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Women's Work and Assets: Considering Property Ownership from a Transnational Feminist Perspective

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Abstract

Development literature on global gender empowerment devotes much attention to employment, a code word for the inclusion of women's labor in the global market. Recent work in transnational feminisms shows that the emphasis on employment over assets may not prevent exploitation of labor and perpetuity of poverty. This paper first highlights research on how women are increasingly taking on too much responsibility, working in a confluence of survival-oriented activities that undermine their own well-being. I also address how women are increasingly able to get out of poverty: when they can labor in such a way that they are not merely working to survive but also working for accumulation of their own material assets, foremost of which is basic housing. Finally, I consider these transnational feminist insights about the importance of housing for women in light of philosophical concerns about property ownership, specifically Locke's theory of property. In justifying property rights through labor, and arguing against the state's right to usurp property, a Lockean can give a defense against forced evictions that still occur in some contexts and give support for a normative connection between women's labor and assets.

Keywords: transnational feminisms, urban slums, women's labor, capabilities approach, housing, John Locke, property, forced evictions, homelessness, assets

Introduction: The Misguided Emphasis on Employment over Assets

Development literature on women, gender, and poverty has stressed the importance of investment in women's labor as the key to poverty reduction. Implicitly, some theorists consider women in terms of their economic utility, envisioning women's labor as the 'solution' to poverty (World Bank 2001, 2012). They encourage women, and young girls especially, to be the so-called "Double X solution" to the problem of economic inequality between nations, and even the

problem of capitalist crises (Kristof and WuDunn 2009, xvli).¹ This vision is ethically objectionable because its aim is not always or primarily women's empowerment but rather economic growth for growth's sake, generally, and in particular for the sake of the growth of the larger economic units within which poor women live and work.² These units are most often the nation-state but can include transnational corporations, or women's own communities or their families. For example, the widely lauded microcredit programs have been almost exclusively aimed at women, because women tend to invest more in others (their families, their communities) than themselves (Banerjee et al. 2014, 5; Karim 2011, xxi, 95, 191). Transnational feminists worry that some trends in development economics have co-opted the insights of second-wave feminism, and that well-meaning development efforts instrumentalize women and reproduce the intersecting inequalities they set out initially to address (Benería, Berik, and Floro 2015, 22; Calkin 2015, 626; Chant 2016, 16; Chant and McIlwaine 2016, 176).

Globally, women are increasingly working not only a 'second' but also a 'third' shift: taking care of families, earning an income, and also advocating for basic goods and services (Moser 2016, 6; 1993, 15). Sylvia Chant calls this gendered exploitation of labor under globalization "the feminization of responsibility," by which she means that women are now responsible for most of the productive labor and reproductive care work; women are simply doing more of the work, but this work does not necessarily translate into an increase in their well-being, empowerment, or economic stability (Chant 2007, 331; Chant and McIlwaine 2016, 221).

However, normatively speaking, the subject of economic reforms should be women's own well-being, that is, in Amartya Sen's (1999) words, development as freedom. Considering women's own well-being as the goal of development takes each person as an individual and an end in themselves. Such an approach does not

¹ Chant, Sweetman, and Calkin give direct critiques of positioning women as solutions to national inequality (see Chant 2016, 1–2; Chant and Sweetman 2012, 527; Calkin 2015, 614).

² This paper's topic is limited to women's property ownership. Men's situation and vulnerabilities, such as the lack of work and demands of masculinities, are outside this paper's scope because my approach here is not, on the whole, comparative. But men do experience serious vulnerabilities, including vulnerabilities in property ownership—thus the paper does not suggest that men in poverty necessarily have any more secure relationship to land tenure than women. It is only that we do know that more secure land tenure can empower women. The analysis centers women but is not necessarily limited to them. For work on men and masculinities in slums, see Izugbara, Tikkanen, and Barron (2014).

ask what women are for, but rather, What social, political, and material goods work *for* women? (Zerilli 2005, 94).

Caroline Moser and others have shown how women in poor, urban areas can and do get out of poverty: mainly through asset accumulation, most importantly the acquisition of adequate housing (Hamdi 2014, 44; Phillips, Seifer, and Antczak 2013, 56; Moser 2016, 7; 2009, 63; Varley 2007, 1739; Sweetman 2008, 7; Rakodi 2014, 3; Pritchett 2012; Chant and McIlwaine 2016, 71). But the relationship between work and assets is currently under-theorized in much of international development, and especially so regarding the intersections of gender, poverty, and global geography (Baruah 2007, 2108). Feminist philosophy, especially, has not yet theorized these intersections. Even though it is widely lauded as the strongest counter to 'smart economics' schemes, the capabilities approach that Martha Nussbaum iterates has not yet considered the descriptive and normative connection between women's work and assets, considering the exigencies of the current global economy (Nussbaum 2013). For instance, Nussbaum writes, "Having decent, ample housing may be enough [to ensure capabilities]: it is not clear that human dignity requires that everyone have exactly the same type of housing. To hold that belief might be to fetishize possessions too much. The whole issue needs further investigation" (Nussbaum 2013, 41). Indeed it does. Nussbaum's statement is indicative of an area yet to be explored among progressive intellectuals in general and among liberal feminists in particular. Similarly, feminist philosophy lags behind transnational feminist work in other disciplines, in that it has worried about the relationship between material and symbolic oppression in the abstract, but not enough, yet, about the concrete relation between housing, poverty, and empowerment.

