nature of power manifests in the family as a system of structures and gender relations, or power that manifests within the private sphere (Walby 1990).

Our Kelantanese studies show numerous forms of power that are positioned within this broad array. One example is the traditional
economic empowerment of some Kelantanese women as mentioned above. Another example is seen in Rashidah’s question on what seems to be their ‘incomplete’ empowerment, pointing to the lack of ‘power within’, women’s self-worth and dignity, and ‘power to’, referring to women’s capacity to decide and to act. This, in particular, is based on Rashidah’s experience of working with grassroots women on sexual and reproductive health issues such as decision-making in family planning. Women who make tough business decisions may still resort to ‘getting permission’ from their husbands to practice family planning.

Social power can also be described as a kind of creative social energy that is ingrained in modes of sociality or mundane forms of grassroots social organisation. This kind of social power can be seized upon and turned into a capacity for agency that, at best, can change a state of affairs (e.g., Rudie 1991; Sandborg 1995). Village women may have had some powers that have been weakened in the process of modernisation or increased religious conservatism, but they may also have gained other powers. Such questions will be addressed later in this chapter. The power potential in mundane social energies is often unrecognised, but sometimes it gains attention as bursts of resistance and even reflects ‘indigenous feminism’ (Jain 2011; Wee and Shaheed forthcoming). Though the analysis in this write-up is more on social power, it is worthwhile to note that ‘indigenous feminism’, particularly resistance as a form of power as described below, is a concept that deserves further thought.

Jain (2011), for example, explores interconnections between cultural experience and forms of feminist attitudes and agency. A recent contribution by Vivienne Wee and Farida Shaheed titled ‘Indigenous Feminisms as Resistance’ (forthcoming) focuses directly on a feminist awareness, not only among women leaders and activists but also in everyday life among ordinary women. Looking back in hindsight on her Kelantan field studies, Ingrid can easily recognise examples of indigenous feminism in some of her informants. One clear example was that of two local female leaders who had well-developed practical strategies and explicit political viewpoints concerning women’s interests (Rudie 1991).

The third study: gender revisited

There were two phases to this study. First, some basic socio-demographic quantitative data were collected from samples of the villagers.
 Gendered Entanglements

The second phase involved in-depth interviews conducted with women from three generations: those who were interviewed by Ingrid in her study (first generation), those representing the second generation, a few of whom were daughters of the first generation, and the third-generation girls who had completed their high school and were waiting to go to college, those who were already in college or those who had just started working. The subject matter discussed and the findings generated were wider than the findings presented here.

Methodologically, there were differences between the two researchers. Unlike Ingrid, who had lived in the village and was thus able to follow the pulse of daily village dynamics, Rashidah had not. But for practical and logistical reasons, she visited the villages during times when she could conduct the research, assisted by a research assistant and two local women as her informants/fieldworkers. The latter were both in their fifties and daughters of the first generation interviewed by Ingrid. They helped gather some basic quantitative information from 210 women and, at the same time, introduced Rashidah to 36 women and seven men for in-depth interviews. A few were interviewed more than once, either to gather more information or for clarification.

With a focus on marriage

In our introduction above, we announced the main reason for focusing this chapter on marriage practices, i.e., the marriage institution is deeply integrated in any gender system, with ramifications on a complex set of social practices, norms, rules and cultural values. Kinship and marriage loom large in anthropological studies. Specific analyses have focused on different aspects of the societal functions of marriage: as an element in alliance building, as a strategy to safeguard economic resources, as a rite of passage for the individual, and as a social support system when needed, just to mention a few. Marriage in ‘the Malay world’ has had its share of attention in social science literature (e.g., Bador 1963; Banks 1983; Djamour 1959; Kassim 1984; Peletz 1996; Tsubouchi 1975).

Marriage is also either thoroughly discussed or more briefly touched on in a number of Ingrid’s publications (Rudie 1983, 1989, 1990, 1993b, 1994a, 1994b, 1995). She was introduced to the many facets of marriage through her close contact with the local women in the 1960s. One example was the art of match-making at a time when contracting a marriage was through parental arrangement. She was introduced to the separation
yet juxtaposition of women’s and men’s responsibilities in the elaborate process of bringing the match to completion through a number of small and large ritual occasions (Rudie 1990, 1993b, 1994a). She followed comments on polygamy that varied in emotional involvement, personal frustration or even secrecy, depending on the experience of the person speaking. Particularly in her second fieldwork, she followed discussions about the preferences for arranged marriages contra ‘love marriages’.

Three particular analytical themes emerged from Ingrid’s work of the 1960s and 1980s that concern us here. The first of these relates in complex ways to a notion of ‘women empowerment’ and could be exemplified through women’s stake in the family politics of marriage contraction, and their management of the ceremonial work around the wedding celebrations. Through this they maintained networking and cooperative skills (gotong royong) that can be seen as a social power with a creative potential (Rudie 1993b, 1994a, 2007).

The second theme concerns the (female) person as a node in socio-cultural processes. In the 1960s, a girl should marry before the age of 20. The marriage ritual demarcated an abrupt coming of age, an entry into adulthood. Young women in the 1980s had grown more gradually into adulthood through prolonged education and possibly a job, and the marriage age had also risen.

The third feature that emerged from the 1980s study is a more complex, tentative model of how two categories of younger women – working daughters and homebound daughters – reproduced different aspects of their mothers’ ‘parcels’ of skills and responsibilities (Rudie 1994a: 269–81). These features are discussed in the context of marriage in an economy that is becoming more marketised and globalised (Kabeer 2007).

**Marriage: shifting boundaries in a more marketised economy?**

Marriage is a multidimensional concept. As a social institution it could be viewed from different perspectives: as a site of social reproduction, a site of social power, a site of religious obligation being observed as Muslims understand marriage to be encouraged by Islam, and as a site of negotiations and bargaining where personal and family life across the
Global economy are being reconfigured. It is at this site that gender relations are being acted out – where gender is being lived, where questioning and rethinking are taking place either by women inter-generationally or by those whose married experiences have made them reflective of their marriages and those of their loved ones or friends.

As a micro-level economic entity in a community, households are not isolated from societal changes, locally or globally. Kabeer (2007: 11) highlighted the consistent findings from several studies that ‘boundaries of households and families are not fixed in perpetuity but fluid and responsive to changes in the wider economy and polity. They suggest that family life has not remained untouched by the spread of market relations and is undergoing its own more hidden transformations.’ Family structures and gender roles may change or may be reinforced. On the same note, power may be redistributed or consolidated.

Perhaps the same can be said of the two villages in this study. These villages have changed economically, demographically and socially. They are no longer buoyed by farming but by money brought back to the villages by sons and daughters who left to work outside, and those who dabbled with small businesses in the informal sector. It is within this changed economy and shifting boundaries that marriage will be interrogated here. The aim is to see what aspects in the themes mentioned above have changed or continued within the context of marriage since Ingrid’s visits in the 1960s and 1980s.

**Marriage and women empowerment**

In her first and second visits, Ingrid noticed that women were very much involved and engaged in the process of marriage, in the selection of potential bride or groom, the negotiation for the bride’s wealth and the wedding preparations (Rudie 1994a). This involvement has persisted albeit with some changes. Interviews with the first-generation women revealed how their mothers were directly involved in the choice of marriage partners for them and how little say they had in these choices: their mothers’ power was dominant. Now the mothers are still directly involved but only after consultation with the potential bride or groom, and the mothers would be the ones to propose potential brides or grooms to their children if they still had no candidate when they reached the age of 25 or above that is considered now as a decent age of marriage.
When Salmah, 78 years old, searched for wives for her two sons, she had specific criteria. The potential daughters-in-law had to be willing to live with her and be involved in business and in the community. One of her daughters-in-law was trained to be an active member of Salmah’s own political party; Salmah had once been the head of the women’s wing in her area. She had no qualms about her daughter-in-law’s political engagement for, in her, Salmah saw the potential continuation of her past political activism and took it upon herself to be around to help in the domestic work and to care for her grandson when this daughter-in-law had to join political activities or training. Her other daughter-in-law who lived next door, ran a food stall in front of the house. It was obvious that Salmah’s social power as the matriarch in this family was strong even though she insisted that her husband was the head of her household. Salmah’s view of wives remained in the traditional mould: wives could play active roles in the public sphere as long as they did not neglect household responsibilities. As a young wife, she was actively involved in the local political leadership position but only with a strong support from her husband.

Nik Hasniza, a 73-year-old former midwife, married a man of her choice and believed in her children’s freedom to choose their life partners. However, when one of her sons had no candidate for a wife, she decided to ‘help’ him find one. She chose a daughter of her friend, because the ‘prospective bride was fair, with curly hair and had a nice, full body’ – Nik Hasniza described it as gebu (soft, fluffy) – just like herself. In addition, Hasniza also wanted someone who would be ‘good’ for her son, meaning, someone ‘who could cook and wash for him’. In short, though Hasniza was empowered to choose her spouse reflecting the ‘power within’, her understanding of gender roles had not changed. She still expected her daughter-in-law to fulfil her traditional responsibilities within the household.

In both cases, mothers were the ones who played active roles in the merisik (to ascertain whether the girls are available), the official engagement, negotiations on the gifts and the wedding. Malay women, urban or rural, now and before, are the ones who shoulder these responsibilities even if their children have chosen their own potential partners. The mothers are the ones to ‘formalise’ the relationships. Rashidah herself experienced the role of becoming the ‘official negotiator’ when her son wanted to marry the girl he had been dating for several years.
The men played a more supportive role. For the wedding preparations, men would be responsible for the ‘heavier’ tasks: finding and setting up tents, forming the team to prepare the meat and to cook. Women would be engaged in getting the house decorated and the gifts ready for the day or getting the onions peeled for the cooking. These roles are gendered. In this scenario, both men and women used their social network to get things done. They had the social power (the ‘power to’ and the ‘power with’) to keep the flavour of the culture alive, to organise and mobilise their networks of friends and families for the occasion.

However, one might wonder whether this power to organise and network through social functions such as weddings might one day disappear from village culture, for weddings have begun to assume a more business-like character rather than the traditional social function based on reciprocity. More and more weddings in the village have been relying on catering for food. In fact, weddings have become a big business in Malaysia and this has influenced the village. For now this is still very much an urban phenomenon but food catering, complete with tents and crockeries, has become common and acceptable in the village. Thompson (2004) categorised these wedding feasts as *kenduri kampung* – using local labour and commodities based on *gotong royong*, the villagers getting together as part of the reciprocity system, versus *kenduri kontrak* that relies on complete catering services.

In this kind of business-like event, women only come together ‘just to eat’, thus running the risk of losing their social bonding. Several women respondents from the first generation remarked that weddings are now different. ‘Easy, you don’t have to wash. Just throw them away’, said Nik Hasniza, referring to the use of paper or polystyrene plates, implying that there was no need to bring people together to wash plates. In the village research site, there was already one bridal shop offering basic wedding packages to the villagers and even to those outside the village. There was none during Ingrid’s earlier visits. Instead such services were offered by the Headman’s wife rather than a business venture.

The concept of *gotong royong* has been well associated with Malay villages. Rashidah remembers the spontaneity of the villagers getting together to build roads or to work in the rice fields. Wedding feasts became an important site of social interaction and reciprocal relations. Here too, women assumed a prominent share in public life. They could
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display their resource management skills, their networking acumen and they participated openly in family politics. Gotong royong still exists in the village but the spontaneity is gone. Men have lost their roles in helping with heavy tasks to the caterers. Women were still very much involved but only with invitation and limited tasks to do. Social relations have been commoditised in the form of giving money and sarong (clothing) to ‘volunteers’ as a form of compensation for their time and energy (Thompson 2004).

Polygamy and women empowerment: explicit and implicit contestation and negotiation

Another dimension of studying women and empowerment in marriage is to examine polygamous marriages. In her chapter, ‘Construction of Marriages’, Rudie (1994a: 158) highlighted that the ‘controversy over polygyny is essentially a gender conflict’ and that women, generally, ‘tend to see themselves as powerless’ when confronted with their husbands’ taking another wife. But she also presented cases of resistance and ‘acceptance’. However, marriage of this nature, though accepted by the society, was a much ‘hushed’ affair and more secretive.

There is now a difference detected in the third visit which revealed a number of polygynous marriages, contracted by younger women who seemed to show varied forms of tolerance, bordering on acceptance, even among the more educated women. The young, educated ones of the third generation, when interviewed, were of the opinion that polygyny should be accepted because Islam allows it. One could argue that these voices are reflections of the normative messages that are common in the media and in the many religious talks. However voices of ‘resistance’ and ‘acceptance’ were still heard, as illustrated inter-generationally below.

Case 1: First generation, Bashimah, 74 years old

Her husband was posted to teach at a school some distance away and because he only had a bicycle, he became a weekend husband and father. He secretly took a second wife. When Bashimah found out she was furious and aggressively pressured her husband to divorce this new wife.

I was furious when I found out and we quarrelled. I told him in no uncertain terms that I would and could not accept the marriage. He finally divorced her [second wife]. They were married only for a few months. No children.
She also blamed the change in the law for making it easier for husbands to enter a polygamous marriage.

In the 1970s, they changed the polygamy law in Kelantan. so that there is no need to have the signature of the first wife.

**Case 2: Second generation, Azimah, 56 years old, Bashimah’s daughter**

Her now deceased husband was 43 years old when he took a 24-year-old girl as his second wife. Azimah found out when her husband sought her permission to remarry. She was taken by surprise and was devastated. She felt she was a loyal wife and always ‘obeyed’ him as she strongly held on to the idea that the husband is the head of the Muslim household and it is the wife’s duty to ‘obey’ the husband.

That was the way it was. He didn’t allow me to go out freely, but then he went out and found someone else. I felt so much pain that I wanted to die.

Unlike her mother Bashimah, she did not confront her husband openly but quietly refused to grant permission, after which her husband left her and went to marry the girl secretly.

He asked me but I didn’t agree. He coaxed and persuaded saying that he had taken good care of me all this while. He loved the girl just like he loved me. I wasn’t angry. I only said I didn’t agree. I didn’t want to be in a polygamous marriage. He then left me and went to the woman. I fell sick and really lost weight until I became so thin and emaciated. Yet, when he came back I still asked him about his clothes, food. He just kept quiet. I just couldn’t put up a fight. I was so different compared to my mother [Bashimah]. After that I only prayed to God, dear Allah, let this end, please don’t let this go on.

This second marriage only lasted one or two months. The husband divorced the second wife in front of Azimah and the woman’s parents. Perhaps it was Azimah’s prayer, but most likely it was the pressure from the second wife’s family that pushed him to a divorce. The second wife’s father was a friend to Azimah’s parents and he felt embarrassed by what had happened.

How then is social power displayed in these two cases? Are these cases not a reflection of indigenous feminisms, showing bursts of resistance? In Bashimah’s case, she met the second marriage head on with a strong, vocal opposition. She flexed her ‘power within’ to demand what
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she thought was her right to a monogamous relationship, and her ‘power over’ to get what she wanted and showed her ability to act out (‘power to’) her strategies. On the contrary, in the case of her daughter Azimah, she seemed to have buckled under her husband’s domineering power. She did not contest openly but put on a silent, adamant, resistance in opposing the marriage. Did this mean that Azimah had no social power? Is this not another example of indigenous feminism?

Scholars such as Kabeer (2005) and Cornwall and Brock (2005) opined that ‘[t]he ability to voice concerns and to exercise choice in ways that challenge patriarchal power thus became the litmus test for “true” empowerment’ (quoted in Parpart 2010: 19). Parpart (2010) argues that ‘silences and secrecy’ may actually reflect agency and a nuanced power for it may be used strategically to negotiate gender relations when the situation demands so.

There could be another practical reason for Azimah’s action. Azimah and her family lived in a house built by her husband who had taken out a government loan, but it was built on Azimah’s land given to her by her mother. However, to be eligible for the loan, the ownership of the land had to be transferred to her husband’s name. Thus the house and the land were both in his name. The ownership could only be transferred once the loan was settled. It did occur to Azimah and her mother of the ‘risk’ of Azimah having to share what was rightly hers in case her husband took another wife. To Azimah it was not just a matter of another woman but she had to safeguard her children’s interests and her property. In addition, Azimah was economically dependent on her husband, whereas her mother, Bashimah, was a teacher and could afford to risk a ‘fight.’

After her husband’s death, Azimah felt liberated and free. Having been married to a man of her choice but who was very controlling, she felt that her current status as a widow offered her the freedom to move and to make decisions that she never had. Materially she was secure. She enjoyed having a house that was now in her name, her husband’s pension, a small car and the liberty to move around without having to ask anybody’s permission. In the village, she became the leader of a microcredit group, a position that gave her a sense of identity, and ‘not just being a wife.’ She cherished this ‘sense of freedom’ more than having a husband. Yet she did toy with the idea of being a second wife. She reasoned that being a second wife would change her status from that of a widow to being a married woman, besides giving her the advantage
of enjoying her time when her husband had to return to his first wife. To Azimah, ‘there are times when a woman does not need a man’. She was also realistic enough to know that, at her age, finding a single man was almost impossible. However, after dating two married men, she still could not convince herself that being a second wife would guarantee her continued enjoyment of her new-found freedom.

Case 3: Second generation, Nora, 35 years old, Bashimah’s youngest daughter
When she failed to pursue higher education, Nora, like many youths, migrated to the city. She worked at a bridal boutique in Kuala Lumpur. There she fell in love and married a man working as a driver with a radio station in Kuala Lumpur. When she had her first child, she had to quit her job and went to live with her mother-in-law because nursery care and rent were unaffordable. After two years, the couple decided to live on their own. He took two jobs, as a driver during the daytime and a club bouncer in the evening. However, money was never enough and Nora felt that her husband was not being a responsible husband.

Pregnant with a second child, Nora returned to the village and, soon after when the baby was born, her husband divorced her. This unilateral divorce gave Nora no option and left her powerless to challenge the divorce. Back in the village, however, she met her second husband, a married man with children, 15 years her senior. The first wife did not give her consent to the marriage but permission for Nora to marry was granted by the Islamic Religious Office. Strangely, Bashimah who openly opposed her husband’s second marriage, colluded with and supported Nora’s polygamous marriage. Both she and her husband organised a small wedding to make sure that Nora was properly wed.

To help consolidate Nora’s position, Bashimah planned for the son-in-law to open his car accessory shop next to Nora’s bridal boutique at no cost, because the building belonged to Bashimah. This plan was strategic so that Nora’s children could stay at Bashimah’s house after school. More importantly, the first wife would not pay a surprise visit to the accessory shop since it would be too close to Nora’s boutique. Bashimah was determined that this time her daughter’s marriage would work. This was important because Nora was already 35 years old with two small children. Unlike her elder sister, Azimah, Nora had no property, and was highly dependent. In this case, economic dependency robbed Nora of
her dignity and self-esteem (‘power within’) in her first marriage but, as a second wife, she was learning to be economically independent with strong support from her mother.

**Case 4: Zaiton, 55 years old, widow**

Zaiton dropped out of school after eight years of schooling because she failed the national education. She worked in the rice fields before leaving the village to work at her aunt’s restaurant. At 15, she was married off to a man ‘too old for me’. The marriage, arranged by her aunt, lasted three months. Her second marriage was to a man also chosen by her aunt. He was the jealous type and hit her once. That was enough for Zaiton to file for a divorce. That marriage lasted barely a month. When she was 20 years old, she became the third wife to a man with five children. When the husband divorced the second wife, Zaiton raised the second wife’s only child who was then only eight months old. When the child finished his schooling, he went to live with the first wife, not his mother. Zaiton claimed that she was very close to the first wife and her children.

The ease of contracting marriage and divorce, the sharing of resources and responsibility of raising children, and the changing of identity and roles indicate how fluid and malleable the boundaries of families can be. Zaiton’s productive and reproductive roles merged into one because she ended up being the main provider of her own family even while her husband was alive. Now, as a widow, she has become a homebound daughter, one with stretchable time and resources to take care of her aged father.

Among these four women, Zaiton, the least educated, displayed fluidity in her expression of social power, resistance and her sense of agency. Her first two marriages were ‘forced’ upon her. She had little say and no social power, but she had a strategy. Once married to this man ‘too old for me’, she sought a divorce. With the second marriage, she decided not to tolerate violence. She pushed and demanded a divorce reflecting ‘power over’, ‘power to’ and ‘power within’, all at the same time. In the third marriage, it was her decision to be the third wife because ‘I really liked him.’ While this choice could be said to reflect agency, we might question where it stemmed from and whether this decision was actually an expression of subjugation driven by poverty. Her decision looked powerful in one setting but could be powerless in another situation. Academic work in power analysis refers to this as the ‘relationality of power’ (Pantazidou 2012).
Marriage and women as a node in a sociocultural process

In the 1960s, marriage was a natural path that one took in life. There was ‘an absolute imperative to marry’ (Rudie 1994a) and marrying young, around 15 or 16 years old, was common. Currently, marriage remains an imperative, a much established norm. It is described as akin to ‘building a mosque’, ‘a religious obligation in Islam.’ Marriage is also seen as a means of safeguarding morality, a protective strategy against committing a sin of having sex outside marriage. Getting married, however, is also about procreation, particularly about propagating the Muslim ummah or community. Having children is still being seen as ‘insurance’ for old-age social protection.

This language about marriage remains the same as it was in the 1980s except that now the patriarchal version secures more columns in newspapers and magazines and more air time. However, the idea of marriage is still couched within a very traditional framework. In the voice of one of the respondents, there is the need for a wife to ‘take care of the husband’s clothes, food and drink’. In this very normative discourse about marriage, there were voices among the youths, tentative as they might sound, who questioned the logic of the discourse. According to 18-year-old Anisah who aspired to enter a university to be a mathematician:

If we follow religion, a wife is expected to always meet (layan) her husband’s needs, but if we look at our life now, a wife assists [could be translated as helps] her husband.

The age of marriage, particularly for women, however, is no longer in the teens. In the 1980s, it was in the twenties. In this third visit, the age of marriage in the village reflected the national trend of 25–27 years old. Women are marrying after they have finished their education, and most are marrying after completing their tertiary education. Not pursuing higher education is either due to lacklustre school performance preventing a girl from entering tertiary education or simply not enough money to support her education. In the latter case, the girl is expected to find a job and/or create her own job. In Kelantan, it is common to see a girl of 19 running a food stall by the roadside or at the night market.

In Southeast Asia and globally, evidence has pointed to education as an important factor, retaining girls in schools and preventing early marriages. Jones (2004: 15, 2007: 463) pointed out that ‘highly educated women
and less educated men face difficulties finding suitable partners in the marriage market,’ ‘better educated women have much lower proportions marrying in their 30s and 40s than less educated women,’ and that ‘delayed marriage and non-marriage has affected women in all educational groups’.

During the fieldwork, no story emerged about girls who dropped out of schools being married off at 15 or 16 years old. The acceptable age of marriage for these dropouts was nineteen years and above, while those who pursued university education got married at 27 years of age or even older. Below is the scenario of the three generations of women: previously a working mother, an educated but homebound daughter and a married working daughter, which beautifully illustrates the changing marriage scenario and the ability to make choices beyond marriage.

**Case 1: first generation**
Bashimah, 74 years old, a retired school-teacher, married at 18 to a teacher who was her distant cousin. According to Bashimah she knew him but he was her parents’ choice. Bashimah’s daughter, however, thought that most likely her dad was her mother’s choice since they knew each other as teachers and there were very few teachers around then.

**Case 2: second generation**
Azimah, Bashimah’s daughter, 56 years old, had 11 years of education. She married her school sweetheart for love when she was 21 years old. Initially, her parents had chosen someone else, a teacher, for her to marry, but she was adamant about her choice. Azimah grew up in the late 1970s and 1980s when the Malaysian government began to invest heavily in education, seeing it as one of the strategic ‘investments’ to push Malaysia to become a developed country by 2020. Good results in the national examinations would have meant scholarships for further studies, particularly for rural students. Unfortunately, Azimah’s performance was not good enough for her to advance her studies. It was therefore an opportune time to settle down when her boyfriend, who had completed his tertiary education, returned to Kelantan to work. Marriage became the best option. After marriage, she worked as a temporary teacher but stopped when she gave birth to twins.

My husband wanted me to focus on our twins. Plus the pay wasn’t that good and it wasn’t worth having to send my children to nursery or to pay the babysitter.
Case 3: third generation.
Nur Arina, 29 years old, Azimah’s daughter, had a university education, was currently working in a bank, married, had just delivered her first child and, like many others, had returned to her mother’s house to recuperate. It was expected that Azimah would be taking care of her grandchild. Like Azimah, Nur Arina married the man of her choice:

My husband was my choice. If it’s our own choice, we know the man and there is more compatibility. A family’s choice may not be so suitable and compatible.

She did not feel the pressure to get married after her degree. Many of her friends married at the age of 28 or 29. This seems to be the norm amongst career women. Their focus was to first build their career and then think about marriage.

Most probably they are busy working. Just started working and so they focused on their work. Many of my friends married when they were 28 or 29 years. They worked first and then they got married.

Interviews done with the third generation who were still studying or waiting for their examination results revealed young women’s dreams of furthering education, building a career or at least getting a job and then embarking on a marriage. They talked about their dreams of working outside the state ‘in search of experience’. One girl who was selected to enter a government boarding school, for example, would have liked to pursue a PhD in mathematics. Another girl wanted to pick up culinary skills to be a pastry chef and, eventually, to own a restaurant and a cake shop. Two others were eager to finish their medical degrees. Thus, marriage remained a norm but it is no longer an immediate priority. However, those who stopped their education and were ‘forced’ to work or stay home tended to marry earlier.

In the cases above, both the second- and third-generation women have the power to choose and the ability to act on their choices in marriage. This social ‘power within’ has been possible because of education and the acceptance of women having careers and of working outside the state. Yet when it came to the care of children, the choice to stop working was a constrained choice’ framed by ideologies that support ‘female responsibility for the care of children’ (Bird and Rieker 2008; Pahl 2007).
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Working daughters, homebound daughters

Women had always worked in the village in the 1960s and 1980s. They were busy farming, selling and trading. They were not just ‘staying home’, though a minority described themselves as duduk saja (just sitting around) implying they just stayed home as housewives doing nothing (Rudie 1994a). During this study, this expression of duduk saja was still common among homebound women who did not associate reproductive roles with ‘working’; a myth that feminists have been trying to debunk.

Older women in the village were still farming and selling their products to the middlemen, instead of bringing them directly to the market. They too described themselves as ‘not working’. To them, it was buat sikit-sikit, meaning, ‘just dabbling’. There were younger ones who ran small-scale businesses, set up businesses from their homes, operated food stalls, produced local cakes (kueh) to be left at the small coffee shops in or outside the village, or baked special cookies for festive seasons. Yet those who stayed at home taking care of elderly and sick family members, who farmed, traded products, keeping the informal economy buzzing, were not considered to be working. We would like to argue that these women who saw themselves as ‘doing nothing’ were actually the ‘stretchable group’, who were expected to avail themselves anytime they were needed by their families or the community. These are the care resources in society, part of the care economy which is not recognised by the government as important to development. This is the ‘hidden economy’ of the ‘iceberg economy’, the one that contributes to the well-being of the working population, ‘predicated on the hidden labour of women’ (Gibson-Graham 2013).

Women, who dropped out of school, got married and became housewives, are actually the ‘invisible’ resources for their respective families. Azimah took care of her children and managed her household after she left her job as a temporary teacher. Nik Hasniza’s youngest daughter completed her school, married soon after and assumed a full time job caring for her elderly parents (both in their seventies) and her children. She never worked in a paid job. Her parents gave her the family’s house and a plot of land. In return, she assumed the role of a carer; a role badly needed by her mother who was afflicted with diabetes, incontinence and hypertension. These women are examples of homebound daughters who are working at home actively contributing to the care economy.
Questions that beg to be answered are: ‘What kind of social power do these homebound daughters have, and what kind of skills did they learn from their mothers?’ One could assume that they would have a tighter social networking in the village compared to those working daughters who left to work outside the village.

The ones described by the villagers to be *betul-betul kerja* (really working), the ‘successful’ ones, are those who are in paid jobs, as professionals and non-professionals, and mostly working outside the village. Those who failed to pursue higher education joined the service industry – the hotels, telephone shops, bakeries and the like. Here, too, the question is about social power. Does this group of working daughters have different types of social power compared to the homebound ones? Most likely, yes, given that this group is able to provide financially for their families, but their expressions of social power could be dependent on multiple factors. One of these is ideological power. We hypothesise that the new generation does not have enough time to learn from their mothers because their learning context has moved to the schools. In contrast, the homebound daughters may have more time to acquire sociocultural knowledge from their mothers and the community.

**Concluding remarks**

This paper is an attempt to bring the ‘outsider–insider’ gaze on change and continuity in a research site through time, focusing on marriage as the frame of analysis. Other data will be reported elsewhere. As mentioned in the introduction, marriage embodies the personal and the public, the private and the social. It is, in a sense, a microcosm of the larger community, that site where production and reproduction take place at a crossroad (DAWN 1995). The meaning of marriage, the intra-household dynamics, the care role and its multidimensional aspects are often unrecognised by development planners. The processes of social reproduction as reflected in marriage have shown changes and the villages in this research are in development transition. The commodification of weddings is not just about the encroachment of business into marriage ceremonies but is also a response by the community to a changed environment. The outmigration of young people leaving behind the more elderly colludes neatly with the evolution of businesses that now fill the social gap left behind by the young.
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Marriage is still perceived as the norm and families are still the place to return to for support upon the birth of new family members even though couples have left the nest. Women’s social power that was there in the 1960s and 1980s continues to operate in marriage ceremonies even though marriages are no longer forced and girls are free to pursue their education and careers. It is disturbing that polygamy seems to be acceptable among the young and educated but there is also more reflective thinking and silent resistance to it by individuals.

Women’s social power to organise, to adapt and reconstruct responses to situations has not changed. These women in the East Coast have shown resistance as well as resilience, perhaps not in the Western sense but within the constraints of their daily indigenous contexts. Here is where indigenous feminisms need to be explored further.

Marriage and the private world are dynamic sites of social power expression. Power is complex and fluid. We have seen that women may display ‘power over’ and a strong ‘power within’ in one situation but may seem to be powerless in another context. Being economically independent and educated seems to be positively linked to these kinds of power but ideological power is also associated with reducing or reinforcing economic power and social power. Much is yet to be understood about the interplay of social power and its roles in the empowerment of women and how this is linked to development.

Notes

1 In this chapter we alternate between the pronoun ‘we’ and our first names, according to need.

2 The title also refers back to a previous publication by Ingrid (Rudie 1993a).

3 The design of the restudy was Rashidah’s sole responsibility, while Ingrid paid one brief visit to the field and suggested a few suitable persons for initial contact – people who were anonymised in her old publications.


5 This alludes to the opening phrase in Ingrid’s book (Rudie 1994a, 1), a citation of Heraclitus saying that ‘you never step into the same river twice’.

6 The workshop took place in Bangkok in August 2013.
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7 See Chloe E. Bird’s and Patricia P. Rieker’s (2008) book on Gender and Health. The effects of multiple levels of constrained choices and social policies, and how that affects our daily decision making, were discussed here.

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CHAPTER 4

Lost in Translation? Gender and Empowerment in the Greater Mekong Sub-Region

Donna L. Doane and Philippe Doneys

Introduction

Empowerment, it has been argued, has become a buzzword in development, and in the process it has lost its political meaning, or its link to power, as it is increasingly ‘mainstreamed’ into gender components (Cornwall and Brock 2005; Cornwall 2007a, 2007b). Miles suggests that in economic development projects, empowerment has become synonymous with income generation, or economic enablement (Miles 2001). However, it is far from clear how generating income may lead to changes in either access to and control over resources or in level of decision-making, and in turn how these changes may actually lead to a gain in power and emancipation. As Miles argues, those projects tend to ignore structural forces at play that keep women disempowered. In some contexts, higher income could actually mean further control by men, and thus more power gained over their partner. Yet a summary rejection of empowerment in income generation projects may be premature; although projects may not address structural change per se, they may provide women with more options and opportunities to circumvent or resist constraints.

The debate over empowerment also brings out the diversities of views, from higher-level institutions that often use a rights-based approach, to lower-level and local organisations that more readily use a language of participation and opportunities. Many studies of empowerment have missed this gap between those who design projects and those who are the intended beneficiaries, with project designers often using a
premade definition of empowerment that is then assessed and measured on the ground (e.g., through the use of surveys conducted with beneficiaries; a similar point is made about the problematic use of outsider values in the context of women’s empowerment in Kabeer 1999: 459). A broad example of a predetermined definition of empowerment is the UN’s Gender and Empowerment Measure (GEM) which uses three basic indicators related to political and economic participation, including share of income that may have little to do with how women see themselves as, or feel, empowered. We would argue that rather than relying on predetermined views, understanding the perspectives of intended beneficiaries themselves is the key to making empowerment sustainable over the long-term.

The present study began with an inquiry into who designs women’s economic empowerment projects, and why, in four countries of the Greater Mekong Sub-region – Cambodia, Laos, Vietnam and Myanmar. The focus on income generation is explained both by the prevalence of this approach in the region’s development for the purpose of women’s empowerment and our interest in understanding linkages between economic means and empowerment, and contrasting these with accepted characteristics of empowerment, such as autonomy and independence. The purpose of doing this study in several countries was to capture or assess differences and similarities both vertically (international to local) and horizontally (looking at either beneficiaries, practitioners or policy makers across the four countries). The methodology used began with the identification of a wide range of women’s economic empowerment projects in each country that focused on very low-income (and generally ethnic majority) women in particular, and cases that would be accessible to researchers in each country. Representative projects were then selected as case studies. Key informant interviews (KII) were conducted with policymakers and those implementing the projects, and a combination of in-depth interviews (IDIs) and, in some cases, focus group discussions (FGDs) with the projects’ intended beneficiaries were then carried out (the numbers varied between 20 and 30 IDIs, 5–10 KII, and 2–4 FGDs per country).

The findings of the study are presented below, first on a country-by-country basis regarding the understanding of ‘empowerment’ on the decision-making level, which in most cases will involve highlighting
differences between the national and international conceptions of what is meant by empowerment. This will be followed by a discussion of representative conceptions of ‘empowerment’ from the point of view of the beneficiaries interviewed in each country – again, potentially in contrast with both national and international perspectives. This methodology is in part informed by Sandra Harding’s *Sciences from Below* (2008). Harding’s book emphasises the need for scientific inquiry to include the perspectives of ‘peoples at the peripheries of modernity’ (in this, Harding includes women in general, and both men and women from non-Western cultures, as being outside the mainstream of ‘modernity’, based on her usage of the term).

Finally, we will use the findings of this study to discuss implications for empowerment in development projects as well as for ‘rethinking gender’, both as a methodological and analytical tool.

**The meaning of ‘empowerment’ at the level of national and international policymakers**

The institutions dealing with women’s concerns – including economic empowerment projects – vary greatly across the four countries. Nonetheless, it is clear from interviews that in all four countries the concept of ‘empowerment’ at the level of national decision-makers differs significantly from that used by international organisations. In order to explore some of these gaps, we will first briefly review the relevant policy-making institutions in each country that are associated with women’s economic empowerment projects, and then present the results of interviews with national policymakers, representatives of international NGOs and others at the policy-making level in each of the four countries.

**Interviews with policymakers in Cambodia: emphasis on women’s social roles**

In Cambodia, the Ministry of Women’s Affairs (MoWA) and the Cambodian National Council for Women (CNCW) are the main policymakers at the national level. MoWA is the main organisation at the ministerial level and the government body that is associated with most of the women-related projects and programmes. MoWA supports the CNCW in promoting the implementation of CEDAW requirements,
along with other CNCW functions. In addition, there are large numbers of international organisations and UN agencies working in Cambodia as well as international and domestic NGOs working on gender issues and on livelihood projects primarily aimed at women. The private sector and development banks are also part of the complex picture in Cambodia that bears directly or indirectly on women’s economic empowerment projects.

Interviews with representatives of the Ministry of Women’s Affairs (MoWA), a gender-oriented research organisation (GADC, or the Gender and Development for Cambodia), and a domestic NGO (Artisans’ Association of Cambodia [AAC]/HomeNet Cambodia) that is helping to build a nationwide network of predominantly women home-based workers, brought out the distinction between the international (English-language) concept of ‘empowerment’ and the translation of the idea into local contexts, particularly as used by government institutions. For example, it was explained during the interviews that although international NGOs often use the term ‘empowerment’, in the Cambodian context this appears to imply taking power away from men; for this reason, MoWA uses instead such Khmer phrases as *bang keun pheap angach dol satrey* (being able to make improvements for women). The phrase implies strengthening women’s self-confidence – improving/strengthening their ability to speak and do other things – implying that through education they will no longer be hesitant, or unduly shy or lacking in confidence. As we were told, it is a kind of capacity-building that also allows women to support men and other family members; this avoids the negative implication of confronting men aggressively or taking power away from them. This desire not to appear too aggressive was reiterated later in an interview with a woman who holds the position of Deputy Municipal Governor of one of the larger cities in Cambodia, who cautions women that even though they may be ‘boss’ in the workplace, that attitude should not carry over into the home ‘in line with [mainstream] Khmer culture’.

Interestingly, in their English-language publications MoWA and other government agencies can use the English term ‘empowerment’ (as in MoWA’s Third Strategic Plan), but an implication of power is avoided in Khmer-language publications. Moreover, the idea of women acting ‘in line with the national culture’ appears to be emphasised by government agencies on all levels.
The apparent desire on the part of government institutions and individual officials not to deviate too far from ‘traditional’ views of women may in fact be a realistic reflection of problems that can occur if men feel that they are being challenged or are no longer respected by women whose roles are changing, particularly in the economic sphere. However, it does set the government organisations’ targets and expectations in opposition to at least some of the ideas promoted by international NGOs and international donors. Remaining in accordance with perceived ideas of the local culture rather than trying to directly confront gender hierarchies seems to be a consistent theme of policymakers in Cambodia who design or implement projects focusing on women’s economic empowerment.

In addition, we should note that the couching of bang keun pheap angach dol satrey in terms of not only women’s self-determination and decision-making ability, but also in terms of the social roles that women can play when their capabilities increase (i.e., with respect to those around them, including men and families) clearly reflects a view that puts less emphasis on women acting as individuals who are becoming empowered for their own benefit, and instead puts more emphasis on women as social beings. Thus an additional question will be to understand the degree to which these views differ from ‘ground level’ (local community-based) conceptions of the nature and goals of women’s economic empowerment projects, in the context of Cambodia at the present time.

Interviews with policymakers in Lao PDR: emphasis on providing opportunities

In Lao PDR, domestic NGOs had begun to emerge in recent years after the government set up a registration process. However, local groups are still monitored by the government, and even international NGOs risk having sanctions imposed on them if their work or statements are viewed as being political or critical of the government. Yet, local and international institutions have continued to implement economic development and income generation-related activities in recent years.

The main national government-level policymaking institutions that are associated with women’s concerns include the Lao Women’s Union (LWU) and the Lao National Commission for the Advancement of Women (Lao NCAW). The Lao Women’s Union is referred to as a mass
organisation (it is virtually a ministerial-level government organisation with local membership); it operates throughout the country, designating up to one-third of the women of the country as members. Lao NCAW, in contrast, is designed to work as a coordinating body between government organisations for gender mainstreaming while at the same time working together with the LWU on gender policy, programmes and projects in the country.

In addition to government organisations (including the LWU and the NCAW), international organisations such as UN Women as well as other UN organisations and aid agencies work in Laos on gender concerns, and some international NGOs have been working in the country for many years. Other ministries, development banks, and private enterprises also have a significant impact on women’s economic activities and economic empowerment projects in Laos. However, regarding some of these institutions that do not have a specifically gender focus, it has been said that projects focusing on gender issues tend to end up emphasising the counting of numbers of women and men participants in the projects – i.e., with the aim of increasing the number of women as an indicator of success – rather than looking at gender relationships and changes in such concerns as roles, access to resources, and decision-making patterns over time.

Because of the importance of the Lao Women’s Union as a key ministerial-level organisation in Laos, preliminary discussions were held with representatives of the Vientiane Capital office of the Lao Women’s Union, as well as with representatives of other organisations (UN Women, NPAs) working on women’s issues. As in the case of Cambodia, interviews with Vientiane Capital LWU officials revealed a similar difference between the English-language word ‘empowerment’ and the equivalent phrase used by the LWU in the Lao language. As in the case of the Khmer language, the Vientiane Capital LWU representatives stated that they can use the phrase ‘having power’ (mii amnaat), but they prefer to use a phrase meaning ‘provide opportunities’ (e.g., heua okat, with providing opportunities to women as heua okat mae ying). This difference in meaning between the Lao and English usage was confirmed in other interviews with both UN Women and gender specialists in Laos: the word ‘power’ is sensitive, and the idea of ‘having power’ is usually avoided. The equivalent of women’s empowerment
is song seum haei mae ying mii bot bat or promote (support) women to have a greater role/stronger position in society – i.e., in the public (as well as the private) sphere, implying that they decide for themselves and gain recognition in both the family and society, if they so choose. The importance of women deciding for themselves is well understood; still, interviews with international organisations, local NPAs and the LWU representatives indicated that in the Lao case as well, there is a preference to use language that centres on providing opportunities, or doing ‘capacity-building within an enabling environment’ rather than incorporating an explicit notion of ‘power’.

**Interviews with policymakers in Vietnam: comfortable with the idea of women gaining power?**

In the case of Vietnam, key policymaking bodies that focus on women’s concerns include many governmental organisations, with the Vietnam Women’s Union (VWU) at the forefront. As in the case of the Lao Women’s Union, the Vietnam Women’s Union is a mass organisation that holds the equivalent of a ministerial position in the government and is the main policymaking and implementing institution with regard to women’s empowerment projects.

The VWU works with the important Ministry of Labour, Invalids and Social Affairs (MOLISA – Gender Equality Department), and with the National Committee for the Advancement of Women (NCFAW), the Committees for the Advancement of Women (CEAW) in each ministry, and other government bodies, as well as international aid agencies and other international organisations. In addition, in Vietnam the private sector and a growing domestic NGO sector are starting to play important roles on the economic front, and the VWU works closely with these organisations as well in the context of specific projects and programmes.

Given its importance, initial interviews in Vietnam were held primarily with representatives of the Vietnam Women’s Union on the national, provincial and commune levels, as well as with representatives of an association that works on projects with women in areas with ethnic minorities (Craft Link). Regarding the meaning of ‘empowerment’, the VWU at the central level notes that in the Vietnamese language and usage there is no problem with the use of a word implying ‘power’ since the purpose of the VWU is to help create conditions that will give women
equal rights, i.e., rights equal to those given to men. The Vietnamese phrase for this expression of the idea of empowerment is Nâng cao quyền năng (which, according to a dictionary translation, is used to mean an increase in ‘ability to determine/control’, implying an increase in power). As one observer noted, however, this appears to be a close translation of the word ‘empowerment’ and does not sound very Vietnamese.

In contrast, interviews conducted with the office of the VWU in Ninh Binh Province (i.e., at the provincial level) indicated that at that level a different phrase is generally used to mean empowerment. This phrase, which is said to have been used more widely in the past, is Nâng cao vị thế (literally, ‘increase position’, which could be interpreted as raising a woman’s position in the family and in society; it also implies raising women’s voices). In fact, members of the provincial VWU office interviewed noted that the direct word for empowerment is not used in legal documents since the concept of ‘empowerment’ is too general in the Vietnamese language, and is more often broken down into specific components for purposes of legal discourse – e.g., into specific references to women’s knowledge, rights, position/status, capacity/ability, and ‘women’s improvement/development’. They suggested that the two main impediments to women’s empowerment are internal – relating to whether they have a relatively narrow or wide range of capabilities – and external, which comes particularly in the form of opposition from men.

Of course, there may be practical reasons why the emphasis tends to be on women’s improvement rather than women gaining power. As in Laos and Cambodia, there are large numbers of cautionary tales told in Vietnam about women who gain too much self-confidence and may end up denigrating their spouse. (Cases of women who look down on their husband and do not take care of children were cited as a potential problem associated with these economic empowerment projects.)

For this reason, as in the Lao and Cambodian cases, it is said that the VWU attempts to prevent this type of negative outcome by discouraging women from forgetting their other social responsibilities. This may also help to explain why the emphasis is also placed on learning how to raise children well, have a healthy pregnancy, and carry out ‘traditional’ women’s roles. Moreover, as in neighbouring countries, women’s empowerment is posed as being better for children and families, and not just for the benefit of the women themselves (one local gender analyst
noted that in Vietnam, ‘women are generally assessed through their families, not through other social or economic positions’). Thus, even though the institutional infrastructure that deals with women’s concerns in Vietnam is much more complex than appears to be true of the other two neighbouring countries, and the idea of ‘power’ as part of ‘empowerment’ seems to be less sensitive in Vietnam as compared to Laos or Cambodia, an important part of the message given by the VWU turns out to be the same: be a good daughter, wife and mother.

**Interviews with policymakers in Myanmar: changes in the perception of the need for women’s empowerment**

In Myanmar we should note that the situation is changing rapidly with respect to decision-making in the area of women’s economic empowerment. Myanmar is interesting in that until recently previous governments insisted that there were no serious gender-related problems in the country (in fact, this reflected a commonly-repeated idea at the time). In spite of this, women’s economic empowerment activities have been going on for many years, particularly in the form of community-based organisations (CBOs). Moreover, the current government is becoming increasingly open to the need for gender policies, projects and programmes, acknowledging that there is important work to be done.

Regarding the institutional structure dealing with women’s empowerment projects, the Ministry of Social Welfare, Relief and Resettlement, and more specifically its Department of Social Welfare (DSW) is the main government agency responsible for women’s and gender-related issues. Another important government-led coordination mechanism is the Myanmar National Committee for Women Affairs (MNCWA), which was formed in 1996 to implement the Beijing Platform for action and report on CEDAW.

Apart from these policy level organisations, the ground-level organisations working on women’s issues are mostly CBOs, since this is the form of organisation emphasized by the Myanmar government in the past. Unregistered NGOs have also come up particularly after cyclone Nargis in 2008 to work on development issues, including women’s concerns. More recently, international NGOs and international organisations as well as development banks and private enterprises have come into Myanmar, and all of these developments are rapidly changing the discourse on women’s rights and development goals. Civil society or-
ganisations working on women’s rights are also gaining a greater voice in public meetings. Regarding women’s economic empowerment projects, the Myanmar Women’s Affairs Federation (MWAF) is concerned with this area and the Myanmar Women’s Entrepreneur Association is doing microcredit and income generation projects for poor women in rural areas, as are many of the local CBOs, local NGOs, international NGOs and international organisations.

To understand the rapid changes, interviews were held with representatives of international NGOs, local women’s organisations, domestic NGOs and CBOs, and a network (Gender Equality Network) that links national government bodies and INGOs with other types of organisations working on gender and women’s concerns. Interviews indicate that it is difficult to translate ‘empowerment’ into the Myanmar (Burmese) language, let alone into the one hundred estimated minority languages. According to a dictionary translation, *lote paing kwint shi aung lote thi* is used to mean ‘give power or authority to do something’ (which again appears to be a close translation of the international phrase). However, as in other countries, interviews indicate that many organisations and community groups in the country do not like to use this phrase, and instead emphasise capabilities and opportunities in different ways.

It is said that one widely used translation of empowerment is *lote paing kwint ah kwint ah lan myar shi lar say chin*, meaning ‘create opportunities for capabilities’ (or ‘make opportunities to do what you want’, ‘choosing your own way’). Another translation used by some organisations is *swan saung yay hnint swan saung kwint myint tin chin*, meaning ‘to increase capacity and capability and create an enabling environment’ to allow this to happen.

It appears that the direct translation is avoided for reasons similar to those given in Cambodia, Laos and in many contexts in Vietnam. One observer in Yangon noted that the idea of ‘women are able to do’ (women are capable) is not about power, and so is not threatening to men. Nonetheless, it is interesting that – at least in Myanmar’s emerging civil society – there does seem to be a sense that women should obtain capabilities and opportunities for themselves, and not just as social beings. Moreover, although some phrases focus on gaining capabilities and opportunities, others (‘choosing your own way’) are more based in a sense of women’s rights rather than just capacity-building. However, the gov-
ernment’s view of empowerment has been known to reinforce traditional views of women’s roles in Myanmar, and there has been a strong emphasis – as in the neighbouring countries – on women ‘maintaining the culture’, with women (more so than men) being primarily responsible for this.

**Why is the emphasis on capabilities and opportunities rather than increasing power and autonomy?**

Many have observed that policymakers in the four countries tend to adopt an approach emphasising that women will, with capacity-building and other measures, be able to work more effectively and provide more support to others (e.g., within their families and communities), rather than emphasising decision-making and gaining power primarily for themselves. In the documents and programmes of the women’s unions, for example, there is certainly a concern with helping women learn how best to take care of their children, have proper hygiene and waste management, and to ‘maintain the culture’, as well as working in areas where there are clear problems for women, such as domestic violence.

Why government agencies might appear to shy away from emphasising the need for major changes in gender dynamics (i.e., changing gender power relations) is a question that has many possible answers. For some, the reason may be that cultures change slowly and the current realities of women’s roles and responsibilities need to be addressed effectively, using culturally-appropriate modes of expression. For example, the VWU does not promote radically new and non-traditional roles for women; particularly in low-income rural contexts, the explanation that in Vietnam the majority of women see their main social roles as being within the family and community, and do not see empowerment in terms of self-striving behaviour, seems to have some validity.

Others have suggested that one of the reasons that the women’s organisations and government agencies tend to shy away from discussions of power and gender power relations may be a reflection of the lack of desire on the part of these organisations to be perceived as aggressive or confrontational in a political world that does not favour such modes of discussion. In some cases, it may also be possible that the rights-based discourse that underlies certain conceptions of empowerment would not be considered appropriate in a political context that does not share this same philosophy. Finally, some suggest as well that this may reflect the lack of substantial political power given to women-oriented government
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institutions, resulting in officials’ need to be careful in what they promote and how they promote these programmes. Which of these factors is most important will of course depend on the specific context. Interactions with international donors, academic institutions, and other influences are likely to push the discourse in the direction of a more direct emphasis on women’s individual self-determination, if not explicitly autonomy and power, in the future. For now, however, such an emphasis remains primarily on the level of specific NGOs, and only in certain country contexts.

The meaning of ‘empowerment’ at the level of intended beneficiaries

We have seen that empowerment projects in the four countries, from the policymakers’ points of view, tend to emphasise giving women opportunities and capabilities in an enabling environment, generally to fulfil their social roles more effectively. However, is this what is desired by the intended beneficiaries of the projects?

Clearly, the answer to this would vary depending on many factors, the most likely of which include income status (e.g. well-off versus very poor), metropolitan versus remote rural residence, ethnic group affiliation in cases where there are sociocultural differences, and other factors. For the present study the focus of research has been on economic empowerment projects designed primarily for women who are in low-income groups, either in urban or rural areas, but usually in ethnic majority areas.

Cambodia: the importance of groups, organisations and networks

Cambodia is a country characterised by relatively strong domestic as well as international NGOs. For this reason, an NGO-led project that focuses on women’s economic empowerment through strengthening women’s livelihoods and their own livelihood-related organisations was selected to be the main focus. HomeNet Cambodia, a national network of home-based workers initiated by the Artisans’ Association of Cambodia, has been working on a six-year project funded by an international charitable trust with the aim of the economic empowerment of home-based workers in the country, the vast majority of whom are women; women’s economic empowerment has thus been an explicit part of the project.

For this study, two locations were selected: Siem Reap and Phnom Penh. Interviews were carried out primarily with women home-based
workers, but also in some cases with their husbands. These workers who are leaders of local producer groups were specifically included because they know a great deal not only about their own cases as project beneficiaries, but also about other group members as well as women who were not allowed to join the project because of objections from husbands or others. In this way, we are able to see not only the benefits and difficulties that come with the economic empowerment project, but also who has not been included, and why.

We should first note that in Cambodia, before the project began, the women home-based workers were entirely cut off from markets. They stayed at home and received information through middlemen, and gave their products to the middlemen, leaving them with very low earnings and very little information. Market access has therefore improved with the project, as one project beneficiary who also acts as a group leader noted:

> The project does not take benefit from [exploit] home-based workers. In contrast, the project helps to train home-based workers in the following way: marketing, selling, product design, occupational safety and health, organising strategies, and the benefits of organising.

Those interviewed state that the main benefit has been higher income, and thus an ability to provide for the family and even save money. On a personal level, the main benefit has been bringing women together with others (‘I was isolated and lonely’), and increasing their confidence by making them ‘strong, brave, and able to speak and participate in any meeting or workshop’. Many noted that they also have more mobility than before (‘previously he did not allow me to go out of the community’).

Regarding the effects of this and similar projects on gender relations and statuses in the family and community, interviews in Cambodia indicate that in most cases the men have started to understand the significance of their wives’ involvement in economic activities for the benefit of the entire household, and to support their efforts. One 27-year-old woman who is now a vice group leader of the trade group and leader of the saving group in her locality explains it this way:

> Before getting involved with the project, my husband did some household work such as cooking, washing clothes and taking care of children only when I had big orders. Now he helps every day (in the evening after work) even when I am not busy.
In terms of community activities, since the women are now more vocal and involved in market activities themselves (and not just through middlemen), others have started noticing them. One woman describes how she now participates in other village activities such as a Red Cross training for safe drinking water or a meeting on reproductive health at the local health centre. Moreover, since she is now both more vocal and more mobile – going even to Phnom Penh for meetings – the village chief is now paying attention to her, and has even asked her to participate in political meetings in the village and join election campaigns.

The home-based workers in Siem Reap are also, for the first time, having discussions with city officials about access to water and electricity. This is something they could not have dreamed of before becoming involved in the economic empowerment project, and the fact that the city officials are responding positively is giving them a further sense of their own worth.

It was found that men in the family and community are generally supportive. For example, one husband noted, ‘I support her [by taking care of children while she goes to Phnom Penh]. She has progressed a lot in terms of the way she speaks […] She is stricter than before; I get afraid of her when I am wrong. I appreciate that she is able to meet many people during her long journey [to Phnom Penh].’ However, according to a group leader in Siem Reap, ‘some women were not allowed to participate, or in some cases to remain in the project, either because their husband did not want to be challenged as the main “breadwinner” in the family, or because he was concerned that she would not take care of all household responsibilities, or because he was worried that she would meet other men when outside the home.’

