

GLOBALIZATION IN THE THIRD WORLD: IMPACT ON WOMEN'S
LAND RIGHTS AND EDUCATION IN KENYA

by E. Wangari, W. Kamau, A.M. Kinyau*

INTRODUCTION

Globalization has not benefited majority of people in the Third World in spite of numerous development programs and international human rights instruments. The international human rights regime has mostly concentrated on civil and political rights while economic and social structures that limit women from means of production are cursorily addressed. Globalization has therefore impacted more negatively on women than men and in particular, women in none –white collar jobs in the Third World. We examine these effects within the context of the state and its role in the process of globalization with particular focus on Kenyan state and its intersection with national and international policies of economic development during colonial and postcolonial eras. We pay particular attention to land reform policies and education to exemplify the impact of globalization on women's rights. The importance of this approach is to deconstruct globalization as purely new phenomenon detached from the legacies of colonialism, imperialism and neocolonialism. As Costa and Costa point out:

In the case of Africa, we can note two phases in the primitive accumulation of African labour. The first coincided with the Atlantic slave trade (1650-18000), when Africans were brought as slaves to the Americas after their means of reproduction had been forcibly expropriated by kidnapping, legal punishment, and war. The second coincided with colonialism proper (1880-1930), when the means that were employed to expropriate Africans were taxes, corv'ee and land seizures...The fiscal recolonization of the African countries and the diaspora of African labour that have been activated by the debt crisis represent the third phase of primitive accumulation in Africa, once again introduced to separate Africans from their land and social relations (Costa and Costa, 1995, p.19).

*E. Wangari, W. Kamau, and A.M. Kinyau, Women Studies Department, Towson University, MD

The analysis, while shifting some of the blames of lack of economic development in the Third World to the First World, also highlights what pertains to human rights for majority of women in the Third World. Strategies of survival in terms of food, clean water, education, health care delivery, land ownership and credit facilities shape women's daily lives. Access to these factors along with legal literacy are important components in enhancing women's status and should be among the major objectives within the realms of globalization and human rights.

GLOBALIZATION

We argue that globalization is a complex phenomenon that brings new forms of social relations while at the same time maintaining the old modes of capitalist expansion. What is new in globalization is that the forces of neoliberal market economy have propelled it to an accelerated speed. Moreover, the Third World is not the only loser in this acceleration of globalization. Although the West is the major beneficiary of globalization, some of its population is losing jobs through relocation of textile and manufacturing industries to Third World countries where labour is cheap and labour unions and regulations in host countries are absent. "Globalization means expansion of the neoliberal market economy to the remotest parts of individual countries and the most far-flung corners of the earth. Market economy and neoliberalism are Siamese twins in this global thrust, which is not the first in history but is certainly the most rapid. Space and time appear no longer to play any role; globalization and time belong together" (Wichterich, 2000, vii). Other factors in the new wave of globalization are increasing displacement of people by either wars or processes of economic development producing landlessness, refugees and migration of people within Third World regions as well as in the West. Inherent in globalization is an ideology that there are some gains from globalization for countries participating in global economy. Thus, mobility of goods, culture, labor, information and science and technology including capital investments are seen as beneficial to economic growth in Third World countries. "According to the development [theory], with the introduction of Western investments, workers in the poor nations will find more productive employment in the modern sector at higher wages. As capital accumulates, business will reinvest its profits, thus creating still more products, jobs, buying power, and markets. Eventually a more prosperous economy evolves" (Parenti, 1995, p.13).