Here, I propose considering the importance of asset-ownership and housing from a transnational feminist perspective. Transnational feminism, as Tina Fernanda Botts describes, "is concerned with connections between nationhood, race, gender, sexuality, and economic exploitation on a world scale in the context of the rise of global capitalism" (Tong and Botts 2013, 246). It is a perspective that unsettles a "global feminist" analysis in the tradition of Susan Moller-Okin and Charlotte Bunch that proposes universal values (like antimaterialism or inclusion in the workforce) and tends to lump all so-called "third world women" into one category, without cultural and economic contexts and differences (Tong and Botts 2013, 137).

The questions, then, that motivate this article are, what kind of work are women doing, living as most do now, and what is their work getting them? Normatively speaking, what should their work be getting them? I focus on urban contexts because of global trends in poverty and urbanization; cities are where most

poor women now live and work.³ I argue that Locke's theory of property is useful to transnational feminists who are worried about the global exploitation of women's labor in the context of urban poverty because it (a) bolsters a normative connection between work and labor and (b) gives a theoretical protection against forced evictions that (c) reorients property rights along the lines of labor instead of inheritance or capital.

Instrumentalizing Women's Labor in the Urban Contexts

Focusing on property ownership problems in urban contexts is important because the world is rapidly urbanizing. The current era is experiencing an unprecedented movement of urban migration, wherein rural populations are increasingly moving to and living in cities, especially rapidly expanding megacities. The UN has termed this explosive growth "the new urban revolution"; it is a new period of human history (UNDESA 2014, 2; UN-Habitat 2016; Chant and McIlwaine 2016, 1).4 As urban centers expand, cities, bursting at their seams, often struggle to build the planning, infrastructure, and funding to support the influx of people. In many cases, urban inhabitants squat and settle in enormous slums, using whatever material they can find (cardboard, aluminum, cane, and hopefully, eventually, brick and mortar) to build their houses. Often, migrants first set up informal housing or squatter settlements, outside or beyond the sphere of city provided goods and services, including basic plumbing and trash collection (Connolly 1999, 53; UN-Habitat 2016; Chant and McIlwaine 2016, 93). It takes time to connect infrastructure to need, and there are varied stages of secure and insecure land tenure. A "slum," according to the UN, is a setting defined by five characteristics: inadequate access to safe water, inadequate access to sanitation and infrastructure, poor structural quality of housing, overcrowding, and insecure residential status (UN-Habitat 2016).⁵ An urban slum refers to the settings that develop in large cities as part of the global, twentieth- and twenty-first-century trend of urbanization (Tacoli 2012, 30).

³ The paper's focus on urban contexts does not preclude the analysis's possible application to rural contexts, but that application is outside this paper's scope.

⁴ The UN reports: "The urban population of the world is expected to increase by more than two thirds by 2050, with nearly 90 per cent of the increase to take place in the urban areas of Africa and Asia. The world's urban population is now close to 3.9 billion and is expected to reach 6.3 billion in 2050" (UNDESA 2014).

⁵ The definition of "slum" is contested, to be sure. Yet there is enough scholarly consensus to use the name, and, while acknowledging the controversy, the UN's definition is satisfactory for the purposes of this paper, because it is careful not to suggest that "slums" have any relation to the character of the people who live in them.

Although the practice is diminishing, in some places, even once migrants settle into fairly stable communities, their neighborhoods can be razed at a moment's notice, repeatedly displacing their families (Potts 2011, 709; Macharia 1992, 221; Doshi 2013, 844). In limited cases, local governments still hold to the razing of slums as standardized policy practice (Sawhney 2013, 42; Doshi 2013, 847; Baruah 2007, 2109).

What kind of work are women who live in cities doing? Or, asked differently, what is the nature of the majority of women's labor now, in this stage of globalization? First, it is important to note that so-called "women's work" is one factor (among many) driving urban migration in the first place, in so far as their work at home makes it possible for their husbands and other family members to work outside the home in manufacturing, agriculture, and other more 'formal' settings (Sassen 2010, 30). Once arriving in the city, women work both (in what economists call) "productive" and "reproductive" activities, and in both the 'formal' and 'informal' sectors. Women continue to engage in 'reproductive labor,' the care and the maintenance of the domestic and the so-called 'private' sphere. However, women are not often *in charge* of these realms of labor; they are still vastly underrepresented in management and property ownership (Banerjee et al. 2014, 26; Chant 2007, 331).⁶

In terms of "productive" labor, women in many of the world's urban areas, especially on the US-Mexico border and in China, work in factories owned by transnational corporations (even though, recently, there has been a decrease in the percentage of women hired by these factories) (Benería, Berik, and Floro 2015, 114). Women especially predominate the garment and electronics industries. However, most often, having women in the factory does not challenge the workplace's gender norms themselves. Men are still more likely to be foremen and managers, while women and lower-class men are laborers. In other words, men in a comparatively wealthier class still own the means of production (Benería, Berik, and Floro 2015, 129; Piketty 2014, 336). Large-scale manufacturing production has engendered a sort of global feminization of the labor force, and so too a "feminization of the proletariat" (Benería, Berik, and Floro 2015, 108; Chant 2016, 24; Sassen 2010, 32). The "women proletariat weakens strong unions and secures competitive prices," keeping turnover high and wages low (Sassen 2010, 32).