Given that the formation of on-going groups and networks of previously scattered and isolated home-based workers has been one of the main ways of trying to achieve women’s economic empowerment, questions were asked about the project participants’ assessments of this approach. In response, the women have noted ‘increased solidarity and stronger relationships’ among group members, also stating, ‘Without forming a group we would not have access to trainings or workshops or be able to conduct meetings. We could not meet with city officials. Without groups being formed, we cannot meet regularly like this.’ To those interviewed in Cambodia, ‘empowerment’ thus has strong social
components – increasing their abilities and status in the family, their own organisations, and in the community as a whole.

How sustainable these benefits are, however, may depend on the sustainability of the home-based workers’ groups, organisations, national networks and markets. Certainly, the women themselves expect these benefits to continue even after the project has come to a close.

**Lao PDR: gains made through working with the centre**

Our research in Laos focused on an on-going handicraft centre in Luang Prabang supported by the Lao Women's Union. With regard to this project, women beneficiaries clearly associated empowerment with income generation, but many of the interviewees see the process of learning new skills (‘empowerment is competence’) and weaving patterns as an important form of empowerment in itself. The interviewees regard this knowledge and innovation as a key to both the sustainability of their craft and to a sense of increased independence and confidence (‘I am self-confident to explain my products to the customers’). Although women beneficiaries underline the importance of empowerment in terms of its impact on their entire family (‘I have the capacity to look after my family’), many also mention that they no longer depend on their husband’s decisions. As one woman states, ‘I do not need to wait for my husband to give me money […] I can choose how money will be spent’ or another that ‘I can make decisions when I want to buy something’. The link between income and independence (both financial and in terms of decision-making) is particularly telling in the following two sentences that a 25-year-old woman, who did not engage in paid work before the project, answered to a question on the meaning of empowerment:

Empowerment to me means to be able to generate income by not only relying on my husband’s salary. I have the opportunity to express my opinion.

Another beneficiary adds, ‘I get more benefit because I control the money. If my husband did not have good enough reasons to use money, I did not give it to him.’

Changes on the husband’s side extend from a greater appreciation of his wife’s work and her added contribution to the family income to more significant behavioural changes, including time spent in reproductive and care work or sharing work on handicraft production. What may
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explain those changes, however, are not only changes in gender norms but also a basic redistribution of time and work caused by a higher income. Many interviews reveal, for instance, that before getting an increased income from making handicrafts, men had been busy working in rice plantations (‘before the project I was the only one doing housework because my husband was busy in the rice field’). A fifty-year-old respondent has a similar quote:

At that time I was the only person responsible for cooking, all the cleaning and washing clothes. This is because my husband was working on arduous work such as cutting big trees, and bringing firewood home on the way back from the field. However, I also helped him in cutting small trees and clearing land before planting rice as well as harvesting vegetables from the forest. After the project, we did not engage in upland rice cultivation anymore.

However, since women are getting a steady and higher income, husbands are now more willing to assist their wives. (‘My husband also helps me in my work’; ‘sometimes my husband takes care of cooking when I spend time at the handicraft centre. Mainly he takes care of the kids.’) In part this is because, as many interviewees mentioned, households have decreased their reliance on farming for household income and this provides more time for men to assist in tasks they did not consider engaging in before.

We should note, however, that this decreased work time is not a change that their wives experience. This is something that has been observed across countries as women’s income-generating activities are still conducted in addition to reproductive tasks and care work, even though husbands have chipped in to some degree. In answering a question about the negative points of this economic activity, women in Luang Prabang mention quite consistently that they now have less time to socialize, to do cleaning work, housework or cook. Few, however, see this as a major flaw of income-generating activities, acknowledging that they have gained more than they have lost.

Another point that has come back fairly consistently in Laos is the change in marital relations caused by greater income, including a lower level of conflict. Many have mentioned how the lack of adequate income was the source of many family problems, including quarrels between husbands and wives (‘my husband wanted to keep money for food..."
but I wanted to buy new clothes, but we did not really come up with a solution for that; ‘my husband wanted to buy a motorcycle but I did not want to borrow money to buy it’). Although the difference may be attributed to better income (and thus less stress), one could argue that women’s income improves their status in the household and fosters greater respect from their partner.

Overall, the answers we received from Lao project participants are fairly positive, and consistent with a view of empowerment caused not only by more skills and greater confidence, but also by greater income. This reflects, however, not only a form of power gained ‘over their husband’ as much as an empowerment gained from an altered division of labour caused by greater income, which allows their husbands to contribute in new ways. Women also discussed empowerment in terms of better family conditions, ensuring their children’s education and better marital relations, confirming a pattern that we find across the four countries where empowerment is often interpreted as observed through family or community gains. Some of these benefits have also extended to other forms of social differentiation, including greater respect for ethnic minorities whose distinct identities are seen in their craftwork and valued by visitors to Luang Prabang (‘before we were shy to speak in our ethnic accent, but now we are not shy anymore’).

Nevertheless, this should be tempered with reservations. As with other countries, we find that women beneficiaries do not want to go into detail regarding negative aspects of a project from which they have made great gains. Moreover, the project is also able to link their products to the marketplace and losing support could also mean losing such market access, even though respondents repeatedly shared their confidence in the sustainability of the empowerment brought about by the project when it comes to an end.

Vietnam: changing economic and social roles

The project examined in Vietnam is actually two linked projects that centre around a revolving fund and trainings initiated by the Vietnam Women’s Union (VWU) in a very low-income rural area in Ninh Binh Province (Yen Loc Commune, Kim Son District). The projects are run by the local Women’s Association and are designed to give new skills and knowledge as well as new livelihoods to the women in the commune. The first is called the ‘Clean Water Project for Rural Areas of the Red River
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Delta’. The project aims to support local women who would like to build sanitary toilets or bathrooms, which is important in this poor area in order to decrease infectious diseases that particularly affect women and children, and cost them lost savings due to hospital and medicine costs as well as lost schooling and income. The second is the ‘Energy Saving Project’ or Biogas Project, which provides funds and training for biogas cellars tied to livestock-raising. The cellars provide a clean source of fuel to replace gas, wood and particularly straw used previously in cooking, which saves both time and labour and allows the women time to participate in other activities. The cellars also allow a significant expansion of livestock-breeding activities as a livelihood project that brings in money for the women. Interviews with VWU staff indicated that the VWU tries to carry out several projects for women in low-income areas in order to raise their standard of living and strengthen them economically.

In this rural commune, it appears that most of the women were taking on money-earning activities for the first time, which they say caused a change in the way they were treated by their husbands and viewed in the community. Project participants very often defined ‘empowerment’ in terms of now being listened to more seriously, with their opinions treated with more respect:

From my point of view, women had very little authority and rights in the family before. Since the project started, women have gained the right to decide to participate in the project, of course after asking permission from their husbands [because of the loan component], then to borrow money to build facilities, and they also have the responsibility to pay back the loan. These facilities have brought many benefits for their families, which have had good results. Therefore, women’s voices are more valued, are heard and respected in their families.

The gaining of respect, and of being heard and one’s opinion being valued, came up often as a key benefit of this project:

In the past, the main responsibility of women was staying at home, taking care of children, doing household chores and waiting for money their husbands brought home. Therefore, women did what they were told to do. Also, their husband could use violence against them. However, the situation has changed. Women now can make money for their families, their voices are respected and of course their husbands will value women’s opinions.
Interestingly, although the additional income that the women brought in was usually devoted to children's study fees, buying necessities for the family, and carrying out other livelihood activities in these poor rural households, buying clothes often came up as a symbol of the change in a woman's status as she brought in money. As one project participant noted:

As I can see, the women’s point of view has changed during this time. They know how to dress better, and they buy nice clothes for themselves. They earn more respect from the community as well as from their husbands. They’re more beloved. Therefore they feel happier.

Several participants noted that women are sometimes the breadwinners in their families, or that they now earn more at home than their husbands can earn outside (many of the husbands work at a distance doing construction work or working in factories). According to the women interviewed, the projects in the commune have taught the women how to speak more confidently and effectively, but without being disrespectful to their husbands (‘even if women make more money than the men in their family, they still have to respect their husbands’):

We do not really feel like speaking loudly when talking to our husbands since it is not really good. But it’s true that we are more confident when discussing and giving opinions and we also offer more reasonable opinions that could persuade our husbands.

According to interviews, many of the men in the area had been known to be heavy drinkers, but the women claimed this problem was decreasing. Moreover, they said that domestic violence was not common and that tensions were decreasing as household income became higher and more secure. (’Men know that it’s wrong if they hurt their wives and the wives will report them to the authorities if their husbands hurt them.’)

Although it was stated that husbands might help out with household chores when they are home, it appears that there was not a major increase in their willingness to change the household division of labour. Consequently, women’s burden could be said to have increased with the new economic activities, but the respondents all said that the changes allowed them to better manage time – and even gain more social time outside of their homes, which they interpreted as gaining leisure time for themselves. (’In their free time, women can participate in more..."
social activities within the community. This means empowerment for women."

The women interviewed also stated that they enjoyed their newfound ability to participate in meetings outside the home and with other women: ‘These meetings help women feel more relaxed and happy. Since we have a lot to do every day, we could feel stressed. Meeting other women and talking with them about personal stories would free up our minds, and would help us feel happier and work efficiently’… ‘We can practice singing or dancing or sharing experience and information about farming activities’… ‘We could talk about our families’ problems or personal stories. We can ask other women to help us solve these problems.’

The women claimed that their husbands are now supportive of the women going out, including going to meetings and participating in other community activities (‘Before, if I told him that I planned to go out, he would ask me where I went and what I did’). One woman stated that she appreciated the newfound mobility allowed by their higher income: ‘We could buy a motorbike, and now I can go somewhere else far away where I could not go before, meet more people, and join more social activities.’

Although as in Laos there may have been a natural reluctance to make negative statements about the Women’s Union projects – particularly when they hope for more of the same – the additional time and effort spent on the projects do not appear to be the source of any significant problems for the women. When asked for suggestions, the one criticism that came out was that the women think that the project should ‘expand the budget in order to lend local women more money’. Participation appeared to be both desired and sincere, and the women hoped for more projects to come to their area.

Thus, it appears that empowerment in this case comes with the newfound sense of self-respect and the respect of others, and the sense of mobility and freedom instead of isolation and relative passivity. The women are doing these activities for their families, but they are clearly also doing them for themselves. Empowerment, to these project participants, is not just a matter of being a better provider, a better partner, and a better mother; it is also having a voice that is now increasingly heard and valued.

Myanmar: transitions after Nargis

One of the many projects funded by UNDP, focusing primarily on providing loans to women for starting businesses and other income-
generating activities, ended in December 2012; this was one of the project sites revisited in 2013 for the present study. The project was situated in Konegyi Village, Labutta Township in the Irrawaddy Delta. This township was hard hit by cyclone Nargis in 2008 with tens of thousands of people recorded as missing.

Key informant interviews regarding projects in other parts of the country have indicated that although women have increasingly engaged in income-generating activities, relatively few men change their behaviour and support their partners in household and reproductive work in any substantial way. They mentioned, however, that the division of labour in the Delta is more flexible. In this project, indeed, the vast majority of the respondents described important changes in men's behaviour, including a willingness to share reproductive and care work. Yet when we give a closer look, the answer becomes apparently more complex.

Clearly, the interviews show that men have been overall supportive of their wives' income-generating activities. However, one of the notable differences compared with other countries is that the responses coming from this project in Myanmar are the only ones, out of the four countries, where in response to a question on who benefits the most from the project, many respondents answered that it was their husbands. In part this is because in many of the interviews women beneficiaries mentioned that their husbands benefited directly from the loans 'to buy inputs and equipment for farming activities', or 'to buy fishing nets and boats'. Some men have even been able to stop engaging in paid labour, using the loans to become fishermen. Men, therefore, are not just partners of beneficiaries but beneficiaries by matrimony, being able to receive low interest rate loans through their wives' membership in the project. Men's support is also perceived by respondents as directly linked to their benefit, as in the case of a 34-year-old beneficiary who states that because her husband can buy fishing gear 'therefore he fully supports me to participate in the project and he listens to my words'.

Yet it may be too simplistic to assume that men support their partners primarily because they have a direct financial incentive. As in other countries, women also state that men are willing to help because they understand the importance of the work, and the major contribution women make to the household.
Views of empowerment seem to fall into two broad categories: empowerment is seen through women’s greater independence and confidence (ability to talk in a group, to make decisions, to spend, although the husband is often listed as final decision-maker), but also through a better ability to contribute to and help household or community members. The second point is explained in part by other household members’ appreciation of those women for helping them and the satisfaction the women expressed in being able to help in ways that were not possible in the past. Women state that they ‘no longer worry about paying tuition fees for children’, that they are empowered because they ‘can provide food for the family, take care of the health of family members or give advice to nieces and nephews’, or that they are better persons because ‘husband and children rely on me for earning income and covering expenditures’. These two points are linked, of course, as confidence is gained through more positive recognition or appraisal by family members. The women are proud of the recognition from the community as well, as they felt they were not valued or were excluded from community affairs in the past. This recognition by partners, household and community members (‘The head of the village now acknowledges me’, ‘I’m trusted and recognized by the SRG [self-reliance group] members’, ‘My husband and relatives treated me as an incapable woman, now they treat me differently’) seems important to how women see themselves as empowered. Empowerment, then, is rarely seen through the prism of individual gain. On the one hand, women appreciate being able to contribute to and support household members (one respondent even argued that ‘the entire family as a whole benefited the most from the project’) and on the other hand they derive an increased form of self-confidence from recognition and respect received from their family and community.

Knowledge is again seen as key to the sustainability of the project. What women learn about accounting, saving money, food processing, ability to speak in groups, and creating business opportunities, all seem to support the notion that the beneficiaries will continue to gain in the future, even though the project ended in December 2012.

The formation of groups seems important as well, in that respondents see group solidarity as long-lasting, and as ensuring that loans can be repaid in difficult times by the joint efforts and sacrifice of group
members when one of their peers is unable to repay their loan on time. Group formation is also seen as having helped women develop social and communication skills. Women feel more at ease to speak in public, participate in discussions during meetings or even ‘communicate with outsiders’. One 31-year-old woman said that without the group, ‘[t]he same benefits cannot be received […] because group members understand the importance of group unity as it encourages farmers to engage in farm credit activity as a group.’

On the whole, the answers are not drastically different from the other countries involved in this research. The importance of independence, strengthened family conditions and recognition, greater knowledge and group and community cohesion all seem to indicate that empowerment has taken place.

In spite of the fact that a number of negative comments were made about specific features of the credit programme, the changes in the gender division of labour were clear and were linked by the respondents directly to the income-generating activities supported by the project. It remains to be seen whether these findings would be reflected in projects found in other parts of the country, more specifically in areas known to have more pronounced gender hierarchies.

**Discussion**

Are these findings suggesting that we should rethink gender, or more specifically the empowerment of women in development projects? Yes and no. By and large we have found clear and positive impacts on women’s lives from these income-generating activities. Thus empowerment, or at least the use of income generation as a tool for empowerment, should not be dismissed as a mere buzzword. However, we also believe that the findings suggest interesting new areas of inquiry for gender and development and, more specifically, the empowerment of women.

We need first to acknowledge important differences in how empowerment is conceived and understood between beneficiaries on the one side and development practitioners and policymakers on the other. In fact, there are times when key informants (practitioners or policymakers) provide an unfavourable view, claiming that empowerment has been limited by strict gender norms and the inability of husbands to share housework; yet women beneficiaries themselves still saw empowerment
generated through better livelihood conditions and an increased ability to assist and provide for family members. On the other hand, many decision-makers – particularly at the international level – have praised projects for empowering women through higher income and autonomy when the women themselves actually see empowerment as derived from approval and praise from their families, peers and communities, which may not necessarily be seen as a form of autonomy.

Moreover, in contrast to national-level institutions that emphasise women’s roles and responsibilities, the language used by participants is rarely one of duty or meeting obligations, but rather one of assistance and contribution, whether in the sense of helping their husbands with added income or paying for their children’s school fees. Women do not seem to fear being ‘out of place’ (something national level organisations seem to be apprehensive about when they emphasise ‘maintaining the culture’) so much as contributing in their own right to family welfare and in the process getting recognition through their newfound income-generating capacity.

This suggests also that women rarely speak of empowerment as a purely individual process (contrary to a definition limited to self-reliance and autonomy). In some cases they put empowerment in terms of family welfare and ability to perform their work (including reproductive work). International organisations focusing on women’s individual rights and autonomy often miss this context and the importance of the family and community in rural Southeast Asia. Moreover, the sustainability of this sense of ‘empowerment’ appears to be tied to the knowledge and newfound abilities the women demonstrate. If their economic contribution becomes quickly outmoded, their skills are devalued, or if their organisations or networks supported by the project weaken, their sense of empowerment is also very likely to diminish as a result; however, knowledge or abilities that remain highly valued appear to ensure the sustainability of this sense of empowerment.

One area where beneficiaries seem to echo the discourse of international-level institutions and NGOs (more than government or quasi-government institutions) is in increased capacity to voice their opinions, to be heard by their husbands, to make decisions in the households, as well as in the community. Why that is differs somewhat from country to country but it seems that husbands recognise their wives’ paid work as ‘real work’ (where
housework may not be seen as work, but as an obligation) – particularly when this is a new role for women – and that the breadwinning role seems to confirm the idea that it provides women with added legitimacy as an active participant in decision-making (a sort of right acquired through remuneration). This may also suggest that empowerment contributes to a redistribution of power at the household or community level, even though the term ‘power’ was usually avoided by our respondents.

The impact of income generation on partner relations was inconsistent, if not puzzling. Many respondents across several countries state that higher income has led to lower conflict. However, when discussing the cases of women who could not join or who had to drop out of projects due to pressure from their husbands, it became clear that women’s economic empowerment projects can create serious tensions in the household where men are unemployed or underemployed, or made to feel inferior as a family provider. Indeed, a study by Smith (2006) suggests that under certain conditions, women’s economic empowerment projects in Myanmar have caused increased tensions in the household, which we also found to be true in some cases; however, in all of the countries a reduction in tensions or domestic violence was the more likely outcome. It may be that when men have employment and are secure enough in their own status within the family and community, they are more likely to welcome these changes and are more likely to assist the women in their work and with other responsibilities. This would suggest that more concerted efforts to provide income generation both for women and men, particularly in cases where men are unemployed or underemployed, may be important to produce a more positive, accepting and engaged attitude on the part of men in the family and community.

These findings further imply that empowerment is not a standard recipe to be used in all contexts. Although attempts have been made to develop participatory (‘bottom-up’) qualitative methods – or even quantifiable measures – of evaluating empowerment, we argue that these attempts begin with a preconceived idea of what empowerment involves, and that the concept itself actually needs to be defined by the communities in which empowerment is to take place in order for this process to be meaningful.

Therefore, although we did not follow an approach based strictly on ‘sciences from below’ (where villagers would collect data or participate
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directly in the analysis), we strove to understand how beneficiaries perceive empowerment, and how they define it and break it down in very practical and concrete terms – terms that often do not echo those that researchers or practitioners use. From a gender and development research perspective, this should stress the importance of Harding’s point, since many of the concepts and tools generally used, as is the case with income generation projects, are defined and assessed by researchers, donors, practitioners and policymakers who may be reflecting their own backgrounds, priorities and institutions, and in ways that may not reflect what the women involved in the projects see as most important.

In her 2013 Inaugural Lecture at the School of Oriental and African Studies (SOAS) Kabeer noted, ‘the language of autonomy that has featured very prominently in some of the literature on women’s empowerment seems particularly ill-suited to capturing how processes of empowerment have unfolded in the lives of Bangladeshi women’ (Kabeer 2013). We found this to be true as well for the great majority of women interviewed for the present study. The language used by their daughters or granddaughters is likely to be different and might well emphasise a vision of personal independence and freedom, particularly if they live in an environment that supports a more autonomous and individualistic existence (as in a more industrialised or urbanised context). For project participants, however, if we take a commonly held definition of women’s empowerment as women’s ability to exercise agency, including ‘making choices and decisions regarding their development’, should not the women’s own perceptions – and their choices and decisions regarding their development – also influence project design and implementation, as well as even many of the research questions asked by those in the field of gender and development?

Notes

1 Questions about the meaning of empowerment have been explored in many sources, including several of IDS’ ‘Pathways of Women’s Empowerment’ publications – most notably Eyben and Napier-Moore (2009) and in summaries of findings (e.g., Cornwall 2012).

2 This study was made possible by the insights, dedication and exceptional work of the following key researchers in each of the four countries who conducted the IDIs and FGDs, and helped us with the key informant in-
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terviews: Phuong Ha Pham in Viet Nam; Norm Sina in Cambodia; Dolly Kyaw and Sanda Thant in Myanmar; and Theonakhet Saphakdy in Lao PDR. In addition, May Sabe Phyu, from Myanmar, has played a central role in this research since its inception. Their analyses and understanding have provided both the foundation for and crucial elements highlighted in this research; this chapter would not have been possible without their keen insights and suggestions.

At the present time the Non-Profit Associations, or NPAs, are the form usually taken by civil society organisations (CSOs). These semi-autonomous organisations are independent, but still maintain a relationship with and are authorised by government authorities in the Lao context.

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CHAPTER 5

The Gender Coding of Modernity: Reflections on Creating a Modern Gender and Development NGO in the PRC

Cecilia Milwertz and Wang Fengxian

Introduction

This chapter analyses reflections by NGO members and leaders on a capacity-building technology offered by two North American organizations to a non-governmental organization (NGO) in the People’s Republic of China working on gender and development issues. The analysis responds to calls for critical investigation of the practices of development agencies in relation to the status of gender in development and it questions the roots of so-called NGO-ization practices that aim to create modern and sustainable NGOs according to new public management paradigms. The two US-based organizations that were offering capacity building and the Chinese NGO that was receiving it were all strongly committed to addressing gender issues and practising gender awareness. Drawing on Sandra Harding’s (2008) understanding of the gender coding of modernity, we argue that the capacity-building process was nevertheless implemented with a paradoxical lack of gender awareness. Harding warns that even purportedly progressive scientific and technological projects are doomed to fail if they do not critically engage with the way in which the dominant understanding of modernity associates the feminine with the primitive and therefore marginalizes and excludes it (ibid.: 2–3).

Since the emergence of bottom-up organizing in the late 1980s the People’s Republic of China (PRC) has joined what Fisher (1997: 440)
has termed ‘the global associational explosion’. By this he means that growing numbers of citizen groups, especially in the global South, have been undertaking a variety of activities to address interests that they feel are insufficiently and/or inappropriately addressed by market and the state. Addressing gender injustices and discrimination constitutes one of the main focuses of such nongovernmental activity in the PRC. China has indeed experienced a trend similar to that in Latin America that Alvarez describes as the feminist NGO boom of the 1990s (Alvarez 2009). In the PRC and elsewhere, the emergence of bottom-up organizing has been supported by governmental and non-governmental institutions from the global North that have also encouraged following a normative NGO format (Spires 2012; Wallace 2003). The development of nongovernmental women’s organizations in the 1990s and 2000s in China has been hailed as an important means of addressing significant gender equality issues (Du 2004; Hsiung, Jaschok and Milwertz with Chan 2001; Milwertz 2002; Wesoky 2002; Zhang 2001; 2004). However, the involvement of foreign NGOs and governments in shaping these Chinese organizations has been criticized for disregarding local Chinese theories and practices (Spakowski 2001) and promoting a neo-liberal understanding of development (Barlow 2000). Similarly in other parts of the world the NGO-ization of feminist organizations has been criticized for undermining the transformative potential of a gender agenda (Alvarez 2009). According to Cornwall the heart of the so-called gender agenda is to transform unequal and unjust power relations (Cornwall 2007: 69). It is this feminist transformatory potential that has been blunted as the original activist analytical and political category of gender has been depoliticized and has come to be used by development agencies without fundamentally challenging gender inequalities (ibid.: 69–70). In our case study of the relations between US based development aid agencies and a Chinese NGO we are inspired by Cornwall’s call to revive the transformative potential of the concept of gender by ‘... seeing “women” and “men” as plural categories constituted by social practices, including those of development agencies themselves’ (ibid.: 77, emphasis added).

This chapter examines NGO member and leader reflections on one such development agency practice – a capacity-building process aimed at improving NGO efficiency – offered by the US-based Ford
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Foundation to the Yunnan Reproductive Health Research Association (YRHRA), an NGO located in the People's Republic of China. The chapter does not offer a full and whole case study of a capacity-building process. However, as part of our investigation of the evolvement, from the mid-1990s when they were established to the mid-2000s, of gender and development NGOs in the People's Republic of China, we interviewed members of the YRHRA who had played different roles in the association and both members with a long-term engagement with the association and members who had joined more recently. The capacity-building operation took place at precisely the time of our study, and as it was therefore an issue which members and leaders were concerned with. When we talked with the interviewees they spoke at length about the capacity-building process. Their reflections form the basis for the analysis in this chapter.

Our analysis is based on interviews with seven association leaders and members who to varying degrees played a role in those activities. Four, including Medical Doctor Zhang Kaining (who initiated, was then, and still is, the head of the association), had been involved in establishing the association or had been long time members, while two younger members and a retired party-state cadre had joined the association more recently. Four of these seven were part of the 15-member group that formed the core of the capacity-building team. Capacity building took place over the course of about six months, from mid-2004. We first visited the YRHRA immediately before the capacity-building project began. Our interviews were conducted in two blocks. The first was in 2005, immediately following the completion of the project and the second was carried out in 2006, one year after its completion. We do not claim that our data are representative of the opinions of all or even the majority of members. However, NGO member and leader reflections form the basis for our response to Cornwall's call to revisit the potential analytical and political utility of the concept of gender.

The relationship between the Ford Foundation and the YRHRA dates back to 1994, when the foundation was involved in the establishment of the association. The foundation funded the first association projects and played a major role in facilitating the association's initial encounter with critical feminist theories and practices of gender and development. At the time of the capacity-building operation both the
Ford Foundation and the YRHRA were strongly committed to promoting gender justice and practising gender awareness in development aid activities. However, neither Winrock International, another US-based organization, which carried out capacity building on behalf of the Ford Foundation, nor the association itself seem to have paid attention to the way that gender interplayed with notions of tradition and modernity in the framing of the capacity-building operation. This means that neither organization assessed how this interplay was played out as an unequal power balance between the Chinese NGO and the US organizations in defining what knowledge and which practices were viewed as useful and modern.

We define our research as feminist in the sense that our aim is to ‘give insights into gendered social existence that would not otherwise exist’ (Ramazanoğlu with Holland 2002: 147). Moreover, our feminist approach ‘is characterized by adopting a critically reflecting and problematizing perspective on the category of gender and the ways in which it (re) creates exclusions, power asymmetries and reductions’ (Lykke 2008: 4). This critical perspective is not exclusionary to feminist studies, but it does characterize a feminist approach. Gender as a category of social analysis in development has not led to the elimination of inequalities which were intended. There are gaps between feminist knowledge and development practice and also gaps between intentions in gender and development activity and actual practices (Cornwall et al. 2007: 1). Our analysis rethinks gender by way of emphasizing that crucially in order to realize the critical and transformatory intentions of the gender agenda not only local development partners in Asia, but also development aid agencies in the global North need to be willing to investigate and make explicit the implicit gendered assumptions of their own knowledges and practices. In seeking to address the gaps between gender-agenda intentions and actual practice Cornwall, Harrison and Whitehead (2007) address the explicit language of gender. We are concerned with the implicit gender coding in one example of gender agenda related modernity.

The chapter is structured as follows. In the first section we introduce the Yunnan Reproductive Health Research Association. We briefly describe some of the main problems that were addressed by capacity building, as well as the solutions that were identified and subsequently implemented. In the second section we explore people’s experiences and opinions of the capacity-building operation, focusing particularly
on how they felt that the new organization structure had worked during the first year of implementation. We then focus on how the operation overlooked the communication practices that had been integral in the functioning of the association during the ten years of its existence, from 1994 to the 2004 intervention. Finally, we conclude that the potential of the capacity-building process to address inequalities was limited by the gendered understanding of modernity upon which it was based.

The Yunnan Reproductive Health Research Association and the capacity-building operation – problems addressed and solutions identified

The Yunnan Reproductive Health Research Association (YRHRA) was established in 1994. It was one of the first NGOs to emerge in the People’s Republic of China to address gender and development issues. As indicated by its name, the association’s main interest was in reproductive health. The association was formally founded in connection with the 8 March International Women’s Day, which reflects the founders’ concern with gender and with women’s reproductive health in particular.

When we first visited the association in 2004 we were presented with various information leaflets and documents. These described the association’s goals as promoting reproductive health research and action, the scientific development of a healthy society, improved public health and social progress (YRHRA 2004). Its development projects were described as involving both theoretical and empirical social research with the objective of providing social services and technical support to local communities. By 2004 the association had implemented projects dealing with issues such as the quality of reproductive healthcare, rural health services, health care for women and children, HIV/AIDS and sexually transmitted diseases. The target groups for these projects were defined as vulnerable groups such as women, youth, children, the poor and rural-to-urban migrants. The projects were implemented in collaboration with local party-state institutions at various administrative levels and were primarily funded by foreign development-aid agencies.

The association was created by a group of academics who were interested in collectively addressing social issues. Its original driving force was the energy and commitment of its members. By 2002, we were
told, the association already had 162 registered members of whom 101 were from the social sciences and 61 from the medical sciences and by 2006 this had apparently risen to an estimated 200 members. In 2004 the association claimed to be characterized by four ‘combinations’. The first of these was the interdisciplinary combination of members who came from the social sciences and the medical sciences. The second was the combination of theoretical research with social practice. The third was the combination of international theory with Chinese reality and the fourth, the combination of contemporary theory with traditional Chinese culture (YRHRA 2004). The capacity-building project, which drew up a new organizational structure and a ten-year plan for the association’s future activities, was an example of bringing in international and contemporary theory.

**Capacity-building issues and results**

Since at least 1999 the association had been struggling with how to structure its various activities in order to function efficiently. In 2001, one of the association’s vice-heads travelled to Bangladesh to participate in a training programme for NGO management. When she returned to China, she was eager to apply what she had learnt and to begin reorganizing the association but she told us that she was disappointed to find that she was given no opportunity to do so. When the capacity-building project was later implemented, some members thought it unnecessary, while others, including this vice-head, were relieved that change was finally beginning to take place.

Capacity building was, as already mentioned, led by the NGO capacity-building programme of Winrock International, and the intervention was designed as a participatory training activity. Capacity building aimed to improve organizational structure and practices that had evolved over the previous decade. More specifically, the goal was to increase the efficiency of the organization’s structure and praxis by addressing problems arising from limited staffing, financial resources and experience (Winrock 2005). The major outcomes of the capacity-building operation that aimed at improving association efficiency included the separation of the three levels, decision-making, management and project implementation, and the handing over of core management responsibilities to paid employees. The introduction of a CEO (chief
executive officer), as well as an office manager and five other full-time employees, marked a major change in organizational structure. Emphasis was shifted to employing full-time, salaried staff instead of relying primarily on voluntary work by members. Before the capacity-building project introduced the CEO and project manager positions, there were no full-time-employed office staff who could handle daily business other than secretarial duties. Many tasks were undertaken by the four association vice-heads but since they had regular employment elsewhere, they were not always available when they were most needed to manage association activities. One solution to this was that members who were also employed by the Health Sciences Research Institute (later named the Health and Development Research Institute) at the Kunming Medical College would step in when the head and vice-heads were unavailable. This was possible because Zhang Kaining was both head of the association and director of the research institute. The nine academic employees of the institute were all members of the association and Zhang Kaining stressed that they were duty-bound to fulfil their obligations to the association whenever needed. The association and the research institute were also physically close – they were neighbours in one building. They even shared a telephone number until 2005. Employees of the research institute would answer the phone and if the caller wanted to speak to someone from the association and Zhang Kaining was not available, they would contact the vice-heads. Apparently, the research institute employees often found themselves making decisions in place of the vice-heads, who worked elsewhere and were not always available to take the calls. They also found themselves hosting visits to the association when Zhang Kaining and the vice-heads were too busy with their own work. This was one of the reasons that a full-time CEO was appointed. Before the capacity-building operation, Zhang Kaining’s double role as head of both the research institute and the association linked their activities together. Awarding responsibility for management to a CEO and an office manager instead was designed to weaken the link between the association and the institute.

Experiences and evaluations of capacity building
Although there was broad agreement that capacity building had been necessary in the sense that the association was not functioning optimally
and there was dissatisfaction among both leaders and members with the management and organizational structure, the association leaders and members whom we spoke with were also frustrated and troubled by the process and its aftermath. One expression of frustration was the use of the metaphor of a surgical operation to capture the way the process had been implemented. One member explained: ‘So I think some people would say that doctors performed an operation; they took the association apart and then put it back together again.’ In other words, NGO leaders and members actively participated in performing an operation that was decided in accordance with the doctors’ expert knowledge and a toolkit which excluded other possible treatments for the NGO’s disorder. This experience of capacity building being outside of their control seems to be quite contrary to the intentions of the programme. Julia Bentley, director of the capacity-building programme claimed that it ‘was designed to develop an integrated series of activities and management tools from which NGOs could select what they need…’ (Winrock 2005: ii, emphasis added).

Our analysis of the critical experience of the capacity-building operation is informed by Sandra Harding’s (2008) feminist critique of hegemonic Western modernity as a distinctly masculine project that furthers the interests of a small elite at the expense of the majority of the world’s peoples. Harding advocates practising ‘science from below’ or ‘standpoint theory’ to identify and explain the potential benefits of the resources provided by the exploited, the marginal, the ruled – in other words, those whose voices are not being heard in a given context. In the case of the capacity-building operation we doubt that association leaders and members, who belong to a well-educated elite segment of the PRC population, would recognize themselves as exploited, marginalized or ruled over. However, as we will show, core association communication practices were excluded from the capacity-building operation. Including these practices as equally important to the techniques offered by the capacity-building toolkit would have meant using an open-ended format to listen to the experiences of association members, and accepting that these might differ from, substitute or supplement what was being offered by the capacity-building operation. Importantly, this would go beyond simply involving association members in choosing which elements of the capacity-building toolkit to adopt. This was what was done. It would
have meant granting their experiences and practices equal value to those of the capacity-building toolkit and accepting that the former might also have called the latter into question. This did not happen during the capacity-building operation. On the contrary, capacity building was offered on the basis of an already identified set of technologies from which the association could choose which to employ. Wang Fengxian (2012) has described this process in detail with regard to the capacity building offered by Winrock International to the Anti-Domestic Violence Network, which she took part in and also studied.

One strand of dissatisfaction with the organization structure that the Winrock toolkit offered was expressed by describing it as ‘a business style type’ or ‘centralized style’ that was inappropriate for an NGO. This was described as implementation of a top-down management style that involved a hierarchical distinction between paid and voluntary involvement in association activities, and also such features as complex and hierarchical procedures for speaking at meetings. They were perceived especially by founding members as starkly contrasting to the equality and openness, which they defined as characteristic of the democratic atmosphere of the initial phase of bottom-up organizing that they had experienced. This should be viewed in the context that the emergence of NGOs and bottom-up organizing was a new phenomenon that was initiated in the late 1980s and early 1990s. This is not to say that there were no hierarchical elements of their initial bottom-up organizing, but it does mean that the innovative aspects focused on a flat and equal form of engagement. Regardless of whether this form of organizing was conducive to the long-term sustainability of the NGO or not, it was definitely a core part of what motivated some of the establishing members to engage with the association.

One interviewee said she felt that the capacity-building trainers wanted the association to develop in a particular direction and that ‘If you don’t function in that way, you are not considered to be an international NGO. They want you to go in that direction.’ She conceded that a variety of organizational styles are practised by different organizations and noted that she preferred what she called a loose network style. She compared the format that was being promoted by capacity building with what she called ‘a rigorous business-style of management’ adopted by an NGO in another city and said she did not want to see it introduced to the
YRHRA. This implied that she was experiencing a fundamental change in her association’s working style and atmosphere and understood this to be a consequence of the capacity-building venture. She and other members who had been involved in the association’s earliest years spoke enthusiastically of the exciting exchanges that took place at the monthly meetings in those early years. Debates then had apparently dealt with substantial issues relating to reproductive health and our interviewees stressed the novelty of the open exchange at that time. Different and sometimes conflicting positions would be taken by members from different academic disciplines and this could lead to heated arguments and constructive discussion. It was features such as these that were defined as democratic and were perceived as a needed and refreshing contrast to the hierarchical organizational styles that these members experienced at their places of employment as well as in Chinese society in general.

The turn towards a more structured organizational format was being associated, possibly causatively, with a decrease in members’ engagement in the core association issues. One member claimed that after the capacity building, their formerly looser and more egalitarian interaction had been replaced by formal meetings and the management style had become ‘fully company style’.

Neither the founding association members nor younger members were particularly satisfied with the new organization structure, with a CEO now taking on many of the responsibilities that had previously been in the hands of Zhang Kaining. Criticism was being levelled at the CEO for failing to manage issues in the way that Zhang Kaining would have done. One of the founding members commented that the CEO’s background at the leadership level of a party-state institution and the ‘official style’ of the CEO’s behaviour did not suit an NGO. She felt that the problem lay in the way the new CEO communicated with members and in the contrast between the ways he and Zhang Kaining worked. Another member said that she appreciated Zhang Kaining’s way of communicating with members about decision-making and his management style because he listened to other people and took their ideas into consideration rather than basing decisions only on his subjective opinions.

The clue to understanding the dissatisfaction of members and leaders was the emphasis they placed on the ‘care and concern’ (caoxin 操心) that Zhang Kaining showed in the process of making decisions. One
member explained that he would take great care to show concern for the opinions of all involved parties in a given decision-making process. Several members considered this form of communication to be pivotal to the functioning of the association. However, its importance as a valuable working method to the members seemed to have been ignored during the capacity-building process.

Another communication practice that apparently went unrecognized was referred to as ‘coordinating (xietiao 协调) and organizing (zuzhi 组织)’. This term came up when we asked an association member what the greatest difficulties were that she had encountered in carrying out projects. She responded that the most troublesome issues were coordinating and organizing and said that she preferred to focus on the research and technical assistance aspects of the projects. However, as head of projects she inevitably found herself coordinating and organizing the various participants. She explained that this was troublesome because it involved many people from different disciplines and she had to respect each person and make them feel that their contribution was valuable. This meant a great deal of work in communicating, coordinating and persuading people to contribute. She found this tiring and although she recognized how necessary this kind of work was for the success of a project, she preferred to be engaged in the actual project content.

This member described an example of what had happened once when she needed someone to teach in connection with a project. She had asked a young man from the association’s Youth School (a section of the association designed to support the involvement of young members) to help her invite someone he knew to do the teaching. He returned with the message that the person had declined but when she later contacted the person herself she managed to persuade him to agree to teach. She told us that he ‘was finally moved into being invited’, suggesting that the way in which people are approached may be decisive for whether or not they decide to become involved and perhaps also to what extent. In China, network relations generally work so that people are more likely to agree to do something if asked by someone with whom they have a close relationship but this was not the case here. On the contrary, the person agreed only after the project leader had made a clear ‘coordinating and organizing’ effort to persuade him. She also told us that establishing direct contact was important for encouraging people to participate in
association meetings and her point was that if people are made to feel that their contribution is crucial, they can be persuaded to come even when they are busy with other things. Because of her own experience in this, she said that she understood why Zhang Kaining made so many telephone calls in the evenings. However, following capacity building Zhang Kaining no longer had any management role in the new organizational structure and much of his communication work had formally been taken over by the CEO. Members expressed frustration about the fact that the new CEO was not working in the way that Zhang Kaining had with ‘coordinating and organizing’ and showing ‘care and concern’.

We shall now look at how Zhang Kaining himself viewed the activities of coordinating and organizing and at the differences between his communication style and that of the newly employed CEO. Zhang Kaining said that he enjoyed his conversations with all association members and felt sure that everyone trusted him. This did not mean that they would never criticize him. Members sometimes said that the quality of a project he had directed was poor, that a project should never have been implemented or that it should have been carried out in another way. However, despite the criticisms, he was convinced that people would say that his strength was in being able to find the best person for a job. In other words, Zhang Kaining was aware of his particular ability to find appropriate people and of his communication skills in doing so. He explained that he is always polite and sensitive to the members’ own needs when he speaks to them and he did not refer to ‘coordinating and organizing’ but instead to ‘speaking good words’ (shuo hao hua). He evidently believed that this was important in attracting members to work for the association because he explained that a member’s decision about whether or not to work on a particular project depended upon how you communicated with them. Good communication meant that they would feel they had a place in the association and they could then be drawn into a project. This is, of course, crucial to the association since the implementation of its projects depends upon the voluntary efforts of NGO members who are employed elsewhere.

**Collaboration across differences**

In ‘coordinating and organizing’ we include the practices of ‘concern’ and ‘emphatic concern’ (caoxin and cao geng duo xin),
'wholeheartedness' (chengxin 诚心), and ‘the polite, needs-focused manner’ (shuo hao hua 说好话) that Zhang Kaining mentioned. Co-ordinating and organizing are extremely important since the association’s survival rests upon cooperation between people from different disciplines, institutional entities and cultures. The differences they have to bridge fall largely within the four combinations described above as characterizing the association: social scientists and the medical scientists, theoretical research and social practice, international theory and Chinese reality, and contemporary theory and traditional Chinese culture.

Cooperating across differences requires consistent effort. All of those whom we interviewed recognized the importance of Zhang Kaining’s skills in this area – his ability to cultivate relations to members, foreign donors and domestic party-state partners, and his capacity to bind the association to the research institute. However, although these factors were well recognized by association members, they had apparently not been taken into consideration during the capacity-building process.

We claim that separating the NGO levels of decision making, management and implementation and altering Zhang Kaining’s position in relation to these three levels of activity ultimately undermined the communication practices that had characterized the association and enabled it to function. This did not happen explicitly. The communication practice was marginalized by simply not being taken into consideration as part of the capacity-building operation. One member claimed, for instance, that when the new organization structure and the CEO position were introduced ‘communication was abruptly cut off’. She chose the term used for an electricity power cut – a complete and conclusive change. She explained that Zhang Kaining and the association vice-heads used to practise a collective form of leadership and this meant that even if Zhang Kaining was away and one of the vice-heads took over, the leadership style operated inclusively rather than in a hierarchically exclusive manner. The person who took charge would always invite people to offer their opinions during the decision making process rather than commanding in a top-down manner. This may very well have been a romanticizing of the initial euphoria of non-hierarchical bottom-up organizing. She believed that this form of communication had ceased because the CEO did not understand the qualities of the association and how it used to work and he did not know the members. Here we must
emphasize that it is not the practice of communication itself that we are concerned with. It can be alternately coded as feminine or as masculine, as a remnant of what was initially a flat and collaborative organizational style, or as a sophisticated aspect of a hierarchical organizational format. The point is that communication practices that were defined as valuable were ignored. It is the ignoring, bypassing, marginalizing rather than the characteristics of the practice that are of issue here.

**Concluding discussion**

Our analysis is based on our interviews with NGO members and leaders. The capacity-building operation addressed a broader range of issues and although the views we heard tended to be critical, there were also members who were satisfied with features of the new structure. Certainly, NGOs in the PRC may benefit from long-term experiences of organizing in other parts of the world. Capacity building had no doubt introduced some valuable methods for managing and leading an NGO. One member noted, for instance, that some of those involved were gaining knowledge and skills that they could apply not only to their work with the YRHRA but also with other NGOs. However, regardless of these benefits the introduction of a new organizational structure also brought about what was expressed as a profound change of leadership style and member involvement in decision-making. Indeed, the most critical of the members we spoke to said that she had begun to ‘regret international theory’, and she had ‘started to wonder if the new structure was really any good’.

We suggest that the difference in communication styles before and after the capacity-building process is not, as our interviewees contended, primarily a result of the CEO’s lack of understanding of the practices and members of the association. Instead, the difference seems to be that the capacity-building toolkit resulted in the introduction, or perhaps more precisely, the reinforcement, of a hierarchical structure to replace what was described as the previous relatively inclusive leadership style that had characterized the initial years of organizing. Certainly, the new organizational structure marked and made very visible a dramatic change in leadership style that may very well have been underway for some time. Members who took part in establishing the association stressed how the initial organizational format was open, democratic and based on the collective engagement of members. The experience of such a working style,
which was dramatically different from the hierarchical organizational cultures they were accustomed to at their workplaces, was a very central, important, exhilarating and innovative aspect of being involved in bottom-up organizing for social change. This initial form of organizing was, in their view, a stark contrast to a more hierarchical mode of organizing that had gradually taken over and was subsequently formalized and perhaps even strengthened by the capacity-building operation. They critiqued what they termed a business style of management because it enforced rather than challenged the hierarchical aspects of association leadership. However, in the context of our argument that communication practices were disregarded and overruled by the capacity-building toolkit the question of whether the pre-capacity-building organizational format was more or less hierarchical, democratic, top-down, flat or even led by women or men is not the issue. The point we make is that the practices – regardless of their properties and regardless of whether members were satisfied with them or not – were not taken into consideration. They were not drawn into the capacity-building process as equally relevant to the toolkit that was on offer. They were not viewed as knowledge that was of equal value as the toolkit on offer.

We use the example of communicative practices to show how association knowledge that fell outside the scope of the capacity-building toolkit was not taken into consideration. At the same time we point to the situation that it seems that neither Zhang Kaining nor NGO members had previously been fully aware of how definitive his communication manner had been for the functioning of the association. He had played a central role in founding the association and headed it. He also led the board and was in charge of management as well as projects. The monthly members’ meetings seem to have allowed open discussion and a feeling of relative equality among members. However, it had also been problematic to have so many voices involved in decision making and that the implementation of projects funded by a development-aid agency was so dependent on these members. There had clearly been difficulties in reaching decisions and consistently calling upon members to carry out projects. These problems had evidently reduced efficiency and it was problems like this that the capacity-building operation was designed to address.

The Winrock capacity-building document was developed on the basis of earlier experiences of capacity building to provide guidelines
for future capacity building. The document stresses that there should be broad scope for individual organizations to freely select features from this model and that the intervention should suit Chinese conditions. Indeed, Julia Bentley (2003), who led the Winrock capacity-building programme, was insistent that international support to Chinese NGOs should be attuned to local needs. Here we recognize that local needs are not unitary. While some members wished to return to what they had experienced as the exhilarating creativity of the initial organizational format, others were in favour of introducing what they saw as an efficient hierarchical organizational style. Regardless of these local differences in aspirations, the strategy document outlines a self-appraisal and participatory approach within a predefined and closed framework.

Our analysis illustrates how communication practices that the association had been using for a ten-year period became marginalized by the capacity-building operation. The capacity-building process may therefore be understood as a micro-example of the way in which certain forms of knowledge may dominate knowledge production by defining what is to be included and what is not. This operation provided a toolkit that was based on knowledge and practices that were valorized by the North American organization in charge of the process. This supports Spires’ (2012) contention that the capacity-building programmes designed by foreign-aid agencies and international NGOs working in the PRC generally seek to create professionalized NGOs that are structurally and operationally similar to those in North America.

The capacity-building process seems to have been based on a binary framework that defined some knowledge as modern and useful and other knowledge as traditional and not useful. On the one hand, there were capacity-building trainers and their manuals, who supposedly provided expert knowledge on how to structure an organization and conduct its activities, and on the other was the implicitly devalued knowledge held by association leaders and members based on their ten years of experience. In failing to consider how the version of modernity offered by the capacity-building toolkit was implicitly gendered, it also maintained and reproduced a male-supremacist conceptual framework.

We have not investigated how the particular responsibilities and actions of members and trainers were played out in marginalizing the communication practice of ‘coordinating and organizing’. One might ask why
a former vice-head, who felt excluded from the capacity-building process, did not pro-actively ask to be included or why NGO members did not ask to have their practices included in the evaluation process. There were no doubt many complicated histories and relations between those involved. Nevertheless, the end result was the dominance of a particular understanding of modernity in forming the structure of the association. We have shown how some association members viewed the capacity-building operation as having been disruptive despite its good intentions. We have explored how the communication practices of ‘coordinating and organizing’, which were considered so important by some members and leaders, could become marginalized and excluded. However, we do not mean to idealize or romanticize the old ways; indeed, some of those who praised the old style of communication were also critical of the former leadership style and had hoped that the capacity building would yield greater transparency and a more democratic system in their organization.

The central point of our use of gender as a category to analyse the capacity-building operation is that the marginalization of a communication practice that had been central to the functioning of the association illustrates how association leader and member knowledge was bypassed. It seems paradoxical that US development aid agencies that supported non-governmental organizing in the PRC as a way of challenging party-state policies and practices in the field of gender and development, apparently did not build the possibility to challenge their own knowledge and practices into the capacity-building process. Ten years ago, Tina Wallace (2003) argued that by applying a top-down approach based on a new management paradigm, NGOs in the global North were limiting their perspectives and excluding new, alternative ways of thinking and analysing. She also noted that they were transmitting this approach to NGOs in the global South. In our study, we see the capacity-building operation as an example of how ‘hierarchical structures and institutions engage in conceptual practices that solidify their continued power through disseminating such practices as natural, inevitable, and desirable’ (Harding 2008: 119). This was enacted by promoting the capacity-building toolkit while devaluing local knowledge, which was, we argue drawing on Harding, implicitly viewed as feminine and backward.

We stress the implicitness. Harding’s point is that modernity is implicitly coded as rational and masculine and worth dealing with,
while tradition – in our case association-communication practices – are implicitly defined as backward and feminine and hence not worth taking into consideration. This has nothing whatsoever to do with whether or not leadership is male or female. It has nothing whatsoever to do with the characteristics of the local practices. They may be beneficial or detrimental to organizational efficiency. The point is that they were not even acknowledged as worth considering. It is local practice or tradition as such that is defined as backward and implicitly coded feminine. We argue that the case of communication practices that were marginalized and made invisible illustrates how these binaries are at work.

Sandra Harding (2008: 103) stresses that gender in feminist work means more than the identity of individuals as boys or girls, women or men. For Harding this broader approach yields insights into gendered characteristics of science and politics of modernity. We draw on Harding’s (2008: 112) notion of ‘the gender coding of modernity’ as a tool for analysing a phenomenon – in this case a capacity-building operation – that is not usually thought of as gendered. In an article written nearly thirty years ago on the emergence of gender as an analytical category in the late-twentieth-century historian Joan Scott (1986: 1067) noted that while ‘gender is a constitutive element of social relationships based on perceived differences between the sexes’, it is also ‘a primary way of signifying relationships of power’. Similarly to what Harding was pointing out some twenty years later, Scott spoke of how the terms of discourse were not necessarily explicitly about gender, but how they might nonetheless rely on ‘the gendered “coding” of certain terms’ to establish their meanings (1073). And she noted that: ‘If we treat the opposition between male and female as problematic rather than known, as something contextually defined, repeatedly constructed, then we must constantly ask not only what is at stake in proclamations or debates that invoke gender to explain or justify their positions but also how implicit understandings of gender are being invoked and reinscribed’ (ibid.: 1074, emphasis added). One of the questions Scott listed for future study was ‘How have social institutions incorporated gender into their assumptions and organizations?’ (ibid.: 1075). Harding provides a response to this question, when she argues that the predominant Western notion of modernity is haunted by anxieties about the feminine and the primitive, both of which are associated with ‘the traditional’. She contends
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that philosophies of modernity present rationality and expertise (in our case in the form of a capacity-building toolkit) as means of escaping the bonds of tradition, which are implicitly defined as feminine.

As Wallace (2003: 204) noted, even among those who criticise the neo-liberal agenda there is practically no deep questioning of the roots of that paradigm. Harding’s analysis of modernity has enabled us to observe in our study how the adoption of new public management technologies by NGOs in the global North and South may implicitly reproduce the gendered assumptions of modernity. The roots of the modernity paradigm within which the YRHRA’s capacity building was, it seems, deeply gendered. We are not concerned with gender in the sense of the men and women who are involved in communication practices. The point we make is that the very understanding of modernity that underlay the development-agency attempt to modernize the Chinese NGO via capacity-building process was gendered.

We have used the example of the communication practices that were marginalized as an example to show that local practice was simply not taken into consideration as something that might have anything at all to contribute to a modern NGO. Harding’s argument, which we adopt, is that hegemonic Western modernity (in our case the capacity-building toolkit) is implicitly seen as rational, efficient and masculine, while tradition (in our case Chinese NGO communication practices) is implicitly seen as irrational, inefficient, feminine and backward). The communication practices were placed at the negative side of the binaries where they were not even regarded as worth dealing with at all – they were marginalized and excluded.

We suggest that lack of attention to gender meant that an opportunity to challenge the prevailing power relations between NGOs in the global North and South was lost. So why point to gender as central rather than focusing on other binaries which are just as relevant to the whole construction of what is considered and coded, implicitly or explicitly, as traditional versus modern? Because the institutions – in this case US donors and Chinese NGO – that are committed to gender awareness could, and might be assumed to be willing, to use a gender analysis of modernity such as Harding’s to critically re-think the way they value various practices and working methods. Such an awareness might serve as one possible entry point to potentially challenge what
Harding defines as the narratives of exceptionalism and triumphalism which characterize Western modernity.

An analytical and political potential of the ‘gender’ concept lies in recognizing gender as one implicit element of a predominant understanding of modernity. Cornwall, Harrison and Whitehead (2007: 2) ask ‘why bowdlerized, impoverished or, for some, just plain wrong representations about gender issues have become imbedded in development’. With this chapter we stress that not only is gender in development an explicit issue that needs to be addressed as it has been by for instance the collection by Cornwall, Harrison and Whitehead (2007) and by the projects presented in this book. Cornwall, Harrison and Whitehead (2007: 17) conclude that discursive contestation is extremely significant in the context of gender and development and that ‘[t]he struggles of interpretative power are not struggles to get the language and representations right for their own sake, but because they are a critical part in the determination of policy.’ Drawing on Harding we have argued that gender may also be implicitly at play in development projects even when they do not directly address gender issues. Even when gender is not explicitly part of struggles for interpretative power it may implicitly be so. Such recognition may serve as a feminist entry point to challenging unequal global North–South relations as well as the valorization of one set of knowledge and open to the possibility that multiple knowledges are recognized as equally valid.