However, submerged in this rhetoric of economic growth, are unequal social relations between the First and the Third World. With the globalization of the market and culture, for many people in the Third World countries, conditions have not improved, but indeed gotten worse. The litany of gains from trade for all countries that participate in international trade does not work for most of Third World countries that depend on agricultural production and have comparatively fewer industries and depend on importation of capital goods from the West. Moreover, the theory has flaws in that not all countries

globally have been free to excise or engage in global economy. Most of the Third World's trade is determined by the nature of their agricultural production primary goods and minerals in which they have no monopoly as there are more powerful countries that produce the same goods. The Third World cannot therefore compete effectively in the global market. For instance, although the Lomé Convention Agreement in 1975 between the European Community and sub-Saharan Africa, the Caribbean and the Pacific (ACP) was supposed to help the latter countries, get into the Western market, there were some limitations. According to Bessis, "although the states of the North constantly proclaimed their willingness to get other countries started on the road to development, their concern was to safeguard their own interests by keeping the South's demands within what they considered acceptable limits...Products from the South that competed with those of the North were systematically excluded from special tariff status or exposed to non-tariff barriers,..."(Bessis, 2003, p.91).

The beneficiaries of agribusiness are the owners of means of production and the major players in globalization whose major objective is to reduce costs and extract as much profit from the workers to ensure capital expansion. "The surplus labour provided by the producers is distributed among members of the dominant class in proportion to the importance of the latter, itself measured by the amount of their capital – the share of social capital that they control" (Samir Amin, 1976, pp.60-61). Cheap labour power of the poor and especially that of women in the Third World is mostly targeted by multinational corporations that aspire to make profits at the lowest costs possible, while escaping trade unions, and high operating costs in the First World. "Being docile, young women are the ace cards in these consumption goods industries. In the booming toys sector, for example, a million are employed in more than four thousand factories in South China alone" (Wichterich, 2000, p.3). Women work for long hours and the environment in which they work are not safe or healthy. For example, in garment workshops in the Bangladeshi capital, "a few hundred girls and women stitch for ten to twelve hours a day on piece-rates, beneath glaring neon strips and in stifling heat. None of them suspects that she is a cog in the wheel of international job off-shoring transfer, and that she is partly doing the work which, a few years ago, women performed 9000 kilometers away in Upper Lusatia to earn their daily bread" (ibid. 5). From manufacturing industries to agricultural production, consumption needs are constantly created. The World Bank and International Monetary Fund through their structural programmes that impose land tenure reforms and production of cash crops among other conditions as pre-requisites for loans for the Third World, accelerated the consumption patterns and control of resources in the West. The imposition of production of cash crops such as coffee, tea, tobacco, cocoa grapes and economic interventions expand global consumption of resources which disadvantage the Third World. Land and labor used for production of food are shifted to cash crops for Western consumers. This process puts burden on women who are major producers of food and also destroys their environment.

The economic reforms imposed on the Third World to generate economic growth have adverse effects on majority of women in rural areas. Gender-neutral policies are supposed to benefit both women and men. Influenced and shaped by gender, class and race perceptions in the First World, they discriminate against people of color and in particular women. "Race-ethnicity is key concept in understanding women's economic histories. But it is not without limitations. First racial-ethnic processes have never operated independently of class and gender" (Amott and Matthael, 1991, p.18). Given gender roles in society, gender -neutral policies will affect women and men differently. Experiences of women in development programs will also be shaped by race and class differences. The economic status, political power and the "white privilege" give some people more rights than others. Most women of color and particularly those in the Third World, their rights are limited and mediated by national and external policies for which they have no control.

INTERNATIONAL HUMAN RIGHTS

At first glance, the international human rights regime seems to offer promise for protection of Third World women against the ravages of globalization. In recent years, human rights has achieved the primacy as the dominate discourse. The recognition, protection and promotion of the human rights of women appears to have been strengthened by their inclusion in international human rights instruments, in particular the 1979 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). Further, in both the 1993 Vienna World Conference on Human Rights and the 1995 Beijing Fourth World Conference on Women, the principle that the human rights of women are part of universal human rights (captured in the slogan "women's rights are human rights") gained general acceptance.