⁶ Of course, full control over one's labor power is an elusive goal for the majority of men, as it is for women, and men can be equally vulnerability to labor exploitation and marginalization. Again, the intent here is not to make a comparative claim between men's and women's vulnerabilities, but merely to point out the vulnerabilities that do exist for women.

However, the more traditional vision of the proletariat as factory workers does not encompass all work that women are doing. Especially in East Asia, women are increasingly working in the so-called "pink collar" sector, doing data entry, credit-card processing, and tourism-industry work. There has also recently been an expansion of facilitated prostitution and related sex work, and more women than ever travel out of their native country to engage in domestic day care work (Benería, Berik, and Floro 2015, 118; Parreñas 2005; Ehrenreich and Hochschild 2002). International patterns of migration exist wherein entire governments are dependent upon remittances from women migrants (Parreñas 2005, 56).

The feminization of the global workforce has also meant the comparative informalization of women's work. The informal sector includes activities such as opening up an unincorporated restaurant from one's house, selling fruit on the sidewalk, doing weaving and tailoring work out of a private residence, or collecting metal scraps from a trash dump. In the words of Mike Davis (2007, 178), "All together, the global informal working class (overlapping with but non-identical to the population of the world's slums) is about one billion strong, making it the fastest-growing, and most unprecedented, social class on earth." The people who survive in informal economies are extraordinarily innovative and resourceful. However, often the informal work does not provide a security net or long-term, sustainable hope for improvement of livelihoods. The sparseness of informal work, the fits and starts that characterize the flow of cash in the informal arena, and the privatization of the work space can harm women and children especially and can ensure the extreme abuse of women and children (Breman and Das 2000, 36).

Globally, the informalization of the economy constitutes a poverty trap for women, concentrating them, as Kate Meagher explains, in "low-skill, low-income activities with little prospect of advancement" (Meagher 2010, 472). In addition, many recent economic reforms increased women's economic disadvantage because they turned the "double burden" of unpaid care labor without adequate social and/or state support into a "triple burden" of domestic labor, income generation, and community organizing (Tacoli 2012, 17, 30; Kumar 2010, 367; Moser 2016, 6; 1993, 15). Those expectations are just too much of a burden for women, or anyone, to bear. Women's increasing responsibility for both productive and reproductive labor has, in general, only increased their exploitation, not their empowerment. The entrance of women into the workforce is not an unqualified good. Women are doing most of the work and not accumulating enough assets. They spend too much time in

⁷ Any firm distinction between formal versus informal labor, and productive versus reproductive labor, is problematic. I use the terms here as a cursory description of the kind of work women do—the terms are not essential to the Lockean defense against forced evictions.

"survivalist" work, without getting basic housing or infrastructure, or security for the future.

Getting out of Poverty: Asset Accumulation Instead of Endless Work

What would it look like, then, if women could labor not only for survival or subsistence, but labor to build something for their communities that would last into the future? In other words, what does it take for women's work to lift them out of poverty?

Transnational feminist work has emphasized the importance of assets over work (Moser 2009; Doshi 2013, 861; Pritchett 2012; Varley 2007, 1739; Rakodi 2014, 9; Sweetman 2008, 7; Baruha 2007, 2108). Caroline Moser's (2009) excellent, longitudinal study on a group of families living on the outskirts of Guayaquil, Ecuador offers an especially useful guide as to how to account for some families getting out of poverty, while others remain. Moser concludes that the accumulation of assets, with basic housing being the first asset, is a necessary (while not sufficient) condition of poverty alleviation. Moser lived and worked in a suburbio (slum on the outskirt of a city) of Guayaquil from the 1970s to 2004. In the 1970s, the community of Indio Guayas first settled a swath of swampland, building houses on stilts above the water and connecting the houses with rickety boardwalks made of wood, sugarcane, and aluminum. Most first-generation families in this community had come to Guayaquil looking for work in the city when farm life became too difficult to sustain. Being far from the city center, Indio Guayas did not originally have electricity, running water, sewerage, or roads. The lack of basic infrastructure was harder for women, who had to complete their domestic tasks in difficult conditions. Also, moving from their places of origin was harder for women, as they feared loneliness when they first moved to the settlement. In leaving their families, women had to find different kinds of support.

By 2004, the neighborhood had changed significantly; many families had brick and mortar houses, and they had been able to send their children to school. Second- and third-generation families were able to start out their adult lives with more assets and security than first-generation families. Moser argues that the families who were able to dig themselves out of first-generation poverty did so because of a combination of factors: they were able to build themselves homes, mobilize for infrastructure, educate family members, deal with violence within the family, and identify opportunities for employment both in Ecuador and in Spain. When individual men and women in the families were able to be empowered in these ways, they could get out of poverty with minimal support from external aid agencies or NGOs (Moser 2009, xvi).