Notes

1 An earlier and significantly different version of this chapter has appeared in Gender, Technology and Development (2013, 17(3): 259–280) under the title ‘Masculine modernity trumps feminine tradition. A gendered capacity-building operation in China.’ The initial phase of the research on which this paper is based was supported by the Danish Social Sciences Research Council. We are deeply grateful for the opportunities to continue our analysis which being part of the ‘Re-visiting Gender in Development’ research project have given us. We thank the project initiators and editors of this book as well as project researchers for valuable comments to earlier versions of this paper presented at a workshop held at the Nordic Institute of Asian Studies (NIAS), Copenhagen University in June 2012 and at a workshop held at AIT in March 2013. Thanks are also due to the excellent and extremely helpful librarians Inga-Lill Blomkvist and Per Hansen at the
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Nordic Institute of Asian Studies, University of Copenhagen.

2 We use the actual name of the Yunnan Reproductive Health Research Association as well as the name of its founder, Dr Zhang Kaining, with his knowledge and permission.

3 We have analysed the initial involvement of the Ford Foundation in establishing the YRHRA in Milwertz and Wang 2012. In Milwertz and Wang 2011, we analysed the relational and intra-active coming into being and workings of the association.

References


Women Fish Border Traders in Cambodia: Intersectionality and Gender Analysis
Kyoko Kusakabe and Prak Sereyvath

Introduction
Intersectionality – conceptualizing complex interrelationship of ‘multiple axis of differentiation’ under specific contexts (Brah and Phoenix 2004: 76) – allows us to integrate various dimensions and identities of women to provide us with a more nuanced understanding of women’s lives. However, as Brah and Phoenix (2004: 78) maintained, intersectionality may be “decentring” gender and may not provide particular emphasis on gender. Despite that, we would call such intersectional analysis as gender analysis, since it would clarify and offer us a much better understanding of gender power relations. McDowell (1999: 10) argued:

It is crucial to understand the intercutting relations of all axes of social power and oppression and the ways in which sexual differences and gender relations are constituted in different ways across space and time because of their interconnection with these other axes of power. But still we must insist that it is the question of the way in which sexual difference and gender relations are constituted and form a basis of power that distinguishes feminist scholarship.

We follow McDowell’s view that although our goal is to analyse gender-based power relations, we can do this without squarely focusing on gender. Intersectionality offers an alternate route to a nuanced analysis of the complex gender and power relations. Often gender analysis is equated with a direct analysis of sexual differences and gender relations. However, we believe that by analysing other contexts and relations, it is
possible to strengthen gender analysis, that is, analyse gender norms and relations and how they form the basis of power.

We examined intersectionality through the lives of border fish traders at the Thai-Cambodian border. Before the Thai–Cambodian border was open, very few buyers and sellers of fish were operating at the border (see Kusakabe et al. 2008, for details of fish border trade before and immediately after the opening of the border). However, after the border was opened, the trade became more dynamic and a large variety of traders, including both women and men with varying backgrounds and life trajectories, started operations. The lives of many of these women entrepreneurs cannot be explained by the oft-cited characteristics of women’s enterprises, such as women being averse to risk, having fewer resources impeding their business’s growth, or that men tend to take over women’s businesses when they become profitable (Seligmann 2001; Dignard and Havet 1995). By challenging the notion that is often used to describe women entrepreneurs, we will further explore why these differences among women entrepreneurs occur by linking their business trajectories to three other factors: (1) their life trajectories; (2) the relationships with others; and (3) the macro-economic and ecological conditions. This chapter attempts to understand the lives of these entrepreneurs in terms of their choices, results and positions at the time of this research. Rather than trying to find a generalizable pattern, we demonstrate how individual lives can contrast starkly with our general understanding of gender relations and aspects that we consider important in gender analysis. We hope to capture the various ‘lived experience of gender relations in all their complexity and materiality, not on the social constructs themselves, or even the “constructions” associated with them’ (Cornwall 2007a: 72).

This chapter will first review literature on gender analysis and intersectionality. Then, it offers an overview of the changes in fish border trade in the 2000s. After describing the recent changes in Tonle Sap Lake fisheries and fish border trade situation in Cambodia, we introduce the lives of four different women border traders. In the end, we reflect on the cases to analyse the complexity of women’s lives and how intersectional analysis based on a particular context allows us to have better insights into women’s lives, and thereby strengthen our gender analysis of border trade. In one sense, this is not a new way of conducting gender
analysis, since many feminist scholars have long been sensitive about the effect of various axes of social power (McDowell 1999). What we would like to note here is that where gender analysis is still considered new or marginal, there is a tendency to over-emphasise gender differences as seen in enterprise literature. Here, we emphasise that even though intersectionality has been applied by feminist researchers for a long time, gender analysis of a certain sector or issue especially in development settings often tends to be too simplistic about ‘gender’ reducing our understanding of gender to gender roles or gender relations. In this chapter, we highlight instead how intersectionality can be employed for gender analysis of fish cross-border trade.

**Intersectionality and gender analysis**

Walby (2009: 254) said: ‘Gender exists only as social relations.’ Gender is normally analysed as relations between women and men (although from time to time, it is also analysed as relations between women), but Walby calls for a broad-based analysis of inequality and oppression. As bell hooks noted: ‘[W]hen feminism is defined in such a way that it calls attention to the diversity of women’s social and political reality, it centralises the experiences of all women, especially the women whose social condition have been least written...’ (hooks 1984: 27). Gender analysis is most relevant if it is combined with analysis of other regimes of inequality (Walby 2009) so that it can appropriately reflect the complex lived realities of women.

The importance of interesectionality is further highlighted by Brah and Phoenix (2004: 76) who conceptualised it as follows:

*Signifying the complex, irreducible, varied, and variable effects which ensue when multiple axis of differentiation – economic, political, cultural, psychic, subjective and experiential – intersect in historically specific contexts. The concept emphasises that different dimensions of social life cannot be separated out into discrete and pure strands.*

*Intersectionality, then, is not about merely adding various dimensions of differences to the analysis. What is critical to intersectional analysis is the social/political/economic/environmental context. As Yuval-Davis (2006) pointed out, analysis based within a particular context is a must for an intersectional review of policy initiatives.*
But then what is the value in calling it ‘gender’ when intersectionality is basically ‘decentring’ the “normative subject” of feminism (Brah and Phoenix 2004: 78)? What is the difference between gender analyses and other analysis of oppression? Is it the lived experience of ‘woman’ that makes it different, or is it the approach and problematisation that makes it different? ¹

The importance of analysing lived experience and not to be caught in ‘myth’ was noted in a collection of papers on gender myths and feminist fables that questioned: ‘What has become of “gender” in development’ (Cornwall et al., 2007: 2). This collection challenges the simplistic usage of ‘gender’ and ‘empowerment’ in development, which creates several ‘myths’. Among them, women are victims, marriage is an institution of patriarchy and oppression for women, women’s independent income and economic autonomy leads to empowerment, women are more peace loving, less corrupt and risk averse, women’s collective activism is the way for empowerment, etc. Cornwall (2007b) questioned the ‘myths’ of solidarity among women, and how the conflict between women and oppression of women by other women are silenced and neglected in feminist work. Jackson (2007) further maintained that marriage is not only a site of oppression but also a site of cooperation. Cornwall (2007b) also showed how feminist researchers from the ‘West’ put too much importance on the conjugal relationship; for women in Western Africa, it is not the husbands but other women in the family/households who are a daily concern. Unless men are extremely violent their infidelity or other behaviour do not disturb women too much; women get divorced and move out of the house more often because they are unable to tolerate other women in the household.

Cornwall’s study of women vendors (2007b) also questions the myth of solidarity. Competing women vendors cooperate with other women when there are practical gains from doing so. Cooperation is not a norm but can be one of the conditions to enhance their business. Evidence shows that actual organising by women in cross-border trade is aimed at practical individual gains, and not towards the more egalitarian goal of mutual help as is generally suggested. IUCN (2013) recommends the creation of a transborder fish traders’ association in Cambodia for better enforcement of legislation rather than building solidarity. StreetNet International is organising street vendors to enable them to negotiate with the government (StreetNet n. d.).
Women Fish Border Traders in Cambodia: Intersectionality and Gender Analysis

The nuanced relations that women have with others, especially with other women, are important because many women report intense suffering from conflicts with women as well as with men. We find it important to see beyond the myth of solidarity (Cornwall 2007b) and capture the experiences of women that we might otherwise not highlight because they do not fit our framework of analysis, so that we can comprehend gender power relations in all their complexities.

We shall now return to our initial question on whether and how ‘gender’ analysis facilitates such an understanding. We need to examine how structures and institutions interact to understand the many disadvantages that women face (Weldon 2006). These everyday practices give insights into how gender relations are produced (Nightingale 2011; Naples 2003). In effect, it is not that gender analysis facilitates our understanding, rather our understanding of the situations, lives and contexts of women facilitate effective gender analysis. Intersectional analysis based on the contexts and lived experiences of women strengthen our gender analysis. This chapter attempts to analyse the historical context of women fish border traders, and through acknowledging the significance of ‘situated knowledge’ (Haraway, 1988), we are able to gain better insights into women’s lives and thus improve our gender analysis. To paraphrase bell hooks (1984), women’s everyday realities is the starting point for feminist research.

Fish border trade between Thailand and Cambodia

From the 1980s to 1990s, the border between Thailand and Cambodia was a war zone. The Khmer Rouge and the Republic of Kampuchea were still fighting and there was shelling almost every day (see Kusakabe et al. 2008 for details). However, demand for fish from Tonle Sap was extremely high in Thailand. Traders who were fearless enough to carry their fish through battlefields were able to do good business. Many of these traders were women. Women were seen as non-combatants, and hence were able to enjoy relatively higher mobility. Kusakabe et al. (2008) point out that when the border was closed and road-net infrastructure was bad, small women cross-border traders were able to monopolise the lucrative border trade. When the war ended, security around the border area improved and border trade was opened officially. At this point, all the relative advantages that women traders had held quickly disappeared.
The improved security led to an increased number of checkpoints. Traders had to pay officers and police along the way, as well as customs and other officers who collected both formal and informal fees at the border. At the same time, men’s mobility increased and more men entered the lucrative cross-border fish trade. Cambodian women traders found it increasingly difficult to acquire fish from fishers to sell, due to competition from an increased number of traders. Women who were not able to extend advance payment to fishers could not secure fish and had to buy from larger traders. They had to negotiate with Thai traders on the other side, and faced harsh competition from other Cambodian traders. They used several strategies to stay in business including selling to Thai traders on credit, using their femininity to negotiate with officers and their flexible ‘national-

Figure 6.1: Market route of fish between Cambodia and Thailand as of 2006

Source: Kusakabe et al. 2008.
ity’ as the weapon for negotiation with Thai traders (ibid.). Ignoring any legal or administrative concept of ‘nation’, they would say that their Thai trader-counterparts and they were of the same ‘nationality’ to create a sense of solidarity between them. Despite these efforts, women traders became increasingly marginalised after the official opening of the border.

Figure 6.1 shows the constructed value chain as of 2006 based on the study conducted by Kusakabe et al. (ibid.). By 2012, the chain became much shorter. Many middlemen, exporters and wholesalers merged and tried to cut the process as short as possible. Registered companies have taken over much of the work that individual transporters used to do. There are also now traders who are bringing fish from Vietnam to sell to Thailand. This is a phenomenon that started around 2011 or 2012, when the fish availability from Tonle Sap decreased.

Figure 6.2 shows a drop in fish production between 2004 and 2008, due to droughts. Production dropped drastically in 2006, and has not recovered significantly after that.

Figure 6.3 shows the official export volume of fish although this figure needs to be treated with caution. Clearly, there is a lack of correlation between the fish export and production data. The drop in export might reflect the start of the Thai–Cambodian conflict triggered in September 2006 by the coup d’état in Thailand that ousted the then Prime Minister Thaksin Shinawatra. At the same time, company registration for export-
ers was introduced in Cambodia. Exporters must declare the quantity of fish that they will export annually, which is normally less than the quantity actually exported. At the border, the customs office needs to register the quantity exported each time, and levy fees accordingly. In reality, though fees are levied on the basis of the quantity of fish exported, a much lower amount is recorded in the documents. The difference benefits the various officials involved in this process. Therefore, the export data might not reflect correctly the actual quantity of fish exported. Fish production data might be a more correct reflection of the actual situation in Cambodia, since most of the traders complained that there is less fish since 2008, and that fish has become scarce in the last two years.

Our 2008 study (Kusakabe et al.) focused on the impact of the official opening of border trade between Thailand and Cambodia on women’s small-scale border fish trade. This analysis of women traders studied their position in the value chain and how they negotiated their position in the changing economic environment. However, as border trade has developed further in recent years, we have seen that women traders have shown different ways of coping and developing their businesses. We find the need for a more nuanced study of individual women’s situations and contexts. Therefore, in this chapter, we have revisited these women traders with a focus on their business life trajectories, linking them to their lived experience, employing a more intersectional perspective.


![Figure 6.3: Fish exports](image-url)
Methodology

For a holistic understanding of traders’ choices in business, we interviewed traders on their lives and business histories. We interviewed 32 women traders, 10 men traders and four married-couple traders, a total of 46 respondents. All of them were (or had been) involved in cross-border fish trade either currently or some time in the past. Table 1 shows the types of traders we interviewed. We selected only those who were or have been exporting fish to Thailand. We contacted traders at the Poipet market in Cambodia and the Rong Kluer market in Thailand and made appointments with those who were willing to talk. We then asked the traders to link us with other traders. We also visited villages where many fish traders live, but few people were exporting fish. Interviews lasted approximately two hours and, in some cases, follow-up interviews were done either by phone or face-to-face. The interviews focused on their business decisions, as well as aspects of their personal lives that influenced their business decisions. We selected four of the 46 for in-depth analyses in this chapter. The chosen respondents have changed their businesses following changes in the environment. These four cases were selected since they were keen to share their experiences and we could

Table 6.1: Profile of respondents

<table>
<thead>
<tr>
<th>Size/Type</th>
<th>Number of respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Women</td>
</tr>
<tr>
<td>Large exporters (those who, at highest fish production period, could trade up to more than 5 tons per transaction/time)</td>
<td>9</td>
</tr>
<tr>
<td>Large exporters who quit</td>
<td>2</td>
</tr>
<tr>
<td>Mid-sized exporters (trade few tons per transaction/time)</td>
<td>6</td>
</tr>
<tr>
<td>Small exporters (trade few hundred kg per transaction/time)</td>
<td>13</td>
</tr>
<tr>
<td>Exporters of processed fish</td>
<td>2</td>
</tr>
</tbody>
</table>

* For these cases, the husband and wife were interviewed together.
thus get more detailed information about their lives. These women have been trading for a long time, and hence allow us to understand the ups and downs of their businesses. Experiences of other respondents are included to substantiate those of the four respondents. All the names used in this chapter are pseudonyms. Among all the traders found in Table 6.1, the four women that we focus on fall under the following types: Sophany is an exporter of processed fish, Nary is a small exporter, and Vathana and Theary are large exporters.

**Changes in fish border trade in the 2000**

In the 2000s, various socio-economic and political changes happened in Cambodia as well as at the Cambodian–Thai border.

*Frequent closure of border crossings*

Due to the conflict between Thailand regarding Angkor Wat and Preah Vihear Temple, the border at Poipet suffered several periods of closure with three main closures. One happened in 2003, when a Thai actress made a comment on Angkor Wat and aggravated bilateral relations.\(^4\) The closure lasted for more than a month. Many traders could not sell their wares and lost the money they invested in buying fish because they could not transport the fish to the market across the border. There was also a protest by disabled transporters in 2008 against companies who they claimed were taking away their jobs. This protest was quickly dispersed by the Cambodian police. The protest leader’s body was found in a nearby forest and from then on, it became difficult to organise any protest. The third closure occurred in 2011–12, when there was a conflict between the Water Resource Department and the Fisheries Administration over the control of fish export and trade. Export was prohibited, ostensibly to protect aquatic resources. However, only large traders were affected by this closure.

*Availability of Tonle Sap fish*

Although data from the Fisheries Administration does not show a decline in fish catch from Tonle Sap Lake, traders say that the availability of Tonle Sap fish has declined since its peak in 2006. Traders attribute the decline to the construction of a dam in the Mekong River and the lowering of the water level, to illegal fishing, and to the abolition of private fishing lots in 2012. Private fishing lots have long been criticised
for marginalising small fishers at the Tonle Sap Lake. Many large traders bought fish directly from these fishing lots and exporters could procure large amounts of fish in one go. However, in 2011, the Prime Minister of Cambodia declared that private fishing lots would be abolished to protect the fishing rights of small fishers, so that these could fish anywhere in the Lake. This was implemented under a sub-decree dated 7 March 2012; all private fishing lots in all provinces around Tonle Sap were abolished and converted to public fishing areas, with the exception of a few conservation/protection lots.

**Formalisation of border trade**
The number of informal checkpoints along the road has decreased, but traders still pay similar or even higher amounts for cross-border trade. Further, trade companies were established in Poipet, to transport fish across the border for a fee, thus relieving traders from having to deal with border officers. All fish exporters are required to be registered as a company and all trade is now forced to go through these officially registered companies.

Earlier, when traders had to transport fish from Siem Reap province to Banteay Meanchey province where Poipet is located, they had to pay the Fisheries Administration to move fish across provinces. This was officially abolished in 2011, when Prime Minister Hun Sen announced that there would be no more levy of fees when moving goods (including fish) from province to province. Although these payments still exist in practice, traders say that the announcements have reduced the amount of payments collected by these officers.

**Migration (in-country and cross-border)**
The ease of mobility inside Cambodia as well as Poipet’s growing fame as a place for easy money have led to an increased number of people moving into Poipet. Fish trade is a popular occupation for new settlers. At the same time, more fishers are migrating to work in Thailand, since fishing does not earn much money. This increase in the number of traders and decrease of fishers adds to competition among traders. For example, Poipet has always been a town of migrants – in 2013, 13.2% of all households in Poipet had temporary residents (i.e. recent migrants who had not yet moved their residential registration to Poipet); in one village, it was as high as 43.6%. Migration to Thailand is widespread in
the Western part of Cambodia. Respondents reported a huge demand for workers in factories, construction sites, and agricultural and service sectors in Thailand in the past few years. A study by Hak et al. (2001) in Battambang villages showed that 68% of respondents reported that at least one person in their household had migrated some time and around 24% reported that at least one person was currently a migrant in another country (almost all in Thailand).

New economic opportunities as well as impoverishment in Cambodia
The dynamic fish trade created a class of nouveau rich and some of them subsequently moved out of the fish trade, capturing newly emerging sectors in the economy such as tourism. Some were not able to make ends meet in rural areas, and moved to Poipet to trade fish.

Such socio-economic changes impacted fish traders negatively. Lower fish availability and fewer fishers have made it more difficult to procure fish. At the same time, the cost of doing trade is going up and squeezing the margin. Abolishing private fishing lots is supposed to benefit smaller fishers and traders, but in our interviews, the effect was not clear and small traders did not report an increase in the quantity of fish. The free transport of fish across provinces was also supposed to benefit small traders but few reported any actual reduction in such payments. All traders agreed that the trade situation is much worse than it was in the 1990s, and therefore, traders need either to change their trade methods to stay afloat or else to change the way they view their trade to be content with what they have. In the following section, we will introduce four traders who have experienced these changes and analyse how their choices and decisions are shaped by various contextual factors and their identity as traders.

The traders

Case 1: Ms Sophany
Ms Sophany runs a successful fermented-fish-export business in Western Cambodia. She has been involved in the fish business since 1983 with her mother, and received training for fish and processed fish business from her. After her marriage in 1990, she established an independent business. Due to fighting in border areas, she concentrated on the domestic market. Her husband was working as a driver for a company, but after
the company went bankrupt and he lost his job, he started drinking and stopped earning income. Sophany has single-handedly expanded her business, and started exporting fresh and fermented fish to Thailand in 2005, and eventually became one of the largest exporters with over 30 tons of fermented fish in every transaction. In 2007, the Department of Fisheries demanded that exporters of processed fish be registered as a company, and allowed only one company per province. Therefore, she formed a company with eight people. However, this did not work out, and the company fell apart. By 2009, she was again doing business alone.

From the very beginning of her business, her husband has been a concern for her.

When I married him, I thought I married a man with a stable job [and I can depend on his income]. After he lost his job, he became alcoholic and he did not seem interested in getting a job. He has once helped bring fish to Poipet, but he drank there [and could not do anything]. When he gets out of hand, I pay the police 50–100 dollars to put him in a drug rehabilitation center. I put him there for three months, or until he shows remorse. He has been there three times already. He gets injection once a month to keep him sober, but once he drinks he is out of control... I told him that I will give him 5,000 dollars so that he can look for a new woman. But he said no – 5,000 dollars will be used up in no time. It is difficult to be a woman. The quote shows Sophany’s difficult daily life – having to manage her drunk husband, keep him out of the business, and at the same time secure enough time for herself to run a profitable business. She is independent both in business and in her personal life, but is still trying to accommodate her husband. To ensure the continuity of her business, she is now grooming her daughters to take over. She has set up a small salt business alongside her fish business. She plans to pass the reigns of her salt business to her daughter who is to marry a large businessman in the locality. Sophany believes that it is important for her daughter to have an independent business even after marriage, ‘since we do not know what will happen in the future.’ She has married off another daughter to a son of her Thai customer at the border market.

Case 2: Ms Nary
Ms Nary was born in eastern Cambodia, and used to work as a police officer. Her husband worked as a driver in a company. They moved to
Poipet in 2000. Her husband’s aunt was in Poipet, and many migrants from her native province were involved in the fish trade there. Fish in the Tonle Sap was abundant, and business was brisk. She reasoned that ‘it was easy to sell during those years, since there were few traders and many customers in Thailand’.

She partnered with a friend and started trading 30–40 kg of fish per day. She eventually increased the sales volume to 100–1,000 kg a day. However, she stopped trading in 2003, at the height of her business, because she became pregnant, and as she was 42 years old, she was afraid that the delivery would be difficult. She did not return to her business until the baby was two years old. Her husband worked as a construction worker during this time. Such discontinuity or difficulty in conducting business because of reproductive activities was also reported by Ms Sophorn, who said:

> When my child was three months old, I had to go to buy fish at 3 a.m. I had to tie the baby to my chest. My mother-in-law was not living with us at that time, so there was no one who could look after the baby. Now, my mother-in-law is living with us, but she is sick and I have to look after her and the children. So, I cannot go far away from my house. My mother-in-law used to live with her own daughter and looked after her children. When she got old and sick, she wanted to come back to her own village, and that is how we ended up with her.

A similar situation as Ms Nary’s was experienced by another trader, Ms Chanda. Chanda lost her husband to HIV/AIDS and is herself infected while also looking after her aging and sick mother. She used to sell in Cambodian markets, but had conflicts with people who wanted to take her market space, and was forced to move to a Thai market to sell retail. Her daughter got married but her husband left her and she had to look after the grandchild while her daughter migrated to Thailand to work.

> Nowadays, difficulty in fish trade is that there is no one to help me take care of my mother and children. I have to bring my granddaughter to the market [since my mother is too sick to look after her].

Nary resumed trading fish in 2005 with another friend, but lost money immediately. So she had to quit the fish trade. With only 80 baht in hand, she started petty trade again, while working in a job transport-
Women Fish Border Traders in Cambodia: Intersectionality and Gender Analysis

...ing insects. She gradually recovered her business and by 2012, she was trading 120–200 kg per day. She also rents a stall at the Thai market jointly with two other friends.

She is different from other traders in the sense that she always partners with women friends, while most of the other traders we interviewed preferred to do business alone. Her business suffered because she quit trading at the most important time of the business. But even though she had to interrupt her business because of her reproductive role, she had a very strong sense of being a main breadwinner. She said:

I never thought it was more difficult for me to work than my husband. If I waited for my husband to find work and just stay at home for my husband to deliver money to me, I would not have enough money to support my family because his work is not regular. I think my husband can help me more by looking after the children and the household. If I did not have him, it would be more difficult for me to be involved in the fish trade. [Playing the breadwinner role] has become a habit.

Case 3: Ms Vathana
Ms Vathana was born in southeastern Cambodia and grew up near the Vietnamese border. Since her mother was a cross-border trader of vegetables and traditional medicine, she grew up doing business. After marriage, she moved to Poipet in 1990 and started importing salt and raincoats from Thailand to Cambodia. At that time, the area was still a war zone, and she was selling in the Khmer Rouge-controlled area: trade stopped when the fighting got severe. She finally settled in Poipet in 1994 and started trading fish. Her husband has been helping her full-time in her business since their marriage, but she was the manager and made all decisions regarding her business. Since 1994, she has raised her four children, while also managing the fluctuating fish supply, and supplementing it with the sale of vegetables and fruits. Until the children were two years old, she hired a babysitter to take care of them, and after that she brought them to the market with her. It was only in 2004 that she was able to stabilise her business with a large regular buyer in Thailand, trading 2–10 tons a day. She had been living in a temporary shack since 1990, but in 2004, she bought land and built a house in Poipet. However, since land deeds were not properly provided in that area, she had a land...
conflict with another person. She had to fight for the land all by herself. While she described all these events in her life, there was hardly any mention of her husband or other family members and relatives. When we asked her specifically about her husband, she replied that he had helped her all along since 1990. However, she struggled to expand her business, buy and fight for her land on her own.

She is a professional trader, and spends more than twelve hours a day in the market. She invited her relatives to come to trade like her as well, but she says:

I invited my brother and sister-in-law to come to Poipet to be involved in the fish trade. Both of them came to trade, but neither could succeed and within one year, they quit. While they were doing business, I had to help them all the time, and without my help, they were not able to sell fish. It is difficult to look after other people’s business. Business needs to be done by oneself.

She has a serious approach to trade, and unlike many of the small traders who told us that the fish trade is easier since they can buy on credit and can get money everyday, she told us that in order to do business, one ‘needs to be serious and focused. It is important to have good communication’. She thinks that her children will not be able to trade like her, because they are not good enough in her opinion.

My children cannot do fish business since they do not have the patience and ability. They do not know how to run a business. To succeed in fish business, one needs to work hard, and my children will not be able to work as hard as they should.

She is totally focused on her business, and since 2004, when she could get a relative to come and help her with childcare and household work, she has become engaged in her business to the extent that she has lost track of her children’s growth.

My youngest is a daughter and she is still studying. Grade 5 or 6. I am very busy and do not stay at home often, so do not remember well which grade she is in.

For professional traders, trading is serious and not something that one can do half-heartedly. The competition is very fierce, and they are on their own. Such harsh competition has also been confirmed by other respondents, like Ms Putheany who said:
All people who are doing business have competitors and they normally do not get along with each other.

Another trader, Ms Pisey confirmed:

Relatives involved in the fish trade always get upset with each other because to trade, we need to have regular suppliers but they always fight with each other over suppliers.

Vathana needs to devote all her attention to her business and maintain high standards of performance for her business.

Case 4: Ms Theary

Ms Theary started working in her business full time only when the children had grown a little, and her first daughter was 10 ten years old and could look after her smaller siblings. She was engaged in small grocery-and-pork trade in the local market when the children were small. After she gave birth to her youngest (third) child, she started exporting Cambodian fish. This was in 1995, and she was then exporting 300 kg a day. She is now a successful export trader, who has two stalls in Thai markets. Unlike other traders, she sells cultured fish from Cambodia in Thai markets. This is a business advantage that she has over other traders, since she is the only trader in the market who specialises in Cambodian cultured fish. Her business has been doing well but she has had difficulties in terms of her relations with her daughters.

My eldest daughter was under the spell of black magic. For the second daughter, I wanted her to get married to a man, but she did not agree. She chose her own husband. But I did not like her choice. They are still poor. They are ashamed for going against my opinion and not being able to make a good living, they do not come to live with me either. I was very disappointed about this, and stopped business for one year.

But she had to struggle alone with this, since her husband is not engaged. He is a news reporter in a radio station. She is afraid that he will not like her behaviour in the market, since he is not used to the rough atmosphere.

I do not discuss my business with my husband. When I make a loss, I do not tell him. I do not want him to be involved in the business. He is not used to hearing harsh words that market vendors use. He would be
disappointed to hear his wife use such harsh words in the market, so I do not want to have him around.

**Traders’ business trajectories and their relations with others**

The four cases above show vastly different life trajectories of women border traders. Three of the four traders have been ‘successful’ in business – that is, they have been able to build up a considerable fish-export business, and would be considered middle- to large-scale traders. The business life trajectories that we investigated in this study allowed us to understand how their particular position in the value chain was a creation of many factors including the macro economic condition, political environment, household economies as well as their social relations with their family members. Sophany, Vathana and Theary started their businesses much earlier than other traders, and they were able to climb fast up the value chain despite starting as micro-traders. In this process Sophany and Vathana developed strong professional identities as traders. They were able to earn enough money to outsource household work including childcare.

Furthermore, they also talk about their children in the context of their business; Sophany married off her daughters to strategic business partners, laying the backbone of her business expansion plans. Vathana wanted to do something similar, but decided that her children are not good enough for business. Both of their businesses are completely independent of their husbands. Theary, on the other hand, was more ambivalent about her identity as a trader and as a wife/mother. While Sophany and Vathana did not talk about their husbands unless asked, Theary’s story was all about her daughters and her husband. The difference could be that Theary’s husband is a government officer in the public relations department, which has given a certain social status to her family. Her husband’s social position might have shaped the way Theary sees herself and her business. On the other hand, Nary started her business a bit later than the other three. And when she started, the business was not as lucrative as when the other three women started. Hence, her rise in the value chain was not as fast. When she had a child, she had to quit her business, since she was pregnant at a relatively high age and was afraid to lose the baby. Her priority is her role as a mother and she is, in a sense, not entirely comfortable with the role of breadwin-
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ner in the household. But when we analyse their perspectives towards their businesses, we find several common characteristics.

Firstly, relationships with children, especially with daughters, are particularly important for women traders. All four respondents expressed strong feelings of attachment towards their daughters. Sophany actively groomed her daughters to take over the business. Nary did not actively engage her daughter in the business, but she stopped her business when she was pregnant and did not return till her child was two years old. Vathana was keen on engaging her children in business, but her standards of professionalism were too high and her children did not measure up. Theary had serious difficulty in relations with her daughters, which has also affected her business.7

Secondly, there is a common absence of husbands in their businesses. This is not the case for all traders, and there are many male traders as well as couples who run businesses together as seen in Table 6.1. However, in these four cases, the women traders have ensured that their husbands are completely excluded from the business. Sophany had her husband incarcerated in order to concentrate on her business. Theary did not want her husband to be involved in business because she does not want him to hear the rough language she and other merchants use in the market: she wanted to separate her conjugal relationship in which she follows socially expected behaviour (of a good woman) from the behaviour expected of market vendors (aggressive and even verbally abusive). She realises that the behavioural norms of traders are necessary for the business and finds it empowering in one sense, but at the same time, she is aware that it does not fit well with the socially expected behaviour of Cambodian women. Such ambivalence was also seen in Brenner’s work (1998) among Indonesian traders.8 It is important to note that none of these women complained that their husbands are unhappy that they are taking up non-traditional roles/behaviour in the household.

The engagement with children, especially daughters, with little presence of their husbands, reflects the traditional matri-local pattern of inheritance and residence in rural Cambodia, where both land and main house are transferred from mothers to daughters (Ledgerwood 1990; Ebihara 1968). However, traders are not concerned with physical assets. Rather, they are referring to the business as values. For example, Sophany wanted her daughters to learn how to do business as an inheritance of the
value/practices that she cultivated throughout her life. Vathana judged that her children would not be able to succeed without the business values that she upholds. Theary is not concerned only about the business itself, but the whole way of life was something she wanted her daughter to follow, although she was disappointed.

Thirdly, there is little spirit of cooperation among the traders. Some respondents deplored that Thai traders take advantage of the infighting among Cambodian traders. The Fisheries Administration tried to organise traders into groups by encouraging them to form companies. Processed-fish traders were told that export licence would be provided only to one company per province, so they were forced to come together. However, none of these efforts seem to have worked. IUCN's (2013) study recommended that vendors should form groups to improve visibility, increase negotiation power, and encourage mutual help, which has also been the logic behind the formation of vendors’ associations (such as the Self Employed Women's Association, or SEWA, etc.). But in reality, it is clear that formal organizations are not popular among women cross-border fish-traders.

However, traders like Nary prefer to work closely with friends. Many traders reported that they started their businesses because their relatives were engaged in the fish trade, or because their friends or neighbours recommended that they do so. They rely on neighbours, relatives or family for childcare. Although our respondents said that all vendors are their competitors and that there will be problems if they work together, they are rarely all alone in their business endeavours. As Ms Sophorn reported, a trader with no help would be tied down to her house and unable to go anywhere except to the local market during limited hours. Clearly, women traders who have no help at all in their businesses and in their households cannot engage in the challenging and demanding export trade. Therefore, although traders say that they do not want to work with others, they are actually quite dependent on other people, such as other women traders, neighbours, and friends, but often not husbands or cooperatives. Since the business is strongly tied to their relationship with their regular customers in Thailand, they have difficulty in working with other traders, who want to prioritise their own regular customers. Therefore, fish traders are not uncooperative as individuals, but the nature of their business makes it difficult to cooperate with other
traders, while making it imperative to cooperate with others such as childcare providers, customers and fishers (suppliers). They are aware of the importance of cooperation and strengthening of social capital to their business. However, the most cherished relationship is the one they share with the Thai buyers, a relationship that is fraught with unequal power relations. Noting this paradox, we suggest that alternatives to traditional organising be considered.

**Concluding discussion**

As feminists, we seek to understand the lives of women fish traders holistically, without the bias of misogyny or the male-biased view on business (Dignard and Havet 1995). However by trying to look at it using a gender lens, will we fall into the ‘myth’ of various gender inequalities (Cornwall et al. 2007)? To avoid this, we have focused on the ‘lived experience of gender relations’ (Cornwall 2007a: 72) to analyse individual women’s lives. Through exploring the lives of different women traders, we have challenged what Cornwall (ibid.) called a ‘strikingly monolithic’ representation of social construction of gender relations. An analysis of women traders through their lived realities allows us to recognise the varying intersectionalities that mark their lives, choices and decisions.

In the definition and practice of gender analysis as found in Connell (2009) and Kabeer (2000), personal relationships are noted to be of utmost importance. The relationships are not only with the husbands, but relations with daughters, sons, relatives, neighbours, friends, mothers, etc. Many are one-to-one relationships rather than group dynamics. Relationships with husbands come second to relationships with other women and children. Additionally, the transmission of values to and from people close to traders is an important aspect that needs to be included in gender analysis. This study of women traders’ lives shows that while women’s lives are varied, and while we need to embrace such variety, we also need to look for commonalities to develop better policies and programmes to support the diversity of women’s lives. An investigation of lived reality can offer us a better understanding of a complex situation. We suggest that intersectionality brings in that lived reality into gender analysis. Rather than essentialising women’s lives into those surrounding the reproductive role and responsibilities, intersectionality allows us to take into consideration various power rela-
tions that traders face not only because of their sex, but also because of their class, age, migration status, their position in the community, their friendships, their nationality, their position in the value chain, etc. By starting from women's individual lives, we are able to develop a more nuanced understanding of women's lives and their relationships with others. Rather than assuming that their relations with their husbands determine their business and lives, or that the best way for small traders to be empowered is by being organised, looking at their businesses and choices in detail allows us to understand how they perceive, for example, 'mutual help'.

Mutual help is important for small-trader women. Women do get a lot of support to start up and run a business and help is needed for reproductive activities as well. However, we should not blindly group traders together just because they are women. Our analysis of intersectionality suggests that each woman trader’s experience is different because of her complex environment, position in the market and society, and relationship that she forges with others. So, organising does not necessarily address a woman trader’s main concern. Rather than following the myths that all women traders would benefit from organising and mutual help, for example, just providing a safe space where they can move and do business freely while having their children nearby would be quite effective in supporting small women traders. In such spaces, they can keep an eye on each other’s businesses and children, rather than support each other within a rigid framework of a cooperative, savings group, or even a union. Such loose linkages and creation of a supportive environment will benefit some women traders more than trying to organise them into cooperatives or groups with a specific mission. Such details are easy to miss within the framework of a gender analysis, but approaching the issues through the lens of intersectionalities pries out such nuances that impact on their decision-making in a big way.

Our context-based analysis showed that some women have strong identities as traders and some as mothers/wives, although none of them are very conscious of their position. For all the cases, women traders’ husbands were not involved in their trade, but their absence itself reflects the changing gender relations in the household. Not all traders are affected by their reproductive burden, and this depends on the period when they started business, their relations with their husbands and other
relatives/neighbours, their level of income and trade/business environment. By examining women's contextualised life events, it is possible for us to have better insights into their perspectives, from their identity as professional traders and how such changing identities and perspectives shape gender relations in the household. Intersectional analysis allows us to decentre ‘women’ as a general category, but through this, we are able to understand better their life perspectives from other angles and their relationships with people around them, and as a result to conduct a better gender analysis. To quote Harding (2008), we will be able to see the world from the marginalised woman’s view point – feminist standpoint epistemology – through intersectional contextualised analysis.

Notes


2 For example, see UNICEF 2011 for how mothers-in-law make decisions about grandchildren's food intake overruling mothers’ decisions.

3 For example, see conflict among women street vendors in Cornwall 2007b, and among credit group members in Goetz and Gupta 1996.

4 One Thai actress claimed that Angkor Wat used to belong to Thailand, and this infuriated Cambodians leading to riots in Phnom Penh and a ban on airing Thai soap operas on TV.

5 According to population statistics as of May 2013 obtained from Poipet Municipality.

6 Popularly called phtea haal – flying house – in Khmer. Temporary shacks in squatter areas around the local market. Many of the new migrants to Poipet first live in these ‘flying houses’.

7 Such mother-to-daughter transfer of business tradition/values/skills was also identified among professional women vendors in Kusakabe (2003).

8 Brenner (1998) identified how market vendors are depicted as morally loose, reflecting society’s fear of empowered women.

9 Since this did not work, this instruction was not implemented strictly, and now in Battambang, there are at least three companies that export processed fish.
Gendered Entanglements

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Women Fish Border Traders in Cambodia: Intersectionality and Gender Analysis


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CHAPTER 7

Struggling Bodies and Spaces of Resistance – Adivasi Women Activists in Odisha, India

Ragnhild Lund and Smita Mishra Panda

Introduction

My sister pushed me to the mines when I was five years old… There were many children like me…. Harassment has helped me to become courageous and taught me to face problems.¹ (Tulasi Munda, adivasi woman leader and winner of Padmashree – the country’s highest civilian honour)

Tulasi Munda is a respected leader from Odisha state, India, who has chosen from an early age to fight for justice in her community. She believes that the main solutions to her people’s problems are education, balanced governance and people’s participation in creating better livelihoods.

A younger woman, Subhasi Nayak, a Sabara adivasi leader from Khurda, Odisha state, has learnt to become an activist through the facilitation of a local NGO. With the help of the organisation, she has rallied and fought for the betterment of her family and community. She believes that the only solution to the problems of her community is to gain influence through politicisation and activism. As she stated:

I joined the Sangha [self-help group] 8 years ago… [It] was established with the facilitation of CARD [an NGO]… Increasing violence against women was the main trigger for us to mobilise against alcohol. Husbands and sons were into a lot of drinking and violence at home. We demonstrated, rallied, destroyed breweries and forced liquor traders to close shops.
Due to poverty and physical violence both these women became activists. Today, they are deeply involved in politics, and mobilise action against injustice in distinctly different ways. Whereas Tulasi Munda, senior spokeswomen for education and social betterment for her people, does not openly challenge the authorities by engaging in party politics, Subhasi Nayak, a young and assertive activist, is already deeply involved in party politics and was recently elected the head of a women’s federation. Her agenda is to achieve justice by fighting for adivasi people’s rights and by influencing decision-making bodies.

Since the early 1970s, there has been an upsurge in the mobilisation of rural women as participants in various movements in India. Such mobilisations around the country have often been projected as rural women’s movements (Kishwar 2008). Adivasi women’s movements initially occurred in India against class and gender inequality. Basu (1995) described the movements as women’s spontaneous indigenous feminism, whereby women became conscious of their role (and the role of their activism) in improving their lives and those of other members of their households. Others have documented how grass-roots campaigns by rural women and, particularly, how feminist activists strategically use and create social spaces to generate collective dialogue and critical reflection on issues of patriarchy and violence (Lund and Panda 2011; Nagar 2000, 2012; see also Spivak 1988; Blunt and Wills 2000; Castree 2004; Chairs 2008; Lund 2013).

The livelihoods of adivasi groups in Odisha state have been severely eroded in the present century, and only in the past decade or so have the adivasis made their presence felt through resistances. They have begun to assert themselves in matters of justice and rights, but continue to be marginalised and occupy a lower status in society. Assisted by development agencies (especially civil society organisations) adivasi women have organised with the aim of fighting against issues such as alcoholism among men, domestic violence, the declining child sex ratio and the trafficking of women and girls. Particularly, fighting alcoholism has gained momentum throughout India and has led to the emergence of a strong movement (Lund and Panda 2011). In the context of our study, self-help groups (SHGs) and local NGOs represent women’s collective efforts to aspire for better lives. We assume that such collective activities determine both the agenda and the manner in which activists challenge
existing power structures (e.g., gender/patriarchy, authorities, elite) in marginalised spaces.

In this chapter we aim to unravel adivasi women’s activism in a context that is facing dramatic cultural, societal and economic changes. When bodies come together in political acts they perform gender in new ways like being physically present in resistance struggles and towards authorities. As will be seen below, in the study areas women who have previously been silent community members have no other choice than to expose their bodies in political acts, hence the focus is on understanding how bodies can be perceived as tools for activism.

The introduction to the chapter has briefly explained why we set out to investigate adivasi women’s activism. The second section presents the analytical approach for our study. We introduce the analytical concepts – body space and spaces of resistance – which, in our opinion, contribute to unpacking how the lives of women activists, individually and collectively, are intertwined with contextual and structural factors. We also broaden the study of activism from a ‘woman only’ perspective to a study of gender relations and the changes taking place for both women and men. The third section presents the methodology and study areas, followed by an overview of economic policies and adivasi communities in rural Odisha. The following empirical sections reveal some of the challenges and achievements of women activists, both individually and collectively. Their struggle against increasing alcoholism and declining resources affect their bodies, their identity and their relations with men. In the last two sections we address challenges facing activist groups in their efforts to make changes in women’s lives, before we conclude by reflecting on how we may rethink gender.

**Analysing adivasi women’s resistance in marginalised spaces**

The analytical approach of this chapter draws on feminist ideas about the effects of class and ethnicity on gender, and how women’s experiences of oppressive power relate to their sexuality/body and ability to act. First, we relate to studies that show how women have mobilised their collective capacity to question gender, class and ethnic ideologies, and hence engage in political action (Staheli et al. 2004; Mohanty 2011; Krishna 2012; Rius 2012). These studies were decisive for our choice of research topic. Second, we relate to studies that have focused on how
embodied space is where human experience and consciousness take on material, spatial and symbolic form (Low 2013, 9; Harcourt 2012). In our case, adivasis are at the outset poor, marginalized, and threatened. Deprived of their land and resources their bodies are mobilised in acts of resistance, women are facing physical abuse and fighting violence in the home and in the local community, while the men are turning to passiveness and alcohol abuse. To understand how such gendered forms of oppression are produced and how people actively resist them we explore the interface situations of embodied space and resistance of indigenous women activists.

In her recent article on ‘embodied spaces’, Setha Low (2013) investigated a broad range of theories of body and space that are related to people’s lived realities but, at the same time, can link with larger, social and cultural processes. Low defined the body as a physical and biological entity, lived experience and a centre of agency – a location for speaking and acting on the world (ibid. 10). She referred to feminist discourses on body space and, of particular relevance here, the body as situated and ‘colonised’ (Scott 1996; Harcourt 2009). She also makes references to Haraway’s (1991) thesis that personal and social bodies cannot be seen as natural but only as part of a self-creating process of human labour. ‘Her [Haraway 1991] emphasis on location, a position in a web of social connections, eliminates passivity of the female (and human) body and replaces it with a site of action and of agency’ (ibid.11, our emphasis). Women’s activism is about how women individually and collectively mobilise their agency. Moreover, when bodies come together in political acts they perform gender in new ways. Such acts are context specific. In our study areas, adivasi women have no other choice than to expose their bodies physically in political acts. Their struggles are about survival at places which are presently changing to their disfavour. Their bodily experiences contribute to change their identity as women as well as changing gender relations.

Judith Butler’s (1993) concept of ‘performativity’ provides some answers as to how gender and sexual identifications are made but limits our understanding of how women negotiate and mobilise their agency. According to Nelson (1999), many feminists and post-structural scholars have uncritically incorporated Butler’s work into their own work on the intersections between gender, sexuality, ethnicity, space and place.
Nelson argued that performativity assumes ontologically an abstracted subject and thus provides no space for theorising conscious reflexivity, negotiation or agency in the doing of identity’ (ibid. 331). Such an approach underestimates the linkages between emerging identities, social change and spatially embedded, intentional human practice. We find that this argument resonates with our way to rethink gendered subjectivities and the ability to act through resistance. By referring to women’s spaces of resistance, we capture how adivasi activism is a contextual phenomenon, grounded in daily human practices, where the connection between women and men and the wider social structures is at play.

In this chapter, body space and spaces of resistance are used as metaphors for social and cultural transformations, and for challenging/pushing new boundaries, practices and power. Hence, the following analysis draws on the intersections between the body and body politics, which we refer to as body space, indicating how women activists occupy and shape their trajectories of change through their own bodies, and combine these trajectories with broader aspects of social change. The concept of spaces of resistance illustrates how women activists may use tacit, as well as open, spatial tactics in their struggle, and how they strategise from marginalised positions. Adivasi women’s activism takes place in the form of women’s group mobilisation and activities in the public domain. Such transformations imply a re-territorialisation, where women activists may move from an excluded place (e.g. the private space) to a place of inclusion (e.g. the public space).

**Methodology and the study areas**

Qualitative methodology was used to understand how adivasi women activists articulate and attempt to change their position and situation in their communities. Our methods included participatory/collaborative workshops (with women and men), discussions with NGO representatives and in-depth interviews. We also consulted secondary sources of information, such as published and unpublished reports, films and documentaries.

We were interested in exploring women’s collective activism in a society where they have been oppressed and have suffered from a lack of basic human rights and where adivasi women’s activism proliferates in the state. We selected cases from five districts, keeping in mind the
nature of the activism – against alcoholism, for sustainable livelihoods, for rights to access natural resources, against mining and industrialisation, and against the state for its present policies (Government of Odisha 2011) towards the adivasi communities (in general) and adivasi women (in particular). Table 7.1 presents the districts, adivasi groups, and issues around the activism of adivasi women.

The districts selected for the study were Khurda, Nayagarh, Gajapati, Kalahandi and Rayagada districts of Odisha state (Figure 7.1). We focused on specific villages in each district. In Khurda district, we studied the Sabara community inhabiting Begunia block.3 and in Nayagarh district, it was a Kutia Kondh community located in a wildlife sanctuary. Both the Sabara and Kondh communities were completely Hinduised.4 In Gajapati, we studied the Saora group of R. Udaigiri block, who were also mostly Hinduised. In Kalahandi district, we focussed on the Kondh group, inhabiting a protected area in the forests. In Rayagada district, we studied the Paroja and Kondh adivasis, inhabiting Kashipur block. Except for the Sabaras, in Khurda district, the adivasis in all other areas were dependent on forest gathering and shifting cultivation. They were also engaged in small-scale settled cultivation.

Four participatory workshops were conducted. The objective of the first workshop (attended by 50 activists – male and female) was to present our planned study and to identify problems of adivasi people. It was held together with randomly chosen civil society leaders working with the adivasi communities and adivasi women leaders from the chosen districts. During a full-day meeting with group discussions issues like how women became active participants in struggles related to domestic violence, drug abuse, poverty and lack of resources emerged. The experience gained from this workshop guided the content of subsequent interviews and from whom we could get data. The other three workshops took place in the study villages with the attempt to discuss preliminary findings. These workshops gave us the basis for selecting groups to be studied, and were followed by selected in-depth interviews of activist group members. Through subsequent discussions with women activist groups (10), we gained more in-depth knowledge about the nature and impacts of their action and challenges. They also provided us with the opportunity to listen to NGO leaders. These leaders were also interviewed separately. Men (15) were interviewed in all cases, some in
groups after the workshops and some individually. Some were present during the workshops (as they had accompanied their wives), but did not participate actively in the discussions.\(^5\)

**Economic policies and adivasi communities in rural Odisha**

Odisha state in eastern India is home to 62 adivasi communities, which are concentrated mostly in the southern and northern parts of the state (Figure 7.1). They comprise approximately 23 per cent of the total population of the state (Government of India 2011). At one extreme, there are adivasis who are relatively isolated in remote hill regions, with their core culture intact due to relatively little contact with the majority Hindu population. At the other extreme, there are adivasis who have either become Hinduised by adopting caste traditions, or have converted to Christianity and become indistinguishable from non-adivasis of the state. Such a situation has often led to a loss of adivasi identity, and these groups have consequently been confused with members of Hindu castes (SCSTRTI 2004). However, most adivasis have a distinct cultural identity that is expressed through their social organisation, language, dress, ornaments, rituals, festivals, housing, art and crafts. With the exception of some large adivasi groups, such as the Santhals, Gonds, Saora and Khonds, most live in concentrated groups and are therefore often referred to as ‘sons of the soil’ or an autochthonous population (Ota and Mohanty 2010). Adivasis are often associated with economic impoverishment and political marginalisation in Odisha. Estimates for 1999–2000 showed that 73% of the adivasi population in the state lived below poverty levels (Haan and Dubey 2004), while in 2014 in South Odisha 66% adivasis lived below the poverty level (researchers’ own calculations). Similarly, their representation in local governments of Odisha and the state legislative assemblies is negligible.

Odisha is rich in mineral resources and forests, and has become attractive to industrial companies, especially those investing in mining (Figure 7.1). The state is experiencing a growth rate of 9.57% (Government of Odisha 2011), whereas the national average is 7.79%. The government of Odisha has repeatedly declared that, through capitalist interventions (particularly extraction-based industrialisation), development of the people is possible in a ‘backward state’. However, the reality is that al-
Figure 7.1: Map of Odisha
Table 7.1: Districts (study area) and adivasi women’s activism

<table>
<thead>
<tr>
<th>S. No</th>
<th>District</th>
<th>Adivasi group</th>
<th>Block/gram panchayat</th>
<th>Issues of focus</th>
<th>Contact points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Khurda</td>
<td>Sabara</td>
<td>Begunia block</td>
<td>Alcohol sale and alcoholism among men, domestic violence, adivasi identity</td>
<td>Women leaders of the federation formed by CARD (NGO); also interviewed their men</td>
</tr>
<tr>
<td>2</td>
<td>Nayagarh</td>
<td>Kondh</td>
<td>Baisipalli GP in 33 sanctuary area villages</td>
<td>Alcoholism among men, access to basic services and livelihoods</td>
<td>Women leaders of SHGs of GUC (NGO); also interviewed their men</td>
</tr>
<tr>
<td>3</td>
<td>Gajapati</td>
<td>Saora</td>
<td>G. Udaigiri block</td>
<td>Alcoholism among men and women’s participation in local governance (the panchayat system)</td>
<td>Women leaders of SHGs of IWD (NGO)</td>
</tr>
<tr>
<td>4</td>
<td>Kalahandi</td>
<td>Kutia Kondh</td>
<td>Karlapat Sanctuary area in 19 villages of three GPs</td>
<td>Forest Rights Act (FRA) – individual and community rights over forest land</td>
<td>Women and men leaders working for Vasundhara (NGO)</td>
</tr>
<tr>
<td>5</td>
<td>Rayagada</td>
<td>Jhodia Paroja Kondh</td>
<td>Kashipur block</td>
<td>Mining and industrialisation, adivasi identity</td>
<td>Leaders of women’s collectives. Special interview with their most popular political leader (Sumani) associated with Agragamee (NGO)</td>
</tr>
</tbody>
</table>
though there are somewhat high rates of growth, these do not translate into development for the rural/adivasi communities, whose livelihoods are destroyed due to such a market-based approach to development (Haan and Dubey 2004; Padel 2010). The current form of development has led to rapid socio-economic changes that have been detrimental to the adivasis, such as displacements, human trafficking, increasing domestic violence and alcoholism.

**Marginalised spaces of resistance**

Adivasi women activists in the study areas have gained strength and visibility. Some examples of their successes include the restriction of illicit liquor sales in their area, stalling the process of extraction-based industrialisation, resolving conflicts at the village level, controlling the level of domestic violence, which has resulted in newly-instilled confidence in women to interact with the police and district administration, and newfound respect from local political leaders and non-adivasi villagers.

Activism among adivasi women typically begins with the formation of a self-help group (SHG), named a Sangha (women’s federation), where issues other than livelihoods are raised after membership and regularity in collection of money have been achieved. Activism starts with comparatively simple issues (savings and credit), and, as the groups gain strength, complicated social issues affecting the lives of adivasi women are dealt with. With the support of an NGO/civil society organisation, adivasi women are able to chart out their course of activism. Initially, facilitation by the NGO was required, but we were informed that in most cases, the groups undertake action independently after three or four years. In Khurda district, for example, some major changes have taken place due to the adivasi women’s sustained activism. Initially, they formed a Sangha in 2001, assisted by a local NGO that was funded by an international organisation which had gained experience in gender-sensitive planning through external support. The NGO leader is highly respected and has considerable influence on the adivasis, but the Sangha has been responsible for its own savings, rallying and campaigning. Since the start of the group, its achievements have included a successful anti-liquor campaign and a new system to provide assistance for people who have helped women in court cases on divorce. Settlement of land disputes, provision of adivasi certificates and institutional credit for different programmes have been
serious issues of concern, and the group has approached various government departments for help. The group also obtained permission to lease land for a cashew nut farm, and have formulated new plans for housing, water pipes and other development programmes. The popularity of the women's group is such that today, non-advasis come to them for advice on settling disputes at the village level. Their leader, Jayanti Nayak, ran for panchayat elections (local level administration) and won her seat in 2012 as Sarpanch (panchayat chief).