However, a closer analysis of the human rights regime reveals that this promise may ring hollow for most women in the Third World. One of the criticisms of international human rights law is that its focus is too narrow as it concentrates on states as the main actors. International human rights law has traditionally been conceived as a means of constraining the exercise of power by the state upon its subjects. It envisages states as the principal violators of human rights norms and treats states as being vested with human rights obligations. Hence non-state actors who are major players in the globalization process, notably multinational corporations (MNCs) and international institutions such as World Bank, IMF and WTO, are outside the direct reach of human rights law as they are not states (Orford, 1998). This is exacerbated by the fact that although these international institutions were originally created by member states and remain dependent on states for support, they have in many respects become autonomous. As Stark (2000, p.537) puts it: "The non-state actors while nominally subject to state law are in many cases so much wealthier than the states to which they are subject that they can either buy the kind of law they like or go shopping elsewhere" (2000, p.537).

A further weakness of international human rights law is that it exalts civil and political rights over economic, social and political rights. While the Covenant on Civil and Political Rights (Civil Covenant) protects ‘negative’ rights such as freedom from deprivation of life, liberty and inhuman treatment (based on liberal political ideology), the Covenant on Economic, Social and Cultural Rights (Economic Covenant) recognizes ‘positive’ rights, such as the rights to food, shelter, health care, education and work. The passing of two separate human rights covenants was ostensibly necessitated by the East/West split and the ideological disagreement over the value of socio-economic rights. The bifurcation of rights was further justified by differences in the nature of the legal obligation and the systems of supervision that could be imposed. This is a reflection of the indifference, even hostility, of the international community towards economic rights. While perceived violations of civil and political rights give rise to a “hue and cry, there is usually only silence in the face of egregious violations of [economic] rights, thereby creating the impression that no injustice has been done and emboldening violators” (Agbakwa, 2002).

One effect of the bifurcation of rights is that although the international community continues to assert the equality and interdependence of economic rights and civil/political rights, states may justify their refusal to ratify the Economic Covenant on the basis that it is incompatible with their own ideologies, as the United States has done. This effectively reduces assertions of equality and interdependence of rights to mere rhetoric (Stark, 2000) and has grave implications for the millions of poor people, especially women, for whom issues of food, shelter, health care and education are more than matters of mere ideology. The West's persistent emphasis on democracy and good governance as prerequisites for economic development in the Third World also demonstrates the privileging of civil and political rights over economic rights. This is a reflection of the hegemony of liberal democracy as the dominant political paradigm. This paradigm emphasizes legal formalism, predicated on constitutionalism and the rule of law, and manifested in the phenomenon of “judicialization of politics” (Santos, 1999). However, as scholar has stated: “... what this legal edifice obscures are underlying economic and social inequalities which fall outside the confines of legal solutions. They need to be addressed through the processes of political and economic enfranchisement leading to those extra legal processes which empower people, not just every four years at the ballot box, but every day in the ordinary encounters of their lives” (Andrews, 2000, p.388).

A related problem is the weakness of enforcement mechanisms for economic, social and political rights. On the state level, international law has failed to prevent the widespread deprivation of human rights and human suffering arising as a result of globalization. Under Article 16 of the Economic Covenant, states are required to file self-monitoring reports with the Committee on Economic, Social and Cultural Rights (CESCR), but the efficacy of the self-monitoring system is in doubt. Although the vast majority of states (141 states as of 2000) have ratified the Economic Covenant this has not stopped them

from adopting policies that deny economic rights to massive segments of their own populations. States seem to be more responsive to the needs of MNCs and other non-state actors than to the needs of their own constituents (Stark, 2000).

LAND REFORM POLICIES IN KENYA

In Kenya, as in most parts of the Third World, land remains one of the most crucial resources for women's basic livelihood, particularly in the rural areas. In addition, ownership of land is a prerequisite for access to credit facilities and other benefits since land is almost the only widely accepted form of security for loans. Further, land is central in defining women's identity and social status, as access to land is closely defined by kinship and marriage ties, and is largely dependent on marital status (Nyamu, 1998, p.99). Kenyan women are largely excluded from control of land and other key economic resources. A study in 1997 on land titles in Kenya illustrated that women held 6 per cent of land title deeds while men held 64.6 per cent of title deeds (Orina, 2003). This may in large part be attributed to colonial and postcolonial land policies, as well as to prevailing gender biases regarding women and access to land.