In this multifaceted process of gaining security and reducing vulnerability, housing is the first building block of all those varied elements of social capital

women can develop later on. "Housing," Moser writes, "is the first priority asset, and while it does not necessarily get households out of poverty, adequate housing is generally a precondition for the accumulation of other assets" (Moser 2009, 40). Older discourses of "self-help housing," as well as new research in community action planning, confirms the importance of housing in poverty reduction and empowerment (Turner 1972; Hamdi 2014). Nabeel Hamdi writes that, while lack of housing or poor housing conditions is a symptom and not a primary cause of deeper social problems like insecurity and unemployment, one does not address those social problems without, first, making sure everyone has a place to live (Hamdi 2014, 31). Property is important for everyone but especially important for women. Bipasha Baruah stresses that not only does property ownership have the potential to change women's and men's relationships and inequalities in inheritance, landed property is "a critical entry-point for women's over-all empowerment" (Baruah 2007, 2096). The women in Baruah's study consistently emphasized the importance of upgrading their property. They explained that their property provided protection from violence, in contrast to the instabilities of the rental market, especially for single women (Baruah 2007). Property ownership is the lever that turns the momentum of poverty: it is an intervention into the flow of survivalist-oriented labor to which women are increasingly bound. The tangible asset of a home is a necessary but not sufficient condition in gaining intangible goods like security, identity, inclusion, hope, and a place in the world.

Of course, there is no magic solution to getting out of poverty—both income and assets matter and are interrelated. In addition, there are innumerable nonmaterial goods that come along with inclusion into the workforce, for example confidence, freedom, sociality, independence, and so forth. Legal land rights, by themselves, are not enough to ensure women's upward mobility, and sometimes land titling increases violence against women, because men see women's land rights as a threat (Varley 2007, 1739; Pritchett 2012). In addition, in the urban context, women need not only a home but the property on which that home is built (Rakodi 2014, 9). However, when women own land and have an opportunity to build their own houses, they have the potential to accumulate other varied and valuable assets, against which they can leverage their way out of poverty. Like Virginia Woolf wrote about a "room of one's own" as a necessary precondition for women's basic growth and empowerment, so urban women may need "a house of one's own," or rather, control over housing assets for themselves and the well-being of their families.

Moser expounds upon the varying benefits of housing as a first-generation asset:

Housing was not only the most important component of physical capital but also the first asset accumulated. Although housing did not get all households

out of poverty, for various reasons it was a precondition for the accumulation of other assets. First, shelter reduced the physical vulnerability of the homeowner's family as well as the socioeconomic fragility of extended household members, who often stayed during times of adversity. Second, over time it provided a mechanism through which additional income could be generated; options included home-based enterprises, rent (from rooms or separately built apartments above the original house), and cash from subdivisions. Finally, for many of the next generation, the original plot continued to provide shelter for them as adults with their own families, with houses extended (upwards or outwards) or separate structures built in the same plot. (Moser 2009, 44–45)

What benefit does owning a home give, as opposed to renting or squatting? First, in owning something, a person can leverage their property to their own specific needs and uses. Second, in owning, a person has the right to any income that can be derived from their home, the right to use and manage it, and to security from its expropriation (Honoré 1961). Owning property gives the right to "manage, use, possess," and the power to transmit it should the need arise. Women who own their homes are extraordinarily resourceful in terms of the ways in which they leverage these properties to their own benefit. For instance, they start their own shops on the first level, build upwards to accommodate growing families on the second level, rent out rooms to gain extra income. For children going to school, a stable home wherein, say, the ceiling does not cave in when the rain comes, or the floor does not give if their friends dance too much, gives a sense of consistency and stability, a peace of mind that allows them to leave the house and do other things. Further, land ownership gives social respect and recognition. Research in Chandigarh, India, shows that when women can joint-title their homes, they make more decisions, have more access to public knowledge, and gain more respect from their husbands (Datta 2006, 291). In short, the benefits of secure land tenure, the ability to own and keep a house in the slums, are both material and symbolic.

Alternately, expropriation from private property hurts women especially. Forced eviction disproportionately affect women because it disrupts the social support system for caregiving. In many places, though, it is harder for women to gain access to land—they face discriminatory credit practices and exclusion from property inheritance (Kumar 2010, 367; Rakodi 2014, 353; Doshi 2013, 856). It is worthwhile, then, for development organizations to follow transnational feminists' lead and take a serious look into empowerment through asset accumulation (housing and land), rather than considering inclusion into the economy solely by way of labor. Women's labor is being leveraged and exploited for purposes other than

their own well-being, and their endless increase in responsibility does not contribute to their ability to increase their assets. However, normatively speaking, there should be a connection between one's labor and one's assets, one's security, and one's place in the world. Women must be allowed to labor in such a way that their labor does indeed result in their own asset accumulation. Owning property, specifically owning a house, undergirds such a relation between labor and assets, in so far as housing provides a bulwark against constantly laboring in survivalist modes. Women leverage basic housing for other material and nonmaterial assets, and so it functions as a sort of protection against the exploitation of labor.