The adivasi women activists in Nayagarh district formed a Sangha with the assistance of a local NGO. Initially, they were very attentive to what they were learning from the NGO, and they now claim that they are in a position to be active without external support. Their economic situation and savings have improved as members of the group produce handicrafts for sale. Additionally, they have managed to arrange for male and female youths to be educated and to participate in the Sangha. According to the members of the group, however, any further achievements will depend on more respect from husbands and male authority members, and on environmental protection regulations and cooperation from local authorities. Furthermore, they express the need for support from the external donor in order to negotiate with authorities (the district, block, banks and police), as their husbands and male family members do not help them in this regard. One very disillusioned woman said: ‘I am now doing everything. My husband is drunk all the time and it is easy for him to let me do everything now.’ Most of the other women we talked to shared the same experiences and sense of disillusionment. In such situations, it is impossible for the SHG to scale up its activities and their activism has become stunted.

In Kashipur (Rayagada district), adivasi women fight against the threat of forced displacements and user rights to land. The source of the conflict is the company, Utkal Alumina International Ltd (UAIL), which exploits the rich bauxite resources of the region from the Baphli Mali Plateau in collaboration with other national and international companies. The resources used by the local communities are under threat. Sumani, an adivasi woman leader, said:

The natural resources – our lands, hills, forests and springs – give us our livelihoods. We also have our sacred groves (Gods) there in the forests. If our forests and land are gone, we will have nowhere to go as the
money is of not much use for us. We have learnt to cultivate our lands and collect from our forests. What will we do with the money given to us? We are still not clear what the UAIL company will do for us and there is no one to tell us about that. The government is least concerned about us and is supporting the corporate companies to displace us from our habitats. But we will keep fighting till the end.

The other major issue is the long-drawn fight for adivasi identity. Sumani’s community is the Jhodia Paroja population, which is spread over 85 villages and concentrated in Kashipur block. She has been engaged in demanding adivasi status for her people since 2002. The Jhodias had enjoyed their adivasi status (constitutional right which entitles the adivasis to get certain privileges) till the late nineties after which they have been categorized as Other Backward Castes (OBC) by the government. The Jhodia adivasis allege that it is a planned conspiracy by the state to favour corporate houses to acquire land for industries. However, the Rayagada district administration is of the view that the Jhodias deserve the adivasi status (discussions with government officials 2009 and 2010). As a mark of protest the Jhodia Parojas boycotted the 2009 election and the 2011 Census, where they refused to be enumerated and included as OBCs. The struggle is on and women seem to be raising the issue in all forums. These examples illustrate the spirit that underscores the protests by adivasi women, including those in the other study areas. Their main concern is with privatisation and market-based ‘company culture’ coming into their areas, which would cause them to not only lose their livelihoods, but also their freedom, safety and identity hence affecting their body spaces, which are increasingly becoming restricted and ‘colonised’ (Scott 1996).

When we talked to the women leaders whom we referred to in the introduction, we found that their strategies are diverse, depending on their personality, ethnicity, age and location. The senior activist Tulasi Munda, who fought the hard way to gain her position, believes in attitudinal change:

I used to provide training to the poor people with an objective to ensure their livelihood. The exploitation is going on because we have no proper means of governance. Power should be given to Gram sabha [meeting of all adults of a village]. For village development, villagers should be given the power to plan and decide for themselves. I don’t want to enter into
politics, because there is a lot of corruption. I have been offered *Rajya Sabha* [Upper House of the Parliament] membership, but refused. The future is in the hands of people. If people understand that the money is ours then they will not allow bad things to happen.

Subhasi Nayak, the younger, assertive leader who aspired to become *Sarpanch* said:

We have created a grain bank, a cashew plantation, and negotiated peace with Oriya neighbours. We have created peace and harmony, food to eat and clothes to wear, and assets for ourselves like jewellery. With household peace, we could also ensure peace at the community level. Now, the Oriya caste people of the village contact us to solve their disputes. This has added credibility to our group. Earlier, we were considered untouchables. We are now confident of engaging with the district administration policy and block office, for different kinds of work. [The local NGO] and local branch of the Communist Party support us a lot. Most important now is to get certificates of our adivasi status as Sabaras. We are classified as OBC [non-divasis], which prevents us from improving our status.7

Like the Jodhias, the fight to re-instate adivasi status shows that, despite the Hinduisation of the Sabaras, their leader has become aware that their adivasi status is better than that of low-caste persons, due to their constitutional privileges. Such activism among the Sabara women has made people in their community question existing authority structures. Another positive outcome of Sabara women’s activism in Khurda is that younger generation women (both unmarried and married) are being encouraged by their mothers and mothers-in-law to participate in activist events. The older women provide support by taking care of the daily household chores, so that younger women are free to engage in activism, hence the struggle is passed on from one generation to the next.

In Gajapati district, adivasi women have found space in the *panchayati raj* system (local governance), which has boosted their confidence as responsible public citizens. Despite the mandate of exerting their power and decision-making as *Panchayati Raj* Institution (PRI) members, they face resistance from men in the public domain. With the support of the Institute of Women’s Development (an NGO), adivasi women in G. Udaigiri block have been able to take on issues relating to alcoholism (increase in sales and consumption) and administrative
issues at village level (selection of people below poverty line, operation of the public distribution system, plans for development projects) for the functioning of the panchayat. One male villager said that, before the PRI membership, women were invisible: 'Women contribute effectively to the political process through local governance [panchayat], but they remained invisible for a long time.'

However, contextual differences exist. In Nayagarh district, which is located within a wildlife sanctuary, men and women cannot move freely and do not receive services that they would otherwise be entitled to, such as piped water, schools, medical services, electricity and roads. The environmental protection of the area does not take into consideration the fact that adivasis of 33 villages have been living there for centuries and have nowhere else to go, and hence cannot access services elsewhere. People also face restrictions on their access to and use of minor natural forest products. Here, too, women have established Sanghas and fight against alcoholism among men and associated domestic violence, albeit with limited success we found.

The activism described above shows how body spaces and spaces of resistance are intertwined. Activism generally starts with issues affecting women's individual body space, such as poverty, alcoholism, domestic violence, displacements and marginalisation, which impact on how resistances are created collectively and, as will be shown in the ensuing sections, change gender relations. Simultaneously, women’s activism relies on support from external organisations in most cases. It seems that men have taken a back seat and allowed their women to become more visible and active in the public domain, as they are less forthcoming in view of the nature of the activism of the adivasi women.

Body spaces of adivasi women and men

Alcohol abuse and changing gender relations

Our first field visits were to two villages in Khurda district, where we talked to one group that we found extremely active and strategic in their fights against increased sales of alcohol. In recent years, non-adivasis from outside have set up unlicensed liquor stores in the villages, which have led to increased alcoholism among men, both young and old. It is mostly low-quality country liquor that local people can afford. A negative side effect of this consumption has been increased domestic
violence towards women. In the past month or so, adivasi women have engaged in targeted rallies in seven villages around Girigiria, where they have checked the illicit brewing and sale of liquor (country liquor is considered illegal) that has increased in the area over the last five years. Around 100 women belonging to three panchayats of Begunia block have moved around in seven auto-rickshaws to catch the culprits. They have collected fines to the tune of Rs 19,000 (1 USD is 64 Indian Rupees) so far. The culprits have paid up, in fear of getting arrested by the police. The money collected has been used by the adivasi women for auto-rickshaw fares and other logistical support.

A major difference noted in our study was the distinction between adivasi women's positions in formal and informal structures. In informal structures, such as the SHG (Sangha) groups, we found women to be stronger in activism protesting against the government for not checking the growth of un-licensed liquor vendors and the illegal sale of alcohol in the villages. Whereas, in formal structures like the panchayats where women are also represented, they have less influence as political leaders in the society. The insights gained from the five study areas indicate that the self-help groups established by local NGOs are one of the strong starting points of adivasi women's activism. In none of the cases were men's groups found to be readily available. Secondly, NGOs have found it convenient to work with women's groups to further their interests and support local activism. It was observed that men's groups did not fight against the trade of alcohol and increased alcoholism. Such differences between men and women in activism show that body spaces as spaces for political acts are gendered.

However, the same SHG women leaders, when elected to the panchayat as formal leaders, have not been active, and seem to have been co-opted by the system where they feel that their hands are tied. The Sarpanch (elected head) of the Pichukuli panchayat, Jayanti Nayak, Block Chairperson Pramila Nayak and Ward Member Nyasa Nayak are all adivasi women from the village of Girigiria. The adivasi women's groups of Girigiria village have been successful at networking with the male Sarpanch of a neighbouring panchayat (Sanapadar) and the Bazaar Committee of Pichukuli (association of traders), and have obtained their support. From Girigiria village, Subhasi Nayak (Sangha leader) is the most active and is spearheading the movement through targeted rallies.
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These rallies are more like a raid, through which the women clamp down on culprits, usually alcohol brewers and sellers in different villages. They refer to the culprits as Assamee (fugitive) and fine them.

Said Subhasi, secretary of the women’s federation:

The sarpanch and chairperson of the block after occupying their positions are not cooperating with the Sangha women who play a pro-active role against alcohol sale. They do not want to come with us to rallies as they feel that they will lose face in the community.

This implies that in spite of the fact that women are successfully networking with males like the Sarpanch mentioned above, they are in formal political structures generally unable to raise issues like increasing sale of illicit liquor and domestic violence against women. Thus, even in situations of formal power, women do not effectively exercise their power, indicating control of their body space. This was confirmed by Pramila (strong Sangha leader elected as ward member to the panchayat): ‘I cannot go to the rally organized by Sangha women against liquor sale, as we are now in responsible positions and it is very odd for me to go in the rallies’, implying that she could not challenge the authority structure that she was part of. The local panchayat is dominated by men, especially the panchayat secretary and the block level male authorities (Hindu Castes) who always push their agenda. Besides, adivasi women’s representation in the PRIs is not taken seriously by men from Hindu castes who hold formal responsible positions in the system. Hence, there is a divide between the Sangha members and the PRI women. This disconnect has led to problems at the village level, but the Sangha women do not want to aggravate the problem, as their major aim is to reduce the sale of alcohol (both licensed and illicit) in the village. The Sangha women thus seem more vocal than the PRI women. They have been able to network with a number of stakeholders – the police, the district administration, the bazaar committee, the political party (CPI) and legal bodies. They have also been successful in shaming drunken men in public by tying them to a pole in the middle of the village and prohibited them from entering their own homes. This practice was discontinued after the men had asked for forgiveness and stopped their excesses. From these examples we learn that there is a disconnect between the formal political representation of being a female sarpanch and working in a SHG, which is an informal space of resistance but still influential.
Many men are not happy with the activism of women, especially with respect to the hindering of alcohol sales in the village. Most men initially objected to their activist wives staying out of the home for long hours. However, when they saw results in the form of the closing down of alcohol shops and the readiness of the district administration to support women in their endeavors, a few men started to support their activist wives. This support was not only about alcohol sale, but it was also about obtaining leases on lands for cashew plantations, fighting for adivasi certificates and improving the government delivery of services such as public distribution systems (which would bring in subsidised food grains). As Guna Nayak (a villager in Girigiria) suggested:

I am proud of my wife, as she has been able to do so much despite so many odds in the village. I cannot do the same. I stay at home because I am unable to get work throughout the year. But she is busy all year round with wage work as well as activism along with the women’s group. I used to drink a lot but now I do only in some occasions.

Most households are sustained by the earnings of female immigrants, whose labour is in demand for seasonal agriculture work or stone crushing. The changes in income providers have led to changing gender relations, as husbands are compelled to stay at home and look after children and the elderly. On the other hand, these changes have made gender relations more conflict-ridden and harmful to both men and women’s bodies. As Kundana (a village woman) said:

Men began a strong campaign against women by branding us as witches engaged in black magic and harming innocent villagers. But this did not deter us from continuing with our fight. When some men attacked women and threw away the wheat meant for children in the village daycare centre managed by women, around ten women came together and beat up the men.

Such violent resistances show not only a high level of gendered conflict but also emerging women power in the villages. Based on these examples, it appears that women’s activism has an impact on men’s behaviour, indicating dynamic gender relations. Yet for some men women’s activism seems to add to their frustrations about being unemployed or redundant in the new market economy, leading to increased consumption of alcohol and affecting women’s body spaces negatively, with increase in domestic violence and abuse.
Fighting for livelihoods and resources

Adivasi women’s activism in the Kalahandi district in the Karlapat Wildlife Sanctuary is focused on asserting rights to forest land through the Forest Rights Act (FRA) of 2006, which came into force in January 2008. Vasundhara, an NGO working primarily on natural resources and the livelihoods of rural communities, intervened to develop awareness about the FRA and to facilitate claims for both individual and community land titles. They started their work in 2010 by forming a Forest Rights Committee of which 50% were women, and were able from the start to mobilise both women and men of the Kutia Kondh community. However, it is women who took much more interest than men in claiming their rights to the forest. Sujata (a female NGO staff member) said:

Women came forward in large numbers and seemed more concerned because they spend a lot of time in forest collection for their daily needs (flowers, fruits, small timber and grass) and are closely associated with the changes that occur in the forests. Men seem to go to the forest only when there is a need to cut big timber or some logs.

There were several small achievements that emboldened the adivasis (in general) and women (in particular) of Karlapat to take on issues of rights with the administration. One such case was that some men were falsely implicated by the Forest Department for felling big trees. The police arrested five, six men and took them in a vehicle to the police station. About 20 women blocked the road with big stones and stood there with lathis (big sticks) in their hands. They did not let the police vehicle with the arrested persons pass. Some recounted how the police had barked at them: ‘Gundagiri [being aggressive and rowdy] is going on here. What is this? We will arrest you as well.’ One adivasi woman retorted: ‘We have not shown gundagiri yet. We will not allow you to leave this place… If you want to leave this place alive, let our men go.’ The police were forced to free the arrested adivasi men. This case also shows how adivasi women were empowered enough to deal with the district administration: the collector, the block development officer (BDO), the tahsildar (land revenue official) and the police. Prior to the FRA, women felt like thieves in their own forests, as the forests were classified as protected areas. They had to bribe the forest rangers in order to take small items from the forest. Women also told how some of them had
been molested by forest guards when they went to collect some non-timber forest products. These are examples of oppressive politics and show that inferior, marginalised bodies are easily subject to epistemic violence (Spivak 1986).  

In Tentulipadar and Jakam villages of Karlapat, people raised the issue of community rights over forests. Individual claims were encouraged by the government, whereas community claims were stalled in all cases. When the forester came and marked the area for mapping, people did not want individual rights but community rights, which meant rights over all the forest lands to which they had access as a community. The area under dispute was around 60 km in radius – within which the adivasi groups would collect fruits, flowers, honey, small animals, small timber, firewood, mud and big timber, and control access to a sacred grove. The Forest Department (FD) was reluctant to give community rights. Five villages were involved in the discussion on community rights and claims. There were about 80 women and 20 men in the meeting. Following this meeting, the adivasi women went around with the Revenue Inspector (RI) and forester to demarcate the community forests. The officials did not agree to the area that was demarcated and demanded by the women. However, the women were adamant and would not accept any less land. The struggle still continues and the women refused to accept individual rights until community rights were agreed upon by the FD. The reason why women want community rights prior to individual rights is because women go for forest collection in groups, which is part of their daily routine. Sandhe Dei (an adivasi woman leader) said:

We have made the RI and forest ranger to go around with us to demarcate the community lands, but they got tired after walking some distance. We were determined to show them the entire area, but they refused on some pretext and asked us to settle for less area to which we vehemently refused. The matter is still not settled but we are all united and not giving up till then.  

Sujata, an NGO worker, added further:

Initially in 2008, when Vasundhara started to work with the adivasis in Karlapat, men were very keen to participate and would not allow women to come forward. However, when women started to take interest in FRA matters and were successful in getting things done, men started to take a back seat. Women’s groups emerged as a strong force and made a
name for themselves in achieving a positive impact that benefitted their communities. Men also appreciated their efforts.

Sujata was also of the opinion that some men fight with their women especially if the meetings continue for long hours outside the villages. Most women, however, resist and continue with their meetings. But if the meetings are inside the village, they face no problems. Of late some men have begun accompanying their women to meetings. This again brings out the complexity of women’s activism and underscores the fact that body space is entangled with spaces of resistance.

Rayagada district in South Odisha is an adivasi-dominated area, where Agragamee, a well-regarded NGO, has been working for the past three decades with a rights-based approach to adivasi people’s empowerment. Kucheipadar and its surrounding villages in the district have been the seat of many conflicts between the local communities (Jhodia Paroja and Kondh adivasi groups) and the administration. Utkal Alumina International Ltd. is planning to set up a bauxite extraction plant in the area. It has received all necessary clearances for starting its activity (open cast mining and bauxite processing), however the stand taken by the local adivasi communities has made the company unable to start its operations. People are aware that, with the extraction of bauxite, they will be displaced and their natural environment will be completely destroyed, leaving them with no livelihood base. Despite several petitions to the government to halt the mining process, there has been no clear response about the fate of the local communities. The local adivasis have decided to protest and, more than ten years ago, started a resistance movement that has prevented much of the mining work, stopped entry of company vehicles into the area and expressed the community’s dissent through rallies (Das 2010).

Although the movement was started by both women and men, it is the adivasi women who have spearheaded a lot of the action against the state. They have been much more articulate about the changes that mining will entail and have refused to be co-opted by the company. Sumani (adivasi leader) said: ‘Some men have accepted money and jobs offered by the company, but women are unanimous in their refusal to give in to such pressures and attractions.’ Vidhya (NGO leader) said: Adivasi women are silent, but not dumb. They are not ignorant and unaware of the injustices done to them and their children for generations. They
have finally broken out of their passivity to assert their rights. There have been several confrontations between the state police and the adivasis, in which women and children have been pushed and beaten with lathis (batons). In 2000, the police fired upon the adivasis in the Maikanch village of Kashipur, killing three protesters and seriously injuring 30 women and men. When the firing happened, women were at the forefront and confronted the police. The women were first beaten and knocked down, after which the police fired at the men.

To summarise this section, we found that women activists fight fiercely against the increasing alcohol abuse and the loss of livelihoods and resources. In Khurda district, adivasi women's activism is directed against alcoholism and domestic violence, and also for adivasi certificate. In Nayagarth district, the emphasis is on the struggle for livelihoods and against patriarchy, while in Gajapati, activists' target is to obtain good governance (PRI) and justice. In Kalahandi district, Kutia Kondh women struggle for community forest rights and livelihoods under the Forest Right Act of the state, and in Rayagada district, the adivasi women protest against mineral extraction and industrialisation. The Jhodia adivasi group is also fighting for their lost official identity, requesting adivasi certificate. In all cases, we found evidence that cultural and ideological settings construct varied understandings of the female activist's body, which situate 'the body ... as a political site or place that mediates the lived experiences of social and cultural relationships' (Harcourt 2009: 292). Through such a perspective, women's bodies can be perceived as tools of activism.

**Rethinking activism**

In the empirical parts of this chapter we documented how women activists occupy and shape their trajectories of change through their own bodies (physical resistance to authorities, for instance fighting police, participating in resistance episodes/rallies), and described how they combine these trajectories with broader aspects of social change. With changes such as industrialisation, displacements, and increasing violence against women, women have become visible and active, especially with the facilitation of NGOs. Adivasi women's activism has led to changes that have been accepted by the community as successful. However, despite the activism that we see among adivasi women, the
situation that confronts them on a daily basis is also complicated. While some issues are resolved to some extent, others need equal attention.

With their activism against alcohol, adivasi women have been able to successfully reduce the sale, as well as the consumption, of illicit liquor among men. This success has hailed adivasi women as strong leaders capable of bringing about positive changes in some areas. Our cases show that power shifts can happen, but within limited spaces. In the Gajapati district, adivasi women have been able to express themselves through the *panchayat raj* system (local government), challenging male dominance in the system; and similarly, in Kalahandi district, adivasi women’s newfound space for activism through forest rights has come as a boon. The rights provided by the state to the adivasis have benefited women, in that they may claim community rights over forests, which are traditionally female domains. Lastly, in the Kashipur village of Rayagada district, strong women groups have emerged in response to the state’s continuing imposition of extraction-based industrialisation policies. Such findings fit with those of other researchers, such as Nagar (2000, 2012), Staheli et al. (2004), Cornwall (2004), Nagar and Writers (2006), Rai (2008), Padel (2010) and Harcourt (2012).

Adivasi women’s presence in the public domain through protests and demands relating to their livelihoods, rights, culture, identity and safety is new in Odisha. The insights and knowledge that we were able to obtain from studying adivasi women’s activism reflect the transformatory power of their activism. While adivasi women are traditionally known to keep to themselves, working silently in agricultural groups or forest gatherings, it is only during the past decade that they have become active in the public domain. This has happened because women, who had been found in the village most of the time, could be organised by the NGOs. Slowly, women came to the forefront of struggles and men took a backseat, though not an altogether an invisible one. Women were eager to participate and to come forward, despite conflicts in their households. Institutional support, first and foremost by NGOs, became a key factor of success and, subsequently, the groups became strong and gained acceptance from the village community (i.e., from non-adivasis, husbands and politicians). Over a period of time, with women’s activism leading to positive results – there were changes in men’s attitudes and gender relations. Men, however, tended to take a lesser role and allow women more space for their
activism. This is clearly visible where women have emerged as strong leaders with sustained activism and positive achievements. In the cases that we have examined, Karlapat in Kalahandi (in the struggle for forest rights), Khurda (in the fight against increasing alcoholism) and Kashipur (in the fight against mining), we found changes in gender relations, whereby men shifted from placing barriers to providing support. In other cases, we can say that women's activism is still evolving. The exception is Nayagarh women's activism which has reached an impasse, as men and local authorities hinder further development of women's activities. This situation indicates epistemic violence (Spivak 1988), and shows how activism and gendered practices intersect with other factors of exclusion (such as caste, class and ethnicity) in people's lives that have implications for their bodies and (body) politics, in this context leading to shrinkage of body space.

By unravelling activism from below (Harding 2008), we found that group formation and mobilisation take place in different interdependent stages, from self-help group formation to a consolidation stage where scaling up and networking take place and women gain a strong political voice. In the formative stages, SHGs' involvements with NGOs contribute to improving activists' capacity to act, but their ability to empower is limited, as their social spaces are restricted and there is a need to go beyond SHG formation alone. During our fieldwork, we learnt that some women's groups are very effective at mobilising for change, while, in other cases, women's groups have come to a standstill in this regard, particularly because of a lack of voice or political representation. In both cases, the NGOs are active in the study areas and have played different roles in fuelling activism and its consequences. Hence, there is a continuum of collective mobilisation/activism, and also a need to build bridges between knowledge about the lives of adivasi women, their leaders and practitioners. In order to do so, women's public work has to reach out to many more participants to become more effective.

At a more general level, this study concurs with the work of other scholars who have documented how women have been losing due to industrialisation and other capitalist development policies (Sassen 2000; Harcourt and Escobar 2002; Cornwall 2004; Visvanathan et al. 2011). Furthermore, even though women's spaces of resistance have
been effective, their achievements continue to be negatively affected by national development policies and practices. In our study areas, adivasi women’s activism was found to be structurally positioned in present-day society and thus faced with various forms of exclusions. By linking the effectiveness of activism to experiences of body space, we understood better how achievements and marginalisations take place at individual and collective levels. For example, women’s activism takes place in a domain in which they must fight against limited access to resources and their gender concerns are often silenced. Nevertheless, they are making significant changes. This finding corresponds with the work of Krishna (2012) on how women manage to reclaim resources in marginalised situations.

Two major challenges remain for activist groups aiming to impact on adivasi women’s lives in Odisha. First, most SHGs have contributed to make women visible in public and political spaces at the local level. However, most groups are unable to scale up their activism due to patriarchal norms, social and political divides and location. Second, the body spaces of the activists – both leaders and grass-roots members – are caught in a complex web of the politics of the Indian state, Hindu culture and patriarchy. Their body spaces are invaded by these processes, hence are ‘colonised’ (Low 2013). Unfortunately, we find that the voices of the adivasis in general are still marginalised and suppressed, despite their activism and the assistance given by local NGOs. Adivasi women themselves, however, are of the opinion that they have made a mark in public space and have brought about changes towards improving their lives.

**Contributions to rethinking gender**

Our attempt to revisit women’s activism in this chapter was achieved through an analytical approach that is grounded in the individual human being and lived realities, while, at the same time sensitive to context and gender relations. By revisiting adivasi women’s activism we were able to rethink gender in a context that is facing contemporary dramatic cultural, societal and economic changes. This approach enabled us to rethink gender in three salient ways.

First, we learnt about how women activists strategise from marginalised positions and combine their body space with broader aspects of
social change. Even though our primary focus was on women activists, we learnt how men’s and women’s roles and relations are changing, both within and across public and private spaces. Likewise, the spaces of resistance metaphor provided insights into gendered processes of exclusion. Unravelling both the voices of men and women brought new knowledge about what constitutes activism on the ground and whether this activism is effective. We found that it is still essential to learn about how women gain a political voice, but without knowing about the voices of men we cannot understand the significance of gender in the resulting processes of creating positive social change. Gender must also be understood with respect to marginalisation by other processes of oppression, such as ethnicity, class, location and development policies.

Second, we found that activism changed gender relations in positive and negative ways, indicating that gender relations are contextually defined, fluid and in constant change. In this study, change in gender relations was seen in terms of men not only supporting their wives in the public domain, but also at home through sharing household tasks. We also found that women have become stronger than men in public spaces, while men’s frustration over this is expressed in increasing alcoholism. Simultaneously, adivasi women’s resistances were well accepted by NGOs and the communities. Once women succeeded in achieving a particular goal, they were strongly identified with the issue, while men were often sidelined. Also, after critically examining political leadership by women, we realised that it comes with flaws: although political leadership is a key gender goal, female leaders do not necessarily support women’s struggles in the Sangha since these political leaders are afraid of being sidelined. This suggests that relations between women are also shaped by greater gender power relations. Such findings shed light on how power and social difference intersect at multiple societal levels and in this case severely delimit the shared interests among men and women of the same oppressed group.

Third, we found that activism has changed attitudes and awareness. Our focus on women and men added new insights into how activism changes people. While gender studies tend to see men as barriers, a pattern confirmed in some of our cases, our study shows that men can also support women, or be changed by them. We realise that women are strong when they mobilise collectively, while they are struggling when
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they are alone in private space. In this sense we can talk about a collective body space that has transformative power. Men, however, seem unable to mobilise collectively on issues that are affecting the private space. This underscores that even if gender is a dynamic force, processes of exclusion take place at both individual and collective levels.

Notes

1 The quotes in this chapter were translated from the Oriya language into English by Smita Mishra Panda.

2 Indigenous people are referred to as tribals or adivasis in India. Indigenous communities also have the constitutional label Scheduled Tribe (ST).

3 A block is an administrative unit (sub-division) above the village in rural areas. Typically a number of villages comprise one block in India.

4 Several adivasi communities or groups have undergone socio-cultural change due to the influence of Hinduism. The phenomenon is also referred to as Sanskritisation where the adivasis adopt and emulate Hindu rituals and traditions.

5 Names are not anonymous in this chapter. Informed consent was obtained from the research participants.

6 Other Backward Castes’ (OBC) is an official oversight. By not having the adivasi status, they lose out on special benefits in education, reservation in government jobs or rights to land, to name a few.

7 Sabaras in other parts of the state have a tribal status.

8 One panchayat comprises five villages.

9 Epistemic violence according to Gayatri Spivak (1988) takes place when the domination of the majority populations deprives the marginalised people of opportunities and chance to be heard; their voices become muted. Hence power lies in the production of boundaries and the creation of exclusions.

10 There is politics in not allowing community rights of lands to adivasis, as the area has huge amounts of bauxite mineral (required for aluminium production) and the government would like to give licences to mining companies at some point for mineral extraction. People are aware of this fact.
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Struggling Bodies and Spaces of Resistance – Adivasi Women Activists in Odisha, India

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Introduction

Across Asia, neoliberalism, marketisation and decentralised governance have brought about profound changes for agrarian and forest livelihoods in rural areas. Reflecting the pace of recent changes, research in this area has documented the impact of commercial and conservation enclosures where intensified capital investment is evident in the rolling out of large scale extractive industries and commercial tree cropping, accelerating the commodification of land and labour, and in many places, the dispossession of smallholders and other vulnerable groups. The reach of rural–urban and transnational migration and market links into rural areas have also helped create a situation wherein rural livelihoods diversify beyond agriculture and the locality to become multi-sited. As Marxist concepts such as ‘primitive accumulation’ and ‘dispossession’ have been ‘disinterred’ to make sense of agrarian and forest transformation and exits from farm livelihoods (Hall 2012: 1188), analysis has tended to be framed around class and social differentiation, nuanced in some contexts through discussion of ‘youth’ (e.g. White 2012) or ethnicity (Li 2010; Bissonnette 2013).

The transformations being documented provide an important context in which to rethink gender and development in the Asian region. Market liberalisation brings different impacts for men and women (Julia and White 2012), livelihood diversification and exits from agriculture are marked by gender differences (Elmhirst and Resurreccion 2008),
whilst changing property regimes and access to resources are associated with new forms of gender disadvantage (Razavi 2011, 2012). Moreover, the consequences of rural transformations for social reproduction and on the restructuring of access to public resources (e.g. water, forests) for self-provisioning also have marked gender impacts (Razavi 2011), made all the more significant where household productive and reproductive strategies are multi-local. Placing gender centre-stage within analyses of agrarian and forest change would enable more complete analyses to be drawn around new configurations of gender and agrarian change in a neoliberal world (Razavi 2011).

In responding to the research agenda that Razavi (2011, 2012) has mapped out, this chapter revisits gender in rural Indonesia through an empirical study of the processes that shape gendered multi-local livelihoods. We extend Razavi’s thinking to include a little-examined aspect of change: the changing relationships between people and nature (forests, land). This shifting people–nature relationship underlies agrarian and forest transformations, and invites a more explicit feminist political ecology analysis. Our approach to rethinking gender is to draw on ‘material feminism’ – a theoretical framing that critically examines the connections between nature and society in order to offer a non-essentialist interpretation of the role of the environment in shaping gender dynamics. We see this as offering a useful framework for exploring how gender takes shape through different nature–society assemblages, and that this helps deepen our understandings of gendered livelihood transformations in specific contexts.

The chapter examines contrasting experiences in Lampung province, where rural development is marked by the rapid expansion of large-scale agribusiness (oil palm, sugar cane) and small-holder crop booms (coffee), coupled with multiple conservation enclosures and changes to resource access and property regimes, all taking place in the context of political decentralization and regional autonomy. At first glance, the transformations apparent in rural Lampung equate with analyses of ‘accumulation through dispossession’, and indeed this kind of discourse has been followed in recent conservation and social justice research (Colchester et al. 2006), and galvanised farmers’ movements in the province through organisations such as Serikat Petani Lampung and Kawan Tani, who share a concern that smallholder farmers are being displaced from agriculture but with
little prospect of employment in other sectors (Li 2011). However, a
closer examination of agrarian livelihoods in rural Lampung reveals a
more complex picture of the kind outlined by Hall et al. (2011) and
Rigg (2012) based on work in other parts of Southeast Asia. Intensified
geographical mobility enables and strengthens the links between places
(rural and rural, rural and urban, transnational), enabling multilocal di-
versified livelihoods rather than de-agrarianisation, whilst simultaneoulsy
transforming relationships with nature in situations where people hold
onto or make small-scale investments in land. Thus, everyday practices
for getting by complicate unidirectional analyses of change as multilocal
livelihoods take shape through a complex combination of displacement,
risk-spreading and aspirational strategies that continue to be embedded in
nature’s capital.

In this chapter, we examine the gender dynamics of agrarian (and
to some extent, forest) transformation by rethinking gender in natural
resource-based multi-local livelihoods. We explore this in two villages in
Lampung Province that exhibit a marked contrast in terms of economic
prosperity and gender disadvantage amongst smallholders. The villages
are located in different parts of the Tulang Bawang watershed that links
the mountains in the west of the province with the east coast. Both villages
have a broadly shared history as home to migrants from the neighbouring
island of Java who came to Lampung in search of land in the mid-20th
century, either directly through the Indonesian government’s transmigra-
tion settlement scheme or indirectly through the social networks that the
resettlement programme had inadvertently established. Today, contrasts
in their fortunes could not be more marked. The village of Tribudisyukur
lies in the Bukit Barisan national park in West Lampung in the subdistrict
of Sumberjaya and is dominated by smallholder coffee cultivation in
association with fish farming and fruit orchards. Livelihoods are being
built in situ, and value is increasingly being attached to women’s activities
within the farm sector through processing and marketing of smallholder
coffee. The second study village, Negara Jaya, is located downstream in the
subdistrict of Negeri Besar in a low-lying area zoned for plantation agricul-
ture, commercial forestry and transmigration resettlement sites. Oil palm
increasingly dominates the landscape, whilst livelihoods are, by necessity,
multi-local and increasingly dependent on remittances that have set in
train complex patterns of relative success and failure for those involved.
Gendered Entanglements

We explore the factors that account for the contrasts between the sites by deploying a ‘material feminist political ecology’ approach (Alaimo and Hekman 2008) – our approach to rethinking gender – and develop this around the interlocking dimensions of (i) gendered resource access and control, (ii) gendered labour processes, (iii) gendered social relations of production and reproduction, and (iv) the gendering of nature’s agency, understood here as the forces associated with the biophysical properties of different kinds of crops that have an active, transforming, signifying, material force. These dimensions combine in human–nature assemblages that take shape and mutate in different ways in different places, setting in motion particular pathways to gender disadvantage in the context of agrarian and forest change. Of interest therefore, is the ‘nature’ of multi-local livelihoods, the shifting relationship between women (and men) and the environment, and the kinds of gender disadvantage that this produces.

We see this method of analysis as crucial for setting out the terrain on which pathways to tackle gender disadvantage might be constructed, particularly through gender mainstreaming interventions. The chapter is organised as follows. We begin with a brief outline of the conceptual framework through which we rethink gender and how this underpins the analysis. This is followed by a brief discussion of methods and site selection. The socio-natural assemblages underpinning multi-local livelihoods in each study site are explored in detail in the remaining sections, and the chapter concludes with an extended discussion of the themes from which comparisons may be drawn, together with a discussion of the implications for establishing gender policy in forest and agrarian sectors in Lampung.

Rethinking gender and development through material feminist political ecology

In seeking to analyse the contrasts in the multi-local livelihood strategies observed in the two study sites, we rethink gender by drawing on material feminism – an emerging body of feminist theory that highlights the materiality and ‘nature’ of women’s lived experience, aspects of which have tended to be lost in theories that emphasise the discursive and socially-constructed aspects of gender difference and gender relations (Colls 2012). These kinds of gender theories (focusing on the discursive and socially constructed aspects of gender) have been important
for challenging the translation of simple versions of ecofeminism into policy approaches that target women’s labour in sustainable development initiatives, often producing new forms of gender disadvantage (Leach 2007; Elmhirst 2011). It is therefore widely acknowledged that both feminist political ecology and gender and development studies more broadly have benefited greatly from the insights into power, subjectivity and social practice that this kind of approach lends to analyses (Nightingale 2006; Cornwall 2007).

However, in seeking to avoid being labelled as ‘essentialist’, questions concerning the relationship between people (and specifically, women) and nature have been side-stepped in gender and development theory in somewhat unhelpful ways. Even in work on gender and natural resource management, nature appears as a backdrop against which socially-constructed gender identities and social relations play out through struggles over access to natural resources (Rocheleau et al. 1996, Resurreccion and Elmhirst 2008). In contexts such as rural Lampung, environmental change and the continuing embeddedness of multi-local livelihoods within natural resources suggest that the materiality of nature needs to be foregrounded within a feminist political ecology framework. We contend that much can be learned from recent contributions to an emerging ‘material feminism’ that are seeking to take seriously the materiality of the natural world in ways that redefine relationships among the natural, the human and the non-human. Here, nature is seen not as a passive social construction or pliable resource for industrial production, but as an agentic force, that interacts with and changes the other elements in the mix, including the human. A material feminist approach moves away from a singular focus on human modification of the environment and towards a better appreciation of the often unpredictable importance of nature’s agency – seen as ‘an agency without agents, a perpetual “becoming” without will or intention or delineation’ – in shaping gendered social outcomes (Alaimo 2008: 247).

To date, material feminism has not found much purchase in gender and development studies, nor even in feminist political ecology: its influence is felt more in the realms of cultural and science studies, literature and in feminist philosophy. Whilst this in part may reflect the radical rethinking of categories on which much current feminist political ecology is based (ideas about nature, human agency and culture), there is
also a sense in which some iterations of material feminism appear unable to deal head on with many of the practical questions confronting gender and development studies in natural resource settings, including changing forms of governance, gendered resource access and control, poverty and social exclusion. In the context of forest and agrarian transformation and the gender inequities that this has set in motion (Razavi 2011), materialist (Marxist or socialist) feminism, which is distinct from material feminism because of its emphasis on class relations, would seem to offer the analytical tools for dealing with contemporary rural issues where questions of labour, social reproduction and capitalism lie at the heart of what is seen to be going on (see Hall 2012). There is an argument perhaps for ‘disinterring’ Marxist feminism alongside its Marxist older brother (see Hall 2012, and the discussion above). However, as Alaimo and Hekman point out, ‘even as labour and class remain essential categories for feminist analysis and critique, they cannot encompass the materiality of human corporeality or, certainly, of nonhuman nature’ (Alaimo and Hekman 2008: 18).

It is here that material feminism, which ‘rematerialises the social and takes seriously the agency of the natural’ (Tuana 2008: 188) may be important. This perspective sees humans and nature not as a straightforward duality (in which people impact on the environment and the environment impacts on people) but more as a mixture of human and non-human elements that interact in the form of assemblages. These assemblages – ‘products of multiple determinations that are not reducible to a single logic’ are complex conjunctions of culture, history, discourse, technology, biology and the ‘environment’ that are emergent and shifting: ‘assemblage implies heterogeneous, contingent, unstable, partial and situated’ (Collier and Ong 2005: 12). Thus many of the concerns highlighted in more familiar materialist (Marxist) feminism are embraced, but the discussion also foregrounds human–nature interactions. A key focus for material feminism is seeing the forms that emerge as the elements noted above interact, without privileging any one of those elements as having a unitary causal logic.

Using these ideas to develop an interpretation of the gender dimensions of agrarian (and forest) change in rural Lampung and in particular, to explain contrasting livelihoods and pathways of gender disadvantage in the two study areas requires a series of conceptual steps that move...
from the descriptive to the analytical. In so doing, we draw on sustainable livelihood approaches (Ellis 2000), materialist feminist analysis of the gender dynamics of labour, migration and property relations (Razavi 2011; Ribot and Peluso 2003), and material feminist analysis of nature’s agency (Alaimo and Hekman 2008), with the aim of showing how gendered livelihoods and property relations are embedded in a sense of the vitality of nature and natural processes. These conceptual steps equate roughly to a series of questions around which the remainder of the chapter is organised: (i) in what sense are gendered livelihoods multi-local in the two study sites? (ii) how do multi-local livelihoods work (through the gendered labour dynamics of households)? and (iii) why do they take the shape they do? In relation to this latter question, a key idea is that variations in the form taken by multi-local livelihoods reflects changing relations with nature and the environment in two ways: first, through changing patterns of resource access and control, and secondly, through the agency of nature, understood in terms of the ‘nature’ of different kinds of tree crops and their entanglements with human agency of various kinds. Thus, the chapter rethinks gender by ‘bringing nature back in’ to consider the ways in which different kinds of engagements with nature produce particular constellations of gender, and from this, contrasting livelihood pathways.

**Background to the study villages: Tribudisyukur and Negara Jaya**

Both study villages are located in Lampung province on the southern tip of the Indonesian island of Sumatra. Tribudisyukur is located in a hilly area within the Bukit Barisan National Park, a protected forest. Historically, cultivation in this area was dominated by swiddens and, since the 19th century, the integration of coffee into swidden systems, primarily initiated by migrants from the Semendo ethnic group to the north (Benoit et al. 1989; Witasari 2010). The second study village, Negara Jaya, is a transmigration settlement located lower down the landscape gradient on the relatively infertile peneplain: an area which historically was sparsely populated by ethnic Lampung groups cultivating swiddens close to the many rivers that traverse the region. Whilst there are marked differences between the two localities in terms of bio-
physical features and history of agriculture and forest development, the people in the two villages have a shared history. Both populations were part of the mass migration to Lampung from Java that began in the early part of the 20th century with the Dutch colonial authorities’ Kolonisatie programme, but that took off in earnest in the 1950s and particularly through the 1970s when official resettlement from Java to Lampung was expanded through waves of people coming to Lampung in search of land and livelihood, moving independently of any government programme (Benoit et al. 1989; Elmhirst 2012).

In the 1970s, many of these migrants came from Java to the uplands of west Lampung where there were opportunities for labour and access to land in so-called state forest areas: a migration fuelled largely by a boom in coffee prices. Most shared similar ethnic origins (either as Javanese or as Sundanese) and Islamic identities, and with that, similar gender ideologies and practices. Both Javanese and Sundanese women were heavily involved in both productive and reproductive work, there was a cultural disposition towards women being in control of household finances on a day-to-day basis, and issues of land access and control were largely dominated by men, even where women were named as titular land owners. These characteristics remain largely true today.

The provincial government’s local transmigration programme (Translok) in the late 1970s brought into being the divergent pathways that we see today in the two villages. Negbara Jaya was founded as a transmigration settlement for migrants from West Lampung (including the area around Tribudisyukur) who were forcibly relocated from protected areas. This set in motion a very different livelihood trajectory to what is now seen in Tribudisyukur. Since the late 1990s, for those that remained in or returned to West Lampung (including Tribudisyukur), changing approaches to forest governance, coupled with attention from international research organisations and local NGOs who were seeking better solutions to deforestation by migrants in the area, relaxed the ‘fortress conservation’ approach that had forcibly displaced coffee-cultivating migrants in the 1970s and 1980s, and began to replace this with models of social forestry that allowed coffee farmers to remain, providing they participated in reforestation efforts.

Today, there is a marked contrast in livelihoods between the two study areas that cannot be accounted for by the piedmont/peneplain
Table 8.1: Selected field-site characteristics

<table>
<thead>
<tr>
<th>Landscape features</th>
<th>Tribudisyukur (sub-district of Sumberjaya)</th>
<th>Negara Jaya (sub-district of Negri Besar)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Piedmont with steep slopes, fertile volcanic soils</td>
<td>Peneplain, gentle slopes, relatively fertile lowlying areas prone to flooding, infertile uplands</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Settlement and migration history</th>
<th>Tribudisyukur (sub-district of Sumberjaya)</th>
<th>Negara Jaya (sub-district of Negri Besar)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Semendo from south Sumatra (arrived in 19th century), 20th century migrants from Java (Sundanese and Javanese), second generation migrants from transmigration areas (nearby resettlement sites for army veterans established in 1950s)</td>
<td>Founded in 1982 through the local transmigration (Translok) programme; Javanese and Sundanese relocated from West Lampung. Second-generation transmigrants and newly arrived migrants from other areas</td>
</tr>
</tbody>
</table>

| Land use | Robusta coffee fields, simple irrigated rice, fishponds and mixed fruit gardens. | Food crops including rainfed rice, soya and maize. Some smallholder oil palm and rubber. |

| Resource tenure | Part of Bukit Barisan protected forest; social forestry, some private land ownership | Private land ownership, some certificates (for transmigrants). Some conflict with local people and plantations over land |

| Government programmes | Project for Strengthening Community Based Forest and Watershed Management, Ministry of Forestry, RASKIN (Rice for the Poor) programme | Translok programme in 1980s, Inpres Desa Tertinggal programme in 1990s* RASKIN (Rice for the Poor) programme |

| Community organisations | Women's farmer group, Farmer groups (social forestry), Labour cooperatives PKK women’s group**, Posyandu (mother and baby clinic with savings group), Prayer groups associated with mosque. | Farmer groups PKK women’s group (partly active), Posyandu (mother and baby clinic with savings group)***, Prayer groups associated with mosque. |

| Presence of NGOs- | International and local conservation organisations. | None |


* Instruksi Presiden Untuk Desa Tertinggal (IDT) – presidential instruction for less developed villages.

** PKK = Pemberdayaan dan Kesejahteraan Keluarga (‘family welfare and empowerment’).

*** Pos Pelayanan Terpadu (‘Integrated Health Service Post’).
agroecological distinction alone. Tribudisyukur is relatively urbanised, well-linked to market centres, and here, smallholder coffee cultivation takes place. Compared to Negara Jaya, there is relatively little outmigration, other than of children for education, and as the next section suggests, multi-local livelihoods are comparatively under-elaborated. There remains a strong connection to agrarian and forest-based livelihoods as a source of prosperity. By contrast, Negara Jaya remains remote, roads are poor and marketing is problematic. Although Negara Jaya was originally planned by the transmigration authorities for smallholder agriculture, those living there have never been able to survive through this alone: hence, livelihoods are markedly multi-local, and are dominated by income drawn from rural–rural, rural–urban and transnational migration.

Data for this chapter derives from two separate studies that broadly share a qualitative methodology based on interviews, observations and focus group discussions, that sought to document livelihoods, natural resources and women’s empowerment in the two study sites. The Negara Jaya research built on and extended earlier fieldwork undertaken in 1998 and 2005, and therefore dealt more explicitly with processes of change, whilst the Tribudisyukur research was undertaken as part of a baseline study for gender mainstreaming initiatives in the forestry sector. The authors also conducted joint field research in both sites in 2013 to update and develop comparisons of the features of multi-local livelihoods, and it was during this phase of the research that stark contrasts emerged, particularly in terms of the productive and reproductive activities of women, their varying relationships with nature and the outcomes for gender disadvantage, which we seek to interpret in what follows. Thus, whilst our initial research projects were not designed as a comparative study, the comparison emerged iteratively, during the investigation process.

**Contrasting multi-local livelihoods in Tribudisyukur and Negara Jaya**

Multi-local or multi-sited livelihoods are a feature of rural (and urban) areas of Asia, where households (and individuals) seek food security by deriving income from a variety of sources that are often geographically dispersed (Lund 2013). As Thieme (2012), notes, multi-local strategies
Table 8.2: Gendered multi-local livelihoods in the sub-districts of Sumberjaya and Negeri Besar

<table>
<thead>
<tr>
<th>Tribudisyukur</th>
<th>Negara Jaya</th>
</tr>
</thead>
<tbody>
<tr>
<td>Household reproductive work</td>
<td></td>
</tr>
<tr>
<td>Cooking, cleaning and taking care of children (women)</td>
<td>Cooking, cleaning and taking care of children, collecting water (a minority of households have a well or access to piped water) (women).</td>
</tr>
<tr>
<td>On farm</td>
<td></td>
</tr>
<tr>
<td>Men and women involved in cultivation of robusta coffee, fruit trees, fish ponds. Cultivation of sawah tadah hujan (rainfed rice). Women: collection of non-timber forest products (e.g. honey)</td>
<td>Men involved in oil palm cultivation, men and women involved in sawah tadah hujan (rainfed rice). Men involved in rubber cultivation. Women: some additional food cropping on home garden</td>
</tr>
<tr>
<td>Engagement in local off-farm/non-farm work</td>
<td></td>
</tr>
<tr>
<td>Labour sharing at harvest time (men and women); participation in social forestry communal labour (men and women); agricultural processing, sale of processed goods (women); motorbike taxi (men)</td>
<td>Wage work on others' fields, daily labour in nearby sugar plantations (men and women), a small number of households have small shops. Some collective labour (men: road maintenance, housebuilding, women: cooked food for community occasions – infrequent)</td>
</tr>
<tr>
<td>Rural–urban migration</td>
<td></td>
</tr>
<tr>
<td>Migration for education (supported by farm income)</td>
<td>Some migration for education among wealthier households</td>
</tr>
<tr>
<td>Rural–rural migration</td>
<td></td>
</tr>
<tr>
<td>Rare; occasional circular migration to plots in other parts of Lampung (men)</td>
<td>Common for men (wage work in coffee fields, cultivation of family plots in neighbouring Bengkulu province); rare for women</td>
</tr>
<tr>
<td>Transnational contract migration</td>
<td></td>
</tr>
<tr>
<td>Some temporary migration of men as contract workers in Middle East. No female contract work.</td>
<td>Very common for women (domestic worker migration to Malaysia, Saudi Arabia, Taiwan). Occasional male transnational contract work (plantation sector)</td>
</tr>
</tbody>
</table>

Source: Field surveys by the authors 2013, 2005 (Negara Jaya).
Gendered Entanglements

involve family members living and working in different places, taking care of children and elderly from a distance, and earning in one place whilst investing it in another. Multi-local livelihoods involve resource flows between family members that are multi-directional, and that may involve an interlinking of rural to rural, rural to urban and transnational migration. Such strategies may reflect seasonal labour requirements in agriculture, the workings of urban and transnational labour markets, and also the activities of labour brokers or other types of network that enable rural people to access non-farm work in distant places.

A comparison of the nature and geography of multi-local livelihoods in the two villages shows some similarity in terms of risk-spreading and aspirational strategies, but also some key differences, which have a strong gender dimension to them.

The main source of income for households in Tribudisyukur is cultivating robusta coffee. Food cropping involves rain-fed rice cultivation, and in home gardens people grow tree-crops, for instance banana and mangosteen, as well as vegetables (chilli, eggplant, string bean, cucumber and tomato) and herbal plants like ginger and lemongrass. Women are closely involved in on-farm activities including weeding and harvesting (rice fields and coffee plantations), and are responsible for home-garden cultivation. Women are also responsible for small livestock (chickens, goats) while fish farming, similar to practices amongst Sundanese in West Java, involves male and female labour. Livelihoods are diversified locally; women are involved in processing raw coffee through the auspices of the women farmers’ cooperative (Kelompok Wanita Tani or KWT), which has received support from the West Lampung Planning Board, in the form of coffee processing and packaging equipment. Livelihoods are also diversified around the processing and sale of other food products, including banana chips, home-made mixed ginger and sesame chips, processed palm sugar (gulasemut) and herbal medicines. As one interviewee noted: ‘We can only live by doing a lot of things to support our life. We can’t only depend on our coffee. Besides that, we cannot keep a consumerist lifestyle if we don’t want to get bankrupt.’ Women believe that if they diversify their activities, they will not be pushed to overexploit the forest areas, nor will they need to leave to find jobs. These kinds of on-farm strategies are facilitated in part by the presence of cooperatives, a point which is explored further in the next section, but also because of the
good road links that enable relatively fluent marketing to Lampung’s urban centres.

Women retain their primary responsibility for household reproductive activities (child and elder care, cooking, cleaning) but the availability of piped water has reduced women’s reproductive burden considerably. In tandem with this, there is limited temporary migration from the area by women. Where this does take place, it is to pursue secondary and higher education in larger urban centres (Kotabumi and Bandar Lampung) or to attend Islamic boarding schools in West Java. Some use is made of social networks linking the area with West Java as young women may find factory work in the Greater Jakarta area (e.g. Tangerang), where they tend to settle. Whilst men may take up temporary work contracts in the Middle East, there were no cases of women working as domestic workers overseas: people contrast their experience with other parts of rural Lampung in terms of there being greater opportunities for women in the area. Overseas migration by women in order to access cash is seen as unnecessary within the context of a diversified agriculture-based village economy where strategies rest heavily on the labour of women.

Negara Jaya, the transmigration village lower down the landscape gradient, has a very different multi-local livelihood profile. Most households in this village have access to some rainfed rice fields, but this is insufficient to assure food security for anything more than one month in a 12-month period. Women are involved in planting, weeding and harvesting, whilst field preparation is the domain of men. Home gardens are often left uncultivated: women suggest this is because the soil is poor and there is a lack of household labour to cultivate them. Women are also largely responsible for reproductive activities, and this may be quite onerous as few households have their own water supply, and many still use wood fuel for cooking. Collection of fodder for livestock is also women’s work. In households where adult women are working overseas, reproductive activities fall either on older female relatives, or on men, but there are cases where children are sent back to areas of origin (in other parts of Lampung) to be looked after by grandparents or to attend school.

Agricultural income is also drawn from cultivation of cassava as a cash crop, some rubber and, in the past few years, oil palm, grown on dry fields. An earlier experiment with smallholder sugar cultivation via a
government scheme (tebu rakyat) failed, leaving many heavily indebted. Cash-cropping is not something that is open to all: as discussed below, the cost of inputs and need for good marketing networks exclude many households in Negara Jaya, and for this reason, a lot of land is either rented to outsiders or left uncultivated. Instead, livelihoods depend heavily on off-farm and non-farm work. Locally, this means daily wage work on nearby sugar plantations (state-owned Bunga Mayang, and privately owned Bumi Madu Mandiri plantation and Pemukia Sati Manis Indah), access to which depends on having an identity card showing that they are from Negara Jaya. Women make up a substantial proportion of this daily work force, particularly for fertilizer application and weeding. As one respondent noted, whilst wages are low, they are more reliable than own-farm work on poor soils: 'If we don't go to the plantation, we don't eat.' Men join the plantation work groups during harvest season on longer-term contracts. Rural-to-rural migration, largely of young men, also figures in household livelihoods. Much of this involves temporary migration to recently opened coffee plots in the neighbouring province of Bengkulu, but there is also a growing propensity for men to take up contract work in the oil palm sector in other provinces of Indonesia. Interview respondents suggested that income drawn from these sources was quite limited: 'You can't earn enough to buy land, it is for daily needs (makan harian).'