During colonial rule, under the Swynnerton Plan in 1954, Kenya embarked on land reforms to convert traditional land tenure system to private land ownership. Land registration was a component of the program that put emphasis on small-scale farming. The major objectives of land reforms were to increase output through land consolidation, land registration, and adjudication. These measures were supposed to increase income, productivity and employment in rural areas by new innovations and lifting of restrictions on African agricultural production. While the reforms "appeared economical, they were politically motivated in the sense that the main objective was to calm down the Mau Mau uprising and create an African middle class which would support the status quo" (Wangari, 1988, p.3). Under the Swynnerton Plan, only able and progressive farmers would benefit from the policy. The poor, women and children were excluded from land ownership. His point was that landlessness, and poverty were inevitable in the process of economic growth. Landless people were supposed to be employed in a new capitalist agricultural system. However, it is evident that changing land ownership from traditional tenure system to capitalist private land ownership for production of cash crops does not improve women's rights.

The introduction of cash crops has led to shortages of food, firewood, environmental degradation, poor health, landlessness and rural-urban migration. It also shifts land and labour from food production, while adding more burdens on women who produce 80 percent of food in Africa. The fall in subsistence farming increases the price of food and, given women's roles in food production, household maintenance and reproduction, they have to find other alternatives of survival. Land reform not only excluded women from formal land ownership but also denied them use rights to land, which they possessed under traditional tenure systems. Under the customary law, especially among

the “Agikuyu” a woman acquired use rights to her husband’s or clan land after her marriage. Through the process of privatization of land and issuing of title deeds, a man perceived as the head of household, became the official “owner” of land. With land as collateral, he could get a loan or sell the land without his wife’s consent or clan. Subsequent land reform policies were implemented in postcolonial Kenya since 1964, and continue to deny women land ownership. Due to gender biases, access to credit for women is also virtually impossible even for those few women with title deeds (Wangari, 1991). Another factor affecting women negatively is that credit forms are written in English and legal literacy is lacking in most of population. As Ngugi points out:

Kenya inherited the British legal system whose underlying socio-cultural values are alien to Kenya's peoples. The norms of the legal system hence cannot be said to have been generated by the Kenyan society itself. The laws are written in English which is a foreign language not understandable by the majority of Kenyans. The situation is exacerbated by the high rate of illiteracy in the country. The law itself is couched in complex terminology and is thus unintelligible to the majority (Ngugi, 1994, p.2).

Since 1954 under Swynnerton Plan, traditional gender biases are well emulated by the Kenyan colonial and post colonial agricultural development policies in denying women's rights to ownership of land. This denial of women's ownership to property although legally absence in the Registered Land Act (300) of Kenya has negative consequences for women and children. The land reform policies in Kenya, incorporated Western gender perceptions that denied women access to most of economic resources. While customary laws excluded a woman’s rights to “own” land, she had use rights and control of her produce. Women's roles in domestic sphere and in production have been also devalued than before. While traditional gender biases existed in pre-colonial time, “they often entailed greater interdependence than modern societies, with men having different but, in many ways, complementary roles. Women often had a degree of autonomy and control over their lives....Much of this autonomy stemmed from the access to and control over economic resources which women exercised in different forms...Women had often budgetary independence within the household” (Waylen, 1996, pp.50-51).