Owning Property: Supporting the Normative Connection between Labor and Assets

Justifying property ownership means returning to the questions of early political philosophy, the questions of Hobbes, Locke, Marx, and to some extent, Hegel, among others. In fact, the question over what material resources can be considered "mine" motivates Hobbes's entire inquiry. However, that return is nuanced: Marx was, of course, attempting to abolish the system in which capitalists owned the means of production, while Locke and Hobbes were interested in assembling a justification for people who already owned property to be able to keep it. 10 Hegel believed everyone, excepting perhaps women and noncitizens, should be able to own property as an element of their moral development. Interestingly, though, Jeremy Waldron notes that no modern political philosopher has a fully developed theory of property, in the way that Locke and Hegel do (I might add Marx to this mix) (Waldron 1988,14). Perhaps the dearth of thought on property is due to Rawls's influence, wherein questions on property were relegated to the sphere of practical political judgment, outside the scope of theories of justice proper. Certainly though, the matter of women owning property is a matter for justice, both practical and theoretical, both ideal and nonideal.¹¹ The fact that, for much of Western history and thus Western political philosophy, women were excluded from property

⁸ See Amartya Sen's (2009) The Idea of Justice.

⁹ "My first enquiry was to be from whence it proceeded, that any man should call any thing rather his *Owne*, th[a]n another mans" (Hobbes 1983, 26–27).

¹⁰ To note, James Tully thought that the modern debates about defending public or private property have mischaracterized Locke, that he was neither defending socialism nor capitalism but rather defining basic subsistence rights (Tully 1980, x). ¹¹ It is outside the scope of this paper to give a systemic defense of any universal

theory of property, Hegelian or otherwise. The paper's aim is problem and context specific: to bolster the normative connection between work and assets for women getting out of poverty, especially in urban contexts.

ownership (and therefore excluded from being full citizens and political agents) makes the matter even more pressing. Knowing that property ownership works in many ways as a litmus test and reinforcement of inequality makes the matter a consideration of justice.¹²

The issue of women in the slums needing to own their landed houses has a unique starting point: the goal is to encourage an environment for people who are not originally property owners to be able to squat, then make, then keep their housing, knowing housing can function as a protection against the exploitation of their labor. Further, if labor alone is not giving women security and reducing their vulnerability, labor is not liberation.

Justifying squatters building and keeping their homes is tricky, first because one runs up against the myths about squatter settlements that have persisted since the 1950s (the beginnings of the twentieth century's urbanization trend): that slums are chaotic, unorganized settings of economic drain, marked by crime, prostitution, and drug addiction, and further that the squatters do not participate in city life, are poorly educated, and live in breeding grounds of radicalism (Ward 1982). Governments and corporations have used these myths to justify forced expropriations and eradications. Squatter settlements, then, present a unique challenge to state-sanctioned rules of private property acquisition. In some urban contexts mostly outside the US and Europe, we have a situation where very ingenious and hardworking people have (conjuring Locke) very much "mixed their labor with the land" to heroically, and, for the most part, illegally, scrap out an existence from the detritus of industrial centers. Of course, writing prior to the industrial revolution, Locke meant something very different by "mixing one's labor with the land"; he meant applying the European agricultural techniques to terra nullius, newly acquired colonial territories (Squadrito 2002). The case of the squatters is an issue of repopulating after, in between, under, or over industry, and it presents a different test case, not one Locke himself could have anticipated. Modern readers can transport the insight of "mixing one's labor with the land," and its ideal of the heroic, creative pioneer, into new landscapes.

Within the United States, there are also burgeoning movements of squatters, other "heroic pioneers." Oakland, California, for instance, hosts the collective Moms 4 Housing, a movement of mostly single, working mothers, many of whom used to be homeless, who have begun to occupy investor-owned homes that have been sitting vacant for years (Kendall 2019). The movement addresses the housing crisis in the area, where women who grew up there can no longer afford to own property, and where the homeless population is growing exponentially. Forced evictions present a very real threat to these women's livelihoods, and they anticipate them

¹² See, for example, Elizabeth Anderson's (2010) *The Imperative of Integration*.

looming on the near horizon. Locke's theory can provide theoretical justification for these women to occupy and eventually own these homes as well. Even though their houses are very well connected to government infrastructure, when these women experienced homelessness, they were denied the social contract benefit of basic safety and security. In contrast to the aluminum and cardboard structures of some slums, the Oakland houses have enormous exchange value, whether used or not. The Moms 4 Housing movement reconnects the link between use of the house and ownership, in the way Locke did: as a way to *create* a social contract where none exists, or where one has failed.

Again, I am concerned to provide theoretical protection against forced evictions, and protections that bolster a normative connection between labor and assets. When Waldron reads Hegel, he stresses, like Moser, the importance of property ownership for people's well-being. That is, property ownership gives a person more than material status or wealth; it also gives a sort of autonomy or empowerment, respect and recognition, a place to stand in the world and at least minimal control of resources (Waldron 1988, 22). Thus, when Moms 4 Housing assert that they have a right to live in investor-owned houses because "housing is a human right," their claim is entirely reasonable, in part because they can draw from the Lockean natural rights tradition (ibid.). In so far as recognition is a precondition to authority, property ownership, for Hegel, was a universal condition of recognition. Locke, too, recognized the power in owning material assets. Of course, we do not find in Locke the sort of Hegelian demand that everyone should own property or the sort of account of what property does to enhance one's moral development. Rather, Locke begins by worrying about preventing the government of Stuart England from disrespecting existing property rights, and preventing the peasants from abuse of the commons (Tully 1980, 153-154). The former worry, though, motivates Locke's defense against forced evictions, along with support for a normative connection between labor and assets.