However, one of the most noteworthy features of multi-local livelihoods in Negara Jaya has been the temporary migration of women, usually aged between 20 and 35, to work as domestic workers in the Middle East, Malaysia, Taiwan and Hong Kong. This began in the early 2000s, and although the early rush has now subsided, this practice continues to the present day. Contracts typically last two to three years, but some women took out successive contracts, and have been away for more than seven years. To pay the labour brokers, women are required to work for up to one year without pay. 'It requires a lot of determination', one informant explained. 'I came home because my parents wanted me to get married before I was too old, but I have been able to build a house and buy land.' More recently, overseas contracts have become less commonplace, partly because of political wranglings between the Indonesian government and receiving countries following a series of highly publicised abuse cases involving domestic workers.
Instead, young women are increasingly seeking work in Jakarta factories: compared to overseas domestic work, this requires a higher education and availability of capital in order to move. This has been made available through the remittances saved from the previous overseas migrations of older female relatives. However, in terms of continuities, investment in agriculture in Negara Jaya remains a key, if somewhat unlikely, element in emerging multi-local livelihoods as where possible, women’s remittances are used to buy land (rice fields being the most sought after) or to pay for oil palm to be established on hitherto uncultivated fields.

To summarise, multilocal livelihoods in both localities continue to be embedded in nature (agriculture, forests) but in different ways. This difference is most stark when women’s livelihood activities are compared: in Tribudisyukur, women’s work in small-holder cashcropping and agricultural diversification is reworking their relationship with nature in ways that appear to be positive for women. By contrast, in Negara Jaya, the impossibility of successful small-scale agriculture for most people appears to have decoupled women from any direct engagement with nature, producing a more distanciated, commodified relationship, leaving them quite exposed to the vagaries of the market, and without the prospect of an empowered approach to diversification, that seems on the face of it, to be emerging in Tribudisyukur.

**Emergent forms: explaining contrasting multi-local livelihoods**

In drawing on the material feminist framework outlined previously, contrasts in the emerging forms taken by multi-local livelihoods and gendered disadvantage in the two areas relate to a combination of the agency of nature, labour dynamics, histories and patterns of resource access and control, and gendered geographies of household reproduction and care. These elements link in multi-directional ways, to produce quite distinctive ‘assemblages’ in the study sites. Whilst it is this process of assemblage that produces the contrasting outcomes that are taking shape in the two villages, a key point of contrast concerns the type of commercial tree crops that feature within the farming system: oil palm combined with women’s overseas contract work in the former, and smallholder coffee combined with value-adding local livelihood diversification in the latter.
Oil palm has attracted a lot of attention within debates around dispossession, largely because of the modes of management that tend to accompany its cultivation, which allows land accumulation in non-contiguous areas (Bissonnette 2013). Successful oil palm cultivation requires access to high quality seedlings, which are relatively expensive for smallholders, sustained access to chemical inputs, and the labour required to clear land in order to establish the trees. Access to each of these is out of reach for most farmers in Negara Jaya, where the frequency of off-farm work means that farmers must compete with plantations in order to find the available labour for undertaking tasks, and where there is little prospect of accessing capital. Both of these facets of production are highly gendered: women tend to be excluded both from access to capital (bank loans based on land certificates) and from being able to command labour. Trees begin producing in the fourth year, and whilst planting around the trees can compensate for this timelag, the very poor soils in the Negara Jaya area make this risky; instead, farmers are more likely to continue to look for off-farm and non-farm work, and this is especially the case for women. Production is during the rainy season, which fits in with labour demand elsewhere (e.g. in the sugar-cane harvest and in the rice harvest: work for men and women respectively). However, the harvest itself is risky as smallholders are dependent on being able to align a workforce and a truck to take the fruit to a processing mill within 24 hours to avoid losing its value. Rather than excavating a deterministic link between oil palm, multi-local livelihoods and a changing relationship between women and nature, the combination of oil palm, resource access and control and labour dynamics needs to be considered.

In Negara Jaya, resource access has historically been associated with the granting of land title to male household heads through the transmigration programme. Whilst this ensured that at least the first generation of migrant households hold certified title to two hectares of land, most people have been unable to realise the benefits of access (see Ribot and Peluso 2003), because of a shortage of the capital and family labour required to bring extremely poor quality land into permanent cultivation in hazardous environmental conditions (frequent droughts and seasonal flooding). Sale and transfer of land has been commonplace, coupled with livelihoods marked by multi-local off-farm and non-farm work. In the early 2000s, when oil palm began to make an appearance in
the landscape, its cultivation was restricted to land owned or leased from transmigrants by local entrepreneurs, including the husband of the village head, who controlled some 200 hectares under oil palm. Oil palm was decidedly not an accessible crop for transmigrants. From a sample of the 40 case-study transmigrant households included in research undertaken in 2005, five households had leased out land for oil-palm cultivation that they hitherto had been unable to bring into cultivation themselves. Their own subsistence needs were met from the seemingly more secure and easily accessible off-farm work; in particular, high participation rates of women of all ages are notable in non-farm work. Bu Sari, a 35-year-old female farmer explained it thus:

There is no point in cultivating this land. We don’t have the money to open up the bush and the land is very poor. Results are not certain. It is better to go to the plantation [as a wage worker]. If you don’t go to the plantation, you don’t eat.⁶

In this context, rather than access to land, access to networks enabling participation in off-farm and non-farm work has become important for securing livelihoods. Such networks are gendered in particular ways: plantation wage work is open to men and women, but there is a gender division of tasks and therefore the sequencing of work availability for men and women. Recruitment networks for overseas contacts as domestic workers focus on women, and participation is strongly influenced by whether neighbours or friends have followed such a livelihood option.

With so many people working as wage labourers, either locally or overseas, the limited availability of labour at key points in the season has been a pinch-point for farm households, and has contributed to an individualisation of livelihoods and a turning away from communal forms of labour exchange. More commodified versions of labour exchange did continue, but this was largely restricted to women’s participation in the rice harvest: an attractive prospect where payment was a share of the rice harvested, but this was an option only open to a few households as only a small number of households own rice fields, owing to a lack of irrigation and the unsuitability of most of the area for creating rain-fed fields. Families and households therefore have been inclined to fall even further back onto their own resources rather than pursue more community-oriented livelihood practices. This is evident in the low
participation rates in community activities aimed at women such as the PKK (Pemberdayaan Kesejahteraan Keluarga, which translates as ‘empowerment family welfare’), which aims to build women’s citizenship responsibilities through family and community. The associated health scheme, known as Posyandu, which in Negara Jaya involves regular meetings of mothers with young children and a rotating savings scheme (arisan), has a largely regular attendance, but its leader has noted that wage-labourer and migrant women were not able to attend, and instead sent a relative in their place (with their child, but also so they could maintain their place in the arisan).  

The increasing presence of oil palm in the Negara Jaya landscape needs to be understood in this context; as people (men and women) exit from own-account farming in order to take up more stable, albeit multi-local, non-farm work. Until recently, oil palm as a crop was out of reach for most people in this community, as households were unable to afford the inputs (of labour to clear the land and of chemicals to make the land productive). Moreover, access to transportation and processing facilities has not been open to anyone other than politically and economically well-connected entrepreneurs, and this is particularly an issue as the fruits must be processed quickly after harvest. Any labouring opportunities associated with local investments in oil palm have not been taken up by women: ‘Women could work as oil palm labourers, but they don’t. It is very rare here. Women are usually doing other things’, explained one male farmer who has invested in oil palm. In addition, a general move away from inter-household labour sharing means labour in oil palm is highly commodified: those employed are rarely neighbours or relatives, rather, they belong to informal male work groups that make themselves available during the harvest season, hiring themselves out along with a truck for transporting the fruits.

As White and Dasgupta (2010) point out, there has been some debate about the role of oil palm in displacing smallholders. Oil palm is not an accessible crop for farmers in Negara Jaya, particularly as the land is only marginally suitable for it, and thus there is a heavy requirement for chemical inputs. In other parts of Indonesia, there has been a clear association with indebtedness, land sale and subsequent class differentiation, and in the early 2000s, there were signs that this might be taking place in Negara Jaya (for example, the acquisitions made by the village
head’s family). However, the participation of women in overseas contract work appears to have impacted on this process, particularly through the ways women have chosen to invest their remittances since returning from extended periods as domestic workers. So, whilst women's work as overseas domestic workers might be interpreted as a displacement from agriculture, it has also enabled their re-engagement with agriculture, albeit in a distantiated and highly commodified way.

Interviews undertaken with women who have recently returned from extended periods overseas working as domestic worker reveal the ways in which remittances have been re-invested into agriculture. Bu Siti did two stints as a migrant domestic worker, in Hong Kong for two years between 2005 and 2007, and in Taiwan from 2008 to 2011. The fruits of her work are evident in the improved house (grandiose pillars at the entrance, cement floors, electrical appliances.

I sent my money home to my mother to take care of, but the decision on how to spend it was my own. I now have small children so I don’t work outside the home. My husband works as a truck driver for the cassava factory in SP3 [a neighbouring transmigration village].

Although both she and her husband appear to have withdrawn from direct engagement in agriculture, she used her earnings to buy one hectare of oil palm, three quarters of a hectare under cassava and, most importantly for food security, half a hectare of rain-fed rice fields [by far the most expensive item to invest in]. The latter is share cropped, and this provides access to rice for her family, while she employs labourers for harvesting the oil palm. Her husband’s networks have enabled her to achieve a modicum of success in this new farm-based livelihood strategy, allowing access to labour and also access to trucks for the harvest.

Bu Rubi also worked in Hong Kong between 2003 and 2007, leaving behind her children and her husband, who worked as a carpenter. Her wages have been used to invest in the house and also in a small warung (shop). She also bought a quarter hectare of rice fields although as she explained, she does not yet have a certificate for this as this would cost a further 10 per cent of the land value, putting this out of reach. As with Bu Siti, rather than work the land herself, the rice fields are sharecropped, enabling her to continue with her warung whilst having access to rice for at least part of the year. She did invest in oil palm, but having been recently widowed, making this work as an investment has
not been easy as it requires her to command labour, capital and access to transport for the harvest. So whilst the earnings from overseas domestic work enabled her to invest in agriculture, the experience has done little in terms of reducing gender disadvantage (around access to resources of various kinds).

Whilst these two cases reveal some differences in the experience of investing in agriculture, they share a number of features, including the need to make use of commoditised labour (i.e., this is not a return to work as a hands-on farmer), the risks associated with a highly individualised approach to farm livelihoods that depends on access to inputs of various kinds, and the somewhat limited impact that overseas domestic work has had on gender disadvantage, despite women’s greater earning potential. Rather, gender disadvantage may indeed be being strengthened by investment in oil palm, which has yet to reveal much of a contribution to household well-being. White and Dasgupta (2010) have noted that the value from oil palm is generally realised further along the commodity chain (from processing and onward sale), and not from sale of fruits at the farm gate. Thus far, women in Negara Jaya, despite being investors in smallholder oil palm, have been excluded from this aspect. Moreover, the corporatisation of processing, market conditions and the governance of oil palm more generally do not point towards any potential for women to secure any value from this crop. The pathway that appears to be emerging is one of women’s greater distanciation from agricultural livelihoods built in situ, and, in the absence of overseas migration ‘windfalls’ in the future, this is leading instead to a reconfiguration of somewhat insecure multi-local livelihoods for the next generation of women in this part of Lampung.

The nature of small holder coffee cultivation in Tribudisyukur is markedly different from the oil palm migration assemblage described above. Coffee was introduced to the area in the late 19th century by Semendo migrants from South Sumatra who grew the crop as part of a shifting cultivation system (Benoit et al. 1989). Cultivation of robusta coffee (\textit{Coffea robusta}) was taken up by Sundanese and Javanese transmigrants (and those that followed them) in the 1950s, and its importance as a smallholder crop continues to this day. Robusta coffee is cultivable at relatively low altitudes, and the crop is harvested by stripping all the fruit from the branch. Farmers are able to sell the cherries to collectors
or brokers, even in very small amounts. As crops can be sold when still on the trees, farmers have access to credit via these brokers, which allows relatively economically marginal households to buy daily needs. There is a strong international demand for the crop, which farmers are able to access via coffee-grower groups that market to companies such as Nestlé, which has a factory in Lampung. Coffee is seen as being well adapted to the local climate, and to being relatively resistant to pests and diseases, although it does require a high level of fertilizer input. For this reason, cultivation is influenced by the market price relative to the price of inputs, especially as households have to endure a nine-month period in the crop cycle when there is no income (Witasari 2010). The highly seasonal cultivation pattern means that most households cultivate other crops alongside coffee, including wetland rice, fruits, vegetables and herbs, both for subsistence and for sale.

The history of coffee cultivation in this area, alongside the incorporation of newly arriving migrants from the 1950s through to a peak in the mid-1970s, have shaped the coffee labour process, and its associated gender dynamics, in this part of Lampung. Demand for labour at harvest-time peak periods encourages the use of labour exchange in coffee fields. Reciprocal labour, which includes both men and women, is used for harvest, weeding and general crop maintenance, and according to Witasari (2010), this also acts as a ‘levelling mechanism’ to downplay individualisation and conspicuous consumption. According to interviewees, a record is kept of those contributing and for how many days, then this is settled in cash at the end of the season. Until relatively recently, this surge in demand for labour during the harvest period also encouraged the arrival of migrants from other parts of Lampung (and from Java too), many arriving with the aim of acquiring coffee fields of their own. During the mid-1970s, and also during the economic crisis of the 1990s, the high price of coffee drew new migrants into this area, leading to accelerated deforestation and pressure on fragile watersheds. As violent government-led evictions gave way to new forms of forest governance, international conservation organisations (specifically, the World Agroforestry Center or ICRAF) working in partnership with local non-governmental organisations (WATALA), and also the West Lampung district forestry office, sought to develop social forestry models that included coffee cultivation alongside forest protection (Pender
et al. 2006; Potter 2008). An underlying agenda was to stabilise the population in the area and thus reduce the impact of migrants. Coffee, it could be argued, stimulated the attention now being paid to support communities.

The facilitation provided by local government, local non-government organisations and by ICRAF (with financial support from international organisations such as the Ford Foundation and the United Nations Environment Programme) has brought two principal impacts on gendered livelihoods in the area. Firstly, it has facilitated the establishment of community-based organisations for social forestry that build on the reciprocal labour arrangements and grower organisations that had already developed in conjunction with smallholder coffee production in the area. Secondly, continued support has encouraged the diversification of livelihoods in situ, part of which involves attempting to capture locally some of the value in the coffee-commodity chain. An important dimension to both of these is that sustained attention and facilitation associated with social forestry have encouraged the participation of women in both community organisations (principally, in the formation of women farmers’ cooperatives) and through this, strengthened their role in diversification activities.

A key element of this has been the implementation of the Ministry of Forestry’s Project for Strengthening Community Based Forest and Watershed Management (SCBFWM), which has provided continuous counselling and training, as well as small-scale grants for women’s groups in the area, which has gone some way to addressing the limited role that women had hitherto played in forming farmer groups (Oktora 2013; Darmastuti 2013b). One interviewee said: ‘We never had this kind of experience, if it is possible, don’t leave us at this stage, please continue until we are ready to stand for ourselves.’ The women farmers’ cooperative (Kelompok Tani Wanita Melati) organises a specific labour sharing arrangement for women for clearing fields, planting rice, planting trees in the social forestry site, weeding and other field maintenance. An important aspect of this enhanced labour sharing arrangement is that it counters any propensity for multi-local livelihoods as the availability of labour (and of work opportunities) means there is no need to draw on family or friends to come in from elsewhere during the harvest period, nor is it necessary to leave in order to open land elsewhere.
In recent years, the women farmers’ cooperative (KWT Melati) has expanded its activities to include a wide range of non-farm activities, primarily as a buffer to fluctuating coffee prices and also to help deal with the seasonality of coffee income. Women run a small shop selling food and household goods: interest-free credit is available for members of the farmer group enabling them to purchase goods and pay once the coffee-harvest income is available. Women are now selling their own KWT Melati brand of coffee. Unlike oil palm, the nature of the coffee commodity chain is such that there are opportunities for smallholders, including women, to benefit from value addition through such processing activities. Although some commentators have noted the limitations of developing ‘gourmet-style fair trade’ products from the harsh robusta coffee grown in Sumberjaya (Potter 2008), KWT Melati has begun producing *kopi luwak* (coffee beans that have passed through the digestive tract of caged civet cats, which can command a very high retail price). The negotiations they have engaged in with local government for obtaining halal and brand rights demonstrate how involvement in cooperative activities via the social forestry programme has delivered wider gender empowerment.

The West Lampung government officers wanted to buy our packaged coffee at a low price and will re-sell it at a much higher one. I said no. If you want to buy our products you must give reasonable benefit for us also, not only for you… We know that the issue of coffee certification is just for the benefit of those big businesses. If they really want to help us, just help us with necessary supports and instruments. We already know that we need to produce and process coffee properly, but we don’t always have the means for it. Don’t fool us. They give nothing for us to improve our coffee quality and will give no incentives for us to do so. So we don’t want to join with them since they will monopolise the market.

Interviewees said that if they are able to diversify, they will not have to be pushed into overexploiting nature or to have to leave the village to look for work. Thus, there is an emphasis on improving livelihoods through women’s empowerment in place, as a way of avoiding contract migration overseas, which, compared to migration for education or participation in cooperative forms of livelihood diversification, is not regarded as a route to prosperity. Coffee, as a cash crop, appears to
be more compatible with the kinds of cooperative activities and value-adding livelihood diversification that women in Tribudisyukur are now engaging in, and which appear to have provided additional benefits of women’s empowerment.

**Conclusion: multi-local livelihoods, nature’s agency and gender disadvantage**

Livelihood diversification and accelerated deregulation brings particular patterns in different communities in rural Indonesia. As the chapter has argued, there is a multi-directionality to these processes, which are not reducible to a single logic. Rather, new and shifting forms taken by multilocal livelihoods reflect relationships between mobile nature (the introduction of new kinds of tree crops), mobile labour (the agility of peoples’ life geographies as they attempt to navigate opportunities and constraints), and mobile capital (the changing face of corporate investment in rural areas). Such relationships are also conditioned by shifting forms of governance from above (decentralisation, enclosures for watershed protection, policy support for particular forms of livelihood and land use), and also from below (adjustments made around household-level norms and practices, community norms and practices around resource access, labour sharing, remittances and the like). In both of the areas compared in this chapter, there appears not to be a wholesale exit from agriculture, partly because of the risks associated with existing opportunities in the non-farm sector. Where possible, land (and farming) continues to be used as a backstop for non-farm economic strategies, and in some circumstances, and depending on the availability of capital (or government support), land (and by extension, agriculture) can also become significant as an investment for women, as well as for men.

Complete exits are less likely to be the case in situations where a corporate style of rural development is not particularly strong, where small-holders are being defended by NGOs and other parties, and where the commodification of communal land and individual land titling is not strong. Tribudisyukur shows characteristics of this kind of pathway. By contrast, Negara Jaya falls short on all these counts: individual land titling that accompanied transmigration, coupled with corporate-style
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agriculture and the appearance of a treecrop (oil palm) closely associated with commodified labour makes for a different kind of relationship with land, but again, this does not signal a withdrawal from land-based livelihoods for all: rather, the emerging pattern is one of greater social differentiation and commodification of land, labour and livelihoods.

For women, the pathways that accompany such assemblages indicate a divergence of experience in each community. A combination of biophysical properties of dominant tree crops (coffee and oil palm), labour regimes, and variations in the commodification of access to resources has created a casualized and transnational labour force of women in Negara Jaya, where women’s labour itself becomes a key commodity in the search for livelihood (food) security. However, the multiple logics and direction- alities at play here indicate that women’s engagement in plantation work and in transnational labour circuits also accelerates the commodification of land and investments in oil palm and other low labour input crops, just as it also has impacts on social reproduction and care. In Tribudisyukur the ‘nature’ of coffee, coupled with particular resource access regimes and a modified market logic that emphasizes smallholder capitalism has contributed to women’s value ‘in place’, rather than as a casualised, commodified migrant labour force in waiting. The historical ‘accident’ of being regarded as problematic migrants in a fragile watershed (Elmhirst 2012), attracted the attention of international NGOs, working in tandem with local NGOs and the Department of Forestry in Lampung. This has meant considerable investment in training for community-based resource management, and given that these investments were being undertaken during a period when gender mainstreaming was being developed as an arm of international programmes, interventions targeting women materialised here in this part of Lampung. These interventions helped create the women’s cooperative in Tribudisyukur, and with it, new initiatives to add value through smallscale processing of coffee that can be marketed locally and further afield. Such activities are compatible with women’s household reproductive activities, and for now at least, access to public resources for self-provisioning is being addressed through social forestry initiatives.

Unpicking the different ‘assemblages’ of nature, labour and livelihood in the two sites is helpful for understanding the ways in which gender mainstreaming within the forestry sector in Lampung might
progress. Whilst Lampung is among the first of Indonesia’s provinces to establish a special Bureau for Women’s Empowerment, and its government has been at the forefront in crafting Provincial Regulations on Gender Mainstreaming, the response of different government units has been varied. Whilst the Department of Agriculture has been one of the first to pursue activities aimed at addressing women’s practical needs, implementation within the forestry sector, and particularly in relation to social forestry, has been slow. This is significant, given the large proportion of land that is currently controlled by the Forest Department (even where this is not under forest cover) and the large numbers of people whose livelihoods are influenced by governance decisions made by this body at provincial and district levels.

This chapter has argued that particular combinations of nature (in the form of different tree crops), environmental governance, commercialisation and migration histories give rise to pathways for gendered forms of empowerment or hardship that link in part to gender-differentiated multi-local livelihoods. Factoring these insights into future gender action plans may be important for tackling some of the more intractable problems of gendered poverty and disadvantage that are observable in some parts of this province.

Notes

1 Interview, Tribudisyukur March 2013.
2 Interview, Negara Jaya, January 2005.
3 Interview, Negara Jaya, July 2013.
4 According to the village secretary’s records (permits to leave the village, known as *surat jalan*), between June 2004 and January 2005, 39 women left to work as domestics (destinations included Taiwan, Hong Kong and Saudi Arabia, all via training in Jakarta). By 2006, around two-thirds of households had a female member working overseas.
5 Interview, Negara Jaya, July 2013.
6 Interview, Negara Jaya, January 2005.
7 Ibid.
8 Ibid.
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9  Ibid.
10  Ibid.
11  Interview, Tribudisyukur March 2013.
12  Ibid.
13  Interview with head of women’s cooperative, Tribudisyukur, June 2013.
14  Coffee beans are fed to caged civet cats (Paradoxurus hermaphroditus) and the excreted beans are then washed and milled. The longterm sustainability of this practice is uncertain as a number of wildlife organisations such as TRAFFIC have begun to highlight the impacts on wild civet populations (Guardian 2012).
15  Interview, Tribudisyukur, March 2013.
16  Interviews, ibid.
17  Interview, Tribudisyukur, June 2013.
18  See Darmastuti, 2013a, 2013b.

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CHAPTER 9

Gender, Floods and Mobile Subjects: a Post-Disaster View

Bernadette P. Resurrección and Edsel E. Sajor

Introduction
Disasters compel people to move to seek safer places, and possibly to search for more secure and resilient livelihoods elsewhere long after the disaster is over. While exigencies of a disaster spur people to seek safety, we need to understand the complex factors and dynamics that define people's mobility to secure their livelihoods in the longer term especially when disaster risks become more imminent.

This chapter examines how people in a flood-prone coastal area of the Philippines employ mobility as a means to assuage livelihood insecurity in the face of frequent disasters in unequal gendered and social ways. In particular, this chapter is an attempt to understand: (i) how people make sense of their disaster experiences, (ii) the subjectivities that shape and eventually evolve out of these experiences of prolonged insecurity and increasing mobility or immobility, and (iii) institutional efforts to build disaster resilience and secure livelihoods, and their social effects. In short, this chapter examines the role of gendered mobility in people’s post-disaster efforts at resilience-building through livelihood engagements, and which is envisaged to enable a rethinking of gender in the disaster literature that has focused almost entirely on the impacts of disasters on women and men, citing women as a heavily-impacted, homogenous group. Secondly, the fact that women and men move or remain in-place does not influence views about resilience and disaster response, and if it does, it almost always assumes that men are more mobile than women, and thus reap more advantages. We argue that as people move or remain in place, they reproduce and materialize mean-
ings about their gendered and social selves, and thereby influence how they face and deal with disaster risks and livelihood challenges. This chapter will also employ a feminist political ecology perspective that recognizes rural populations as being geographically mobile, where women and men reconfigure livelihoods, introducing new and possibly unequal patterns of access and control, and new forms of environmental governance at different scales (Elmhirst 2011; Watts 2000).

The research took place in three adjacent municipalities of Real, General Nakar, and Infanta (acronym: REINA) in Quezon Province, located on the southern part of Luzon island in the Philippines. These municipalities have been in the Philippine watchlist of disaster-prone areas since a devastating flood and consequent mudslides inundated hundreds of villages in 2004. The 2004 flood, caused by the cyclone ‘Winnie,’ left 500 people dead and 150 missing, damaged homes and public infrastructure, and dramatically altered the river system and
its agricultural landscapes. The big flood has been attributed to swift runoffs from years of logging in the surrounding uplands of the Sierra Madre Mountains. As a result, the river system has considerably widened due to heavy siltation, while agricultural lands have been severely eroded due to more frequent and recent river flooding and patterns of heavier precipitation in recent years.

Residents who used to live near the river area have since shifted from mono-varieties of rice and coconut farming to multiple crop cultivation, charcoal production, and diversified non-farm livelihood activities. In some farmlands, mud deposits altered the soil composition from arable to rocky, thus significantly diminishing the fertility of croplands. Rice lands no longer yield enough rice, thus farmers today often grow watermelons and vegetables intermittently. Coconut trees no longer bear fruit and young trees have stunted growth. Recent and more frequent episodes of flooding continue to erode lands by the river, although the magnitude of flooding and erosion have never matched the 2004 flood.

Two resettlement areas were built after the flood, providing shelter to more than 100 families whose homes and farms were severely damaged and washed away. Catholic Church-based non-governmental organizations (NGOs) that set up these resettlement sites instituted a resident verification system to ensure that beneficiaries were not migrants but original residents of the affected areas. Resettled residents however frequently return to their places of origin to set up temporary homes where they can re-cultivate leftover land and fish in the river whenever possible, as there are no livelihood opportunities around resettlement sites. They move to search for employment in Manila, or in nearby provinces where some opportunities lie: for men usually the construction industry and for women in paid domestic work in Manila households. The growing Philippine economy spurs the growing urban domestic labour market that continues to attract rural migrants.

Since 2011, the Philippine economy has grown significantly, exceeding the most optimistic forecasts. A huge economic boost came from the public construction industry that grew by 32% in 2012. The services sector however, not the construction industry, is envisaged to lead GDP growth in 2013. Overall, the positive economic growth rate in the Philippines has yet to improve the overall employment rate, thus eliciting the label ‘jobless growth’ (Navarro and Yap 2013). However, poor
people who are employed – or the ‘working poor’ – remain ‘vulnerable’, with insecure and short-term paying jobs such as domestic work and real estate construction, jobs that most respondents in this study are seeking and taking up. These two take places four and five respectively in a recent assessment of job placements of the working poor in 2011. Construction workers also receive the highest wages among the top ten job placements occupied by the working poor, which also include growing crops, fishing, wood manufacturing, public administration and defence, among other things (Reyes and Mina 2013).

This chapter is part of a larger research on gender, mobility, and resilience-building in the context of post-disaster REINA, which employed a sequential mixed-method approach as its research design. Two phases of research were defined, the first where the research team generated propositions by qualitative data collection through 12 focus group and 15 key informant interviews, as well as from 15 unstructured in-depth interviews with respondents in resettlement, town and river embankment areas. The second phase tested the pervasiveness of propositions generated in the first phase through a household survey with a random sampling of 400 individual residents across eight villages (barangays). This chapter draws from the findings in the first research phase; all persons referred to in the empirical section have been given pseudonyms.

The following section will discuss three conceptual streams that we believe can shed light on the workings and dynamics of gender, mobility and disaster resilience specific to this study, and which will lead to an analytical discussion on some key findings of the research. The last section will present the conclusions, discuss re-thinking gender and signpost policy implications in the field of ‘gender-responsive disaster risk reduction and management’.

**A feminist political ecology of disaster and mobility**

Current thinking on gender and disaster tends to oversimplify how disaster strikes and affects women and men, and subsequently also how gender shapes disaster responses and disaster recovery. Re-thinking gender in the disaster literature requires that we reflect on three conceptual streams: feminist political ecology, disaster and mobility.

The first stream of ideas draws from political ecology, a field that broadly investigates wider social, economic, environmental and political forces
and changes that impinge on people’s natural resource-based livelihoods, and their unequal effects and responses largely due to social difference and power imbalances at different scales (Watts 2000; Robbins 2004; Paulson and Gezon 2005; Rocheleau 2008). In the mid-1990s, Rocheleau et al. (1996: 4) heralded feminist political ecology (FPE) as a sub-field of political ecology that recognizes gender as power relations that are a ‘critical variable in shaping resource access and control interacting with class, caste, race, culture and ethnicity to shape processes of ecological change.’ Since the landmark publication of Rocheleau Thomas-Slayter and Wengari’s Feminist Political Ecology, Elmhirst (2011a) tells us that scholarly work on feminist political ecology has proceeded unnamed as such, but that these works veritably carried strong FPE elements on gendered resource access and control rights, forms of knowledge and institutional discourses that enable or constrain gender equality. These elements have pushed FPE as a field of inquiry especially in agriculture and forests (Shroeder 1999; Cranney 2001), water management (Cleaver 2010; Udas 2010), forests (Paulson 2005) and fisheries (Bavington et al. 2004).

From his synoptic work on political ecology, Paul Robbins (2004) argues that ‘current economic and political structures increase the riskiness of natural events . . . with implications for how our society and personal lives are ordered.’ Robbins (2004, 2003) offers a meaningful genealogy on hazards and disasters research that traces a view of hazards – perturbations such as tornadoes, earthquakes, floods – from being a natural phenomenon to a fundamentally human–environment problem. Referring in particular to studies on flood hazards, Swynegedouw (2009: 57) makes the point on human–environment more explicit: ‘[A] political-ecological perspective insists on, and traces, the fundamentally socially produced character of such inequitable hydro-social configurations.’ This means that these hazards are not completely natural or inevitable, but that they have a history and may be co-produced by and include social and biophysical elements, referred to as socio-natures (Castree 2001). Wisner et al (2003) add that in the 1980s, the new field of political ecology was used to combat increasingly subtle forms of environmental determinism. In a compelling argument on the sociality of nature, Oliver-Smith (2013) points out that social vulnerability to disasters brings to fore the economic system that lies at the crux of human–environment relations and consequent degradation and disaster.
Meanwhile, in climate-adaptation debates on the causal structures of vulnerability, Ribot (2009) takes a more polemical view by suggesting the need to investigate what causes the vulnerability of people in the first place, rather than focus on how people are vulnerable to hazards. Hazards and climate variability therefore exacerbate people’s already existing vulnerable situations, along with other drivers of vulnerability, producing outcomes of disadvantage. Oliver-Smith (2013) points out the significance of social vulnerability as a powerful model for causation for disaster research and practice. Finally, apart from emphasis on the sociality of nature and the causation of vulnerability, political ecology traces genealogies of knowledge concerning ‘environment, disasters and climate change’ by examining power relations supportive of particular discourses that shape and influence programming and policy making (Stott and Sullivan 2000). In short, political ecology unpacks how the ‘languages’ of disaster and climate-change narratives are socially and politically situated, thus evolving meanings that can frame policy discourses.

For its part, feminist political ecology has not yet explicitly strayed to investigate gender and other relations of power in disaster situations and risky environments realistically; thus the work in this area is nascent and largely located in the growing literature on ‘gender and disaster’, the second stream of inquiry in this chapter. While much of the gender and disaster literature built on earlier conceptualizations of gender that is relational and role-based, thus involving the interaction of women and men structured through norms and institutions (Elmhirst and Resurreccion 2008), Enarson (1998) sparked a more promising post-structural and ontological approach early on that chimes well with contemporary FPE views. She viewed gendered vulnerability as not deriving from a single factor such as ‘being a woman’; instead vulnerability indicates historically and culturally specific patterns of practices, processes and power relations that render some groups or persons more disadvantaged than others. Disasters therefore may put inequalities into stark relief, where gender inequality as one type of inequality intersects with other types of social inequalities. Hyndman (2008) further added the importance of the intersectionality of gender specifically with ethnicity and types of disaster when she studied the plural meanings attached to widows in the aftermath of the 2004 Indian Ocean tsunami in Sri Lanka. She cautions that gender as a major axis of difference and disparity is not
the only or necessarily the primary one. Garry (2011) adds that the intersectionality of gender also brings into view elements of privilege, as much as oppression. Both Hyndman (2008) and Cupples (2007) emphasize the need to duly recognize the historical contexts of women’s (and men’s) lives prior to a disaster, which could explain the differentiated positions of women in the wake of a disaster that do not easily fit into the stereotyped and undifferentiated category of ‘disaster victim’. These plural positions and fluid identities of women can inform more appropriate and suitable institutional and humanitarian aid responses to women (and men) in post-disaster recovery and resilience-building efforts. These ideas also firm up and add another dimension to political ecology’s concern with socio-natures, where in particular, disasters are viewed as being socially, politically, and biophysically produced and instantiated, but additionally, as Cupples (ibid.) argues, subjectivities are also produced and reworked through disaster.

Feminist political ecology can thus take these ideas forward from political ecology and gender and disaster scholarship, allowing us to further unpack and nuance gender re-configurations wrought by disaster situations. In particular, new thinking within FPE appropriates political ecology’s concern for a historical approach as it traces the fragmented and de-centred gendered subjectivities intersecting with ethnicity, class, age and race rather than a one-dimensional and centred feminine subject (Elmhirst 2011; Tschakert 2013; Resurrección 2013). Second, FPE also asks that we re-visit power that is produced through the everyday constitution of social difference and gender (Scott 1988), re-invigorating thus a politicized notion of gender as an outcome of the uneven effects of exercised power (Elmhirst 2011). In particular for this chapter, we are concerned with the constitution of gender through the ‘relational production of space and subjectivity’ (Nightingale 2010), and examine the spatial – specifically mobile – practices that constitute gender and social difference, where power is produced in a situation of persistent natural disasters, livelihood insecurity, and wider developments in the Philippine political economy. This leads to the third stream of ideas: mobility as a particular form of spatial practice and the constitution of gender in post-disaster life.

Contemporary feminist political ecology recognizes that rural populations are geographically increasingly mobile, where women and men
reconfigure patterns of livelihoods, (re)producing new and possibly unequal patterns of access and control on resources, and new forms of environmental governance at different scales (Elmhirst 2011). Additionally, the growing frequency of disasters and insecure (re)settlements create a sense of urgency that compels people to move and seek more resilient, safe and productive livelihoods and places to live, consequently with implications on the production of gender. As people move or perhaps remain in place, they struggle to acquire new subjectivities, as well as resist specific types of subjectivity (Cresswell 2008). The links between mobility and gender – in the context of more frequent disasters – are therefore fraught with meaning and symbol, enabling or constraining people’s chances to seek a better and more resilient life.

In a recent paper, Hanson (2010) offers a view on mobility as quotidian: the movement of people from one place to another in the course of everyday life, where two strands of inquiry separately ask how mobility shapes gender, and how gender shapes mobility. Cresswell and Uteng (2008: 2), for their part, elaborate on Hanson’s first strand as follows: ‘[N]arratives of mobility and immobility play a central role in the constitution of gender as a social and cultural construct.’ Samuels (2012: 243) points out that mobility is a ‘contextualized phenomenon’ as it is socially produced, and in concrete terms, mobility has also often been studied in relation to work opportunities and livelihoods, where the lack of mobility can both cause poverty and be a form of poverty in itself.

Nightingale (2010), although not consciously conceptualizing mobility in the same deliberate way as the scholars above, usefully draws attention to the relational production of space and material subjectivities. This reminds us of the earlier work of Scott (1988) on power and difference, and when applied to Nightingale’s work may be formulated as follows: social difference is (re)produced through the spatial practice of mobility, which instantiates the (re)production of power. This chapter combines these earlier views on gender and mobility as it operationalizes the notion that mobility and immobility (re)constitute types of social and gender differences, all of which simultaneously (re)produce power in everyday life in the context of continuing disasters and insecure livelihoods. The notion and inclusion of power therefore circles back to the broad concerns of feminist political ecology, thus bringing to fore a more politicized view of gender in the context of risky environments and disaster.
Gender, Floods and Mobile Subjects: a Post-Disaster View

Being both mobile and immobile constitutes gender and power differences in a disaster and post-disaster context, as we attempt to demonstrate. The following sections discuss the experiences of women and men in REINA in the long durée – almost a decade – since the huge disaster struck and was followed by more frequent episodes of flooding and erosion in their villages.

Embodied mobility and changing livelihood experiences in post-disaster REINA

The types of everyday embodied and experienced mobility in post-disaster REINA are those that involve residents’ emergency movements to shelters and evacuation areas in the event of flooding alerted by warning systems; their travels to and from resettlement areas and makeshift farmlands, gardens and houses in eroded riverbank areas once home to relocated farmer; their scrounging of forest areas for charcoal as a livelihood option; and their forays to near and distant places for temporary job placements such as in construction sites in provincial towns and peri-urban areas near Manila, as well as domestic work in Manila itself and in nearby towns.

Mobility marks insecurity

Residents of REINA attach diverse meanings to mobility, culled from their own embodied experiences of the 2004 disaster and its aftermath. They tell of an increasingly shallow river that constantly swells and bursts its banks, flooding their homes and eroding their land, pushing them to seek living and farming spaces in the interiors of their municipalities, or to find other types of work further away. Thus they have come to attach nature with a mobile agency, destroying assets and livelihoods along its path, compelling riverside residents to distance themselves from its increasingly thinning and disappearing banks: ‘The river stole our land. Our land has become water now; the river took it. Our homes, our backyards – we – are being chased by the river.’ Similarly, at the sight of the approaching volume of mud and floodwaters in 2004, a shocked resident exclaimed: ‘The floods pushed away the sea!’ (Focus group interviews).

Residents often also wistfully revisit a past in which they claim themselves as being largely in-place residents who eeked out wealth from land,
river and sea, unperturbed by the demands of moving to safer and more livelihood-secure places. They speak of women now having to leave the confines of home and villages to search for work, which seemed never to be the case prior to the 2004 disaster, although this is doubtful. Focus-group interviews with mixed groups of men and women yielded their views on their disaster imaginaries:

‘Those who lost their land have to move and find work near and far. Those who have land remain intact.’

‘Our wealth will never come back to us.’

‘Our lives were better off in the past.’

‘In the past, we could still afford to send our children to college.’ ‘Today, our children – only high-school graduates – leave our villages to find work elsewhere.’

‘Now, even women and mothers have to travel to work and earn something. Farming, on the other hand, keeps mothers from leaving their homes.’

‘Men go off to construction sites to find work, but this type of work is often irregular.’ ‘More women today work as domestic workers in Manila or Laguna, and their jobs are more stable than men’s unpredictable construction work.’ ‘Mothers with small children don’t travel all the way to Manila; they become laundry women and domestic workers of wealthy families in Infanta.’

‘Migrants have come to prey on our villages to cut trees and gather wood for charcoal production.’ ‘Landless residents have no other option but to search the forests and burn and produce charcoal.’

‘From our resettlement area, we walk to our former lands by the river to fish.’

‘We have more expenses now because we have to travel more frequently.’

Post-disaster experience reveals that mobility is the narrative that REINA residents employ to account for nature’s actions and demarcate post-disaster conditions such as livelihood disadvantage, non-desirable employment options for women, censured extractive livelihoods, and post-disaster misery emanating from a past defined by a sense of sedentary security. Mobility has thus evolved as a marker for growing livelihood insecurity in a disaster-prone environment in REINA. Additionally, the
reference to mobility has come to mark emerging gender subjectivities in the context of new livelihood options. This is further explored in the next section on gender mobility/immobility, collectively referred to as ‘gendered mobilities’.

**Gendered mobilities**

No disaster research will be complete without investigating the production of gender during the disaster itself. Residents in REINA tell many stories about their ordeal, and the loss and damage from the sweeping mudslides and the huge logs that rolled down the mountains. Their recollections are also expressed in gendered ways in the movement of people to safer places. Here are some of their brief accounts, also from focus group interviews:

‘It is the women and children who evacuate, while the men stay behind to protect their home and belongings.’

‘When there is no man in the family, we have to abandon our home and evacuate when a flood comes.’

‘When the floods came, I stayed behind to protect and watch over my husband’s motorbike. He would be furious if I let anything happen to it.’

Gender subjectivities are performed through the experience of fleeing disaster, thus the idea that women are vulnerable is re-positioned and culturally materialized in stark contrast with masculine protective prowess during disaster rescue operations. Women with no men have no other recourse but to be evacuated and abandon all possession. Yet, the symbol of the persevering and stationary wife rises to the occasion when women perceive that male possessions are under threat. Disasters therefore reveal contradictory gender positionings – ranging from victimhood to heroic self-sacrifice – filtering thus the material experience of mobility during disasters for different women.

Re-building lives and the pursuit of resilience against impending disasters are expressed through the lives of people who live in the two resettlement sites in REINA and in a riverside village, Banglos, where the land continuously erodes due to more frequent flooding. For residents of the resettlement sites, mobility for employment opportunities clearly serves as a resource, as existing resettlement livelihoods such as gardening and woodcarving are weak income drawers. In Banglos, on
the other hand, former land-owning residents have rebuilt makeshift homes to stay nearer to their sources of livelihoods: farming, fishing and charcoal production. In this context, immobility offers a degree of livelihood stability, but it takes place in a precarious and uncertain flood-prone environment, where farming and fishing have become survival strategies, instead of resilience-building ones. Others shuttle between the resettlement site and Banglos to fish and farm on leftover lands, but this is proving to be untenable due to distance and paucity of adequate transport facilities. The cases below exemplify these conditions.

Ester Reyes remembers that they evacuated to a nearby schoolhouse during the 2004 flood. Upon return to their home in Banglos, in the municipality of General Nakar, she and her husband rebuilt parts of their damaged home and applied for a house in the new resettlement site, John Paul II, which they were awarded six months later. Ester’s husband Mario works for a construction firm in Manila as a mason and carpenter, a profession he has had since he was single. She is proud that her husband remits his salary home on the 15th and 30th of every month despite no fixed job contract, which differs from most other male construction workers who receive piece-rate wages. Ester says:

The disaster brought me a home. We used to only live with my mother. Today, I stay home and find it better than working in Manila as a domestic helper. We are also safe here from the river. However, once our children go to college, I am willing to work again as a domestic helper in Manila to augment our earnings, or when the job of my husband terminates. When that happens, I can move to Manila to work. For now, I look forward to saving some of my husband’s salary to improve parts of our house.

Ariel Prudente is married with one child and lives in the John Paul II resettlement site since his parents’ home was washed away by riverbank erosion following the powerful flood of 2004. He used to be the farm manager of his aunt’s one-hectare rice land in the village of Pamplona. He can no longer travel the three-kilometer stretch to his aunt’s farm from John Paul II since transport fees eat up his earnings and if he traveled by foot, bystanders harassed him when he returned home in the evenings. He also waits long for a tricycle ride since public transport vehicles are few in these parts, thus arriving late in his destination. In light of his difficulties in shuttling from resettlement site and farmland,
Ariel recalls his aunt’s admonition: ‘It seems that you are now unable to effectively manage the farm because you arrive late all the time. It may be better if you disengage from us.’ Ariel was so distraught by his aunt’s admonition that he abruptly stopped his work at the farm and became a footloose farmworker in nearby villages or as a worker in local construction sites receiving a daily wage of 150 pesos (US$ 3). He says, ‘I am now pa-ekstra-ekstra (a flexible and insecure job worker). Despite my difficulties at finding a secure livelihood, however, I now have a house of my own in the resettlement site. In the past, I used to live only with relatives.’ Ariel’s wife sometimes accepts laundry jobs, but is unable to do this regularly due to childcare responsibilities. He says that there are times money is so hard to find that he cannot afford to buy rice, and must take a loan from a neighbour as recourse.

Stella Santos is a member of the village council of Banglos, a riverside community heavily damaged by the 2004 flood and more recent flood episodes. She and her family rebuilt their home by the river, but maintain a house in GK Smart Anoling, another resettlement site. She recalls: ‘My home was completely washed out by the flood in 2004. I now stay in my parents’ rebuilt home in Banglos together with my sister and her children. Today there is hardly any farming here. Our farmlands have lost their irrigation sources. Other farmlands have been washed out. Prior to the flood, we grew rice that we consumed for the full 12 months. Today, we have to buy rice for 12 months. My family had two hectares of rice land. What’s left is stony and rocky land because of the thick mudslides that now cover the land. I have a house in GK Smart Anoling, where my brother lives. I spend two to four days there at a time but return to Banglos. There is no work there, but sometime ago an NGO trained people there to do wood carving, but some were not successful or interested. We need to be there a few days at a time in order to keep the house, otherwise we lose our house according to the rules. For instance, in the morning, I work here and then travel to Anoling in the afternoon. The rules are relaxed when you go back and forth, and you can keep the house for as long as you are not absent for a month. We just sleep there and return to Banglos.’ Thus, Stella and family members visit their home at GK Smart Anoling frequently to comply with rules of residency as stipulated by the resettlement site’s management. Many former residents rebuilt their homes here, since they say they’re closer
to their fishing and farming livelihoods. However, there are a number of people, Stella says, who travel daily to Banglos since they do not have the means to rebuild their washed-away homes, or simply lost their land to the swelling river. ‘The river is coming nearer to our home. If it takes any more land, we will inch our way forward. We will implore our neighbours for space on which to rebuild a house. The land keeps going and going, leaving fewer spaces on which to grow our crops. The land has become water.’

Charcoal producers are looked upon with disdain in REINA. The government bans any form of tree-cutting for commercial purposes whether for timber or charcoal. Charcoal producers then lead a precarious life as they elude local police to continue with their livelihood. A resident of Banglos, Crisanto Pujalte, however, maintains that he does not cut trees to produce charcoal, but collects driftwood that stray to the riverbanks.

We dry and burn the pieces of cut wood that roll down from the mountains and float to the river banks to make into charcoal. After the great flood in 2004, charcoal-making became very lucrative. I used to produce about 100 sacks of charcoal per month, today I am lucky if I am to produce 10 to 20 sacks. There is less driftwood available from the mountains that I collect from the river. In a way, this makes us feel safer since landslides may be less frequent due to less logging in the mountains unlike the times prior to 2004, when slopes were too loose and flowed as mud to our village. At the same time, many in-migrants have come from the nearby villages of the municipality of Real to compete with us in charcoal production since the police catch them there, as Real is a forested area where charcoal makers cut trees. They blame the charcoal makers rather than the big loggers for the floods.

Since charcoal production has weakened considerably, Crisanto grows vegetables in a relative’s small patch of land and his wife sells them whenever possible. He engages in fishing and joins a group that does net fishing both in the river and the sea, since he was a fisherman in earlier times. Crisanto has also become pa ekstra-ekstra. He looks towards the future when his children would have completed a university education, believing that granting them the chance to study would locate their future elsewhere rather than in Banglos, where the river swells, and where driftwood is increasingly scarce.
In 2008, Lyra de Leon moved to GK Smart Anoling resettlement site with her family from her original home in Banglos. Lyra almost lost her eldest child to the 2004 flood when she momentarily left the baby swaddled in a blanket as she climbed the roof of her house when floodwaters rose. Today, she travels 3 kilometers by foot to Banglos daily at 5:30 am and buys fish from docking fishermen. She walks home and peddles the fish until they are all sold. Her husband, Jess, is in Manila working as a construction worker for Php 420 pesos (US$ 10) per day exclusive of food and board. This is the third time that Jess works in Manila since 2003, but she prefers him to fish in Banglos so that they are together. However, the earnings he sends to Lyra are good income compared with the returns from fishing. Looking to the future, she thinks of working in Manila as a sales person due to the increasing costs for supporting two growing children. She and her mother’s family have also come to live with floods. Flooding is more frequent, Lyra observes. In 2012, they had to evacuate Banglos three times: July, October and November. They know that when water reaches a certain eroded area (hit by previous landslides), it is certain that floodwaters will rise. When they are waist-high, people can no longer escape them. But when they do, they are able to cross over and reach GK Smart. Usually on the day following a flood, evacuees return to Banglos to fish since with murky water, there is a chance of a good catch. They leave the children behind in the resettlement site. Lyra admits that they are no longer afraid since they can predict the rise of floodwater and they know what to do.

Cresswell (2008) stated that ‘to be mobile [or immobile] is to acquire a gendered subjectivity’ (our square brackets). From the cases above, the experiences of disaster and livelihood insecurity co-produce gendered subjectivities: re-traditionalized housewives and immobile women – some awaiting remittances, while others working on fragile lands – and mobile men with insecure and multiple livelihoods. In a climate of continued disasters, people live with constant insecurity and their mobility and immobility mark the degrees of the insecurities and stability that they experience. This challenges studies like Samuels’s (2012) that acknowledge the mobility of men as being an index of inequality or deprivation for immobile women. In the post-disaster REINA case, however, it appears that women like Esther, Stella and Lyra want to claim immobility because this chimes well with traditional gender
norms on motherhood and wifehood in the Philippine context. Their immobility as left-behind wives and their sense of home ownership in the resettlement sites offer them a degree of desired stability: especially a fixity amid the flux and uncertainty that the floods have brought to their lives. This however affirms Samuels’s (ibid.: 743) notion that mobility is a ‘contextualized phenomenon’. Indeed, disaster as a context is fraught with uncertain and forced mobilities, and as such, people long for fixity and immobility to align themselves with their imaginaries of stability. They see nature as compelling them to move all the time. These imaginaries attach great importance to the gendered norm of wives staying at home who resist prospects of being mobile women workers, as well as perpetuate the notion that to be immobile is to be socially upward in the community, thus occupying a position of high status and relative power. To be immobile underscores that one has one’s own home, land to farm (however fragile), lives near river or sea to fish, or is at home awaiting wage remittances from afar. Indeed, the cases of the women show us that as they remain ‘in place’ and ‘at home,’ they simultaneously take on and resist types of gendered subjectivity, as Cresswell and Uteng (2008) earlier noted. They resist the idea of the mobile working woman, as this represents instability and is usually regarded as a final recourse to men’s joblessness or as a response to the exigencies of supporting growing children for a university education.

On the other hand, mobility marks separation from one’s spouse, engaging in insecure and multiple livelihoods, such as being pa-ekstra-ekstra in the case of the men, Crisanto and Ariel. Crisanto, morphing into a charcoal producer as floods carried driftwood, combines this new livelihood with other equally insecure livelihoods such as gardening and small-scale capture fisheries. This challenges Samuels’s earlier notion that the lack of mobility can both cause poverty and be a form of poverty in itself. The REINA cases show us that immobility indicates advantage and marks relative stability in a constant state of flux and movement in the context of livelihood insecurity and more frequent flooding.

Pre-disaster forms of social and gender differentiation took on a new importance as new differences emerged for these REINA residents and their post-disaster mobilities.

Left-behind wives in Banglos and the resettlement sites intersect with who they were prior to the frequency of floods in REINA. Many
of the women whom we interviewed travel to work or temporarily live in Banglos; they were wives of fishermen, fish peddlers and farmers, whereas the mobile men were formerly farmhands, skilled construction workers and fishers. There is continuity in gendered subjectivities, but these are also further co-produced, fragmented, and/or re-constituted by the experiences of disaster, insecure livelihoods, and mobility/immobility. The social conditions of disaster recovery and reconstruction, immobility and mobility for particular livelihoods, and people's lived experiences therefore create a space where gender is performed differently, and is constantly renegotiated (Cupples 2007). Nightingale (2010) has generally referred to this as the relational production of space and material subjectivities, where in this study, difficult spatial realignments following disasters and insecure livelihoods stratified people in unequal social positions of power.

**Institutional disaster risk reduction, livelihoods and mobility**

After the 2004 disaster, many intervention projects by the local municipal governments of REINA were legitimized and packaged as disaster risk reduction action projects, yet only a handful are actually of this nature; many are largely local livelihood projects or construction of infrastructure. For example, one project directly related to farming and marketing is the newly constructed market in General Nakar, an outcome of public–private partnership, which does not readily cohere with disaster risk reduction. Instead, the market structure strengthens residents’ coping strategy against poverty or serves to enhance farm livelihoods.

On the other hand, the three municipalities of Real, Infanta and General Nakar have put in place programmes related to types of disaster risk reduction, such as flood/tsunami warning and alert systems and designated evacuation centres in the event of a flood. Participatory exercises in community mapping to identify flood-vulnerable hotspots are also getting common. Women have been organized and trained for bio-intensive gardening, zero-plastic campaigns, and solid-waste management. Meanwhile, the Philippine government legally bans logging and charcoal production to avoid soil runoffs and river sedimentation, compelling authorities to apply punitive measures to those who practise these extractive activities. Livelihood farming skills such as herbal gardening, organic farming and
cottage industries like sewing and woodcarving were also introduced. Thus, post-disaster development projects and interventions commonly involve a mixed currency of disaster risk reduction and livelihood enterprises.

The local state authorities encourage and continue to support these ‘disaster-related projects’ for various non-disaster-related reasons, however. The range of motivations and reasons for supporting these projects may include political opportunism, production for revenue and logistics generation, and self-interested job generation for intermediaries and implementers of these projects. Many of these projects carry a strong disaster risk reduction label. In the municipality of General Nakar, for instance, members of a local women’s organization cultivate organic herbal gardens and sell their produce to the herbal cooperative, as organic farming is widely believed to adapt to climate change and disaster-risk-reduction strategy. They also campaigned against the use of plastic bags and commercial diapers for infants. However, herbal gardening and manufacture of supplementary herbal pills and juices seemed to favour only the business ventures of a relative of an elected local official. A municipal development planning officer further corroborates this:

A women’s association in the municipality, with the wife of the mayor as the Chair, also produces various juices. For example, they produce the malunggay (moringa) juice. We in the municipal government have decided that whenever we have an official gathering, we will just buy the malunggay juice produced by the women’s organization to help them market their product. Also, the organization also serves as our food provider during the municipal government-initiated meetings or affairs. We have also given an annual allotment of 100,000 pesos (US$ 2,300) to purchase their products.