Land reforms also denied land to poor men who previously had use rights of land under the customary law. Landless men were at times adopted by clans that ensured use rights of clans' land. The mechanisms of taxation, forced labour, and the landlessness were supposed to provide labour to the colonial state, while some of the labour had to be absorbed in agricultural employment. According to the Swynnerton Plan, “increase in employment would occur because increased farm activities call for the use of labour from the formerly unemployed, and maldistribution of resources were inevitable stages of

economic development ...the landless class would be a source of labour for the large commercial farmers and later for a growing industrial sector” (Wangari, 1988, p.5). However, a case study done in arid and semi-arid area in Mbeere, Embu District, found that neither incomes, nor productivity and employment have increased as a result of land registration (Wangari, 1991). Landlessness, unemployment, environmental degradation, poor health and hunger have increased. These effects have led to off-farm activities and rural-urban migration of both men and women who face odds in terms of employment, shelter, and other resources. Most of these people reside in the outskirts of cities in slum areas such as Mathare, Kariobangi, Kibera and Korogocho in Nairobi where decent shelters, clean water, electricity and sanitation are lacking.

Moreover, the presence of multinational corporations as a consequence of globalization has further impacted on land use. For instance, the introduction of land registration in Mbeere in 1970s, has shifted land and labour to the production of cash crops under agribusiness contract farming. Tobacco under American and British Tobacco (BAT) contract farming, and cotton under Cotton Marketing Board, a parasitic state body, replaced food production and shifted labour to cash crops. Cutting trees for tobacco curing led to soil erosion that washed away minerals such as iron and iodine which are vital to women’s health. Lack of iodine can lead to miscarriages or necessity for abortion, stillbirths, the birth of cretinous or hypothyroid babies among other risks, while lack of iron can result in menstrual loss (Shiva, 1994, pp.61-62). Tobacco farming also led to a decrease in firewood, an important source of fuel. Stagnant water resulting from irrigation and lack of drainage causes waterborne diseases such as malaria, typhoid, and bilharzias is. Farmers were frequently affected by malaria and typhoid in Mbeere and, as a result, productivity in agricultural production was affected by health among other factors. Health care delivery, infrastructure and education were not integrated in the land registration policy. Moreover, lack of firewood and clean water means women have to struggle and spend most of their time searching not only for food but also for fuel and water.

In spite of massive programs for development in the Third World, problems of development still continue to affect majority of people in these countries. What is wrong with these programs? In our view, these programs remain in abstract and distanced from their supposed beneficiaries who are not consulted on what their needs are. Economic growth measured in gross national product is seen as the key to developing countries, but it comes with a price for the poor, and especially women. When the structural adjustment programs are advocated and implemented as a redemption factor for a weakened agricultural sector, they have negative impact on the livelihoods of farmers and women in particular.

EDUCATION

Female education has been recognized as one of the critical pathways to promote social and economic development. Female participation in education has been cited as the single most important investment that a developing country can make, translating into better living conditions for families and increased productivity. The international community has made commitments to universal primary education and free education for all (EFA), particularly for the girl child. For example at the 2000 Dakar World Education Forum, one of the goals was to eliminate gender disparities in primary and secondary education by 2005, and to achieve gender equality in education by 2015. However, realization of these goals appears to be elusive, particularly in the Third World. Evidence from sub-Saharan Africa indicates that although there have been improvements in female participation, girls and women's access to education remains limited in many countries across the region, and there has actually been a drop in girls' enrolment and retention rates in both primary and secondary education (Odaga and Heneveld, 1995). This is due to a combination of socio-economic, socio-cultural, political and institutional factors constraining women's education.

One of the major constraints affecting women's education is the direct cost of schooling, the major component being tuition fees. Even in countries where primary education is free, the costs of education include building funds, books, uniforms, extra tutorials, examination fees and transportation, among others (Ibid. p.16). This takes place in the context of widespread poverty and the prevailing fiscal crisis. Studies in Kenya indicate that the "cost-sharing" policy, introduced as part of the structural adjustment programs in the mid-1980s, which shifted the cost of education from the government to families, has had particularly adverse effects on girls' education (Kinyanjui, 1993). This is because most families, faced with financial constraints, are generally more likely to withdraw girls from school than boys due to gender biases regarding the perceived higher value of boys' education over that of girls'. For instance, by 1988, in Siakago Division, with a population of 38,230 had only one woman who had ever been admitted to a university (Wangari, 1988). For families who sent their girls to school, girls' chances of success depended on whether they could pass high school or university entry examinations. would choose a boy's education. The entry had roots in colonial education policy that restricted Africans from higher education.