Locke's central claim on property rights is as follows:

Though the Earth, and all inferior Creatures be in common to all Men, yet every Man has a *Property* in his own *Person*. This no Body has any Right to but himself. The *Labour* of his Body, and the *Work* of his Hands, we may say, are properly his. Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his *Labour* with, and joined to it something that is his own, and thereby makes it his *Property*. (Locke, *Second Treatise*, ch. 5, sec. 27)

Writing in the "basic rights" tradition of Aquinas, Locke believes it immoral that civil society should be a hindrance to people's basic subsistence. Thus, even before

beginning to talk about the right to property, all people, equally, have a right to life, and therefore a right to work to maintain that life (Tully 1980, x). Even though the right to property is, along with the rights to life and liberty, the cornerstone of liberal political theory, property rights are not unlimited. Rather, for Locke, they are always constrained by the right to subsistence. That is, my own right of property ownership does not trump another's right to survive. 13 Thus, if squatting is indeed an effort of survival, a Lockean might argue that a society's existing property laws should not prevent people from squatting, even illegally. Or, for example, an owner of an airport cannot prevent people from squatting on the airport's unused land if those people are on the very edge of survival. Of course, people move to urban areas and start squatting for any number of different reasons (for example, independence from conservative family, adventure, economic improvement, and survival). 14 When the reasons people squat do not include mere survival, the Lockean case against forced evictions vis-à-vis the right to subsistence is significantly weakened. Nevertheless, the right to survive does give significant momentum to the beginnings of an argument against forced evictions and secure land tenure for squatters, in extreme settings.

Working in parallel to this right to survival, we see in Locke an emphasis on equality, albeit equality of a theological origin: God gave the earth to all men equally, and therefore all men equally have a right to use the bounty of the earth, providing each only uses enough as he needs (the sufficiency/ fairness proviso) and does not leave the land unusable for others who come later (the spoilage proviso) (Tully 1980, 123) Of course, Locke very literally here meant these provisos to apply only to men, but we can extend his provisos to women without losing the guiding

¹³ The right to subsistence is the first premise and cornerstone of Locke's argument for property. "Whether we consider natural reason, which tells us, that men, being once born, have a right to their preservation, and consequently to meat and drink, and such other things as nature affords for their subsistence: or revelation, which gives us an account of those grants God made of the world to Adam, and to Noah, and his sons, it is very clear, that God, as king David says, Psal. cxv. 16. has given the earth to the children of men; given it to mankind in common." (Locke, Second Treatise, ch. 5, sec. 25). Elsewhere, "Therefore no Man could ever have a just Power over the life of another, by Right of Property in Land or Possessions" (Locke, First Treatise, ch. 4, sec. 42)."

¹⁴ For rich explanations of the varied reasons young women in China move from rural zones to the cities, see Leslie T. Chang's *Factory Girls: From Village to City in a Changing China* (2008, 25).

spirit of his argument.¹⁵ Further, Locke believed that property existed before, and in some ways independent of, the advent of civil society. That is, property relations existed in the state of nature, because people *labored* in the state of nature (Tully 1980, 3, 54, 101, 137). If one is committed to natural rights in the way that Locke was, those rights are ceaselessly violated in a context of forced evictions.

One need not be a natural-rights inclined Lockean to believe that women who occupy and labor in their homes have a right to them, and a right not to be evicted. There can be a sound, overlapping consensus regarding normative appeals, such as commitments to right to housing, a right to the city, even basic human rights like a right to life, in the case where forced evictions are threats to basic survival. 16 However, sometimes, governments' forced evictions implicitly justify themselves by arguing that they are working on behalf of slum inhabitants' well-being, and consequently with public consent. Justifications governments give for forced evictions most often rely on the basis of an assumed, but very weak-to-nonexistent, social contract, including the need to give publicly consent-able reasons and the promise of a rule of law. But, for Locke, the social contract, rule of law, and the juridical state must be created and protected in order to secure a right to subsistence, not to undercut it. If forced evictions that are justified under so-called "protections" of the state undercut the right to subsistence, a Lockean has resources to unravel consent-justified eviction orders. Large squatter settlements and homeless crises can resemble a state of nature to such an extent that existing legal orders have much weaker jurisdiction. The resemblance even holds for underground homeless communities or tent camps.¹⁷ Under a Lockean framework, and in the absence of a juridical state, "mixing one's labor with the land" constitutes ownership.

Take for instance, the justification the Brazilian government gave for the displacement of the favelas in Rio de Janeiro, before the 2016 Summer Olympics. Residents objected to the expropriations, because they saw them as a cover for the government to present a hypocritically immaculate face of the city to international travelers arriving for the games (Rio Prefeitura 2015). Officials argued for the displacement of the Vila Autódromo community on at least three different bases: (a)

¹⁵ Feminist readings of Locke have heretofore typically taken one of two routes: disputing whether an emancipatory agenda exists in Locke's individualism and social contract, or inquiring what Locke thought of women in general. See Nancy Hirschmann and Kirstie McClure's (2007) *Feminist Interpretations of John Locke*.

¹⁶ See, for instance, *The New Urban Agenda* from Habitat III (2017).