Another case in self-interested employment is Marietta Canasto. She worked for the Municipal Environment and Natural Resources Office (MENRO) for one and a half months. She was tasked to care for plant seedlings and plant them for the purpose of reforesting the banks of the Agos River. She received Php 200 (US$ 5) per day. She returned home daily. Her work was temporarily stalled due to the election ban, since there was no budget available to employ her. She learned about the MENRO employment from her cousin who worked in the local municipal offices. Every Monday, she visits her cousin to see whether there are available job opportunities. From this, we observe that only
those who were within the orbit and networks of municipality officials were actively employed in disaster risk reduction short-term contracting opportunities, while others in the communities simply did not have sufficient resources to sustain their new livelihood skills introduced by projects, as the cases below narrate.

Precy Huelva, a temporary resident of Banglos recalls her involvement: ‘We were taught to make sweet potato candies and to grow medicinal plants to supply the herbal store of the Mayor’s wife.’

Other programmes were products of faulty planning. For instance, some informants said that these programmes were unsuccessful because they did not generate savings for women in any useful way. Stella Santos shares additional examples: ‘There was a time we made sweet potato (camote) candy and planted herbal medicinal plants. This failed because we ran out of supply of sweet potatoes, and the sales of the candy went down after the Christmas season. Eventually, we went on our own separate ways, each to her own livelihoods, mostly pa ekstra ekstra, taking up many types of work.’ Constantina Rellon, another Banglos resident, adds:

I was involved in Operation Compassion, a group savings project, launched by an NGO during the season of the northeast monsoon winds, when conditions weigh against good fishing. As members, we were compelled to use our group savings to buy rice for our households. The money was intended for accumulated savings of the group. This led to the project’s failure. The NGO pulled out and they discontinued the group savings scheme. Even personal savings are difficult to generate since I am sending my children to school and one of them has been hospitalized. I also used it to travel back and forth to the resettlement site. Whatever savings are depleted.

The cases of Stella and Constantina demonstrate that target beneficiaries in the communities explore and engage in projects motivated principally by everyday coping-with-poverty and livelihood stakes. Disaster risk reduction as a principal motivation does not dominate their engagement. Thus, they continue and sustain their participation based on immediate livelihood stakes. If participation in these projects enables people to cope with poverty, then they enlist and participate. But if a project proves otherwise, the involvement of people fades and the project gradually dies.
Key informants from the planning office in the municipality of General Nakar tell us that the current priorities of the mayor are principally infrastructure-driven: road building to another province, water supply and irrigation. Enabling adequate transport facilities has never been on the municipality’s priority list even in the aftermath of the big flood in 2004. In the municipality of Infanta, disaster risk reduction and capacity-building programmes have included simulated rescue operations and drills responding to new alert systems, mapping flood hotspots to be later incorporated in local land-use maps: dike-building, river-dredging and re-channeling, and organic farming and planting of trees. In REINA, however, moving for multiple livelihoods is viable for people to cope with poverty. Some people are mobile, while others are immobile or left behind due to varying conditions such as the presence of children, availability of gender-specific jobs, age and life cycle considerations, and assets (cases in the previous section demonstrate some of these conditions). Some individuals can access relatively higher paying jobs elsewhere, while others generate more modest incomes and livelihood opportunities. On the other hand, translocally mobile people are more vulnerable due to insecure multiple livelihoods and being pakstra ekstra on a daily basis.

From a mobility perspective, many of the disaster and livelihood projects initiated by local municipal governments did not address the concerns of people constantly on the move whose multiple livelihood activities presently serve as safety nets to mitigate their disaster-related losses, such as land and high farm productivity. These were largely in-place projects that helped stoke a sense of stability and fixity in a continuing disaster and resettlement context that necessitated the flux and flurry of mobility, especially for poorer residents. Opportunities and benefits from these projects were neither widely shared nor distributed, and most people were eventually left to fend for themselves and to rely on insecure and ‘make shift’ livelihoods in risky environments such as in Banglos. Wherever stay-home women were targeted for craft skills training in resettlement sites, only few responded, feeling eventually that they were not adequately skilled or market-linked to effectively practise or sustain craft making, as exemplified by Stella Santos on the mismatch between learned skills and claimed subjectivity: ‘We were also trained for wood carving skills at GK Smart, and some were able to sell wood
carving products as a group. But others did not learn. I tried to. But I did not really make progress since I am a farmer and sometimes a vendor, always *pa ekstra ekstra* when opportunities arise.’

The discourse of disaster that frames current intervention projects in REINA downplays the need to address the urgent daily livelihood interests and concerns and the emerging subjectivities of local people: they consider themselves increasingly as *pa ekstra ekstra* as they cope with poverty and everyday livelihood insecurity by exercising varying degrees of mobility and immobility. As a result and without these concerns in mind, planners plan and shape projects, which are often short-lived and do not alleviate poverty in any significant way.

The provincial and municipal Employment and Services officers are tasked to link labour demand and supply, generating opportunities for the recruitment of skilled and semi-skilled individuals for possible employment, usually in Manila and surrounding provinces. They create job fairs and link constituencies to skills-training agencies of government and NGOs to increase employment chances. In interviews, local planning officers, however, lament that the Employment and Services portfolio is often assigned to officers with already existing multiple appointments. Only the provincial Employment and Services Office is a separately designated office. In the municipality of General Nakar, for example, Employment and Services is an unfunded portfolio, and at the village level, this function is voluntary. Therefore, residents who wish to augment their incomes and move to work elsewhere from REINA would have to rely on personal knowledge and networks to link them to possible employment. It appears then that the state turns a blind eye to mobility as an already ongoing strategy with which people cope with poverty and insecure livelihoods. One explanation lies in the fact that municipal governments in REINA principally focus on addressing disaster vulnerability and risk reduction primarily driven by the traumas experienced in 2004, as well as resources that support this definition of development practice. Additionally, the National Disaster Coordinating Council of the Philippines has mandated the institutionalization of ‘policies, structures and programmes with continuing budget appropriation on disaster risk reduction from national down to local levels towards building a disaster-resilient nation and communities’ (Republic of the Philippines 2010).
Gendered Entanglements

Migration and mobility as a development agenda for poverty reduction and livelihood generation however do not fall under the state’s framing of the problem, predominantly residing in conventional disaster risk reduction and disaster resilience-building languages and agendas. We are reminded of political ecology’s concern over power relations that are supportive of particular discourses that shape and influence programming and policy-making (Stott and Sullivan 2000). The REINA case on development programming unpacks how discourses of disaster and climate change – and their narratives – are socially and politically situated, in turn framing and materializing current practice and policy.

Concluding remarks: rethinking gender and disaster from a mobility perspective

Disaster and consequent livelihood insecurity as a context is fraught with uncertain and forced mobilities, and as such, people long for fixity and immobility to align with their imaginaries of stability. They see nature as compelling them to move all the time. Villagers assign a mobile social agency to nature when they view flooding as ‘the river coming up to our doorstep’ that is catching up with their lives and property. This compels them to be constantly conscious of the need to ‘make a move’, but necessitates the difficult question of ‘where to go?’ Those who are able to move to live and work in multiple places widen their range of poverty survival options, although in ways that are not secure or sustainable. Those less mobile demonstrate advantage, whether through staying home and awaiting remittances from spouses working afar, or those with some leftover plots of land to farm and consolidated fisher networks for fishing out at sea.

In a similar vein, this context of increased mobility brought about by disaster experience has engendered the desire to remain in place and be immobile. Immobility has marked relative stability and reproduced comfortable gender norms that play up the virtues of being a housewife awaiting financial support from a husband working far away. Immobility has also marked a temporary return to precarious places where a chance of eking a livelihood is present compared with the scarcity of opportunities in new resettlement sites.

Mobilities also seem to draw and define the boundary between a relatively more prosperous era prior to the big disaster and subsequently,
the period of resource decline and difficult spatial realignments in its aftermath. People spoke of their temporal imaginary of sedentariness and immobility during ‘better times’ in the past. In turn, this leads them to believe that the extent of contemporary vulnerability, trauma and uncertainty is so pronounced that even the women and mothers have to move to find work to help ends meet. In related manner, nuanced stratifications emerge between types of gendered work, such that to be a female domestic worker receiving fixed wages is better than the employment irregularities experienced by a male construction worker. Migrating for domestic work appears to be the next best thing as it also puts a momentary end to insecure mobility.

Contradictory, ambiguous meanings, meanwhile, are also assigned to mobility and immobility. For instance, censured livelihoods – charcoal production and logging – are attributed to mobile and landless individuals or outsiders, as they are believed to descend on the villages to prey on remaining forests. While immobility has become an index of privilege by owning productive land for sedentary cultivation or by being a regular wage earner, this is not the case for immobile subjects who claim that they have nowhere to go.

Mobility also marks gender-differentiated responses to floods, as women and children flee or are ferried out to evacuation centres, while men stay behind to protect precious assets. Institutional responses to disaster recovery are also mobility-defined in the sense that they reinforce the aspiration for fixity and immobility by re-traditionalizing gender roles that emphasize in-place livelihoods such as in new gardening enterprises and cottage industries.

Finally, the study demonstrates that mobility is a blind spot in planning for resilience-building where livelihood security is subsumed under the overarching language and frame of disaster risk reduction. The discourse of disaster that frames current intervention projects in REINA obscures the need to address the urgent daily concerns, emerging subjectivities, and stakes of local people: as people who consider themselves as pa ekstra-ekstra when coping with poverty and everyday livelihood insecurity through varying degrees of mobility and immobility. Because this is not recognized as the goal for responsive intervention, projects that are not planned thoroughly along this line, are often short-lived, and fail in poverty alleviation terms.
Gendered Entanglements

In this study, we therefore examined the spatial – specifically mobile – practices that constitute gender and social difference, where power is produced in a situation of persistent natural disasters, livelihood insecurity, and wider developments in the Philippine political economy. Narratives of mobility play an important role in the constitution of gender since ‘acquiring mobility (or immobility) is often analogous to a struggle for acquiring new or former subjectivity’ (Cresswell and Uteng 2008: 2). Thus, as people call into being and materialize new subjectivities, productions of difference become exercises imbued with power and inequality (Scott 2008), a chief concern of feminist political ecology. This has implications on whether mobile and immobile subjects become more resilient through their differentiated subjectivities, and their access to resources and survival chances are at risk or minimized.

The foregoing conclusions of this study allow us to offer a few implications about re-thinking gender and disaster.

First, from a general reading of the policy literature, current thinking on gender and disaster tends to oversimplify how disaster strikes and affects women and men, and subsequently also how gender shapes disaster responses and disaster recovery. Much of what we have observed on the dynamics of disaster recovery in REINA compels us to go beyond the easy notions of gender-specific impacts where women are often claimed to be disadvantaged and vulnerable immediately. The REINA case seems to point to the contrary: left-behind, immobile women – as domestic workers, as wives of fishers and farmers on fragile lands, or stay-at-home wives – benefit from fixity in the face of increasing fluidity and movement compelled by living with disasters and the rise of insecure livelihoods. Men, on the other hand are more mobile, thus face multiple but insecure livelihoods. That said, however, mobility and immobility mark relative degrees of resilience and stability, insecurity and fragility, and are themselves not definitive, black-or-white categories that define gendered subjectivities. Mobility is therefore a contextualized phenomenon.

Second, a fixation on ‘impacts’ in the gender, disaster and climate-change literature focuses on the material and measurable, while gender is rarely mentioned in official and NGO climate-change discourses except as women being climate victims. MacGregor (2010), for in-
stance, notes the positivist framing of most climate change discourses that measures impacts and counts victims. The mobility literature, on the other hand, tells us that immobility for women is a marker for poverty and lack of opportunity, whereas mobility for men is power and advantage (Samuels 2012). It follows then that if planners were convinced that women registered significant victim numbers, then the case would have been made for inserting gender into climate change negotiations and future funded programming. Our observations of post-disaster REINA put into question disembedded allegations of feminized victimhood as these sidestep other subjects of vulnerability, such as chronically jobless men, and other types of less vulnerable immobile women, who consider themselves stable and in place in the face of mobility that marks insecurity.

Further, the paradigm of mobility offers a way out of oversimplification because it complicates and disrupts earlier notions of place-based gender-specific risks and vulnerability pervasive in much of the gender, disaster and climate-change literature. Disaster subjects are potentially mobile beings and their mobility or immobility etches marks on their differentiated recovery, coping and adaptive responses, enabling ways with which gender and other types of intersected social differences may be performed, and where positions of privilege may be gleaned.

Third, as a contribution to feminist political ecology, this chapter’s focus on gender, mobility and disaster highlights the gender relations of power embedded in people’s struggles to realize more resilient livelihoods through mobility or immobility. Additionally, a feminist political ecology approach allows us to unmask discourses of power that sidestep and blunt efforts of state and development institutions to address women and men’s uneven access to resources to assuage their daily livelihood struggles. Instead of addressing these concerns, the focus of these institutions has been narrowly centred around disaster resilience and risk reduction.

Finally, the study challenges the notion of mobility as a gendered response to disaster and increasing climate change, but instead locates mobility and immobility within the rhythms of everyday life, challenges and opportunities of the wider political economy, as well as in the context of accumulated fears over the uncertainties of likely future disasters where nature has acquired its own agency.
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Notes

1 ‘How mobility shapes gender considers problems such as how processes of mobility/immobility shed light on the shifting power relations embedded in gender. How gender shapes mobility, on the other hand, focuses on how gendered processes create, reinforce or change patterns of daily mobility’ (Hanson 2010: 8).

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CHAPTER 10

Mobile and Changing Livelihoods: Constituting Gender among the Hunter-Gatherer Bhuket of Sarawak

Shanthi Thambiah

Introduction

An analysis of gender relations in an egalitarian society of hunter-gatherers is inseparable from an analysis of larger socio-economic structures. In this chapter, I shall argue that the ethnic hunter-gatherer group of the Bhuket in Sarawak shows flexible gender divisions of labour through diverse livelihood strategies. These livelihood strategies contribute to the social constitution of gender relations (Whitehead 1979, 2006: 24). The chapter will show how mobile and changing livelihood practices constitute gender.

When thinking of gender, we tend to start from the premise that gender is informed by cultural norms and discourses. This premise is used to explain inequality and how it is maintained in social structures. However, in an effort to rethink gender, this paper attempts to show that, in the context of flexible, diverse and mobile livelihood practices, inequality is produced when gender is understood as a process by which subjectivities are produced and shift over time and space (Butler 1990, 1997; Connell 1987; Mahoney and Yngvesson 1992; Mehta and Bondi 1999, cited in Nightingale 2006). This conceptualisation of gender shows the relevance of context and demonstrates that gender cannot pre-exist context, for context and gender constitute one another mutually: gender emerges out of context and, in part, also constitutes context, both materially and symbolically. This idea has been discussed and deliberated in many studies (Bondi and Davidson 2004; Masset 1994; McDowell 1999; Pratt and Hanson 1994 cited, in Nightingale...
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The idea that gender is a process, rather than a fixed entity, within a context of diverse and changing livelihood practices, explains how shifting, flexible and mobile livelihood practices constitute gender.

The objective of this chapter is to explain the diversity in the gender division of labour. I study the changing environmental and social organisational context that shapes diverse forms of livelihood strategies and, with it, the constitution of gender in livelihood practices. To rethink gender, I expand the concept of the division of labour in livelihoods to include the movement of women and men for resources. Women and men are plural categories constituted by social practices that are informed by livelihood choices in their everyday lives and struggles in diverse contexts (Cornwall 2007: 77). Therefore, the gender division of labour relates to a much more complex series of productive and reproductive activities. By modifying the concept of the division of labour accordingly, I explore the variability in the division of foraging labour as a function of the structure of the local environment – particularly in terms of resource availability to foragers. I shall also look at gendered mobilities as defining livelihood practices, given that movement is the hallmark of the hunting and gathering culture. Mobility and flexibility have become increasingly necessary in the context of modernity; paradoxically, though, development prescribes fixity through sedentarisation and resettlement – especially in relation to the Bhuket.

Although modernity and development restrict mobility (or regard it as being backward), their prescription of fixity is not viable – particularly within the context of increasingly degraded resources. Shifting cultivators have generally been seen as backward, as their specific practices of agriculture have been regarded as primitive. For example, many countries in the region have laws that criminalise shifting cultivation (Peluso and Vandergeest 2001; Vandergeest and Peluso 2006; Majid-Cooke 2006; Ngidang 2002), and most nation-states prefer forest dwelling groups to practise sedentary farming and not move between sites. Some have argued that states have attempted to permanently settle mobile peoples and that this has been a recurrent state project, although one that has rarely succeeded (Scott 1998). In addition, more recent work has shown that mobility is a capability (Kronlid 2008; Lund et al. 2013); this refutes the views held by most states.

This chapter primarily focuses on Bhuket livelihood practices (from the past to the present) under circumstances of social and environmental change, and on the ways in which these livelihood practices constitute gen-
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der. It is important to point out that the very act of bringing about fixity/sedentarisation involves moving large numbers of people into resettlements; here, mobility is forced for the purpose of resettlement/fixity. However, the Bhuket have maintained their mobility in the context of resettlement that has prescribed fixity. This chapter will examine Bhuket livelihood practices, which contribute to the social constitution of gender. Gender is diverse and depends on the distribution of mobility in a community (i.e. who embraces mobility, who embraces fixity and who embraces both). I define ‘livelihood strategy’ as a way in which the Bhuket select and combine specific activities to make a living. Following Chambers and Conway (1991) and Scoones (1998), the analysis is performed mostly at the household level, but expands to include others who are no longer living in the households. By ‘environmental change’, I mean the effect of the flooding of a large tract of land (an area of approximately the size of Singapore), due to the construction of the Bakun Dam. In addition, while much attention has been paid to the great diversity between hunter-gatherer societies (see Kelly 1995; Lee and Daly 1999; Burch and Ellana 1994; Ingold 1986, Ingold et al. 1988, Ingold 1988; Panter-Brick et al. 2001; Thambiah 2007, 2009), much less attention has been paid to the diversity in practices within such societies. Therefore, the chapter will highlight internal diversity in order to convey the flexible and mobile nature of foraging societies (Kent 1992: 61).

I will first discuss the methodology that the study employed. Secondly, I will examine the Bhuket’s livelihood practices before their resettlement and their current livelihood practices at the resettlement at Sungai Asap. Against this backdrop, I will explore how the Bhuket maintain mobility and flexible gender relations within their increasingly diverse livelihoods. Finally, I will conclude by debunking the common assumption that the gender division of labour is a ‘given’ in livelihoods and by demonstrating that, in contrast, livelihoods constitute gender.

**Methodology**

The Bhuket ethnic group is found in five communities that live far apart from each other in West Kalimantan and East Kalimantan. Formerly, a Bhuket community lived in the headwaters of the upper Balui, but this community has since resettled at Sungai Asap in Sarawak. Bhuket communities are dispersed throughout central Borneo. However, the vast space between them has not isolated them from each other; rather,
they are interrelated, and interactions between them have always been maintained.

In 1992, when I started my fieldwork amongst the Bhuket, there were 276 Bhuket in Sarawak: 161 were in Long Ayak, 76 were in logging camps and 39 lived elsewhere. Children from inter-ethnic marriages into Bhuket communities were assumed to be Bhuket. Those living in the logging camps returned to the longhouse frequently and it is there that they kept their material possessions. Of the 39 living elsewhere, three nuclear families and two individuals did not return to the longhouse. The population of 237 (inclusive of those living in the logging camps and excluding those living elsewhere) was divided into 24 kajans (shared spaces – apartments or huts or households).

I conducted a survey of the Bhuket population in the three settlements in West Kalimantan in 1993, but population information on the settlement in East Kalimantan was obtained from two informants from the settlement of Naha Tivab. The Bhuket population in West and East Kalimantan was 578 individuals, and in Sarawak it was 267 individuals. The total Bhuket population in Borneo therefore comprised 845 individuals in 1993/1994 (Thambiah 1995). In my most recent visit to the Bhuket community (resettled at Sungai Asap) in 2012/2013, the total Bhuket population in Sarawak was 469 people (249 males and 220 females), living in 54 kajans (households). This chapter uses longitudinal observations of the Bhuket in Sarawak between 1992 and 2013.

Data-gathering methods included a socio-economic survey comprised of a house-to-house census, a livelihood profile of 47 households and ethnographic research techniques. Seven households were left out of the livelihood profile at the time of the survey, because they were not available and a few had gone to visit relatives. Based on this survey, further in-depth research was conducted on two residential groups – one that lived on the jelatung, platforms built above the Bakun dam, and another that lived at the resettlement site in Sungai Asap.

Livelihood adaptation and practices before the resettlement, from a historical perspective

The livelihood opportunities available to the Bhuket have varied over the years, as reflected in their livelihood practices. The Bhuket were
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previously very mobile hunter-gatherers. Although they were nomadic, they also engaged in trade with their agriculturist neighbours, exchanging resins, rattan, incense wood and rhinoceros horns for such items as iron, cloth, salt, tobacco, betel nuts, cultivated foods and firearms. According to Sellato, ‘Liju Li the chief of the Long Gelat group who came from the upper Mahakam river around 1830 to wage war on the Taman and the Ot Danum groups of the upper Kapuas put some of the local nomadic groups (Kereho, Hovongan, Bukat) to work to help make swiddens’ (1993: 3). This means that, by at least the 1830s, the Bhuket were learning the skills required for swidden farming. Between 1901 and 1910, many Bhuket groups moved to Balleh and farmed there; they planted maize, rice, cassava and bananas. However, there were still other Bhuket groups that did not plant or cultivate; those who planted did so of their own volition and did not give up hunting and gathering. For the most part, other Bhuket groups continued to live by hunting and gathering.

In 1911, the Bhuket – under the leadership of Janen – moved down to Kapit, but they did not settle well and, in 1915, pushed by the Brooke administration, they moved to Giam Mikai above the Pelagus rapids on the Rejang, where they were attacked by the Ga’at Iban rebels (Sarawak Gazette 1 December 1915: 278). In 1916, after this battle, the Bhuket moved further upriver to Belaga, where they farmed with the Sekapan people. They also traded actively, especially in rhinoceros horns. My field information goes back to the 1920s and 1930s, and, during that time, the Bhuket did not live in one longhouse, but were scattered. Whenever they wanted tobacco, salt or cultivated food, they camped near Kayan longhouses and worked for the Kayan, performing such tasks as harvesting paddy and weeding. They also traded jungle products.

In the 1930s, the Bhuket moved above the Bakun rapids and served as the pala menoa (vanguard of the upper Balui). There, they farmed actively and planted fruit orchards in all of the places in which they farmed. By the 1940s, the Bhuket were farming quite successfully. The Belaga Information Book of 28 April to 3 May 1941 recorded that the Bhuket paddy harvest was fair and sufficient for approximately six months.

From the late 1940s to the 1960s, the Bhuket lived by hunting and gathering, trading small quantities of forest products and cultivating rice. Throughout their migration from the Balleh up the Rejang River,
the Bhuket had two modes of livelihood, which they practised interchangeably with relative ease. One livelihood was more settled, with hill paddy farming the main economic activity, while the other livelihood was more mobile. By the late 1960s, the Bhuket were already involved in wage work in rubber plantations, and some were working for logging companies. Notably, those who were more mobile usually took up wage work. The Bhuket therefore diversified their livelihoods even before their resettlement at Sungai Asap.

If one ignores internal diversity, one may potentially misunderstand the flexible nature of foraging societies (Kent 1992: 61). This was succinctly stated by Panter-Brick et al. (2001: 6): ‘[I]t is the range of behaviours and the flexibility of human groups, not uniformity, which deserves emphasis.’ The variations in the Bhuket annual cycle of livelihood activities can be understood as individual responses to opportunities, both consistent and inconsistent, in the following order of preference:

1. wage labour, especially in logging companies or government jobs
2. hunting
3. gathering of fruits and other edible sources
4. fishing
5. collecting rattan and other forest products and weaving for trade
6. agriculture: i. hill-paddy farming
   ii. cash cropping

Most Bhuket – both men and women – were involved in all six activities, but their preference of activity was determined by the extent of each activity’s return in income and food. Accordingly, they changed to a new activity only if it could provide more food or income. Men engaged in hunting and wage labour in logging camps, and women sometimes also hunted. Both women and men gathered and fished. Men usually collected forest products for trade, while both women and men collected rattan. Agriculture was a livelihood strategy that was predominantly done by women, but men helped with field clearing and some of the harvesting tasks of hill rice. Both women and men cultivated cash crops such as pepper and cocoa. The Bhuket were too preoccupied with their daily subsistence to spend time collecting forest products for trade. Rather, the collection of trade items was a supplementary activity that
was performed during hunting or foraging. Items were then traded with a variety of groups: agriculturist neighbours, Chinese traders or other interested people in the logging camps or at the nearest bazaar.

The amount of time that males and females spent in different activities is difficult to ascertain, for they moved between activities – even wage labour – with great fluidity. For example, Naj2 would give up his job as a chainsaw operator at the beginning of the fruit season or when the kecohei trees were flowering, for they signified an abundance of fish and wild boar. He would set his drift net and go hunting and come back later to check on his nets. If he were to continue working in the logging company during the fruit season, he would deprive himself and his family of good food and more money for less work done from the sale of fish. This observation links with Endicott’s statement on the Batek: ‘Normally, they will be found living on the highest category of food available at the moment’ (1984: 46). In addition, it is important to note that the control that women exercise over their lives and activities in foraging societies is widely accepted as an ethnographic fact (Leacock 1978: 248), and the fluidity in livelihood activities engaged in by men can also be found in the livelihood activities engaged in by women. In the Bhuket community, both males and females (including children) procure food and other necessities.

Following Endicott’s method of analysis for the Batek economy (1984), I found that the variation in the yearly cycle of livelihood activities among the Bhuket could be explained in terms of a hierarchy of work preference. It seems that the Bhuket chose to have multiple livelihoods, and they flexibly combined hunting and gathering with other activities, such as hill-paddy cultivation, wage work, trade, and so on. They lacked long-term commitment to any one activity. The Bhuket viewed farming as something that operated in their favour, and they adopted it voluntarily, as it supplemented a foraging diet. Agriculture became part of a wider, flexible hunter-gatherer livelihood repertoire. Thus, the niche that had sustained their foraging subsistence was modified and expanded to encompass agriculture (cf. Bird-David 1992a 1992b: 22–23). Agriculture required the Bhuket to adapt to sedentarisation, and the flexible Bhuket living arrangements3 made it possible for them to take up agriculture without having to change their hunting and gathering lifestyle completely.
After taking up agriculture but before their resettlement to Sungai Asap, the Bhuket were differentiated according to two kinds of living arrangements. Some Bhuket were band-like multifamily units whose members engaged in farming, foraging and wage work. These families seldom stayed in the longhouse and preferred to stay in farm huts. For example, the five households that farmed in U Jet Havet stayed at their farm for more than three years and rarely returned to the longhouse. In the farming year 1993/94, two more groupings of households emerged, one headed by the headman himself, at Long Beto (six households), and the other at Long Liu (three households). All three groupings made their farms along logging roads. Those at Beto and Liu stayed at the farm from June to November 1993. However, there was another grouping at Long Payak (two households) comprised of elderly people who did not like staying in the longhouse. The second residential arrangement was in the longhouse; these families concentrated more on farming and became involved in wage work usually in the period after harvesting and the subsequent planting season. In the farming year 1993/94, this grouping decided to farm near the longhouse along the Ayak River and its tributaries. However, even amongst this group, hunting and gathering was maintained.

Here we can see how the Bhuket adapted intelligently to both ecological and socio-economic conditions by creating complex shifting and mixed livelihoods while maintaining a hunting and gathering lifestyle. They were able to supply their basic needs with only a few hours of work per day. Binford (1968, 1978, 1980) has cogently argued that hunter-gatherers differ greatly in their logistical and economic strategies, largely as a function of the availability and seasonality of resources. Indeed, the Bhuket adapted to local resource configurations by responding to the abundance, diversity, distribution, temporal variability and sequential pattern of availability of those resources. This can be demonstrated by Naj’s choice of livelihood activities according to season.

Naj leaves his job as a chainsaw operator for a logging company during the fruit season to gather available fruits. He combines this activity with hunting for wild boars, which migrate during the fruit season. He sometimes sets his net at the base of the kecohei tree, which flower along the banks of the river, because the fish come to eat the flowers that had fallen into the river. The abundance, diversity and
distribution of the fruit trees also influence Naj’s livelihood choices and activities. He returns to his job as a chainsaw operator at the end of the fruit season, after the hill rice planting season. The seasonality of resources and the sequential pattern of the availability of those resources also contributes to the temporal variability observed in livelihood activities. Bela, Naj’s sister, also temporarily stops caring for her pepper and cocoa plants in order to engage in the same activities as Naj during the fruit season.

Naj and Bela’s strategy did not tax individuals, the community or the environment excessively. In the above discussion of livelihood adaptation and practices, it is clear that the resources that men and women used overlapped, and there was no differential access to resources and hardly any specialisation of labour by gender. Livelihood activities such as hunting, gathering, fishing and collecting forest products, in addition to paid farm work and agriculture, were usually practised by both men and women, although not necessarily in equal intensity, and the division of labour between the genders converged. Here, we see a division of labour in which men and women worked together or by themselves to procure resources that would maximise daily food. Mobility and flexibility were central in facilitating this division of labour and, therefore, the gender division of labour was dynamic. Flexible livelihoods were facilitated by mobility in environments where the division of labour would emerge through complex interactions between resource availability and individuals’ decisions. In light of this, social action through livelihood mobility and flexibility constituted gender and accounted for the variability in men’s and women’s livelihood decisions vis-à-vis their resources and environments.

**Resettlement to Sungai Asap: maintaining mobility and flexibility under conditions of greater fixity**

Many large-scale projects that are designed to improve national infrastructure require the resettlement of large numbers of people. The building of dams for generating hydroelectric power provides classic examples. The Bakun Dam was first proposed in the 1980s as part of a series of dams to exploit the hydroelectric potential of the upper Rejang River. Though the project was called off in 1990, it was revived in September 1993. Today,
the official view is that, besides supplying electricity, the Bakun Dam project provides other benefits, and thus brings indigenous forest-dwelling peoples ‘into the mainstream of development’ through resettlement, by providing much-needed infrastructure to a remote part of Sarawak. The Bhuket were resettled to Sungai Asap in 1998, and each household was given three acres of land. This meant that the Bhuket were no longer able to practise shifting cultivation, but they were encouraged to plant oil-palm trees, which contributed to greater fixity (sedentarisation).

Indigenous groups are often treated in ways that make them out to be backward and in need of ‘help’ from both more modern nation states and development projects such as the Bakun Dam (see Li 2007; Dentan 1997; Tsing 1993; Dove 1988). Scott (1998) would describe such development projects as state-initiated social engineering through high modernism that brings indigenous peoples into the mainstream of development and makes them ‘legible’ in the state’s administration of its people. The incursion of the state into farm plots and forest fallows and the state’s claims to forests have caused a great deal of degradation and controversy over legal and illegal logging and the conversion of forests to mono-culturally produced estate crops. More importantly, the blame for degradation has been largely directed at forest-dwelling peoples, rather than the loggers, mono-crop plantations and industrial forestry developers who have extensively cut, cleared and degraded the forests or the development projects, themselves (such as dam constructions).

Resettlement affects the livelihood practices of indigenous communities in various forms: communities may be moved out of the uplands or forests, or lowland peoples might be moved into the uplands or swiddeners’ territories (Elmhirst 1999; Uhlig 1984; Vargas 1985; Hardy 2003; Peluso and Vandergeest 2009). Fixity requires the movement of large numbers of people into resettlements. Many governments have long wanted indigenous communities to settle down and practise sedentary agriculture (Wadley 2003; Wadley and Eilenberg 2005; Potter et al. 1995; Dove 1983). However, as this chapter will show, there is a built-in defect in the state’s desire for fixity and sedentarisation, for the outcome of these schemes has been that people continue to practise their traditional mobility as a livelihood strategy.

Before their resettlement, the Bhuket were involved in a sustainable mixed economy, in which every member of the community had a part
to play. However, at the resettlement site in Sungai Asap, they have been introduced to a monetised economy in which they are better connected to urban areas. They have begun to pay for food, water, electricity and so forth. In this context, the cost of living has increased dramatically and possibilities for income generation have reduced.

There are limited economic opportunities within the resettlement site, and this has led to the out-migration of the young, who seek jobs elsewhere. There is also differential access to wage labour, for the demand for such work still greatly outstrips its supply. This has led to variability in levels of material wealth and increasing economic inequality among households. Many Bhuket seem to have the view that each individual must strive by his or her own efforts for a comfortable life. This is not necessarily for the future, but for comfort in the present; this, in turn, has led to highly wasteful lifestyles and high levels of alcohol consumption.

There are also tensions in the relationships between family members – especially between those who were against the resettlement and those who were for the resettlement. Ic, who lives in her sister’s house at Sungai Asap, said:

Me, my sister Seron and my brother Nga decided not to move into the resettlement and we stayed back in our temuda [fallowed land] in Ujet Havet which was high enough and the water did not reach us. However after a few years we decided to move into my sister Sam’s house in Sungai Asap. She was compensated for all our temuda [collectively own fallowed land that was submerged by the Bakun Dam] … but because we did not move with her to the resettlement site she did not share the compensation money with us…

The lack of job opportunities also causes family division. Individuals migrate out and families divide. The search for money empties the resettlement site of economically active men and women, and this leads to increased spatial dispersion of kinship networks. Children tend to leave the resettlement site for employment elsewhere. This dispersion of kin is of great social significance, since it seriously disrupts the network of food sharing. Sharing is a means by which individuals solve personal crises, and the obligation to share is seriously weakened by the spatial distance of kin. This weakened network makes some Bhuket more vulnerable to personal misfortune. Female and male youth used to take part in their elders’ livelihood activities, such as gathering, hunt-
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ing, growing crops and trading; since resettlement, however, they do not see these activities as integral to their lifestyle. Una, who lives at Sungai Asap, said:

With my son Mahj – working in Sibu in an Oil Palm plantation and my daughter Sud living with her husband in Kuching I don’t have enough people to help me with hill rice planting so we plant a smaller plot of land. We have enough rice for only three to four months... We need to buy rice from the shop that does not taste as good as our rice but what to do... I am not the only one... There are a few kajan [households] in Asap that [are] in a similar situation like me with so many young people leaving...

Furthermore, the resettlement scheme also strains resources. As population density in the resettlement area has increased, higher-ranked food resources have begun to be over-exploited. The Bhuket, who were once able to move away from areas with scarce resources and explore others, have found adjoining territory occupied and emergency resources already exploited around the resettlement site. The resettlement has also caused intensified use of marginal environments and resources, as subsistence cultivation has increased.

Greater sedentarisation, larger populations and the resulting greater intensification of local resource exploitation amongst the communities living in the resettlement area have caused resource depletion and scarcity. Both the technological and settlement pattern anchored on fixity show that sedentarisation is not very sustainable. However, there is some evidence of coping amongst the Bhuket through limited resource management, gardening and domestication. What we are beginning to see is a highly flexible and intelligent hunter-gatherer lifestyle slowly being eroded by the stresses caused by farming and a settled life. The Bhuket response to these stresses has been to maintain mobility and flexibility through the diversification of livelihood practices and to move away from the unsustainable livelihoods that have been prescribed in the fixity of the resettlement.

The three acres of land that were given to the Bhuket as compensation for their resettlement are simply not sufficient. As hunters and gatherers, the Bhuket need vast tracts of land to hunt, gather and cultivate. Unfortunately, they are now doing this within state land or that of neighbouring communities, which are also subject to land pressures. Some Bhuket have moved above the Bakun Dam into their former territory,
which has not been submerged by the dam, in order to hunt and gather. Bhuket links to the land are also spiritual. They have not been able to experience and practise their religious beliefs because they have been separated from their former territory, where they claim the spirits linked to specific resources dwell. Some of their sacred geography has been submerged and some spirits have been displaced to higher grounds. Lab, the daughter of Lij Loh (the village shaman at Long Ayak), said that her father told her before his death: 'The good spirits that live in the spaces that give us wild fruits in the Bukau area have drowned and the special wild fruits in that area will not be available anymore.'

The following section will elucidate the maintenance of mobility and flexible gender relations within the new and diverse livelihood practices of the Bhuket.

**Changing livelihood practices that constitute gender**

Women who have remained in the resettlement site have become the sole caregivers for both children and the elderly, as men have gone in search of wage work. Male labour migration has left women behind to carry the burden of supporting the subsistence sector. We are beginning to see the feminisation of subsistence, as women have been forced to take on reproductive, as well as productive, duties, while they are also considered generalists in their livelihood practices, relative to men.

With regards to reproductive work, some men and women share most domestic tasks, as well as responsibility for children. There is also flexibility in domestic tasks. In the resettlement area, a division of labour based on convenience can be observed in domestic responsibilities, but many men are frequently not at home to do their share of the reproductive work. Besides this, men at the jelatung above the Bakun Dam and those who have left the resettlement for wage employment do most of their own domestic tasks themselves. Women who perform domestic chores at the resettlement site must bear the costs of running the household and thus need to conserve their use of electricity and cooking gas. They must also purchase food, since gathering and hunting activities around the resettlement site have reduced substantially. The production of handicrafts, such as mats, baskets and other ornaments for household use and sale, is lower now because it has become difficult for the Bhuket to collect rattan. Men have been able to experiment with
new technologies and production for exchange, using the compensation money received by the household for resettling at Sungai Asap. Although the compensation was originally paid to the household, some of the men used the money to buy vehicles. Transportation is costly and is provided by men, as they own the Land Cruisers and motorbikes. Women take transportation services into town to purchase household supplies and food.

The reliance on wage employment has had a crucial effect on women’s lives. The structure of wage employment is male-defined and work hierarchies favour men. The resettlement has also impacted on women’s roles and their status in diverse ways. Engagement in diverse livelihood activities continues to be a Bhuket strategy for spreading risks and minimising food shortages. They have not given up mobility in the resettlement context, even after taking up agriculture. Today, they live in the longhouse at the resettlement site, in farm huts, in logging camps or in nearby towns, and also on the jelatung. Women and men still hunt and gather no matter where they live, and agriculture is used to supplement the irregularities of wage labour and foraging. However, living on the jelatung in their former territory has made the Bhuket into entrepreneurial hunters, in that hunting for wild game has become a commercial livelihood. Most men living on the jelatung also engage in illegal logging for commercial purposes. The men spend their earned income on alcohol and on fuel to travel to and from the jelatung and the resettlement site; they also bring some of the money and wild meat back to their households.

A household may have individuals involved in various activities. It is important to note that within a household or extended family some members will farm, others will be involved in wage labour, and still others will be more actively involved in hunting and fishing. Some women will weave mats for sale. This points to the fact that gender relations are flexible and this flexibility has also been observed in the past, in both reproductive and productive work. Thus, the Bhuket are still, in effect, ‘nomadic’ in their choice of livelihood activities. Observations in the 1970s and 1990s of the Bhuket’s commitment to a nomadic way of life can still be said to persevere, though their livelihood practices have undergone drastic changes. For example, King reported (1979: 19) that at the start of the 1970s, although the majority of the former nomads of
the Kapuas were then settled in semi-permanent villages and spent ‘at least some time’ cultivating rice, they were still significantly involved in nomadic pursuits such as collecting wild sago and forest products, and hunting. Sellato also noted that ‘[i]t is true that the Bukat, compared to other “Punan”, may be the most dedicated of all to the nomadic way of life’ (1994: 62–63).

In the past, Bhuket livelihoods were well adapted for survival, since the Bhuket could use freely available forest resources such as vegetables, meat, fish, firewood and building material, and their main sources of carbohydrates were their farms. Many of these resources have been depleted at the resettlement site, so Bhuket travel far and wide looking for wild food. Wild meat and fish still provide for most of their protein intake and, when the hunters are still at the jelatung, the women fish in the nearby Koyan River. The Bhuket also incorporate wage work into their local world of farming, hunting and gathering. Wage work, for the Bhuket, is simply another means of getting food and other material requirements. Most of the contract or monthly paid workers do not save the money they earn. On the whole, they use it to obtain basic edible food from the camp shops or the nearest bazaar. However, the Bhuket who have moved out of the resettlement site have more permanent jobs with salaries, and some also hold government jobs, such as teachers, policemen and nurses. These individuals sometimes visit the resettlement site, and sometimes Bhuket from the resettlement site visit them to forage for food and money. When Bhuket men come back from the jelatung after a long period away from the resettlement site, they and their family spend their earned money on expensive branded clothes, beauty products, jewellery and food. They also spend a lot of money on alcohol, and sometimes most of their income goes towards paying off their drinking debts. Despite this consumption behaviour, there has been no obvious change in their attitude to money and possessions, at least amongst the Bhuket still living at the resettlement site, who are not keen on keeping to the same job. Rather, they are open to opportunities that present themselves, so long as these do not preclude their pursuit of individual autonomy. This ‘immediate return’ attitude to life can be observed amongst both men and women.

To the Bhuket, resources exist *a priori* and activities follow suit. As stated by Bat, ‘resources are out there, we just need to go and take
them’. This is how the Bhuket relate to the environment and it is also extended to their other activities, including wage employment. Bhuket men prefer to work for logging companies because they are able to procure resources in quite the same manner. This is because the logging camps have established shops and canteens that extend credit to them. Sometimes their loans exceed their wages, and most of them hardly receive any wages after their credit is deducted. However, jobs in logging camps are hard to come by, for the area in which they live has already been cleared and palm oil plantations have taken over the landscape. Plantations have become the biggest source of wage labour, but since the Bhuket do not like working on plantations, as the wages are very low, they engage in logging above the Bakun Dam and sell the logs to companies. They make the best of situations that are beyond their control and they are pragmatic in their livelihood choices. Some Bhuket are also recruited by Sarawakian logging companies that operate in Papua New Guinea and Africa. Such wage employment opportunities are not available to women.

Although both men and women shift between means of resource procurement, hunting and gathering is visibly maintained by those living in the longhouse at the resettlement site, the logging camps or the jelatung in a two-fold fashion. Most adults hunt and gather at least every now and then. When they do not hunt and gather, some of their relatives will. Therefore, there is a continuous presence of hunting and gathering. Many men working in the logging camps, working elsewhere, holding government jobs or working on the jelatung also hunt, gather and collect rattan between periods of work.

Those employed with the logging companies or working in government service – for example, as teachers – are likened to hunters, for they bring back provisions such as edible food, soap and so on at the end of each month. Persons may be employed very far from the resettlement site, but, on their return, they are seen to be returning from a successful hunt. The reception they are given upon arrival is similar to that of a returning successful hunter, filled with laughter and noise; this is irrespective of whether they are male or female. However, the product of hunting is shared, while purchased food is hardly ever shared. Sometimes, though, relatives from different households come and help themselves to the provisions that are brought back, and others may demand a share.
Cash income brings with it the prestige of material affluence. However, the core values of the Bhuket in terms of internal liberty and individual autonomy have been maintained. The great majority of the Bhuket refuse to engage in any kind of money transaction among them and resentment of the practice is often expressed. Naki, for example, said: ‘I will never buy meat from another Bhuket because, when I bring back game, I won’t expect them or anyone to pay me for the meat I give them.’

In the context of the resettlement caused by the Bakun Dam, Bhuket women and men have been experimenting with different livelihood strategies by combining wage employment, subsistence farming and dependence on natural resources from the forest. This is similar to what they did in the past, but they now do so within the context of vanishing and emerging resources and livelihood opportunities. The Bhuket are undergoing change, but practising continuity in the context of competing demands and constraints in an increasingly stratified economic environment. Employment and diversity in income levels are stratifying the Bhuket. For example, households with males working on the jelatung as hunters and illegal loggers have higher levels of income than households with no men working on the jelatung. Mus, who lived on the jelatung above the dam in their former territory, said:

I work on the jelatung logging and hunting with my brother Bat. Besides that my brother Kat is a lorry driver for a logging company in Gabon, Africa and another brother Nyan is a building contractor in the Solomon Island so we can be said to be doing much better than the other households. I also have a brother who has just graduated from a local university as a manufacturing engineer. I myself have worked in Africa but have decided to come back to work on the jelatung for hunting and logging is lucrative here above the dam.

Laja, talking about her son and son-in-law, who were involved in income-generating activity outside the resettlement site and sending home remittances, had this to say:

My son Ngelu is working in an offshore oil rig for Shell and my son-in-law Fran is a tug boat driver for the logging company Rimbunan Hijau and I and my daughter Rosl are not farming, for the money sent back to us is sufficient for food and other essentials. I weave mats with my daughter for some extra income. My husband is taking care of the palm oil trees we have planted on our land.
Eighteen of the 47 households surveyed had men working on the *jelatung*. Households with no men working on the *jelatung* and with limited sources of income focused their livelihood strategies on the resettlement site. Of this, Loho said:

> I work with my husband to plant paddy in between our oil palm trees... Wherever we can find space in our 3 acres of land to plant paddy ... so the harvest is very low and others think we are strange to be planting paddy in between the oil palm trees... Our daughter is married and living in Bintulu town and she sometimes sends us some money. Life is becoming difficult here at Sungai Asap ... we need to buy food here ... in the Ulu we ate well ... we even got to eat the *Tempurau* fish that is expensive.

Although the mixed and shifting livelihood strategy is maintained in terms of the division of labour, we now see a much more divergent division of labour between women and men. Within the resettlement context, resources or economic opportunities that have the potential to provide larger harvests or incomes are associated with higher levels of risk. Women predominantly engage in resource acquisition for daily provisioning, while men focus on larger harvests, such as those brought by hunting and wage work. However, men tend to succeed too infrequently to provide consistent income and food. The division of labour by gender can be said to be flexible, wherein men and women are likely to respond to the needs of their family and to each other. Women and men's livelihoods diverge in the degraded environment of the resettlement, where success or sufficiency in any one livelihood strategy is rare. The livelihood environment is much more heterogeneous, and resources of different utility occur in various spatial locations within the context of a patchier economic environment; thus, men and women need to decide first which livelihood to seek.

Bhuket men and women diverge in their division of labour depending on the livelihood regime that they target. The divergence is gendered because women predominantly focus on daily provision and men engage in economic activities with higher levels of risk. Here, we begin to see the emergence of a division of labour that is differentiated according to gender through complex interactions with the economic environment and individual decisions. However, we also see greater variability in the division of labour as a function of the structure of local environments and of livelihood strategies, and that the gender division of labour is not...
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a given, but is socially constituted in the decisions and practices of the Bhuket people.

Women are more involved in the relatively low-risk resource acquisition of agricultural activities, whereas men engage in hunting and wage employment, which are considered higher risks in terms of livelihood outcomes. However, most of the time, women and men work together to procure resources. We can see that the Bhuket follow a highly diversified and flexible livelihood strategy that combines foraging activities with paid labour and cultivation. Mobility has been retained, even amongst Bhuket who have adopted a relatively sedentary lifestyle, since mobility facilitates the viability of a shifting and mixed livelihood strategy.

It is important to generate a coherent picture of gendered mobilities and how these mobilities have changed in the resettlement context – a context in which the division of labour has moved from being convergent to being divergent. Research on migration decisions and experiences show that women and men may differ on the issues they consider, whereby women must weigh both reproductive and productive labour demands (Silvey 2000; Radcliffe 1991; Chant 1992; Lawson 1995). Although both Bhuket men and women move, they differ in their scale of movement. What this study shows is that, within the resettlement site and when the division of labour becomes divergent, the Bhuket use their traditional mobility as a capability in new economies in order to create diverse and flexible livelihood practices (see Kronlid 2008; Lund et al. 2013). Mobility contributes to processes of gender production in the lives of the Bhuket in diverse ways. When mobility is unequally distributed between women and men, it contributes to social stratification and gendered inequality. Overall, in Bhuket livelihood strategies, mobility constitutes gender; however, in the resettlement context, gender, in part, constitutes mobility (see Uteng and Cresswell 2008). For example, men living on the jelatung engage in logging, fishing and hunting. They also work as chainsaw operators in logging camps, as lorry drivers and as workers on offshore oil rigs; some also venture to other countries, such as Papua New Guinea, the Solomon Islands and Gabon. In contrast, the women on the resettlement site are confined to feminised subsistence activities like farming hill rice, vegetables and tobacco, and some also plant oil palm on their land. When they have rattan, they also weave. Those who have migrated out of the resettlement site work as clerks,
coffee shop waitresses, nurses, cashiers or farm/plantation labourers. Some women also move with their husbands to live on the jelatung and start canteens to sell foodstuff like sugar, oil, canned food and alcoholic drinks. Buri had a daughter who worked as a technician at a petrol station in Miri, and Yani explained that some women marry rich men and stay away from the resettlement site:

We are old … me and my husband Gala are not able to work. Our two daughters are married and living in Miri. Niko my eldest is married to a Chinese tauke [businessman] … She sends me money and we use it to settle our debts with our neighbours. Sometimes our neighbours and relatives give us meat and vegetables.

From the above-mentioned livelihood practices of the women and men, we can observe inequality in the overall distribution of mobility. As mobility on the resettlement site is much lower for women, we can conclude that the variation in the distribution of mobility contributes to producing gender.

Before the resettlement of the Bhuket to Sungai Asap, the Bhuket livelihood strategies reflected the resources in the environments in which they lived. These were broadly diversified with minimal specialisation by gender (showing a convergent division of labour), where the resources targeted by women and men overlapped. Specialisation within the context of a divergent division of labour in a wage sector that absorbs more males than females requires diversified input from women. As a consequence, most men and some women have adopted a rather specialised livelihood strategy. As this has emerged, the Bhuket community has still maintained a shifting and mixed livelihood strategy at the household level, which largely depends on the different scales of mobility practised by women and men and the versatility of women in the nomadic and agricultural sectors. Although hunting is now integrated into the cash economy through the sale of meat to outsiders, it is still shared within the community and with family members from other households. The livelihood input of Bhuket women in both the sedentary and more nomadic households is based on the agricultural season, the availability of natural resources and other wage labour work and the weaving of mats for sale. We can begin to see greater gender-based specialisation or a divergent gender division of labour in the younger generation’s strategies, too. It is important to point out that women and
men’s livelihood activities do not sort out neatly by gender, generation or livelihood options. This holds true for fishing, farming and gathering. Women engage in much of the food production, distribution and consumption in Bhuket society. Women also extend their visiting networks with kin and non-kin as a livelihood strategy. Although much of women’s mobility in relation to visiting others is recreational in nature, they sometimes justify it as functional or necessary. As Una would say, ‘we visit our kin to look for food’.

Although nomadic men value their long-distance mobility, they express dissatisfaction in being away from the women. Naki, for instance, said that he missed his wife and children when he was at the jelatung with the men hunting and logging. This has led to a surplus of men on the jelatung and a surplus of women at the resettlement site. Although there are opportunities for income generating activities for men at the jelatung, most remain attached to the resettlement site, which they regularly return to, and they bring their income and food – especially wild meat – back to the longhouse at the site. However, due to opportunities for wage labour outside the community and the diversification of women’s livelihood strategies, young women tend to take the first step in out-migration. Most never return, and there is no significant recruitment of outside women into the Bhuket community. Younger men, on the other hand, migrate to work, but they tend to return to the community. There is typically a skewed sex ratio at the resettlement site, with many unmarried men. Older Bhuket women encourage young women to stay in the community, and some even entice outside women into relationships with their unmarried male kin. Bhuket women criticise the lifestyle on the resettlement site and the deteriorating skills of the younger Bhuket men, due to schooling and permanent dwellings. They usually compare their husbands’ skills with their fathers’ and compare their sons’ skills with those of their husbands’. Guh said of the eroding hunting skills of the younger Bhuket men: ‘My father was a better hunter than my husband and my son hardly hunts but he goes for paroh [picnics] and to political meetings with the local politicians which cannot feed us.’

Concluding discussion

In this chapter, I have described some of the different ways that Bhuket women and men have diversified their livelihood activities by maintaining
mobility and flexibility under circumstances of sedentarisation/fixity due to their resettlement at Sungai Asap. The Bhuket augment their livelihood by extracting seasonal resources through hunting, gathering and farming, while fishing tends to be a regular activity. In the resettlement context, agriculture/farming is generally dominated by women and hunting and wage labour are dominated by men. However, both men and women – in whichever location – engage in fishing. Mobility is maintained, but the scale and distribution of the mobility varies between women and men. There seems to be flexibility in their livelihood practices and many – even those who are married – may not be in the same place at the same time for weeks on end. The divergent division of labour over a large span of space looks rather complementary, wherein mobility, flexibility, independence and autonomy are maintained. Men in the jelatung, whose wives are at the resettlement site, lack control over resources in the vast spatial stretch over which resources available to both women and men are thinly spread. A factor operating against the gender typing of livelihood activities in Bhuket society is the emphasis on autonomy in livelihood choices. However, the spatial separation of the men and women contributes to the probable emergence of gendered livelihood practices, in that they no longer have access to the same type of resources.

The resettlement of the Bhuket has provided short-term fixity or permanence but long-term insecurity. However, the provisional fixity or permanence of the resettlement has been built on others’ mobility. Resettlements provide unstable and insecure livelihoods, and there seems to be a tension between the state’s imposition of fixity through resettlement, which, paradoxically, can only be sustained through mobility, and flexibility. The outcome of development, which in the context of this study manifests itself in the form of livelihood insecurity in the resettlement, is dealt with by the Bhuket by embracing mobility as a livelihood strategy. As discussed above, Scott (1998) argued that the state desires to sedentarise mobile people and make the backward minorities more ‘legible’ by integrating them into mainstream development. We can see from the Bhuket case that the high-modernist planned social order in the so-called development of indigenous minorities through the instrument of resettlement, which excluded local and indigenous know-how, has failed miserably with respect to the livelihood security of these people. The fixity and permanence of development
through the instrument of resettlement has an inbuilt flaw that makes fixity unachievable; the Bhuket have resolved this flaw through their traditional mobility, informal practices, pragmatism and improvisations. This is a case in which the state, its discourses and instruments have sidestepped the complexity of people’s livelihoods. State efforts to curb mobility and shifting cultivation practices through the resettlement of the Bhuket people have exposed the inadequateness of the fixity that was prescribed, for mobility has been maintained.