Economic development policies, informed by static theories such as culture, religion and science, obscure gender biases that discriminate against women. Through socialization process, perceptions on gender roles based on feminine and masculine characteristic are defined – a woman's role is given a lesser value than that of a man - however, this characterization has not been universal to all societies. African and Native Americans placed high value on women's role in society, but with the development of capitalism, the development from family economy to wage and consumer economies, the

homogenization of gender biases have been institutionalized. Other factors constraining women's education include the higher opportunity costs of girls' education (as girls are more involved in domestic chores), who drop out due to pregnancy, distance to school, etc.(Ogada and Heneveld, 1995).

Colonial and post-colonial policies did not have and have not given priority to female education, which has had far-reaching consequences, particularly in the context of globalization. Under colonial rule, education for Africans was seen as necessary only as means of providing a more productive labour force for the colony. Hence, from the beginning African education was seen by the colonialists to mean primarily education for African males. Education for women, if any, primarily consisted of the "the three Bs- baby, bath and broom." Later in the mid - 1950s, emphasis was placed on producing a class of educated females who would be suitable partners to the African elite. However, training for women was limited careers deemed appropriate for women, namely nursing, elementary school teaching and catering, while pregnancy occurring during any stage of schooling or training meant instant expulsion (Ngugi, 1986). The examination system was also used by colonialists as a hurdle to limit the numbers of Africans aspiring to higher education, which further hampered women's education as girls were usually less well prepared for examinations than boys.

Post-colonial education policies did not correct to any large degree the stereotypes and assumptions inherent in the colonial policies. Despite greater enrolment of girls in primary school and even high school, this is not reflected at tertiary and university levels – women remain a minority in these institutions. Streaming of girls into non-science subjects, due to an assumption that girls are poor in mathematics and science. There is also lack of career counseling which is exacerbated by the sex stratification in the curriculum and by the paucity of the role models for girls. All these constraints jeopardize girls' chances of admission to universities and other tertiary institutions, and operate to disadvantage women in the job market.

IMPACT OF SAPS ON WOMEN'S LIVES

Structural adjustment policies mirror colonial policies in that conditions imposed by IMF and World Bank for countries borrowing money at a higher interest rates under austerity measures, combined with corruption of national officials leave their populations, especially women worse off than they were.

"What kind of choices do women have when subordination, poverty and degrading work are the options available to most? "The point is not to deny that women are capable of choosing within contexts of powerlessness, but to question how much real power these 'choices'... have. They do not make them under conditions they create but conditions and constraints that they are often powerless to change" (Wangari 2002, p.299). Some of these choices come with a price over their bodies. For instance, many of the young women who leave their homes for the cities in search of employment have to be employed as

domestic workers in homes where the man or his wife (or both) work outside the home. These young women work long hours for low wages, outside statutory regulation or union protection, and are at times subject to sexual harassment by the man and or to physical abuse by the wife. However, it should be noted that a woman's entry to the formal employment sector does not relieve her from household maintenance and production even though part of her household work is taken over by a domestic worker. From my [Wangari] own observations and conversations with urban women in Kenya, in most cases, the supposed head of the household- a man- becomes the head only in figurative terms. The woman not only pays the helper, but also often pays for electrical bills, telephone, water and food. Thus the entry of women to labor force is not necessarily a road to an empowerment for most women in the Third World.