¹⁷ See, for instance, Christian Storm, "Striking Photos of the Homeless Community that Lived Beneath Manhattan," *Business Insider*, November 13, 2014, https://www.businessinsider.com/nyc-homeless-living-underground-2014-11.

to allow for open road access to Olympic Park, (b) for the environmental protection of a local lagoon, and (c) for safety of the inhabitants living on sliding soil (Rio Prefeitura 2015). They appealed to Brazil's 1988 Federal Constitution, which allows for expropriation of land "for public necessity or use, or for social interest, upon just and prior compensation in cash, with the exception of cases provided for in this Constitution" (Brazilian Federal Constitution, Title II, Chapter I, Article 5, item XXIV). Under such terms, the government must justify expropriations on the grounds of integration and fairness, increased infrastructure, and decreased precariousness of living situations. The requirements in Brazil mandate that explanations must be framed in terms of the well-being of slum inhabitants, giving reasons to which the public—Lockean "fellow Commoners" — could reasonably consent.

The repeated expropriations in waterfront communities in Lagos, Nigeria, since 2013, which have displaced thousands, are given in similar, disingenuous, yet potentially consent-able reasons. Amnesty International reports on the Nigerian state and local government's changing and inconsistent justifications for the expropriations:

In November 2016, it denied any responsibility for the forced evictions and blamed them on a communal clash that resulted in fires which razed down the community. In March 2017, the government said its actions that month were taken to protect environmental health. On 9 October 2016, the Lagos Governor also stated that waterfront demolitions are intended to stem a rise in kidnappings in the state, alleging that irregular structures serve as hideouts for criminals. In April 2017, the State Ministry of Justice said the government forcibly evicted thousands of Otodo-Gbame residents because it had reason to believe that "militants are hiding amongst the people in the Otodo-Gbame and are perfecting plans to attack the Lekki and Victoria Island environs using the settlement as a base." (Amnesty International 2017)

As in Brazil, Lagos authorities justified expropriations on the basis of the inhabitants' own good, including their health and safety. Under Locke, the reasoning for the state takeover of land—enclosure by consent, or the prevention of peasants from

¹⁸ "Tis true, in Land that is common in England, or any other Country, where there is Plenty of People under Government, who have Money and Commerce, no one can inclose or appropriate any part, without the consent of all his Fellow-Commoners: Because this is left common by Compact, i.e. by the Law of the Land, which is not to be violated. And though it be Common in respect of some Men, it is not so to all Mankind; but is the joint property of this Country, or this Parish." (John Locke, Second Treatise, ch. 5, sec. 35)

privatization of the commons—depends upon the presence of a "Law of the Land," the existence of a country or parish in the first place. Government justifications assume or promise a juridical state, but, in the case of large urban slums, the degree of a presiding social contract depends upon the degree of infrastructure and local governments' reach in terms of social services. While dedicated groups form flourishing grassroots civil societies in the majority of slums, in some cases residents fail to benefit from basic infrastructure and emergency services because of poor or nonexistent responses from governments. In such cases, their loyalty to the social contract specifying legal ownership need not be demanded, as their benefits are not yet reciprocal.

There are ways in which the state of globalization, urban migration, and housing crises resemble Locke's state of nature. People can live in an informal and illegal world, outside the scope of many governments' goods and services. When the state's contractual goods, services, and protection catch up to migration and eventually reach the cities' poorest residents, the Lockean argument against forced evictions loses its power. But where poor women see little to no protection and rights of the juridical state, they have a right to create protection and create new contracts. I do not want to imply that those with insecure land tenure are any less "civilized" than property owners in the traditional sense. Thus, when I claim that insecure land tenure can be like a state of nature, I mean "state of nature" in terms of lack of state support, not as a description of people. If land insecurity can be a kind of state of nature, then Locke's right to survival reorients property relations along the lines of labor, rather than, say, inheritance. While there is much critical scholarship skeptical of the connection Locke assumes between "mixing labor and the land" and ownership, ¹⁹ when thinking about first, the exploitation of women's labor, and second, the severing of the normative connection between that labor and women's assets, Locke's theory of "mixing one's labor with the land" works to repair a normative connection between labor and assets.

First, Locke, contra Marx, is concerned to found property (and maybe even a theory of value) on use value, and not upon the value of an object's exchange on the global market (Tully 1980, 144). Ownership depends upon, for Locke, how one *uses* the material with which one has mixed their labor. This emphasis on use value especially sheds light on the sort of value that is at stake in squatter settlements. Many shack houses in slums do not have much exchange value. If anything, the value they have for local governments and private companies is in the land itself, not the sugarcane or aluminum structure that constitutes the houses. Turner and the "self-help" housing debates of the 1970s and '80s stressed this point, that human and social value of these homes trumps their market value, and that the

¹⁹ For criticism, see, for example, Nozick's (1974) *Anarchy, State, and Utopia*.

basic resources for homes can only be used properly when people themselves control them (Turner 1972). For women who could own that house and its land, it is precisely the use value of those structures that they leverage towards their eventual well-being. But interestingly, the same tenets of use-as-source-of-value apply to the women in Oakland who are squatting in very expensive houses. The use value of these houses, ostensibly much more affordable, trumps their exchange value on the same grounds. Thus, Locke shows us how migrants who stake out small parcels of unserviced land on the outskirts of cities to make and build their houses, as well as those who squat in the most overpriced of homes, are making rational decisions that deserve to be supported by civil bodies.