The present cannot be understood without reference to the past, and women’s activities cannot be understood by excluding men’s and their joint activities. Any comparison of the livelihood practices of men and women in a hunting and gathering society in the past and in the present remains tenuous, especially when mobility and flexibility are maintained in a shifting and mixed mode of livelihood practices. In the context of environments and development outcomes that ensure that no one livelihood option is enough for the survival of the society, flexibility is the only viable option, even if fixity has been prescribed. Nomadism seems to be the strategy employed, even under conditions of development and sedentarisation/fixity. No fixed relationship connects the mode of production to gender patterns in the division of labour, but it seems likely that one will emerge in the resettlement context. It is difficult, at the societal level, to establish culturally female and male livelihood activities when both genders are comparably endowed for survival. This study leads me to question where gender relations have come from and where they can proceed in all of their complexity, fluidity and flexibility.

Therefore, in rethinking gender, it is vital to look at the internal diversity of livelihood practices to see how livelihoods, rather than cultural norms and discourses, constitute gender. This becomes highly problematic when applied to mobile communities with flexible livelihood practices and gender roles. The Bhuket deal with the inadequacy of fixity, as prescribed by the state, by maintaining mobility and flexible gender roles in their livelihood practices. Here, we can see how gender is constituted by changing livelihoods. A fixed notion of gender roles and gender relations does not do justice in explaining the complex mobile local social practices that exist in such communities. We must move away from the common assumption that the gender division of labour is given in livelihoods; conversely, in the Bhuket context, livelihoods con-
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stitute gender. Furthermore, these ‘new’ livelihood practices create new definitions of what it means to be a woman or a man in a contemporary hunter-gatherer society.

Notes

1 For more on the kajan, see Thambiah (1997).

2 Pseudonyms were not used, for there are a limited number of Bhuket names that I could draw from and it would be misleading to refer to someone else when the observations or narratives did not belong to them. Besides, it is culturally inappropriate to use the names of dead people when the narratives of living people are presented. Therefore, I decided to abbreviate existing names in order not to offend the Bhuket’s cultural beliefs.

3 For more on the non-concrete and fluid nature of their living arrangement, see Thambiah (1997).

4 The Bhuket still enjoy their hunting and gathering activity. Jayl Langub gave a very good illustration of hunter-gatherer perceptions of their lifestyle: ‘I would like to begin ... by sharing with you a few personal experiences regarding hunter-gatherers’ perception of hunting and gathering. The first of these occurred in August 1983 when a visiting dignitary asked a group of hunter-gatherers in Magoh River, Baram District, why they had to carry on their cumbersome tradition of moving from one place to another carrying all their belongings with them over rugged terrain, hunting and gathering as they moved, but uncertain about the outcome of such activities. The hunter-gatherers did not answer the question immediately but asked if the distinguished visitor liked kuma bahe’ [Kayan word for picnic]. When he answered in the affirmative, they told him in great jest that hunting and gathering is [a] picnic every day!’ (1990: 101).

References


Constituting Gender among the Hunter-Gatherer Bhuket of Sarawak


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Constituting Gender among the Hunter-Gatherer Bhuket of Sarawak


Sarawak Gazette 1 December 1915, pp. 278.


Gendered Entanglements


CHAPTER 11

Reconstructing Justice for Women in the Courts: an Investigation of Syariah Court Processes in Malaysia

Noraida Endut

Introduction

Law, in general, remains a tool that is arguably useful for creating social change. The law in the modern context is generally referred to as the formal legal rules enacted by Parliament or other recognized legislative body and is intended to regulate compulsorily the conduct and behaviour of members of society. Law and the legal system of a country may come from a singular ideological or civilisational source. However, in the case of many formerly colonized nation-states, the law and legal systems are made up of a dominant post-colonial system and one or more sub-systems. These sub-systems are often religion- or custom-based and are often applicable to personal matters of people subscribing to the relevant religious or customary precepts.

In the case of advancing the position of women to achieve gender justice, law and legal systems remain viable or perhaps, just convenient, means and structures through which change towards a more just society may be achieved. Since law continually interacts with social practices and relationships it may be used to initiate change in a society’s normative behaviour and beliefs in order for it to accept more just and non-discriminatory societal standards.

In Malaysia, Islamic law constitutes a compulsory regulating source of personal law for Muslims. In advocating for gender justice through law reform advocacy groups do not only have to contend with the gen-
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erally applicable law and legal system, which has a basis in the English common law heritage, but also the pervasive sub-systems of Islamic law and, more limitedly, the native customary law. Islamic law, as formulated and enacted by the Malaysian secular-based legislature, is the regulating source of personal law for Muslims and its position is entrenched in the Constitution. This Islamic law is then implemented and interpreted by the Syariah courts, which are state-level (as opposed to the federal level of government) courts constituted by individual states’ statutes, under jurisdictions provided in the Federal Constitution with a purpose to administer justice for Muslims in the particular states. The enactment of Islamic law statutes and the administration of justice through these courts provide legal and normative instructions over the lives of Muslims especially in what is ordinarily termed in law as ‘personal matters’.

The substantive and procedural provisions of Islamic law in Malaysia have gone through various changes. Discourses and testimonies about their discriminatory and detrimental effects on women are also quite pervasive. The study on which this chapter is based is an attempt to update knowledge and materials on the Islamic justice system in Malaysia by using a gender lens. Much of the discourse on the substantive and procedural aspects of the laws applicable to Muslims, especially women, has focused on the operations and legal interpretations of the provisions of the law in the statutes and how these provisions protect or should protect the rights of the subjects that they seek to safeguard. Studies and subsequent presentation of the ‘law in motion’ at the courts, as the law interacts with Muslim women’s lives, have been scant. Thus, while revisiting a persisting subject, that of Malaysian Islamic family law as it evolves over the years, this study presents a different facet to the subject of access to justice for Muslim women by analysing proceedings and exchanges in the courts to identify gendered experiences of women in their negotiations of rights with what has been historically, and still nowadays, a predominantly ‘masculine’ judiciary. In this way, this study is a novel attempt, in the context of Malaysia, to present the lived realities of women in the courts by consciously using a gender lens for analysis. Observing justice in motion in the Malaysian Syariah courts may also contribute towards relooking at the context of justice available for women, especially Muslim women. This may further lead us to understand whether the conception of gender justice is clear in the
courts and whether the courts make conscious efforts in their processes towards ensuring that women and men are treated equally.

**Rethinking gender in the context of justice in Malaysia**

Justice generally refers to a sense that something has been done in a correct, moral, ethical and rational manner. According to Rawls (1971), justice is fairness and the principles of justice should ‘define the appropriate distribution of the benefits and burdens of social cooperation.’ In Rawls’s distributive justice, every citizen is entitled to equal basic liberties and that social and economic inequalities can only happen if they benefit the less advantaged in society. On the other hand, according to Aristotle, justice in transactions (voluntary or involuntary) is ‘corrective’ or ‘rectifactory’ (as discussed in Heidt, 1991). Corrective justice may be seen as an approach to restore a situation of rightful distribution that is interrupted due to someone causing a breach of another person’s rights.

The concept of justice is deeply rooted in Islamic teaching and is integral to the basic outlook of Syariah (Mir-Hosseini 2009). Ibn Qayyim al Jawziyya (1292–1350) stated (as quoted in The Oslo Coalition of Freedom of Religion and Belief 2013):

> The fundamentals of the Shari’a are rooted in wisdom and promotion of the welfare of human beings in this life and the hereafter. Shari’a embraces Justice, Kindness, the Common Good and Wisdom. Any rule that departs from justice to injustice, from kindness to harshness, from the common good to harm, or from rationality to absurdity cannot be part of Shari’a.

A project of justice in Islam focuses particularly on the protection and advancement of life, religion, property, intellect and family (Kamali 1991). Corrective or retributive justice consists largely of a balanced implementation of rights and obligation (ibid.). It is the role of the courts and enforcement agencies to ensure redress and judicial relief whenever the balance between rights and obligation is disturbed (ibid.).

One of the areas in which the issue of justice is greatly relevant is in the treatment of women in society. Gender injustice may be seen as a situation where someone suffers injustice as a result of being a woman or a man. Gender justice necessarily requires the establishment of choice and entitlements for women, the elimination of gender-based
discrimination and the achievement of these through a discourse and strategy of rights (Goetz 2007).

Many Muslim scholars agree that the discourse of gender justice within the general and universal context is compatible with the egalitarian spirit of Islam and with the teaching of the primary sources of Islamic law. In contemporary Muslim society, gender equality is argued to be consistent with social experiences and thus must constitute a part of the Islamic justice framework (Mir-Hosseini 2009).

In independent modern Muslim nations, the Syariah courts evolved to become a part of a plural justice system consisting of, among other things, enforcement and judicial structures. The judicial institutions, including the Syariah courts in the context of these nations (including Malaysia) are ‘intermediaries who stand between the law as conceived and administered at the top and ordinary people’ (Merry 1994). These intermediaries, in their daily roles as law implementers, are capable of shaping categories of meanings to the law and thus, the outcomes of justice processes. In the context of the Malaysian Islamic family law, for which Muslim women’s rights and access to justice have become highly contestable, the way in which the Islamic authorities and judiciary ‘perform’ their roles will enact ideas about Muslim family relations. The ‘performance’ of roles will either be consistent with and enhance existing normative views or will challenge current norms and practices about legal rights in the context of marriage and the family.

In Malaysia, gender discrimination and inequality within the context of the Islamic legal system have been contested through advocacy and academic discourses, notably since the early 1980s when a post-independence women’s movement using a gender equality framework took root. Much of the approach used by the women’s movement was based on the principles of universal rights and equality for women, and much of the critique of the state was made on the basis of the lack of formal legal provisions that ensured gender equality especially in the cases of divorce and related matters in the courts. The struggle was for the reform of the law, eliminating discriminatory provisions and including substantive sections to reflect gender equality.

While the struggle for statutory reform will continue to be viable for Malaysia, especially in the context of asserting and affirming the importance of state recognition to women’s rights, the attainment of
gender justice may require a further scrutiny into why women continue
to feel discriminated and marginalised in the context of getting justice
in the courts. This is especially so in the Syariah courts. Studies with
academic and advocacy approaches have been conducted that collate
the voices of women giving accounts of their experiences in the
courts.\footnote{An alternative approach to understanding gender justice in
Malaysia is to observe and record the actual experiences of women
and the conduct of justice agents (judges, lawyers, court officers) in
the courts as the proceedings are in motion. Perspectives on gender
and institution, and investigating the dynamics of actors in the courts,
may offer new insights in relooking at gender justice in the context
of the legal system. Staudt (1998: 65) argues that policies relating to
gender inequality may be caused by ‘demographics, power dynamics
of underrepresentation and the institutionalisation of male interests in
states and bureaucracies’. In the courts, these variables may lead to deci-
sions that disadvantage women litigants. A few of these variables are of
unseen dimensions termed as the ‘deep structure’ by Rao and Stuart
(1997: 12). They define this ‘deep structure’ as ‘the collection of taken-
for-granted values, ways of thinking and working that underlies deci-
sion making and action’ (ibid.). The deep structure constitutes cultural
elements that influence individual perception and awareness, which
may subsequently act to develop informal social norms in organisation.
The deep structure, which according to Rao is highly gender biased,
supports decision making and action in organisation. In the courts, it
may shape and reshape gender justice.}

**Islamic law as a compulsory sub-system in Malaysia**

Muslim women and women of other faiths in Malaysia suffer from
issues in marital and family relationships on similar and comparable
bases. However, Muslim women have reported facing specific problems
in getting access to legal remedies to resolve these issues. This difference
in experience between Muslim women and women of other faiths is at
the outset attributable to the plural characteristic of the Malaysian legal
system whereby Islamic law, as a source of law, is compulsorily enforced
on Muslims with regard to family issues. This pluralism takes two forms.
The first is the difference in the legal treatment of family and matrimon-
ial matters between Muslims and people of other religious background.
Separate legislation and administration of laws on the relevant matters between Muslims and non-Muslims are enforced. Thus, Muslims are obliged to solemnise and register their marriages under the Islamic family law legislations while non-Muslims marry and divorce under a single legislation, the Law Reform (Marriage and Divorce) Act 1978 (LRA). Secondly, there exist miscellaneous versions of legislation applicable to Muslims because the laws are independently legislated and administered by the 13 states and the Federal Territories of Malaysia. Each state has typically an Islamic Family Law Enactment and an Administration of Islamic Law Enactment.

It should be noted that Islamic law as legislated, administered and interpreted in Malaysia is in many ways unique and may, arguably, be distinct from systems of Islamic law in other parts of the world. In the first place, the use of the word Syariah, a term used widely in Malaysia to be interchangeable with ‘Islamic law’, may be misleading to describe the religious legal sub-system imposed upon Malaysian Muslims. Syariah in its lexical meaning is the revelation that guides human beings seeking just and moral life. It is the ‘transcendental idea that embodies the spirit and trajectory of Islam’s revealed texts, the path that guides us in the direction of justice’ (Mir-Hosseini 2009). In the modern world, rules in the name of Islam, written or unwritten, including such Islamic law as found in Malaysia, fit more appropriately with the meaning of fiqh. This refers to the ‘process of human endeavour to discern and extract legal rules from the sacred sources of Islam: that is the Qur’an and the Sunnah (the practice of the Prophet, as contained in Hadith, Traditions)’ (ibid.). In the current situation, fiqh may be seen as the exercise of juristic interpretation and postulation of the general guidance provided by the Syariah by scholars and/or men or women elected or looked upon to make such interpretation for the benefit of the community at large. This exercise is done in contemporary Muslim contexts to understand the Syariah in particular community setting or to apply such understanding to specific matters in Muslims’ day-to-day lives. By its nature, fiqh is thus not necessarily infallible or immutable and must be open to possible challenges and questioning to achieve the most just results, which are the fundamental requirements of Syariah.

Moreover, in the case of Malaysia, what made up the Syariah today was historically the infusion of the English common law with Islamic and
Reconstructing Justice for Women in the Syariah Courts in Malaysia

local, more specifically Malay, customary elements (Hooker 1993). The sub-system evolved from the colonial practice of dealing with Muslim matters when the English law was pronounced the law of the land. Pre-independence colonial powers accepted the prescription of the law for Muslims but eventually restricted its application to issues of marriage and the family and selected matters of personal status. Elements of Islamic law also began to be codified as statutes and acquired similar features in terms of its enactment and interpretation as any English statutory rules at the time. The present bodies of Islamic law continue to have these basic legislative characteristics. In addition, only Islamic legal rules established through processes in state legislative councils are acceptable formal rules for Muslim personal matters. The Syariah courts are also constituted and rules for their administration enacted through such statutes.

Post-colonial attempts to systematically codify Islamic rules in the states began just prior to independence. Between 1952 and 1974 each state embarked on such projects, beginning with the 1952 Administration of Islamic Law Enactment in the State of Selangor. The other states followed suit by enacting similarly named statutes but each would be distinct in their substance and content. At this point, Islamic family law was not legislated in separate statutes but included in the administration of Islamic law legislation. Beginning in 1983, two trends of Islamic family-law legislation emerged that would be based on the Kelantan Islamic Family Law Enactment of 1983 and the Islamic Family Law (Federal Territory) Act 1984 (IFLA). The IFLA became the more influential ‘trendsetter’ and the basis for its enactment was, in fact, to provide a model Islamic family-law statute. Despite this, however, uniformity in the legislation between the states was not completely achieved because besides the earlier Kelantan legislation, Malacca and Kedah also decided to depart significantly from the model legislation.

The provisions of the Islamic family laws that were based on the IFLA can be seen as progressive and had been emulated by other Islamic nations having similar legal treatment of Muslims like for instance Brunei and Singapore. The most positive reforms, which had elements of equalising gender positions between husbands and wives, were perhaps provisions pertaining to divorce. The unilateral power of husband to pronounce the talaq (a pronouncement of divorce or repudiation of
marriage) was modified by providing various proceedings with which a woman can apply for a divorce when her marriage breaks down. In the case of divorce by fasakh (a court pronouncement that a marriage is terminated or dissolved on specific grounds provided by law), for example, the IFLA provided more than ten grounds under which a woman can apply for court-ordered dissolution of marriage, which range from her husband’s desertion to her lack of consent at the time of marriage.6

The reform provided by the IFLA was also followed by the enactment of more substantial legislation of issues of the administration of Islamic law for each of the States. One important development was the reorganisation, which later led to the more established positions, of the Syariah courts. Prior to the 1980s, reform the demarcation between the Islamic judiciary and its administrative section was not clear. Kadis7 (judges), who headed Islamic religious agencies in the States, served both administrative and judicial functions. Parties of a marriage went to a Kadi’s office both to seek marital counselling as well as to apply for legal proceedings on marriage and divorce. With the 1980s reform, a separate jurisdiction was created for judicial issues. A Kadi8 now heads the Islamic Religious Department and a Syariah Judge presides over the Syariah court. The Religious Department deals only with administrative matters such as registration of marriage and divorce, enforcement of particular provisions of Islamic enactments and provision of counseling to married couples. All judicial proceedings must be made at the Syariah courts. The court system began with a single court but has now, in many states, developed into a three-tier system with the highest having appellate jurisdictions. It should be noted that prior to 1988, despite the establishment of a separate court system, Muslims could still bring Islamic family law matters to the ordinary secular courts for redress, and the ordinary courts would accept jurisdictions over these cases but made decisions by referring to Islamic law statutes. Since 1988, however, the amendment to Article 1219 of the Malaysian Federal Constitution gives exclusive jurisdiction to the Syariah courts to deal with Muslim matters under which the State has jurisdiction to legislate. It is still subject to debates whether the Syariah courts have parallel or subordinate positions to the ordinary courts. However, based on statutory provisions, it may be surmised that a judicial review for cases of the Syariah courts is capable of being brought to the High Court of the ordinary court system.
since the High Court is specifically vested with a review jurisdiction under the Court of Judicature Act 1965.

Sites for the prescription of justice:

an overview of the Syariah courts

This study mainly uses the method of observing court processes in order to understand the dynamics of the prescription of justice for Muslims in the Malaysian context. Many studies of Syariah law in Malaysia, especially by Malaysian academics, have focused on critiques and analyses of textual legal materials as bases for discussing various aspects of justice and for arguing that justice has or has not been achieved. Few studies have approached the inquiry into the notion of justice through investigating the lived contexts of the processes of justice. While textual materials may formally indicate the degree to which the State offers rights for women and men in the Syariah law, and seeks to balance these rights, there are many aspects of the law that rely on the discretion of judges in formulating this balance. The idea of gender justice, thus, at least in the context of Malaysia, needs to be re-examined by empirically observing and analysing the interpretations and prescriptions of the textual laws in the courts.

Perhaps a more empirical presentation of the assessment of the Malaysian Syariah justice system is one by Peletz (2002) who used ethnographic approaches to studying the Syariah courts and religious departments, mainly in Negeri Sembilan, in the late 1980s. Much of the structures and practices in the courts have changed since then. It is important to revisit continually the ‘critical sites in the creation and policing of new Malay-Muslim families and subjectivities’ (ibid.), which are the Syariah courts. In effect, the Syariah courts in Malaysia form the Islamic family courts since their jurisdictions are almost exclusively over marital and family matters. They may also be the locations where gender relations in Muslim families are contested and tested and where the specific experiences of women in gendered relationships may be gathered. Thus, investigating the proceedings in the Syariah courts may aid in reconstructing the meaning of gender in marital and family relationships and understanding how the state, through a legal system, prescribes or endorses certain gender norms in these relationships. Courts, in general,
may be seen as sites for ‘processes by which litigants, legal experts, and others attempt to construct persuasive narratives’ about legal rights and obligations (ibid.). In the Malaysian Syariah courts, it is useful to examine the dominant narratives that emerge from the processes. Whether gender features consciously and persistently in these narratives and how gender is incorporated into justice narratives can be examined through observing the court proceedings.

In this research 18 Syariah courts in the States of Kedah, Penang, Perak, Selangor, Negeri Sembilan, Johor, Pahang, Terengganu, Kelantan and the Federal Territories were identified as research sites. While court proceedings in Malaysia are generally open, the researchers communicated formally to the Courts’ Registrars the intention to sit in and observe proceedings. The responses to the request were generally positive and accommodating. Verbal exchanges in the courts, the physical environment of the courts, facts of the cases, parties in the courts and other related matters were observed and noted. The researchers were able to make repeated visits to three courts, one in each place: Selangor, Pahang and Pulau Pinang. In several of the courts, proceedings in open court are conducted in the morning up until lunchtime. Cases in the afternoon were heard in judges’ chambers, which excluded them from being open for public attendance. In a few of these cases, the researchers were able to obtain permission to listen and record proceedings.

Syariah courts in Malaysia are relatively modern in terms of physical structures. The court settings are not unlike those of the ordinary courts (sometimes termed as ‘civil’ to differentiate it from ‘Syariah’) within the general legal system applicable to Malaysians. All Syariah High Courts and most Syariah Subordinate courts visited are equipped with reasonably updated technologies such as microphones and computers for court officers (in many cases, laptop computers for judges). However, in many cases, court documents are still presented physically, and not electronically, in the courts and this requires lawyers and unrepresented parties to bring hard copies of documentary evidences.

A typical court setting may be seen in Figure 11.1 (overleaf). It is generally observed that there are more women than men in the public gallery at a particular court proceeding. People at the public gallery consist mainly of waiting litigants. Women sometimes come to court accompanied by their female family members and friends. Children
are not allowed into the courts except where proceedings require child witnesses. On one occasion a lawyer was reprimanded by the judge for allowing his client to carry his infant child into the court to take the witness stand. In this case, the man was applying to register his marriage, which was contracted without the permission of the court, in Southern Thailand, much earlier. His wife was also in court to act as a witness to the case. The couple was not able to arrange for childcare to attend court that day.

In all of the States, the Syariah judicial systems feature three-tiered Syariah court structures: the Subordinate Courts, High Courts and Appeal Courts/Boards. The Syariah Subordinate Courts are ‘courts of first instance’ where most legal claims based on the Islamic family law legislation begin. The Syariah High Courts have supervisory and revisionary jurisdictions and first instance jurisdictions for matters with higher claimable values.

The courts have not shown consistent effort towards development of jurisprudence that seeks to unpack the present realities of families. In the proceedings, no reference is made by judges or lawyers to jurisprudential sources of the Syariah, most importantly the Quran and Hadith. Prescription of justice appears to be based on the letters of the statutory laws and very little exercise in interpretation of the law can be seen. The Islamic Family Law statute and enactments are very much fashioned after the ordinary Acts of Parliament in Malaysia. Very similar provi-
sions, especially concerning procedural matters, can be found in both the Islamic Family Law legislation and the Law Reform (Marriage and Divorce) Act 1978. The latter is the law governing marriage and divorce of non-Muslims.

**Women’s grievances in the Syariah courts**

Women constitute 49.3% of the total population in Malaysia (Census 2010). Muslim women may roughly be estimated to form 52–60% of the total female population. The average age at first marriage for women in Malaysia in 2010 was 25.7 years (Census 2010).

In the study on which this chapter is based, the proceedings for a total of 156 cases were observed throughout the courts visited. Out of these, 119 were cases in the Syariah Subordinate Courts and the remaining were cases in the Syariah High Courts. In the present study, cases of marriage and divorce observed in the Courts can be summarised in Table 11.1.

There were 71 cases related to divorce in the cases observed. These cases concerned the application for divorce through the pronouncement of *talaq* by the husband (also commonly known as ‘Section 47’ divorce), application to divorce by the reason that the husband has breached a condition of marriage (*ta’liq*), application for the dissolution of marriage based on one of the provided grounds in the Islamic Family Law statute (*fasakh*) and application to validate and register a divorce pronounced outside of court. In only five of these cases were the plaintiffs men.

**‘Gender in motion’ in the courts**

Gender is acted out in the Syariah courts in many forms. In terms of setting, as can be seen in the overview of the courts earlier in this chapter, the courts divide seating spaces for women and men. None of the courts observed allow for mixed seating.

In almost all of the courts observed, dress code notices are found outside of the courts. Men are required to dress smartly and women must dress *secara menutup aurat* (‘in a way that covers what is required by Syariah to be covered’). This normally means that women must wear clothes that cover their bodies up to their arms and just above their feet and don the *tudung* (Islamic headgear) even when they do not normally wear the headgear in their daily lives. Women in the study
have generally observed this by wearing the Malay traditional dress, the *baju kurung*, and the *tudung*. In a divorce case of an artist in 2001, the female litigant was reprimanded by the court for wearing a long-sleeved blouse and pants to court, even when she had donned the *tudung*. The judge in that case, heard in a court in the State of Selangor, ordered the case adjourned and asked the female plaintiff to return on another date wearing the *baju kurung*. Women’s clothing did not appear to be an issue in all the cases observed for this study: in a few cases, women wore blouse, pants and the *tudung* but were not reprimanded by the judges. It may be concluded that more contemporary judges have moved from

Table 11.1: Cases handled in Syariah Courts

<table>
<thead>
<tr>
<th>Cases in the Syariah Subordinate Courts ('courts of first instance')</th>
<th>Cases in the Syariah High Courts (supervisory and revisionary jurisdictions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications to divorce by talaq (through husband’s pronouncement in court), <em>ta’liq, fasakh</em></td>
<td>Applications to validate a marriage contracted outside of court or without the permission of the court</td>
</tr>
<tr>
<td>Applications to validate a divorce pronouncement made by husband outside of court</td>
<td>Applications to contract polygamous marriage</td>
</tr>
<tr>
<td>Applications of nafkah or maintenance from husband (applied by wife for herself and/or her children)</td>
<td>Applications for custody of children</td>
</tr>
<tr>
<td>Application for interlocutory orders such as warrant of arrest for a defendant’s (mainly husband) failure to be present in court, temporary custody of children, prohibition of disposal of property</td>
<td>Application for <em>muta’ah</em></td>
</tr>
<tr>
<td>Applications on division of property upon death (<em>faraid</em>)</td>
<td>Application for division of property upon divorce through provision on <em>harta sepencarian</em> (literally, commonly acquired property)</td>
</tr>
</tbody>
</table>

* Compensatory payment to wife for being divorced, through husband’s pronouncement of *talaq*, without her consent.
the notion of associating traditional *baju kurung* with an exclusive definition of Islamic female covering or *menutup aurat*. Modern clothing that fulfils the requirement of covering the head and body in a decent manner may be considered sufficient. In one of the cases in a court in the State of Selangor, a female litigant was wearing fitting jeans and had her hair dyed and visible under a scarf. The judge proceeded with the case without making any remarks related to her dressing. Judges may also be trying to avoid nitpicking on clothing in the interest of expediency of the case. However, when a litigant dresses or appears in a style that in the opinion of a judge closely approaches what in Islam is considered prohibited for either a man or a woman, a formal reprimand may still take place in the court. In two cases, one in Selangor and one in Penang, male litigants had long hair and wore Bermuda shorts respectively when called for commencement of proceedings. In both cases, the judges postponed the cases and required the male litigants to return on other dates with short hair and in ‘decent’ clothes respectively. Men having long hair may be construed by the judge as wrong in Islam because it is prohibited for men to deliberately fashion themselves after women and vice versa. The Syariah Criminal Offences Act of all the States in Malaysia contained provisions that prohibit such behaviour in varying degrees. In this case, the judge may have associated long hair with the feature of a woman and not a man. In Islam, men’s *aurat* (parts of the body that must be covered) refers to parts between the belly button and the knees. Thus, men are prohibited from wearing shorts above the knee. Although Bermuda shorts in the case mentioned above may have covered areas below the knee, the judge may have construed wearing the shorts as bordering sinful behaviour.

Lawyers representing clients in the courts are generally of equal proportion in terms of gender. While male lawyers generally wear black suits and tie, female lawyers are ordinarily dressed in the traditional *baju kurung*, black and white in colour, or long black skirts with long sleeved white blouses. The male lawyers normally put on headgears, the black *songkok*, traditional to the Malay/Muslim cultures. All female lawyers don the *tudung* or Islamic head coverings. The lawyers are all Muslims although recently the Court of Appeal of Malaysia has ruled that non-Muslim lawyers with Syariah law training may practice in the Syariah courts. The decision came out of a case that contested the legality of
Rule 10 of the Rules of Syariah Lawyers 1993 which prohibited non-Muslim lawyers from practising in the Syariah Courts. The Appeal court decided that Rule 10 is *ultra vires* (‘beyond the powers’) of its parent Act, the Administration of Islamic Law (Federal Territories) Act 1993, which is silent on the religion of the lawyers who can practise in the Syariah Courts (Malaysian Insider 2013). In about 30% of the cases, litigants are represented by lawyers, however the majority of the women in the cases did not have legal representation. There were a number of cases where parties are represented by Legal Aid lawyers. The same Legal Aid lawyers are sometimes seen representing parties in different States (for example, Penang and Selangor).

Gendered treatment of parties by judges in the courts can also be observed. An application for divorce through the pronouncement of *talaq* is expedient for a woman if she is able to obtain the agreement of her husband to divorce. The application for divorce through the pronouncement of *talaq* by husband is a form of divorce under the Malaysian Islamic family law that may be applied by either party of a marriage. *Talaq*, in Islamic law, is the statement of repudiation of marriage, which may only be pronounced by a husband against his wife. A wife is not vested with the same power and may apply for dissolution of marriage through judicial orders based on specific conditions or grounds provided by Islamic Family Law Act/Enactment.

In many of the cases observed, *talaq* proceedings involving husbands who were already agreeable to the demands of their wives for divorce can be quite brief and easily disposed. An example can be seen in the proceeding of the following case from the State of Pahang:

Judge (J) Did you receive the application [of divorce, from the plaintiff]?

Defendant/Husband (D) Yes.

J Have you divorced before?

D Yes, twice, but not with this wife.

J Are you living together?

D No, separately. We had not lived together since one week after marriage. [Parties had been married for
Do you consent to the divorce?

D Yes.

J Ok. This couple has never divorced before. The application is procedurally in order. There is no legal ground prohibiting this divorce and thus, marriage may be dissolved.

J to D Please pronounce the talaq now.

D [Pronounced the talaq guided by a written format given by the court officer. The officer asked D and the plaintiff to sign on several documents]

J A divorce is hereby confirmed between [name of D] and [name of P] to the order of one talaq raji’e [a divorce with a possibility of being revoked through resumption of conjugal relationship].

In this case, the judge needed only to ascertain the consent of the husband before pronouncing a divorce (see emphasised text) even when the parties had only been married for three months. A decision with similar brevity was also made in another case, with the same judge sitting. Comparable situations can also be found in other courts in Kedah and Selangor.

A divorce by the pronouncement of talaq cannot be concluded if one party to the application does not consent to the application for divorce. However, since the power to pronounce the talaq is legally vested in the husband, an expressed disagreement of a male litigant to his wife’s application for divorce by talaq is clearly a hindrance to the plaintiff’s (wife’s) desired outcome in the proceeding. Since the divorce relies on the husband’s willingness to make the pronouncement, the court is not willing to substitute the decision of the husband with its own decision as to the breakdown of the marriage in such cases. In a case in the State of Pahang, the plaintiff (wife) applied for divorce under Section 47 because her husband had consistently been dishonest with her and was currently in prison for a crime. In the court, where the defendant (husband) was present, these exchanges took place:
Judge (J) to Defendant (D) Are you agreeable to the application to divorce made by your wife?

D No, Your Honour. I would like to wait until I get out of the Bentong prison in October [in six months] before making decision.

J to Plaintiff (P) What do you want to do now?

P [Sobbing] I want a divorce, Your Honour. I cannot stand being married to him any longer. He lied to me from the beginning of our marriage.

J Since this is a divorce under Section 47, both parties must consent. If one party does not consent, the case should go to conciliatory process [under Section 47(5)] or a hakam [arbitration] process under Section 48. I am of the opinion that the process under Section 48 is more suitable. Both parties must bring suitable relatives to act as arbiters for either side.

In this case, once the husband expressed his disagreement with his wife’s application for divorce, or to postpone his agreement, the judge decided to accept his decision and not to probe further into the circumstances of the lack of consent. The judge proposed to proceed with the case by using the process of arbitration under Section 48 of the law where each party was required to nominate a family member to represent her/him in formal discussions to ultimately establish the husband’s consent.

A petition in relation to divorce by the pronouncement of talaq (Section 47 of the Islamic Family Law Enactment) may be presented by either the husband or the wife. Based on provisions of Section 47, a judge shall ascertain the consent of the party responding to the petition before making a decision to allow the petition. Despite the seemingly gender-neutral language of Section 47, however, a judge may place a lesser value on the consent of a responding wife compared to a husband. This can be seen in the following case:

Judge (J) Are you clear from your menses?

Defendant/Wife (D) Yes.
Gendered Entanglements

J Did you have sexual intercourse [with the plaintiff since your last menses]?

D Yes.

D Your Honour... if possible I don’t want to divorce, but if it’s really what he wants... [almost sobbing]

J [If that’s what he really wants] I suppose you will agree? [Sounding a little impatient and dismissive]

D [Nodding slowly]

J [There could have been a divorce] but since D and P had sex, I will postpone the decision to the 14th of May 2012 [in two weeks].

In this case, although the wife, who was responding to the divorce petition brought by her husband, expressed her reluctance to accept the divorce, the judge appeared to press her to consent to the divorce. The pronouncement of divorce was, however, postponed to make sure that the defendant had not became pregnant as a result of the recent sexual intercourse with the plaintiff before the petition. Syariah law does not allow a divorce pronouncement to be made on a wife while she is pregnant.

Another situation where the courts have been inclined to readily accept applications from husbands, despite the underlying disagreement of their wives, is the case of an application to confirm a divorce that has been pronounced by the husband outside of the court. The Malaysian Islamic family law requires that a pronouncement of talaq be made before a Syariah court. A pronouncement made outside of court is considered to be a matrimonial offence and may be punishable with fine or imprisonment or both. An example of this provision is Section 124 of the Islamic Family Law (Federal Territories) Act 1984 (IFLA 1984), which originally states:

Section 124: Divorce outside of Court and without Court’s permission
Any man who divorces his wife by the pronouncement of talaq in any form outside of the Court and without the permission of the Court commits an offence and shall be punished with a fine not exceeding one thousand ringgit or with imprisonment not exceeding six months.
The effect of this section is that a pronouncement of *talaq* without the permission of the Court is considered by law to be a matrimonial offence and shall not be registered until a pronouncement is subsequently made in the Court. It should be noted, however, that in an amendment made to the Act is 1994, a Section 55A(3)(c) was introduced, which provides that if the Court is satisfied that a pronouncement originally made without the Court’s permission is ‘valid according to *Hukum Syarak*, the Court shall make an order approving the divorce by *talaq*. *Hukum Syarak* is a term referring generally to Islamic principles and teachings that form sources of rules in Islam. In a provision like this, judges have wide discretions in interpreting the meaning of *hukum syarak*. Cases in the study have shown that judges have generally decided that pronouncements of *talaq* by husbands outside of the Courts are valid and have approved divorce readily. In essence, a *talaq* may be pronounced by the husband for any reason and without any condition. As long as the statement is clear as to the meaning of the words used or as to the intention behind the words, the divorce may take place. Thus, a pronouncement such as ‘I divorce you’ is a verbally clear pronouncement and the court doesn’t feel the need to inquire further into the intention of the husband when pronouncing it as long is he is shown to have the legal mental consciousness and capacity at the time of pronouncement. A pronouncement such as ‘I am leaving you’ is ordinarily probed further to ascertain the intention of the husband.

A typical proceeding for this type of cases is where the judge asked the parties to verify the circumstance of the pronouncement before confirming the pronouncement accordingly. This could be seen in a case in Selangor:

Judge (J)  What did you say?
Husband (H) ‘*Aku ceraikan kau*’ (I divorce you)
J  And kau (you) refers to…?
H  *Dia, isteri saya.* (Her, my wife) [pointing towards wife]
J  Were you lucid when you said it?
H  Yes.
J to wife (W)  Did you hear him said ‘*Aku ceraikan kau*’?
W  Yes.
Gendered Entanglements

J to H Do you know the implication of your words to your wife?
H Yes.
J to W Are you pregnant?
W No.
J When was your last [menstruation] period?
W (Giving a date)
J to both H and W Did you have sexual intercourse during the period after the pronouncement?
H and W No.
J to H Please pronounce the talaq now.
H I divorce you, (name of wife), with one talaq.
J Bismillahirrahmanirrahim [a prayer]. The court is satisfied that plaintiff [husband] has pronounced talaq outside of the court with the intention to divorce defendant [wife]. Defendant is free from menstruation period and is not pregnant. Parties have not had sexual intercourse after the pronouncement. The talaq thereby falls upon the parties with the amount of one talaq unless the parties rujuk [resume conjugal relationship] within the period of eddah [waiting period equivalent to three consecutive menstruation cycles of the wife].

Now please go and register at the Religious Office.

In another case, the plaintiff (wife) alleged that her husband had stated ‘Aku ceraikan kau’ [‘I divorce you’] towards her. The court asked the defendant (husband) whether this was true and the defendant admitted it. The court duly held that the pronouncement was made by the husband while he was conscious and that he understood the implication of his action and thus the divorce was deemed valid. In yet another case, the plaintiff (wife) alleged that during a quarrel because she refused her husband’s demand for sex, her husband said to her: ‘I divorce you with one talaq’. The court held that this was a valid pronouncement of talaq.
and considered the divorce valid and registrable. In none of these cases have the judges reprimanded the husbands for pronouncing divorce without the permission of the courts.

During the study, a few overt demonstrations of gender-biased attitude were seen in the courts. Lines of questioning by lawyers and judges are still based on gendered understanding of male–female roles in the family. In one case, for example, in order to ascertain whether a husband has given adequate maintenance to the wife, the judge asks these questions:

Did he give *duit dapur* [household money – literally, ‘money for the kitchen’]? ... Who buys the pots and pans for you?

There is an expectation that a wife is gentle and accommodating towards the husband, which may serve to mitigate her perceived faults, if any, towards her husband. In one case in Kedah, a lawyer asked a defendant’s (husband’s) witness the character of a female (wife) plaintiff:

Lawyer (L) What about his [defendant’s] wife?
Witness (W) His wife is kind, good ...
L Has she ever spoken roughly to him?
W No
L Have you ever seen her talk back to him?

The case indicates that kindness, being soft-spoken and not talking back to the husband are traits associated by the court with being a good wife. Lawyers feel the need to establish the presence or absence of these desirable characters in a woman to make their cases for or against the woman. The alleged lack of feminine behaviour that is seen as desirable and perhaps necessary in women can easily be used as a basis for denying a woman’s rights to certain legal claims.

There is a further role seen as desirable in women that may give them advantages in their cases. This is the subservient role of the caregiver. The absence of such role in a wife is seen as justifiable ground for denying her her dues under the law. In one case from Kelantan, a divorced wife wanted maintenance and divorce compensation (*mut’ah*) from her former husband. The defendant’s lawyer used this line of questioning against the plaintiff:
Gendered Entanglements

Defendant’s Lawyer (DL) to Defendant (D)  I put it to you that the unsatisfactory layanan (treatment/service) of the plaintiff towards you is the main reason for the breakdown of the marriage

D  Yes.

DL Will you agree to the claims of mut’ah by the Plaintiff?

D No. She is not entitled to such amount as claimed.

The lawyer attempted to establish a relationship between the entitlement of mut’ah and the requirement for a wife to provide satisfactory service to her husband. Mut’ah is a compensatory gift that a wife is entitled to claim from her husband when he divorces her without just cause (Section 56 of the IFLA). The consideration for allowing claims in mut’ah thus, is whether the husband has just cause in divorcing his wife. Cases where courts allow the claim of mut’ah is where a husband had pronounced the talaq against his wife without her knowledge (for example, by telling friends and relatives but not his wife, that he had divorced the wife) or without giving her reasons for pronouncing the divorce. In the case above, the legal counsel for the husband was attempting to show that certain behaviour of the wife or lack thereof could be just cause for her husband to pronounce talaq against her. Layanan or service referred to in the case was related to earlier questions in the proceedings about whether the wife cooked and took care of the house for the husband.

Judges in the cases observed generally present reserved, and to a certain extent, intimidating figures in the Courts. In general, judges in the Subordinate Courts appear to be between the ages of 35 and 50, and older in the High Courts. They ordinarily speak in a terse manner and prefer to show unsmiling faces. Although generally the Syariah courts in Malaysia adopt the adversarial system of court proceedings, the judges in the Syariah courts observed during this study are quite active in making inquiries throughout the court proceedings. However, some of the lines of the questioning judges appear to be condescending and demeaning where female litigants are concerned. The questions doubt the women’s rationality and sensibility. In one case the plaintiff was claiming maintenance from the defendant (her former husband). The defendant failed to turn up for the proceeding:
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Judge (J) Your ex husband does not contact you at all?
Plantiff (P) No, Your Honour.
J How much does he owe you?
P RM 2,200.
J How much do you want him to pay?
P [Any amount]
J If you want your husband's money, you must make sure you husband comes!

There were also male judges who demonstrated low tolerance for women's bashfulness, possible fear and lack of knowledge in court. In a case from Kedah, a woman in her 60s applied for a divorce in the court. She appeared to be nervous. The judge, on the other hand, appeared to be impatient with her responses:

Judge (J) When were you married?
Plaintiff/Wife (P) In 1975.
J Have you ever been divorced before?
P No.
J Why have you come here [to the court] today?
P [Smiling a bit] Ermm, you know ...
J Are you going to tell me or not?
P Er ... maybe not ...
J If you are not going to tell me your story, you might as well go home.
P I have a bit of a quarrel with my husband.
J What happened?
P [Looking around the court] Err ... it's a typical quarrel between husband and wife ...
J If you come here and then refuse to present your case, you are wasting my time. I'm going to ask you to go home!
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\[ P \text{  [Stood with her head bowed down]} \]
\[ J \text{  [Shaking his head] Postpone! Find another date!} \]

Women are generally seen to act in a subdued manner during court proceedings. Despite their various socio-economic backgrounds (which may be concluded from the facts of the cases presented in court), their responses to the judges and lawyers are quite similar in the sense that they appear to be soft and intimidated. They answer questions put to them briefly and softly. This may be partially attributed to women's strategies to gain advantage in the process by conforming to how they feel that court officials think that women should behave. This may be akin to what Kandiyoti (1988) called ‘patriarchal bargaining’ where women may be passively resisting their oppression, through the use of the law while submitting to the tacit biasness of the law in order to ultimately claim their rights to divorce.

**Women’s resources in accessing justice in the courts**

Deficient access to justice may occur when women lack the capacity to gain access to formal and informal justice services (Sudarshan 2003). In the case of Muslim women in Malaysia, accessing the Syariah courts effectively may not be achieved if the women lack resources in at least two aspects: economic resources and time. Economic resources are relevant firstly to ensure that women can physically access the courts by different modes of transportation. Economic standing will also allow women to have effective legal representation. In this study, the majority of the female litigants were not legally represented in their cases. A few litigants were represented by counsels from the Legal Aid Bureau. Lack of legal representation exposes women to disadvantages in their cases especially if the courts are not well prepared to hear the self-represented parties in court. In a few developed nations, a practice of court assisting the self-represented or pro-se litigants has developed with the underlying principle of guarding the legal rights of parties by ensuring level playing field for the litigants. This has not been observed in the Syariah courts in this study. In one case, a judge was quite dismissive of the ignorance of a female plaintiff who was without legal assistance. In the case, the plaintiff filed a case for divorce by the pronouncement of *talaq* (Section 47) six
months prior to the proceeding. During this proceeding, the defendant (her husband) was absent. The case then continued as follows:

Judge (J) I have to postpone case because procedurally I cannot continue with the defendant's absence [unless a summons proceeding is applied]. You either continue this case under Section 47 [and follow the procedure] or try to bring a case under other sections

Plaintiff (P) I don’t understand [what you mean] ...

J Please ask those who know.

P Er… Your Honour, yesterday I met the defendant, and he hit me and I made a police report ...

J [Just nodded in acknowledgement] I have to postpone the case. The new date is 21st May 2012 [in 3 weeks].

Women who do not have access to legal representation due to cost or lack of knowledge about getting lawyers often make decisions to go ahead and represent themselves in court. However, based on observations of the court offices, officers at the courts often looked reluctant and appeared to be unhappy whenever approached by parties, who asked them questions about particular processes in the courts. Although many men as well as women come to the court without legal representation, women as a group may be more affected by the lack of representation. This is because plaintiffs with grievances in the court, as observed in this study, are still overwhelmingly women.

Critical mass of women decision-makers in Syariah courts?
All judges in the proceedings studied were male. To date, only two female judges have been appointed to the Syariah judiciary throughout Malaysia. The National Fatwa Committee\textsuperscript{10} ruled already in April 2006 that the appointment of female judges was permissible. However, only in July 2010 were the first two women judges appointed to the Syariah Subordinate Courts of the Federal Territories of Kuala Lumpur and Putrajaya respectively. Earlier on, in 2007, a few female officers were appointed as *Sulh* Officers or arbitrators in Kelantan (Najibah 2012).
However, they are not strictly considered as judges by the Fatwa Committee since they do not preside over cases in Courts but have roles that are closer to mediators.

It should be noted that almost immediately after the appointment of the two female judges in the Federal Territories, the Chief Judge of the Syariah Courts of the Federal Territories announced that a committee of jurists would decide on the limits of their jurisdictions in court (Malaysian Insider 2010a). This was based on the view that in certain cases that require the attestation of male witnesses or the consent or approval of male family members, female judges would not be appropriate since judges would be vested with the power to replace the roles of the witnesses and male family members. According to the then Syariah Appeal Judge, Datuk Md Yusup Che Teh: ‘If [a case requiring two male witnesses] is [heard in] the court, there is no need for witnesses as divorce is pronounced before the judge. So, the judge has to be a man.’ Thus, at least two areas that the Syariah Appeal Judge felt that female judges should not have jurisdiction would be in divorce cases and in cases requiring a judge to provide consent to the marriage of a woman without a wali or legal (male) guardian. A month after this view was expressed, however, it was reported that a committee of Chief Judges made a decision that female judges would have equal jurisdictions as their male counterparts (Malaysian Insider 2010b). It is not known, however, if in practice the female judges have been given divorce cases or cases of application to marry without a wali to hear in the Courts. During a visit to the Syariah Courts of Kuala Lumpur, where one of the two female judges work, it was noted she was assigned to the Court hearing criminal cases instead of civil cases (which include marriage and divorce cases).

**Conclusion**

In a nation with a plural system of law, understanding a component of the plurality and how it affects the access to justice for women is a feasible strategy in working towards a more equal access to justice for all. The Islamic family law is a compulsory sub-system in the context of Malaysia’s plural legal system and it highly interacts with women citizens in a way that affects their legal status and position, in many cases, to their detriment. Focusing on the processes of the law as it is being lived and
as it interacts with the lives of women yields accounts of how gender dynamics permeates the legal system.

This chapter has presented a discussion of a subject matter that has intermittently been visited and revisited by Malaysian and Malaysian studies scholars. The plural legal system of Malaysia has been quite widely studied in the context of socio-political developments in Malaysia. Islamic law, as an important element of this pluralism has also been a reasonably well-researched subject. However, much of the discourse of Islamic law is based on the critique of statutory legal provisions and has theorised their implementations and impact with a gender-neutral lens. This is despite the fact that many of the provisions of the Islamic family law, which, by virtue of the Constitution forms the most significant portion of Islamic legislative jurisdiction, concern the rights of women in marriage and, as a consequence, that women are also the majority of plaintiffs in the Syariah courts. This chapter has, thus, revisited Islamic family law in Malaysia but has also presented a new form of knowledge about the subject matter by focusing on and analysing the gendered experiences of women in the courts.

Through observing and examining the lived experiences of women in the courts, this chapter has also sought to revisit the idea of gender justice. This must not only be attained through the enactment of formal legal rules that do away with gender-biased language and introduce what is seen as gender-neutral legal framework. Reiterating Rao and Stuart (1997), internal culture and deep structure are unseen dimensions that may determine the dynamics and direction of an organisation. In the context of state institutions, informal social norms developed through deep structure may have influence on the direction of decision making in the prescription of justice. Judges’ behaviour, ways of communication and use of discretions in the courts reflect the deep structure in organisations. This study has revealed how the narratives produced by the actors in the courts still contain deep gender nuances that may affect the attainment of justice for women. Reforming the law for a more just society, particularly one that considers gender to be a main category of analysis for the idea of justice to be achieved, requires a constant relook at the deep structure. Gender discourses and narratives in the courts may be elicited from the observation of the courts in motion and such discourses and narratives may then be used as bases for thinking
the reformulation of formal legal rules and principles towards gender justice.

Notes

1 See, for example, Shariza Kamaruddin 2014 and Maznah Mohamad, ed. 2000. Various seminars and symposiums conducted by women’s groups since the early 1980s also discussed the grievances of women in the courts. This author also recently completed a small study that engages women who have had experiences in the Syariah courts, in a focus group discussion, to ascertain their views and feelings about the court processes.

2 There are many variations to the spelling of this word, e.g., Sharia, Shari’ah. Syariah is the most common version used in Malaysia.

3 Malaysia is a Federation of 13 States and designated areas called, collectively, the Federal Territories.

4 The Islamic Family Law Enactments (IFLE), which were enacted after the ‘model’ IFLA, were the Selangor, and Perak IFLEs in 1984 and the Penang, Pahang and Terengganu IFLEs in 1985. Negeri Sembilan legislated its Islamic Family Law Enactment (IFLE) in 1983, but made amendments in 1985 to be in line with the IFLA.

5 Kedah began drafting the Islamic family law enactment in 1979 but only passed the enactment in 1984.

6 See, Section 52 of the IFLA.

7 Also spelt Kathi in a few Enactments.

8 This is the current spelling of Kadhi in Malaysia.

9 See Article 121A of the Malaysian Federal Constitution.

10 Formally, the Fatwa Committee of the National Council of Islamic Affairs of Malaysia.

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CHAPTER 12

Rethinking Personal Laws and Gender Justice from a Bangladesh Perspective

Julaikha B. Hossain

Introduction

Though the concept of gender justice has a variety of meanings, in legal settings it implies formal equality of rights between men and women. It can also relate to uncovering gender biases that are integral to the legal process and affect the ways in which women come to experience the law (Kapur 2007). According to Nyamu-Musembi (2007), gender justice requires policies for corrective action to make the society more just and equal; it means ‘a place in which women and men can be treated as fully human’ (p. 3). It further implies moving away from arbitrary to well-reasoned, justifiable, balanced and fair social relations.

The laws that affect women's rights and gender justice in everyday life in Bangladesh are primarily the personal laws. The country's Constitution reiterates the principle of equality before the law, equal treatment and protection under the law as well as non-discrimination regardless of religion, race, caste and gender. However, the Constitutional principles are operational in the public domain, while the personal (family) laws, which have been drawn from every religion, are plural and reflect the amalgamation of culture, religious norms and Western interpretations of these cultures and religions. This means that although personal laws were the reflection of society, they were altered by the British jurists during the colonial era who imported their own legal conceptions of jurisprudence into their decisions. Therefore, the concept of justice differs in each religion depending upon these factors. Often, personal laws derived from each religious context do not operate on the basis
of absolute equality between men and women, as they have developed through patriarchal interpretations and are considered a major cause of women’s subordination. As a result, though the regulatory provisions are not religious from a legal standpoint, they reflect the social equations and biases inherent in different religious groups in Bangladesh. Court decisions concerning personal laws as practiced today are more directly determined by a ‘traditional’ patriarchal culture and social custom in Bangladesh. In short, the legal status of Muslim women is defined by the principles of *Sharia* through Muslim Personal Law, while the legal status of Hindu women is defined by Hindu Personal Law, along with the general law of Bangladesh, which is non-religious and secular. In the context of gender justice, personal laws of both Muslims and Hindus suffer from various misinterpretations, distortions and discrimination against women (Bhuiyan 2010). These misinterpretations challenge gender justice as enshrined in the constitution.

The conflict between equality under the Constitution and discrimination under personal laws is not merely theoretical. Religion is a subject of debate in the arena of women’s rights. The feminist movement has tended to approach religion from a purely secular standpoint, supporting a secular uniform civil code to solve the problem of inherent discriminations existing in religious laws of different communities once for all. However, this approach has not always advanced the course of gender justice in Bangladesh due to the conflict with the religious values and practices which support inequality and discrimination (ibid.).

However, there is room for optimism. The equality provision in the Constitution has greatly inspired progressive judges and strengthened the women’s movement. Various international instruments, including the Universal Declaration of Human Rights (UDHR) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) have also motivated the judges to use the equality provision of the Constitution instead of the *Sharia* law to settle disputes in matters of personal differences of opinion. However, there are also instances of judges adhering to orthodox interpretations of personal laws that support patriarchal interests (ibid.).

Furthermore, although the Constitution promises gender equality, there are internal contradictions within it. For instance, Article 29(3) (c) gives the state the right to reserve certain employment and offices
for men alone, if they are seen as being incompatible for women. In the context of rethinking gender justice, this chapter aims to study some of these complexities through a focus on personal laws in the context of a plural legal system, applicable especially to marriage, divorce and property inheritance. It is guided by the following questions: Is it possible to achieve gender justice in this complex system? How do feminists reconcile perceived contradictions between equality under the law and equality in persons for women in Bangladesh? How do feminists reconcile equality under the law when personal laws are under a separate legal system from laws affecting the public domain? How does advancing a gender agenda within a plural legal system lead to a rethinking of gender justice?

Section one of this chapter outlines the background of this research, the problems identified by it and their importance, research questions, followed by a description of methodology employed during this study. Section two reviews relevant literature in the context of personal laws before and after the independence of Bangladesh. It also shows how these laws regulate issues related to marriage, divorce, separation, spousal maintenance, guardianship and domestic violence besides describing the past and present legal reform efforts. It also assesses the impact of religion on the gender-justice agenda with regard to addressing issues derived from personal laws in Bangladesh. Section three explores the constitutional frameworks of women’s rights under plural legal systems, particularly the nature of ambiguity between personal laws and their practice in promoting women’s rights and gender justice. Section four analyses the ongoing debate on the enforcement of personal laws in achieving gender justice in Bangladesh. Section five discusses ways to rethink gender justice in relation to personal laws in Bangladesh.