Another option for women is to join prostitution and this is quite visible in tourist hotels where they wait desperately to attract Western tourists who at times may promise them "good pastures" in their own countries in the name of marriage. According to Kempadoo (2001), "sex tourism" takes place for the most part in "Exotic" Third World countries as a form of bringing foreign exchange and to sustain the image of their country as an appealing vacation destination. Some of these women are sold as sex slaves in their entry to Western countries while others become the so called "illegal aliens" working as domestic workers or in sweatshops under horrible conditions. According to a CIA report in 1999, each year "50,000 of women are brought into the U.S to work in sex industries, domestic labor and sweatshops" (Kempadoo, 2001, p.31). Others in homeland who do not find the entry to foreign lands, flock in local bars or military bases. According to Kempadoo, the operational of foreign or allied troops produce particular forms of prostitution which has been tolerated and regulated by local government. In this case, women's bodies have been sacrificed for global political alliances.

Sex tourism can also be understood within the context of SAPs to the extent that Third World countries cannot depend merely on the exploitation of other resources. Debt payments and interest rates demanded by the international financial institutions, situate the Third World at a point in which they cannot participate in the global markets. Sex tourism becomes the venue for earning foreign exchanges. To a certain extent, the informal sector absorbs most of unemployed. The streets of big cities like Nairobi are decorated by second hand clothes, fruits and vegetables sold by women and few men, whose customers are mostly women leaving offices around 5.00 p.m. However, while the informal sector is growing at a phenomenal rate, it is often an invisible factor in national development, and is outside the reach of social security, union protection or urban planning policies. For example, the city authorities constantly harass hawkers for their "illegal" use of public space.

How do these issues manifest themselves in global relations of power? Whose fault is it that women are found in these situations? All these processes manifest themselves through the histories of the Third World countries and national institutions of power and development supported by gender

perceptions that devalue women. At global level, these countries have experienced exploitation by dominant powers that had occupied and extracted resources through colonialism, post-colonialism and cultural imperialism including the multinational corporations. Coupled with structural adjustments policies the national states are left vulnerable economically and politically. They cannot sustain themselves without SAPs that negatively impact on the poor and especially women. According to Usher:

The increasing centralisation of the state, and the intensification of resource use for industrial development, is causing the gradual erosion not only of natural resources but also of people's customary rights to land, cultural integrity, local knowledge and sense of belonging. For people living in a weakened environment, the 'goods and services' that were derived to a significant extent from nature must now, increasingly, be replaced by the market. But purchasing food or drugs or cultural commodities...demands the exchange of items that have the equivalent outside market value, forcing people either to extract more and more from the ecosystem, or to leave the village all together. In the extreme case, when nature is degraded that it can longer provide, one of the only remaining local resources in the community that has value to the market is the bodies of the young. In those places where adolescent women – and, to a lesser extent, men – leave home to sell their labour in the sex industry, AIDS, which appears to have infected a huge proportion of the country's half-million prostitutes [in Thailand], has become a physical manifestation of political dispossession (Usher 1994, pp.10-11).

HIV/AIDS has become a global crisis in which more often than not the people in the Third World have been accused of their uncontrollable sexual behaviors. However, HIV/AIDS should be seen within the context of globalization in which resource allocation and control are in hands of the major players in global economy.

CONCLUSION

Our analysis of globalization and its impact on women reveals that political human rights are more monitored than economic and social human rights. However, factors that constitute human rights for many people and especially women are within the realms of social and economic structures. It is the role of the human rights regimes to monitor and enforce the “global village” to address economic, social and political rights effectively on equal basis with civil and political rights in order to capture the needs of all people and in particular women. The reorganization of human regimes should be a priority in

the 21st Century in enforcing multinational corporations take more responsibilities and accountabilities in social and economic structures that limit people in the Third World and women in particular from access to resources at a global level. The power and the control of world resources through globalization should be monitored regularly by the national state and international human rights instruments. In spite of increasing encroachments on the state's autonomy due to globalization, the state is still the main reference point of governance and continues to have certain responsibilities, especially in the area of policy making and implementation. It should demand from corporation's codes of conduct that include human rights law that would enforce and ensure the protection of marginalized people. Since these corporations have no check and balances, it's the national states' responsibilities to formulate laws and regulations which should monitor and control corporations activities. These responsibilities should also ensure that corporation programs are consistent with people's customs, traditional farming systems and their overall well-being. This include women's ownership to land and other production resources, health care delivery, education, shelter, clean water, save working conditions, and transportation and sustainable environment among other resources.