Furthermore, Locke imagines a sort of "first appropriator" of such private property, the first man who, by his labor, enclosed land and made it his own. This earliest laborer was no ordinary person. In Waldron's words, he was "particularly resourceful and opportunistic character. . . . He is the individual who sees personal advantage in rupturing what might have been a previously satisfactory mode of subsistence by enclosing land and seizing the materials for himself. . . . This person is the true founder of private property; and this is the sort of economic opportunism that a Lockean theory takes it upon itself to vindicate" (Waldron 1988, 172). So, Locke's original appropriator was an ingenious originator, who sought more than subsistence out of life and worked hard to transform say, a sallow, unused field into a thing from which he could extract advantage. Needless to say, besides their gender, this person looks remarkably like a migrant woman and her family who, in moving from the rural to urban areas, settles in unserviced land, works hard to construct her home and community, and then leverages her home for remarkable uses related to the furtherance of her own well-being. She also looks like a woman escaping homelessness through leveraging unused property for the benefit of her and her family.

Locke's theory of ownership provides a normative connection between women's work and their assets. Having a home gives women the ability to begin to benefit from their labor, in that it gives them a tangible asset over which they have control, and which they can leverage for other tangible and intangible goods, like authority. In his theory of moral development, Hegel understood the way in which property gives authority. What Locke gives, by contrast, is an argument against the state forcibly taking away a person's property, along with a picture of ownership that, in some kind of "state of nature," is justified not by inheritance or capital but instead by labor itself. If one labors on the land, if one transforms it from something uncultivated to something cultivated, then one makes a justifiable claim of ownership, especially and imperatively so if one is laboring to survive. In such a setting, it would be wrong for a government to send bulldozers to a slum of 3,000 people near the airport, a place that international business people flying overhead

see as a scourge, but where its inhabitants have slowly been building their dwellings piece by piece, over many years.²⁰ It would also be wrong for the airport to justify forced expulsion of the people from its land if they are dumping their industrial waste in it and not using it for any other purpose. Under Locke's account, the use value to the people living on the land would trump the market value of the land for the parties who own the official title.

I recognize it is strange and controversial to present a transnational feminist analysis of labor and work that relies upon Locke, firstly given Locke's support for colonization in the Americas and his implied critique of indigenous agricultural practices and land dispossession (Squadrito 2002, 108, 121). Historically Locke is less useful, and actually harmful, for discourses of indigeneity and rural agriculture. However, his theory of property is helpful for the specific problem that women are doing much the work without being able to benefit from the fruits of their labor. Secondly, it is strange for a transnational feminist account to advocate for a liberal, Lockean justification of property and enclosure over and against a Marxist destruction of the institutions themselves. The turn to property might be especially jarring, given the concern with the effects of neoliberalism on women, especially regarding the retreating of state services. So, I must emphasize that the analysis I have given acknowledges the exploitation of women's labor on a global scale and worries about the ways in which global capitalism is creating unprecedented inequalities and perpetuating poverty. However, giving an account of the ways in which property ownership could politically empower a person is not equivalent to giving a defense of global capitalism or justifying its inequalities. This account of property does not rule out the possibility that collective or common property can be just as empowering to women's well-being as private property. Neither is the account a definitive argument for or against either socialism or capitalism—that is not my aim, nor, according to James Tully, was it Locke's (Tully 1980, x). The account is, though, a description of how women's labor is currently being exploited, an argument about housing assets being a bulwark against endless exploitation of women's labor, and an explanation as to how Locke's theory of property could provide a normative connection between labor and her assets.

I am skeptical of the degree to which international development organizations and governments use or need normative justifications from the history of philosophy to do their work. Yet I offer the Lockean approach as one possible tool in the fight against forced evictions. I leave it to development practitioners to determine the usefulness of such a tool. As I mentioned, it is likely that practitioners and activists would be better served by appealing to a more direct

²⁰ Here I am referencing the Annawadi Slums that Boo (2012) depicts in *Behind the Beautiful Forevers*.

defense of the right to housing, or, importantly, the right to the city. This paper precludes none of those approaches and offers little in the way of advice on how to persuade the confluence of government and corporate interests away from forced evictions. Such practical know-how is context specific. The claim here is limited: *if* anti-eviction activists are compelled by a Lockean, natural rights approach to make their case, they would be justified in doing so. One benefit to using such an approach is that it uses liberal political theory to undermine one of the most harmful trends in our current era of capitalism, which has involved the loss of stable dwelling places for so many.

Feminists like Nancy Fraser and Alison Jaggar have done a right and necessary job of critiquing neoliberal ideologies that hold material gain and efficiency over all other values, like love, care, and freedom (Fraser 2013, 209; Jaggar 2009, 35). Transnational feminist work outside of philosophy, like the work of Caroline Moser, Sylvia Chant, and Sidney Calkin and others, has done a good job of showing how these other values are supported by basic asset ownership, and demonstrating that severing a connection between employment and assets is harmful to women. Locke's theory of property can bolster these insights. Given the empirical shape of the harm, Locke's theory of property gives a normative grounding to a connection between work and assets within a just society. Even a very minimal commitment to the right to subsistence can offer normative support against forced evictions. Beyond the right to subsistence, a more thoroughgoing commitment to more of Locke's natural rights tradition supports projects that create social contracts through more secure land tenure.

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