**Methodology**

The methodology applied during this research is one commonly used in legal scholarship. In order to arrive at answers to the research questions stated above, the study comprised both ‘desk study’ and ‘field work’. The ‘desk study’ reviews various research reports on the subject of personal laws and customary practices pertaining to women’s rights and gender justice under the plural legal systems in Bangladesh. It also investigates the historical and institutional contexts of legal protections and judicial
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responses in relation to the gender-justice agenda in Bangladesh. The ‘field work’ component involves field observations and in-depth interviews with purposefully selected resource persons in various academic institutes, courts, relevant governmental and non-governmental organizations in order to explore personal laws under a plural legal system and their role in influencing women's rights and promoting gender justice. It also aims to discover how the politics of religion has influenced the gender-justice agenda in addressing personal laws. Field visits also included interviews of key informants (lawyers) working in judicial institutions of Bangladesh to understand their perceptions of gender justice reflected in the personal laws, customary practices in a legal pluralistic society, and what they see as factors that uphold or minimize these rights.

The fieldwork was conducted in Dhaka, the capital of Bangladesh, between July 2011 and September 2013. The principal researcher along with two local research assistants conducted interviews of 73 selected resource persons (18 lawyers, six judges, 15 activists, eight public servants, and 26 academics, including students and teachers), in both governmental and non-governmental organizations in Dhaka. Some of these organizations included judiciary institutions and the courts (both family court and high court), organizations that directly work with victims and advocate for their support, organizations that work on community awareness and policy-making process, and research organizations and academic institutions. Most interviews took place in the private offices of the respondents. The principal researcher talked personally to a number of respondents to facilitate their response as the concept of gender justice in legal context was not clear to them. Both the principal researcher and research assistants made follow-up visits.

The findings were analysed using an approach based on feminist jurisprudence. The realm of personal laws is an important arena of intervention for women as it determines their status and rights. Although the research is primarily a socio-legal exploration, the legal discourse is located within historical developments and contemporary legal and socio-political events, therefore requiring an interdisciplinary method. For instance, it reviews different approaches to rethinking gender justice under personal laws in Bangladesh, i.e., Islamic, traditional, modern, or secular approach. As over 87% of Bangladesh's population is Muslim,
this research focuses mainly on Muslim personal laws with some discussion of Hindu personal laws.

**Development of personal laws and women’s rights in pre- and post-Independence Bangladesh**

Taking a cue from British India and Pakistan, Bangladesh set up a dual legal system consisting of the general and personal laws. This section reviews the literature on personal laws in Bangladesh before and after its liberation, to suggest how they regulate issues related to marriage, divorce, separation, spousal maintenance, guardianship and domestic violence. It also describes past and present efforts at legal reforms.

Bangladesh has been partitioned three times: first, as part of the Indian subcontinent under the British Raj (1757–1947), secondly at the time of independence from the British rule under Pakistan (then East Pakistan), and finally in 1971 when it was liberated from Pakistan. The colonial legacy of all these countries ensured that they inherited a common problem, the problem of plural legal systems, one dealing with the public domain and the other with the private domain, consisting mainly of personal laws (also known as family laws). A plural legal system indicates a political formation where more than one system of laws applies. One is secular in nature and uniformly applicable to matters in the public domain, such as administration, trade, etc. A system of courts accessible to all has been established to implement these laws. The other is a codified system of religious/personal laws that relate to matters in the private domain or in the realm of the family, such as marriage, divorce, separation and inheritance (Jaising 2005).

**Personal laws and women’s rights prior to the emergence of Bangladesh (under British India)**

Muslim family laws covering marriage, divorce, maintenance, dower, guardianship and inheritance are all included in the huge mass of Muslim personal laws developed over a period of 1,500 years. It has been widely noted that the colonial period was a gradual period of Islamization for Muslim personal laws in the Indian subcontinent (Parashar, 1992; Anderson 1993; Nair 1996; Agnes 1999). Two important statutes that had a direct impact on Muslim women’s rights were passed during British rule. These were the Muslim Personal Law (Shariat) Application...
Act in 1937, and the Dissolution of Muslim Marriage Act in 1939. The Shariat Act was seen as a step toward securing uniformity of laws for all Muslims in British India. It was considered an important step to do justice to the claims of women inheriting family properties (Parashar 1992; 146–147). The Shariat Act is said to have been of particular significance to understanding the manner in which women’s rights were used to construct individual identity as a fundamentally political process, and personal law was used to assert an understanding of religion and community, which was essentially political rather than spiritual (Ali 2006).

The Dissolution of Muslim Marriage Act of 1939 was introduced during the British time and entitled a wife to judicial divorce on grounds of neglect or failure of the husband to provide maintenance for two years. While this Act is said to be one of the most progressive enactments passed by the legislature, some authors have argued that the Shariat Act as well as this Act represent the influence of the scripturalist understanding of Islam (ibid.). A number of respondents (mainly academics and activists) in this study also reported that the Dissolution of Muslim Marriages Act of 1939 has been criticized as providing grounds for judicial divorce which were limited and difficult to prove, and women’s rights to maintenance were not addressed or provided for by the Act. For instance, a wife is entitled to judicial divorce on neglect or failure of the husband to provide maintenance for two years. However, if the wife ‘refuses herself’ to her husband without any lawful excuse and deserts her husband, she has no right to claim maintenance and cannot obtain a decree for dissolution of marriage on non-payment of maintenance. The Act also differentiated between men and women in terms of apostasy as a ground for dissolution. After the Act was passed, apostasy of the wife does not dissolve the marriage, whereas apostasy of the man does. Furthermore, Muslim men’s right to unilateral divorce was not affected by the reform (Parashar 1992; Nair 1996; Agnes 1999).

Personal laws and women’s rights in the Pakistan era
In 1961 (Pakistan era), the Muslim Family Law Ordinance (MFLO) was passed, and it overhauled Muslim personal laws in East Pakistan (Bangladesh) and West Pakistan besides legislating on many important family matters such as polygamy and talaq (divorce). Under this ordinance, although polygamy was not prohibited, it was regulated by requiring a man to apply to the local union council for permission to
enter into another marriage, as well as to notify them of the existing wife or wives (Ali 2006).

Reforms of personal laws and women’s rights under the plural legal system in Independent Bangladesh

When Bangladesh secured independence from Pakistan in 1971, secularism was one of the precepts central to the Fundamental Principles of State Policy of the Constitution of 1972. However, in 1977, the Constitution was amended to remove the term ‘secularism’ and in 1988, Islam was declared the state religion. The principles of separate personal laws for the various communities of Bangladesh continue to be enforced and are a mixture of codified and uncodified rules. These codified and uncoded rules are subject to interpretation by the Supreme Court of Bangladesh and the High Court Division of the Bangladesh Supreme Court, and as such case law also becomes a source of law (ibid.).

Likewise, the Muslim Personal Laws Ordinance continues to operate in Bangladesh, with some modifications, providing for the application of Muslim Personal Laws in all matters relating to Muslim family affairs. This ordinance made the registration of Muslim marriages compulsory by the Muslim Marriage and Divorce Registration Act of 1974; it provides for documentation and registration of marriage contracts mentioning the amount of dower. The Family Court Ordinance of 1985 established family courts at the district and other levels, to deal with cases relating to marriage and divorce, restitution of conjugal rights, recovery of dower, maintenance and custody of children. Provisions were made for mediation and quick disposal of cases. The latest law reform affecting women is the Prevention of Oppression Against Women and Children Act of 2000 in which sexual harassment and repression are identified as punishable crimes. This law provides the death penalty for those convicted of rape, and also prevents publication of the victim’s photographs in newspapers (ibid.).

The Hindu personal laws in Bangladesh, which are only minimally codified, have similar discriminatory elements. These allow Hindu men to marry any number of times without any procedural preconditions. Divorce is not permitted for either men or women. Under a 1946 statute that partially codified Hindu personal laws, Hindu women can formally apply in family courts to seek a separate residence and maintenance from their husbands, but only on limited grounds. Even those minimal rights
are nullified if a court finds that the woman is ‘unchaste’, has converted to another religion, or fails to comply with a court decree ordering restitution of ‘conjugal rights’. Hindu women applying for maintenance or a separate residence must prove that they were married in the first place, a difficult task since Hindu marriages lack a formal registration system. It was only in May 2012 that the Cabinet approved a bill for the optional registration of Hindu marriages (Huda 2004).

The impact of religion on personal laws and gender justice in Bangladesh

This historical review of laws in Bangladesh establishes that religion has played a major role in determining the laws that govern personal relations, which can have both a positive and a negative impact on women’s rights. According to some respondents in this study, though some personal laws were reformed in the post-Independence Bangladesh, these did not cross the parameters of the Sharia law.

The Bangladesh Government has ratified CEDAW, and is legally obligated to eradicate all forms of gender bias in its jurisdiction. However, it expressed its apprehensions about Article 2, where states undertake to condemn all forms of discrimination against women. In September 2000, Bangladesh was the first country to ratify the Optional Protocol to CEDAW, which gives more teeth to the enforcement mechanisms to protect the rights within the Convention. It also provides for taking complaints directly to the UN. In light of this ratification, it is paradoxical to maintain reservations to Article 2. The reservations state that the government of Bangladesh does not consider Article 2 binding as it conflicts with the Sharia law. As a result, despite the ratifications, discrimination against women persists and restricts the rights and freedom of women in all aspects of their lives in Bangladesh. Religious traditions and customary practices dominate the legal discourse and the right to freedom of religion has created gender hierarchies. Further, complications arise with the interface between personal law, customary norms and religious injunctions often resulting in the application of the most patriarchal and non-egalitarian regulatory norms.

Though the Bangladesh government has implemented several legal safeguards for women, including the 1980 Dowry Prohibition Act and the 1983 Cruelty to Women Ordinance, religion continues to influence the rights of women and gender justice.
The Bangladesh Constitution, judicial activism, and women’s rights under the plural legal system

This section explores the constitutional frameworks of women’s rights under plural legal systems, particularly the ambiguity between personal laws and their practice in promoting women’s rights and rethinking gender justice. It also assesses the impact of the politics of religion on the gender justice agenda in addressing the area of personal laws in Bangladesh, and also highlights some positive developments in achieving gender justice.

The Constitution of Bangladesh: Provisions relating to women’s rights

Women’s human rights in Bangladesh, as in other countries in the region, are informed by multiple sets of norms and laws, both formal and informal. Broadly speaking, the legal system consists of the Constitution of the People’s Republic of Bangladesh, which determines the form and character of the government and specifies the fundamental rights of the citizens. The Constitution declares equality before law, yet all laws are not equally applicable to everybody. The actual situation is that there are different laws for different communities and different religious laws continue to be applicable on citizens professing different religions. Customs and traditions prescribed by different religions have also the force of law, and are enforceable by the judiciary on the members of that particular religion. The areas in which religious/personal laws are applicable include interpersonal relationships in the family, such as, marriage, dissolution of marriage, protection and maintenance of the family, guardianship/custody of children, inheritance, etc. These laws are often discriminatory to women, and provide for unequal relationship between men and women.

The judicial system is the only legal forum for hearing cases, disposing of disputes, and providing interpretation in all matters arising out of the legal system, including the Constitution and civil, criminal and personal laws. The constitutionalism of Bangladesh recognizes the interrelationship between different rights. In this instance, Bangladesh follows Indian precedence and maintains that guaranteed rights are not mutually exclusive, and must pass the test of due procedural process.

Regarding women’s legal status in Bangladesh, a number of respondents viewed that Bangladeshi women are guaranteed gender equality
by the Constitution and the general laws, in the form of voting rights, civil service jobs, etc. However, some judicial respondents reported that there are internal contradictions within the Constitution between granting gender equality and making special laws for women. They contend that the Bangladesh Constitution contains several provisions that relate to women both directly and indirectly. In this study some respondents (five leading judicial functionaries and activists) emphasized that even though all citizens are equal in the eyes of the law and are guaranteed identical safeguards, it does not imply, nor is it meant to imply that all of them actually enjoy equal rights. But the State does resolve not to subject any citizen to discrimination, and women are also assured of equality.

This study also reveals that the legislature categorizes women with children and the marginalized sections of the population, reserving the rights of the state to make any special provisions for the development of such marginalized sections of the population. A number of respondents agreed that this paternalistic attitude towards protecting women as the weaker group is common in Bangladesh. According to them, it is apparent from this that the legislature recognizes the dissimilar status of women in Bangladesh, although the state claims outwardly that the Constitution ensures gender equality. Since personal laws are separate from uniformly applicable laws in the public sphere, the role of the state vis-à-vis regulating religious practice in the personal sphere has not been clarified in the Constitution, leaving the relationship undefined and unresolved. This dilemma continues in Bangladesh in the plural legal system.

**Discriminatory provisions in personal laws and women’s legal status in Bangladesh**

As already pointed out, customs and traditions prescribed by different religions have the force of personal laws in family matters, and are enforceable by the judiciary with respect to members of that particular religion. A number of respondents agreed that these laws are discriminatory to women and negate the constitutional provision of equal rights to men and women in the social sphere by making women subordinate to and dependent on men. The study reveals the following discriminatory provisions under the existing personal laws that place women in a highly
disadvantageous position, particularly in family matters such as inheritance, marriage, divorce, maintenance, custody and domestic violence.

Property inheritance
A very sensitive issue concerning the rights of women in the sphere of personal law is that of inheritance. As per Muslim personal laws, a husband takes one-fourth of his wife’s estate. If his wife has no living children or children of a son, he takes half the share, whereas a wife inherits a mere one-eighth of her husband’s estate if they have children or there are children of a son; and one-fourth if there are no children. A daughter inherits either as a primary heir or as an agnatic heir (an heir who inherits in the right of another). When there is no son, a single daughter inherits only half of the estate.

This suggests that as per Sharia law, Muslim women generally inherit half of what men in comparable situations would inherit. Over the centuries in many Muslim countries, including Bangladesh, this unequal entitlement became the fixed, unchangeable and only share that she was entitled to. Of the many justifications advanced by Muslims (men and women) regarding this discrimination, the following are oft-repeated: a) unlike men, women are not the providers of households; the greater the burden, the higher the share; b) Quranic injuctions do not require a Muslim wife to share her resources with her spouse or spend on household expenses even though the husband may be destitute. On the other hand, a wife may seek dissolution of her marriage on the grounds that her husband is incapable of, or will not maintain her; c) a husband is required to pay his wife a sum of money or other property as dower as part of the marriage contract, in addition to her share in inheritance.

Most of the respondents debunked these arguments, and pointed instead to the changing socio-economic conditions of Bangladeshi society. They asked: ‘Does the task of fending for a family always fall on a man?’ ‘Is it not true that millions of families in the world, including Bangladesh, are headed by women who have to take the onus of meeting the household expenses?’

Also, while women are not legally required to share responsibility of the household, one would have to look very hard indeed to find a family where the woman, despite having her share inheritance, lets her spouse and children go hungry. As regarding the last justification, it may be argued that the amount of dower stipulated in the marriage contract
is invariably less than an equivalent share in inheritance. Furthermore, a woman seeking dissolution of marriage has to forego this amount.

A Hindu woman’s position under the Hindu law of inheritance is much worse than her Muslim counterparts in Bangladesh: her right to inheritance is almost non-existent. A widowed, sonless or childless daughter cannot inherit, as she does not provide the spiritual benefit afforded by a son. Therefore, only unmarried daughters and daughters with sons can inherit, while married daughters who have female children or are childless are deprived of inheritance.

**Marriage**

Marital rights in Bangladesh are separately governed by each religious community’s personal law, though there is an option for civil contract marriage. Muslim parties are regulated by the Muslim Family Laws Ordinance of 1961 or Muslim Marriages and Divorces (Registration) Act of 1974. Hindu parties are regulated, among others, by the Hindu Marriage Disabilities Removal Act 1946 or the Hindu Widows’ Remarriage Act of 1856. However, there is a great deal of discrimination in a Muslim marriage contract as is evident from the Muslim Marriages and Divorces (Registration) Act (1974), which prescribes a form, called a *kabinnama*, in which particulars of the marriage agreement are documented. Section 5 of this form inquires whether the bride is a virgin, a widow, or a divorcée; no such query is made of the man. Additionally, while a Muslim man may marry a Christian or Jewish woman, a Muslim woman can marry only a Muslim. It implies that while a man can enter into matrimony with a woman who is not his ‘social equal’, a woman cannot do so.

Furthermore, restrictions are imposed on women within the institution of marriage without any corresponding limitations on men. A Muslim man can maintain four wives at a time, but a Muslim woman can only take one husband at any given point of time. Even if a man chooses to marry for the fifth time, the marriage is only held to be irregular, not void. However, realizing the unfair effects of and the injustice inherent in the practice of polygamy, The Muslim Family Laws Ordinance (MFLO) of 1961 imposed, above all, significant restrictions on polygamy. Under the MFLO, a man was given permission to marry a second wife only under specific circumstances and after following certain procedures. He was required to obtain the written permission of the local government authorities of the existing wife’s residence and convince the local
government body, or Union Council, that he enjoyed the consent of his previous wife. The proposed new matrimonial alliance also had to be deemed ‘just and necessary’ by the council on the basis of the physical or mental condition of the present wife and the ability of the husband to support more than one family. The MFLO authorized the Union Councils to adjudicate on all disputes related to polygamy. Men found flouting these rules were automatically given jail sentences.

Hindu marriages in Bangladesh, on the other hand, are solemnized through religious rituals, and have no registration system, as a result of which a Hindu woman suffering at the hands of her in-laws, does not get legal help. However, as per a 1946 Hindu law in Bangladesh, Hindu women can approach courts to regain the rights to conjugal life. They can also file cases under Family Courts Ordinance of 1985, Dowry Prohibition Act of 1980 and Women and Children Repression Prevention Act of 2003, but none of these laws provide them adequate protection.

Divorce
It is in the field of divorce that Bangladeshi women are subject to flagrant discrimination. The husband has the right to unilateral divorce, for no cause at all, though the introduction of the Muslim Family Laws Ordinance in 1961 has made it less easy. Section 7 of the Ordinance decrees that a divorce given by the husband will not come into effect unless he has given notice of the divorce to the chairman of Union Parishad, the local administrative unit, and 90 days have passed. The husband has the right to recall the divorce in this period. He is also required to provide a copy of this notice to his wife. The chairman is supposed to constitute an Arbitration Council for effecting a reconciliation which, if successful, could render the divorce ineffective. It is an offence not to notify the chairman about the divorce.

A Muslim Bangladeshi woman does not have the right to divorce in the way man has, but she can seek judicial divorce on grounds permitted by the Dissolution of Muslim Marriage Act, 1939 (Act No. VIII of 1939 [Vide Pakistan Code 1966, Vol.IX, P 716]). A wife has the right to divorce her husband on the grounds of neglect by the husband or his failure to provide maintenance for two years. But a wife cannot claim maintenance or obtain a decree for dissolution of marriage on the ground of non-payment of maintenance if she refuses herself to her husband without any lawful excuse, or deserts her husband, or fails to
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perform her marital duties. Also, a husband cannot cite his wife's wealth as a defence for opposing divorce on grounds of non-payment of maintenance.

A Hindu woman, however, cannot seek divorce in Bangladesh. Also, a Hindu man can take several wives; there is no stipulation for the equal treatment of any of them, as in the case in Islam. The most she may get is limited relief under the Hindu Married Women Right to Separate Residence and Maintenance Act of 1964, which entitles her to separate residence and maintenance from her husband under Section 2.

Divorce involves legal, social and economic issues, which adversely affect most women's lives as compared to men. A number of respondents agreed that both Muslim and Hindu Bangladeshi women suffer most from the economic consequences of divorce. According to them, in the majority of cases, a woman is forced to return to her parents'/relative's home after divorce. If her parents are not alive, her return is rarely welcome, more so, when she is accompanied by her children. Even if she is employed, a woman is likely to earn far less than her former husband after divorce. As a respondent (activist) interviewed on 4 December 2012 said: 'Many Bangladeshi women have to undergo the torture of domestic violence because of dowry or polygamous marriages of their husbands, but they still refuse to seek divorce as they fear destitution and loss of their children's custody. We don't enjoy the bargaining position wielded by our husbands due to differences in our socio-economic and legal status.'

Maintenance

In Bangladesh, a Muslim husband cannot refuse maintenance to his wife if she is faithful to him and follows his reasonable orders. But a wife cannot claim maintenance from the husband if she refuses herself to him without any lawful excuse or deserts him or deliberately fails to perform her marital obligations. But if a wife declines to perform her marital duties due to the failure of the husband to pay the dower\(^6\) (mehr) he cannot be freed of his responsibility to pay maintenance to his wife.

Jurists in South Asia argue that the husband should provide maintenance during the subsistence of marriage and the *iddat* period\(^7\) (Fyzee 1985, 1974). This is perhaps because Islam allows remarriage after divorce. But what happens to women whose natal families cannot provide for them? There is no state welfare system in South Asian countries as in
many high-income countries. While in India, maintenance of the children and wife after divorce (if she is unemployed) is considered an obligation of the ex-husband, it is only recently that the judiciary in Bangladesh has taken encouraging steps to provide for post-divorce maintenance. However, in practice, the execution of maintenance decrees is very difficult as husbands evade the payment by being untraceable. Even when traced, they may declare that they are penniless. The social milieu and cumbersome court procedures further make it difficult for the wife to get maintenance through court. A respondent, an activist working with an NGO in Dhaka, narrated one such incident:

Rahima, a mother of four, was shattered when her husband, a rickshaw-puller, married a second time without her consent and threw her out of the house. However, since this second marriage was not registered, we could not file a criminal case, and approached the family court on her behalf for the restitution of dower and maintenance. But her husband left Dhaka, and returned only to change residence frequently. It was after great difficulty and expense that the court managed to serve summons on the husband and ordered him to pay Rahima a sum of 30,500 taka (392 USD) as dower and maintenance. We then filed a case on Rahima’s behalf for the execution of decree, but the husband refused. He was arrested and sent to jail, but was released on bail the day after. Then the police again arrested him and locked him up for three months, the maximum one can be jailed in a civil prison. The husband has now declared that he will not pay the sum. The law is not clear about what should be done now, even though it clearly states that ‘under no circumstances can a Muslim man be relieved of his debt of his wife’s dower’.
(Reported by one respondent, 28 December 2012)

Muslim Family Laws Ordinance of 1961 made an effort to introduce measures to help the wife in redressing her grievances, but it has failed to make an appreciable impact. The Family Courts Ordinance, 1985, however, has been promulgated to handle divorce and it contains provisions to ensure expeditious disposal of such cases. Some respondents from the judiciary suggested that the Family Courts should be strengthened with a criminal court’s power to attach the property of husbands to pay maintenance to the wife.

In the case of Hindus, the personal law decrees that the husband is bound to maintain his wife and she must discharge her duties towards her husband. But if she leaves him of her own accord, either without
cause or on account of ordinary quarrels that are incidental to married life, she can set up no claim to separate residence and maintenance.

**Custody and guardianship of children**

The Muslim personal laws in Bangladesh accord the custody of a minor child to the mother only if the child is of a certain age that varies according to the gender of the child. But the mother is not deemed the natural guardian either of the child or of his/her property. Only the father is considered the legal guardian, and in the event of his death, the executor of his will is accorded this status. As a senior respondent (lawyer) put it: ‘Islam makes a clear distinction between the custody of one’s children and their guardianship ... the difference between these two concepts can be likened to the distinction between possession and ownership.’ The mother is never given the right to the guardianship of her children under the Muslim law. But, she is always granted the care and custody of her young children in the first instance.

This study also reveals that in other South Asian countries (e.g. Pakistan and India) too, the concept of childcare as a joint parental and social responsibility has deep roots in the Islamic tradition. While breastfeeding and its duration are recommended by Sharia Law, the modalities are to be decided by ‘mutual consultation’ of both parents. If the mother is unable to fulfill her duty, the father is obliged to make alternate arrangements, such as hiring a wet nurse, etc. Where the parents are divorced and the mother has custody, the father is bound to feed, maintain and pay the mother as he would any wet nurse for performing this job. Scholars argue that this placing of the monetary responsibility for the welfare of the child and the nursing mother, although within the protective category of human rights, reinforces the stereotype of men as providers and women as passive consumers and a liability to men (Ali 2006).

As per the Hindu personal law, a mother loses the custody of her children if she converts to another religion, while a father can convert but still retain the custody of his children. Even in the event of remarriage, a Hindu woman must marry the child’s uncle or immediate blood relative to retain the custody of her child.

It is clear that personal laws concerning family matters in Bangladesh are heavily weighted in favour of men and against women. Not only do they degrade women’s legal status and social position; they are also incompatible with contemporary notions of gender equity and social
justice. Most of the respondents criticised the personal-law system in Bangladesh for failing to keep up with the present social reality, particularly women’s concerns about freedom from violence and economic deprivation. Many respondents also highlighted the work being done by activists who have been making conscious efforts to give, wherever possible, a liberal and creative interpretation to the rules of personal laws, to secure women’s rights and social justice, in keeping with the spirit of the Constitution.

In case of Hindu personal laws in Bangladesh, Hindu marriage ceremonies differ from caste to caste, and are not registered. So, Hindu women cannot come out of bad marriages easily. The concept of divorce is not recognized under the orthodox Hindu Law in Bangladesh. However, the Hindu Marriage Act of 1955 in India has introduced some revolutionary changes by abolishing the idea of marriage as an indissoluble union, and converting it into a civil contract just like the Muslim Law. The option of divorce is the most significant part of this Act. Section 13(1) gives the right of divorce to both parties. Unfortunately, Bangladesh is yet to introduce any such legislative enactment, and Hindu women continue to suffer in unhappy marriages as they do not have the option of divorce.

The study reveals that women in Bangladesh are usually deprived of their deferred ‘dower’ (mehr), money or other valuables that the husband gives or promises to give to the bride upon marriage. While most of the dower is either given promptly or conditionally in most settings, the practice in Bangladesh is to specify the entire amount as deferred, to be given only in the case of divorce. This has been noted many times in cultural studies (Kamal 1994; Huda 2004), and also verified by the researchers during field research in Dhaka in 2013. Nevertheless, women in Bangladesh are usually deprived of their deferred dower. Further, most of respondents agreed that the amount of dower was a mere token, particularly in low income families. This study also reveals the effect of dower on reducing the probability of divorce (an event differentially costly for the woman) and on household bargaining during the marriage. However, some of the respondents felt that dower should be made optional (it is already optional because it is waived by most wives in urban areas of Bangladesh). Besides, men may be reluctant to give both dower and a share in the marital property, which is more valuable.
Current debates on enforcement of personal laws and gender justice in Bangladesh: perspectives of the respondents

The above findings demonstrate how both Muslim and Hindu personal laws are discriminatory to women and, therefore, require substantive legal reforms. The traditional Sharia law is unable to provide equal rights to women or achieve gender justice in Bangladesh. However the question is whether Bangladesh can usher in effective reforms.

Three respondents, an academic and two judicial functionaries, argued that the only solution lies in the establishment of a true Islamic state, where the state, society and the laws would be governed by the Sharia law. They believed that the Sharia law did not discriminate against women’s legal rights but that women face discrimination due to misinterpretations of the Sharia law. However, they rejected Western and secular human rights, norms and human-rights instruments conferring equality on men and women, including the CEDAW. Ten respondents called for a continuation of the traditional approach in matters regarding the family, be it marriage, divorce or a wife’s duties towards her husband and family. They argued that changes in social conditions, institutions, perceptions, or actions do not justify any change in the Muslim personal laws. Like the Islamists, they are also opposed to further interpretation of the Quranic words by *ijtehad*, but unlike them they do not want an Islamic state.

But interestingly, a large number of respondents (42) called for a modern approach as opposed to both Islamic resurgence and traditionalism. They believed that Islam has always been in accord with common sense and justice. They argued that neither Islamic resurgence nor traditionalism will work at the present as Bangladeshi Muslim women do not enjoy equal rights as men under the traditional Sharia law, particularly in marriage, divorce, and inheritance. They were in favour of introducing reforms in Sharia from the perspective of human rights and gender justice, while emphasising the necessity of seeing the motive, intent or purpose behind the Quranic passages in Sharia law.

Eighteen respondents, however, rallied for a secular approach, maintaining that religion is not a social issue, but a personal matter. So religion should not govern marriage or divorce. The secularists seek the total
abolition of Islamic law from the private and public spheres to eliminate the culture of fatwa and other types of discrimination against women. They also pointed out that the contemporary groups or feminists in Bangladesh have developed their own method of reform of personal laws, which is secular in nature. The secularists and most feminists call for the enactment of a secular Uniform Family Code applicable to all citizens, irrespective of gender and religion.

But the study found that some Bangladeshi women’s associations/organisations prefer the modernist approach to the secular one. While there is a scope for dialogue between modernists and the secularists, the respondents wedded to the Islamic approach do not believe that secularism can usher in reforms in the Muslim law. As one of them put it: ‘Since the majority of Bangladeshi people are Muslim, it is difficult to imagine that most of the public would favour a secular state.’

Nevertheless, most of the respondents agreed that the personal laws of Muslims and Hindus should undergo reforms to ensure justice to women in the larger interest of Bangladesh. They believed that reforms could herald an end to discrimination against women in marriage and divorce under the Muslim personal laws. An activist quipped: ‘The division of marital property and financial provisions to a divorced wife should be made as per her needs till her conditions change. Such provisions should also apply to an ex-husband whose finances are hit by divorce’.

An overwhelming number of the respondents also favoured complete ratification of the CEDAW and argued that since there is no conflict between the Quranic law and CEDAW as regards the objective of equality and equal rights, the differences in actual operation can be rationally resolved by adopting the provisions of the CEDAW. They argued that the CEDAW is a measure to ensure justice and fair play to women, values espoused by Islam as well. Some respondents supporting traditional Islamic law were, however, against any legislation on religious law. But all, whether in favour of ratifying the CEDAW Article 2 or against it, agreed that Islam values the equality of men and women, and protects the rights of women.

The interviews also brought to the fore the contradiction between equality in persons and equality in law. A respondent asserted that Allah has given men guardianship over women, thus there was no question of equality for men and women. Another respondent argued: ‘Islam puts
men and women on an equal footing in the eyes of Allah (God), but this
does not mean that the Islamic law treats them as equals.’ This position
has become controversial in recent years. The Quranic verses, which
deal with this issue, are subject to various interpretations in the context
of time and place. In the An-Nisa (cited by Ali 2006), it is stated that men
are protectors and maintainers of women because men support and
spend money on women from their resources. Ostensibly, this guardian-
ship is conditional and based on the husband’s ability to support the
wife. A woman can repudiate the marriage and secure her release from
the bond if the husband fails to meet her needs. Scholars often argue
about the application of this verse to situations where the woman has an
independent income and does not depend on her husband for financial
support. Bangladesh is seeing an increasing number of women entering
the labor market to earn an income to support the family. Logically,
the husband cannot claim guardianship in such a case. It has, therefore,
been claimed that protection and maintenance means responsibility to
provide a service or financial support, and does not automatically mean
superiority or leadership. The government has, in ratifying the CEDAW
Article 16.1(d) and (f), accepted this liberal interpretation, which is
reflective of the contemporary situation and evolving social norms.

Another issue raised by some respondents concerned the personal
law on property inheritance, which denies equal share to men and wom-
en. Among the respondents opposing complete ratification of CEDAW,
five specifically referred to the inheritance issue inasmuch as they believe
that the Quran has clearly laid down the principle of inheritance, which
must be respected. Among respondents who favoured ratification,
12 suggested that the personal law on property inheritance should be
reviewed in light of existing Islamic social norms in the full perspective
of Islamic social arrangement before ratification. They believe that in
the Islamic tradition, certain protective advantages given to women may
be evoked to justify the discriminatory law of inheritance. For instance,
dower is a first charge on the property of the husband and it must be
paid from the property before inheritance. Husbands are obligated to
maintain their wife and children from their own income, regardless of
the wife’s resources. The husband has no right over the wife’s property
and cannot appropriate that property for maintenance of the family.
Even if the wife has an independent income, she has no financial obliga-
tions, and the husband’s responsibility to maintain the wife and children neither ceases nor is reduced. Men, therefore, have much greater financial responsibility and burden than women, and in this backdrop men are justified in getting greater access to parental property.

The general consensus among these respondents was that since the Quran accords equal rights to men and women, they should have equal rights in family matters, particularly in marriage and divorce cases. One respondent pointed out that despite the concession to men to marry four wives, prostitution has continued throughout history; trafficking, rape, abduction and violence are rampant; and as such, men have forfeited the concession. Another respondent claimed that polygamy has, in most cases, disturbed family peace and led to its disintegration due to bickering among co-wives and stepchildren. Owing to these practical problems, polygamy is on the wane and is now virtually non-existent. Some respondents argued that a divorced woman’s right to marital property and maintenance is not un-Islamic; rather, the Quran supports provision for a divorced woman during iddat (waiting period in divorce) and afterwards (on reasonable scale) in order to meet her socio-economic needs and allow her to maintain the same standard of living as her ex-husband.

Rethinking gender justice: a concluding discussion

Summary and conclusions
The protection of women’s rights is imperative to improve their status, and law is an essential instrument to ensure these rights. But gender justice is ambiguous in the plural legal settings of Bangladesh, where culture, custom, religious norms and tradition dominate the legal discourse and influence its implementation. The norms of equality and non-discrimination are enshrined in the Constitution and legal enactments, but in reality gender justice is a paradox as different religious/personal laws continue to be applicable on citizens professing different religions. Unfortunately, this personal law system has failed to change with the times to address women’s concerns about freedom from violence and economic deprivation, either by incorporating them into various enactments, or by giving them appropriate importance while interpreting the law in courts.
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The study reveals that achieving gender justice is far more complicated than just claiming equal rights in the context of religious differences, as the mechanisms for the enforcement of laws are very weak. Moreover, most women in Bangladesh are unaware of their rights under the legal system. The law enforcement officials and also the judiciary lack awareness about women’s rights. Consequently, women’s right to equality remains a contested terrain despite the ratification of CEDAW by governments.

Both Muslims and Hindu personal laws are discriminatory to women, and negate the constitutional provision of equal rights for men and women in the social sphere, and make women subordinate to and dependent on men. For instance, under Muslim personal laws, marriage is a contract between a man and woman, but the man enjoys more rights than the woman. Women’s rights seem to be related to protection, although the initial premise of entering into a marriage contract is one of complete equality. However, once the contract has been made, inequality between the contracting parties emerges. For instance, under the ‘protective’ right of dower as a ‘consideration’ for the marriage contract, the husband becomes the protector and the wife, the protected.

Polygamy is a controversial issue in Muslim personal law as is the women’s right to inherit. However, a close reading of the Quran shows that it does not permit polygamy as a rule, but only as an exception subject to certain conditions. Similarly, Hindu law does not permit polygamy (or supersession of wives) as a rule, except under certain conditions. Patriarchy has, however, misused this licence. So, if a law is passed banning polygamy, it could be argued that it would not in any way affect the religious injunctions or rights of the Muslims or Hindus in the country.

A range of opinions expressed by the respondents highlights some important perceptions regarding the potential and possibilities of effective application of legal framework to protect women’s rights and ensure gender justice in Bangladesh. The judicial system is the only legal forum for hearing cases, disposing of disputes, and providing interpretation in all matters relating to the Constitution, civil and criminal laws and personal laws in Bangladesh.

Some women’s organizations, such as Bangladesh Mahila Parishad, Ain-O Salish Kendra and Women for Women, however, feel that reforms are not the way out, and only a secular uniform code can end this
discrimination. Some have even drafted a Uniform Civil Code in order to treat the inequities and incongruities within the various personal laws. However, this Uniform Civil Code is widely seen as anti-Muslim, and hence untenable. Instead, there is an increasing demand for engaging with religion in new ways as the new win-win solution. Opinion leaders favour a plural system that enforces equality, but in the context of Muslim and Hindu laws. This modernist approach proposes reforms within the parameters of the Sharia law from the perspective of human rights and gender equality. The state can take steps in this direction by setting up special courts (e.g. family courts, courts for rape and sexual offenses) or specific regimes (e.g., family matters reserved for religious or customary courts), which can influence outcomes and shape the content of rights in different ways for different individuals. Special courts, as well as gender units within the judiciary, can employ specially-trained judicial actors on gender equality, and rules that are gender-sensitive.

As mentioned above, gender justice is ambiguous in the plural legal settings, as several paradoxes challenge the legal system in Bangladesh. Women continue to fight the same exploitative structure of a patriarchal society where religious, social and legal systems collude with one another in subjugating women. The judiciary in Bangladesh still adjudicates from a strict application of basic, efficiency-based model of justice, given its constitutional and foundational principles.

In Bangladesh, 80% of people live in rural areas where the majority of people have very little knowledge about laws and rights. In order to bring a gender-balance society to ensure gender justice, social mobilization and campaign are needed to address unequal personal laws. For example, in rural areas, few marriages are registered. Likewise, Hindu personal laws in Bangladesh do not permit a Hindu woman to divorce her husband even if he is impotent, cruel, suffering life imprisonment, or a threat to her life. These laws come short of bringing about gender equality and in fact may be symptomatic of deep gender inequalities still existing. Reform of existing personal laws and their proper implementation requires a strong political will and the support of a large majority of people.

**Rethinking gender justice**

The progressive judgments, public agitations, and women’s movements show that the traditional personal laws governing marriage and divorce of both Muslims and Hindus are not satisfactory and, therefore,
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require substantive legal reforms. Feminists’/women’s movements in Bangladesh demand that the reforms must lead to equal rights for husbands and wives, equal division of marital property, whether achieved through adoption of a secular uniform personal law or through rational interpretation of the Sharia law, and maintenance for divorced women. To ensure gender justice, existing personal laws should be revisited in light of human rights norms, social values and giving special consideration to marginalized women. Moreover the laws should be reformed to make the legal system more accessible and beneficial for women. We must also acknowledge that there still remains an abysmal gap between theory and practice when conceptualizing gender justice under complex legal settings, despite being at the core of legal experts’ engagement with gender equality. The Bangladesh case presented here suggests that we may need to rethink the concept of gender justice in contexts where a plural legal system may collude to undermine the effectiveness of gender equality clauses, or where legal systems conflict with one another to reduce or weaken gender justice.

Notes

1 Sharia’ was constructed by Muslim jurists and, although derived from the Quran and Sunna, is not divine because it is the product of human interpretations of those sources (An-Na’im, 1990).

2 The Shariat Act, 1937 was a legislative measure to Islamicise Muslim Personal Law in the Indian subcontinent by abrogating the role that customary law was playing among the Muslims. The Act was introduced on the initiative of conservative Ulamas, the religious clerics of Jamiat-ul-Ulema-e-Hind, whose stated purpose was to safeguard the Sharia.

3 Scripturalist understanding of Islam is based, in the first instance, on the premise that the Scriptures – that is the text believed to directly echo the designs of God (Allah) – is the main document and source of divine guidance.

4 The unilateral right to terminate the marriage contract belongs to the husband under Islamic law which is technically known as talaq.

5 The Quran is the primary source of law in Islam and is believed by Muslims to be the word of God revealed through the Angel Gabriel over a period of approximately 23 years. It has 6,666 verses, divided into 114 chapters and 30 parts.
‘Dower’ (*mehr*) must not be confused with ‘dowry’ which consists of presents made by father and other relations of the bride (this is especially applicable in the Hindu marriage system) as Muslim Law does not make any provisions for the payment of dowry. The amount of dower may be fixed either before or at the time of marriage or after marriage, and the law does not say anything about the quantum of dower. The amount of dower is generally split into two parts – ‘prompt dower’, which is payable immediately on demand by the wife, and ‘deferred dower’, which is payable only on the dissolution of marriage by death or divorce. The claim to dower is not lost even when the marriage is dissolved by court at the instance of the wife or when the wife exercises the right to divorce. Even if the divorce occurs through judicial dissolution, deferred dower payment does not follow an absolute rule. In these cases, the courts have the latitude to assess blame and harm caused by the spouses and allocate cost accordingly. If the husband is found to be at fault, the wife is generally granted the *mehr* (El-Arousi 1977: 14; Quick 1998: 36–39; Ali 1996: 125, cited by S. S. Ali, 2006).

Iddat is a period during which a woman whose marriage has been terminated either by death or divorce may not remarry.

*Ijtihad* is an ongoing intellectual pursuit and cannot be discontinued.

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Gender entanglements in gender and development: a call for grounded, multi-dimensional and ‘moving’ feminisms

Bernadette P. Resurrección, Philippe Doneys, and Ragnhild Lund

Conclusion

The authors of this volume confront gender as an increasingly more complex concept than the present ways and approaches with which gender and development – largely as a field of practice – have been framed, applied and understood. We are keenly aware that the dire conditions under which women continue to live have not matched the ‘discursive landslide of gender mainstreaming’ (Cornwall, Harrison and Whitehead 2007), indicating therefore that current gender and development approaches may be remiss at responding to the complexity of gendered lives.

Past critical scholarship on gender and development has pointed out the emergence of received wisdoms and orthodoxies from development thinking and practice, as well as the need for positionality and representation (Jackson and Pearson, 1998). Scholars also note that gender mainstreaming in public institutions has been technocratized, thus turning ‘a radical movement idea into a strategy of public management’ (Woodford-Berger 2007: 65; Jaquette and Summerfield 2006), and being contemporarily denounced as being ‘everywhere and nowhere’ (Tiessen 2007). For their part, Cornwall, Harrison and Whitehead (Cornwall et al. 2007a, 2007b; Cornwall 2007) take issue with how ‘gender’ and ‘empowerment’ have been used, abused and neutralized
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in multifarious ways within public and development institutions, and even among feminist organizations, describing these occurrences as institutional ‘struggles for interpretative power’ (Cornwall et al. 2007b: 4; Parpart, Rai and Staudt 2002). Our work in this book resonates with this stream of recent scholarship as we attend to and underscore the neutralization and simplifications associated with gender and ‘women’ within the field of gender and development practice, which have side-stepped the complex workings of gender and power on the ground, and which have failed to serve the ends of gender equality in a more holistic sense (Cornwall 2007; Sen 2006; Scott 1999). In short, we put forward the merits of feminisms in development that are grounded, multi-dimensional and moving: to counterpoint the unhelpful hegemony of received gender and development wisdoms from the top that are disembedded from people’s everyday lives, which build around centred, static, and one-dimensional interpretations of gendered identities.

We committed ourselves to understanding the production of gender from a lens of ‘science from below’, to be able to learn how gender complicates and entangles the identities, social webs, changes and continuities, multi-scalar institutions, and mobilities that govern people’s everyday lives, in order to signpost transformative and empowerment pathways. This concluding chapter therefore attempts to tease out the implications of our collective and synthesized learnings on gender entanglements from this region-wide research project on gender and development studies and practice. In short, we attempt to begin a conversation on what can possibly be done, and how our actions towards the empowerment project can be better framed.

The chapters in this volume challenge the relevance of gender in development, both in theory and practice tapping on new and old visions of gender. All authors were informed by practice, including fieldwork and data collection, some conducted also in the context of past and existing development interventions. This grounding of knowledge reveals how power is configured locally but also how gender and development research and interventions are involved in the reproduction of power, in ways that are not compatible with empowerment or justice. Departing thus from the simplifications that shaped current gender and development practices by doing ‘science from below’, we question received gender and development wisdoms that carry top-down definitions on
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and prescriptions for the empowerment of women (Doane and Doneys, Chapter 4; Lund and Panda, Chapter 7). This power from above can further be seen through the influence of global development institutions in terms of implicit gender practice (Milwertz and Fengxian, Chapter 5), in the fixity of gender found in development intervention which clashes with the fluidity of gender on the ground (Thambiah, Chapter 10), or in terms of disaster responses that respond to and yet further produce or hinder gendered mobilities (Resurrección and Sajor, Chapter 9).

The authors further demonstrate that gender and gender theory are historically and spatially produced, thus a ‘moving’ concept throughout entangled processes of continuity, change and mobility, as opposed to having an assumed fixed nature (Lie, Lund and Azmi, Chapter 2; Shuib and Rudie, Chapter 3; Resurrección and Sajor, Chapter 9; Thambiah, Chapter 10). They do not simply apply a gender lens or analysis to understand a current situation of inequality or disadvantage but take gender as a fluid concept that is in constant state of change as it is anchored in both local practices that produce and are influenced by global patterns of gender relations over time and space. This would suggest that we should be wary of using gender as a standard conceptual tool whereby categories of women and men are given and pre-defined (often pigeonholed as competing or divergent).

The chapters in this book deal with the different uses of time, indeed underscoring that gender is a ‘moving’ concept. First, over time, changes in researchers’ life cycles deepen their self-reflexivity and simultaneously shift their own understandings of gender as they revisited former field sites (Lie, Lund and Azmi, Chapter 2; Shuib and Rudie, Chapter 3; Thambiah, Chapter 10). Second, people under study in these chapters demarcate an uncomplicated past from a disadvantaged present. However, much of what the studies demonstrate are largely unbounded processes where ‘the past is in the present’, yet claims to a disadvantaged present strengthens claims to resources and opportunities in socially- and gender-stratified ways (Lund & Panda, Chapter 2; Resurrección and Sajor, Chapter 9; Thambiah, Chapter 10). Yet others (Kusakabe and Sereyvath, Chapter 6) document how women entrepreneurs link their business trajectories to their life trajectories that determine their choices at the time of research. Third, time is related to investigating long-term phenomena such as disasters and environmental change,
commercialization and migration. Some authors examine the gender dynamics of agrarian transformation and argue that particular combinations of nature, environmental governance, commercialization and migration histories give rise to pathways for gendered forms of empowerment or hardship (Elmhirst and Darmastuti, Chapter 8).

Several authors also argue that gender is performative: that specific discursive and material practices ‘call into being’, materialize, and produce gender and other types of social difference, therefore it is not pre-given or something that exists ‘out there’ (Elmhirst and Darmastuti, Chapter 8; Resurrección and Sajor, Chapter 9; Lie, Lund, and Azmi, Chapter 2). This performativity of gender is also important to understand gender justice as the interpretation of legal texts and the selective application of legal provisions enforces a gender order that is not necessarily enshrined in, or following the spirit of, the laws themselves (Endut, Chapter 11, Hossain, Chapter 12). Gender in this volume is not simply a conceptual means to comprehend the world we live in but studying gender is also about understanding how it is produced and reproduced. Indeed, development interventions, including gender components, reinforce, reshape and produce new forms of gender identities and relations in many ways, whether this was intended or not.

Gender is also far from being one-dimensional – as many technocratized approaches have accorded it – in that it is not discrete but rather entangles and intersects with other axes of social identity such as ethnicity, class, religion, race and age (Kusakabe and Sereyvath, Chapter 6; Thambiah, Chapter 10). Associating gender as fixed, one-dimensional and attached to hegemonic development, some activist agendas and cultural institutions forms part of the interpretative power that institutions have vested on the employment of gender over time and in specific instances as developing countries pursue paths of modernization (Lund and Panda, Chapter 7; Milwertz and Fengxian, Chapter 5; Endut, Chapter 11; Hossain, Chapter 12).

The notion of intersectionality has significantly evolved from Crenshaw’s (1991) landmark work, where she powerfully makes the case that the violence that women experience is often shaped by other dimensions such as race and class. Thus different women experience various types, and possibly degrees, of violence. In pointing this out, she is critical of former efforts to politicize experiences of women as though they oc-
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curred on an exclusive terrain, which in turn paradoxically served to obscure recognition of violence against women of colour. Gender scholars have henceforth applied intersectionality in their research in a plurality of ways, whether by recognizing fluid and multiple determinations of subjectivities and focusing on how they are constructed and made fixed, or by documenting relatively defined relationships of inequality among groups, or alternatively by combining both approaches (McCall 2005). Garry (2011) adds huge value to these earlier conversations by discussing the usefulness and limitations of intersectionality in bringing to fore complex relations of power, some of which apply to chapters in this volume. For instance, intersectionality, as a perspective, usefully draws attention to the opportunities and limitations of shared interests among members of the same oppressed group, overall employing the standpoint of the marginalized group, a location from where issues are identified (Lund and Panda, Chapter 7; Kusakabe and Sereyvath, Chapter 6).

The inclusion of privilege – not only oppression – in the framework of intersectionality implies that researchers consider factors of privilege in subjects’ identity and positionality, increasing awareness of hierarchies among women or among men (Resurreccion and Sajor, Chapter 9; Thambiah, Chapter 10).

Furthermore, gender and development, whether we refer to interventions or research, have usually not problematized or examined the role of men beyond enabling patriarchy. The chapters in this volume however invite us to reconsider their place and role in the field, either in terms of what their participation, views and behaviour mean for women’s empowerment (whether that influence is positive or not, Doane and Doneys, Chapter 4), but also in terms of how socio-economic change has affected them, producing at times unemployment (Thambiah, Chapter 10, Endut, Chapter 11) and at other times alcoholism (Lund and Panda, Chapter 7, Elmhirst and Darmastuti, Chapter 8), which further shape the men’s identities and create new patterns of gender relations. This points to a more complex and divergent role of gender than previous literature suggests.

Finally, many of the chapters in this volume question accepted dogma or tenets long held in gender and development studies that translate into development practice. From women fish traders who may not see cooperation or social organization as a viable or wanted option
(Kusakabe and Sereyvath, Chapter 6), to women who see empowerment not in autonomy but in social recognition and as a collective, or even cultural, endeavour (Doane and Doneys, Chapter 4, Shuib and Rudie, Chapter 3), or immobility as a form of security for women in post-disaster life (Resurrección and Sajor, Chapter 9), these findings suggest that we need to revisit the field of gender and development, to question accepted gender myths, however uncomfortable it may be, by anchoring our research in women and men’s everyday practices.

These insights on the complex workings of gender in this book therefore beg for the need for more commensurate transformative approaches that will truly produce meaningful and equally empowering changes in women and men’s lives. This process of demystification is important if we expect research to inform development interventions and to reflect the needs, aspirations and practices of those targeted by development. Since Eyben and Napier-Moore (2009) warn us that empowerment and gender transformation have increasingly become buzzwords in the development technocratic lexicon – to the point of becoming instrumental – we therefore ask: What do we mean by transformative approaches in gender and development? These transformative approaches should identify and correct actual cultural, discursive or political practices on the ground, that create and perpetuate gendered inequalities, vulnerabilities, as well as those that constitute social and gender differences in the first place. These approaches will also require greater understanding into ‘how fragmented and complex subjects are formed, how they are perpetuated through various layers of inequality and oppression, and how they act in the context of exercised power’ (Tschakert 2012: 149). In short, transformation is framed by the idea that the production of gender simultaneously produces power differences as Joan Wallach Scott (1999) eloquently argued years ago. Finally, these approaches acknowledge that gender is a ‘moving’ concept, in process, and always unfolding, where some aspects continue, while others change.

This framing will shift the lens towards addressing the ontological practices that materialize the marginalization, difference, and vulnerabilities of different types of women, as well as certain categories of men, and how these processes are embedded, produced and reconfigured by other forms of social differentiations, from those that design programmes that are ‘one size fits all’, usually from a reading of the
impacts of economic, political, environmental, social phenomena that disadvantage women (Tschakert 2012; Resurrección 2013; Cornwall et al. 2007a), as well as shaped by a view of women as one-dimensional, centred subjects. For instance, sometime ago, Cecile Jackson and Ruth Pearson (1998) warned that the poverty of women was the primary justification for development interventions designed to improve the position of women – the belief being that poverty impacts women the hardest – and that the solution was to target them for such programmes, many of them microcredit and self-help programmes. It was later discovered that women in many successful small enterprises could not even then free themselves from the heavy hand of patriarchal control in their households, some of which led to or escalated incidences of domestic violence. Unfortunately, many development interventions still cut from the same fabric, where poor women may participate in development interventions, yet continue to live in conditions that downgrade who they are as women, preventing them to achieve freedom from patriarchy and equality with men and other types of women socially, both in private and public spheres. How gender is produced in the household – for instance, women as housewife and dependent – collides with readings that regard women as the most poverty-impacted group. These poverty-alleviating approaches attend to the material deprivations of women, or their visible asset gaps vis-à-vis men’s. Instead of a focus on how to mitigate poverty impacts on women we therefore shift the strategic and programmatic gaze to transforming practices that actually produce gender and its inequalities in the first place (Cornwall et al. 2007a). We address those practices that materialize and perpetuate ideas about who women are, and which in turn create gender disadvantage. In a word, we concur with Eyben and Napier-Moore’s (2009) insistence to look more towards transforming society and ‘less about making women more effective wealth producers’ (p. 298), a remark they made from observing the frequent use of ‘targeting women’s empowerment’ in development speak. It is in this light that we turn to transformative gender strategies for gender and development policy and action.

Among development organizations today, noteworthy and novel attempts to employ transformative strategies that aim to empower women are in place, intent on changing prevailing social norms, attitudes, behaviours and social systems instead of narrowly redressing women’s material
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deprivations as practised in past approaches. They state that redressing women’s material deprivations is only addressing the symptoms of gender inequality, not their causes (CRP-AAS 2012). What seems to be overlooked here is the notion that the production of women’s gendered identities is centrally complicit in creating gender disadvantage, which in turn shapes gender-biased social norms, attitudes, and even material deprivations for women. As a corrective to this, a grounded and material feminist view could instead help us understand that the production of gender is entangled with the production of power. Therefore, transformative approaches will benefit gender and development more significantly if they address the ontological production of the female subject. This will strike at the heart of power, which is entangled with a re-structuring economic and political world that increasingly favours economic growth over gender equality and social well-being. Finally, a gender- and development-policy regime will benefit more from flexible readings of embodied life on the ground, or in short, a stronger gender analysis of the complexity of changing institutions, resources, family life, power and people that informs holistic yet contextualized response and action for gender justice.

Notes

1 This refers to policy, interventions and planning practices employing gender and development frameworks.

2 Arora-Jonsson (2011) compellingly argues that women being the poorest category is more assumed and claimed than actually empirically explored.

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