The state should ensure that in the areas of land tenure and education policies are needed that advance and empowerment women through an education system that include legal literacy. These factors will empower women in ways that better enable them to access necessities of life such as food security, shelter, credit, and to enhance their autonomy in decision making. Any state in its endeavor to achieve its goals, it should form a coalition with private sectors- civil society, religion, business, and media. Women's NGOs and especially YWCA have been effective in addressing the needs for women. Separate education for girls not based on colonial and post colonial education in the Third World, but based on empowering women as individuals on their own rights as advocated by YWCA in America (Marinho, 1986) should be implemented along with legal literacy in the education curriculum for girls. Women are not just victims, but respond to policies that shape their daily lives and through organizing collectively effect socioeconomic and political changes. Nyamu's example about women acquiring property outside the usual paradigm of family land is an important one. However, there are challenges too, especially lack of information, organizational abilities, encroachment by politicians. Legal literacy will have a positive impact in these challenges.

Family as an institution in society, like the national state, should also take responsibilities and accountability for women's education. It is at the family level that values, attitudes and perceptions about life are formed. Values and gender stereotypes passed on children and perpetuated at household level have the ramifications of future policy-decision making at state level or internationally. While women, traditionally have primary role of nurturing and teaching children, men should also take this as a challenge in enforcing values, positive attitudes in education of the children. Education should include among

other things the knowledge of social relations, attitudes and responsibilities of both children and parents in education, socioeconomic and political issues affecting their lives. Gender perceptions and development policies from top-down have to change to reflect the needs of people. People should view development from their own eyes not those imposed on them.

REFERENCES

- Agbakwa, S.C. "Reclaiming Humanity: Economic, Social and Cultural Rights as the Cornerstone of African Human Rights" in (2002) 5 *Yale Human Rights and Development Law Journal* pp 177-216.
- Amott, T. L. and J. A. Matthaei (1991) *Race Gender and Work: A Multicultural Economic History of Women in the United States*, Boston: South End Press.
- Andrews, P. E. "Globalization, Human Rights and Critical Race Feminism: Voices from the Margins" in (2000) 3 *the Journal of Gender, Race and Justice* pp373-399.
- Basu, A. (eds.) (1995) *The Challenges of Local Feminisms: Women's Movements in Global Perspective* Boulder: Westview Press.
- Chang, G. (2000) *The Disposable Domestic: Immigrant Women Workers in the Global Economy*, Cambridge: South End Press.
- Costa, D. and D. Costa (eds.) (1993) *Paying the Price; Women and the Politics of International Economic Strategy*, London: Zed Books.
- Gladwin, C. (ed.) (1991) *Structural Adjustment and American Women Farmers*, University of Florida Press.
- Hartmann, B. (1995) *Reproductive Rights and Wrongs: the Global Politics of Population Control*, Boston: South End Press.
- Kempadoo, K. "Women of Color and the Global Sex Trade: Transnational Feminist Perspectives" *Meridians Feminist, Race, Transnational Journal*. December 2, Spring 2001.
- Kinyanjui, K. "Enhancing Women's participation in the Science-Based Curriculum: The Case of Kenya" in Conway, J.K. and S.C. Bourge (Eds.) (1993), *The Politics of Women's Perspectives from Asia Africa*: Ann Arbor, The university of Michigan Press.
- Marihno Rita. (1988) "An Interpretation-the WYCA: An Autonomous Women's Membership Movement" (YWCA of the U.S.A., National Board).
- Ngugi, W.W. (1986) *Sex Discrimination, Employment and the Law*, LL.B. Dissertation, University of Nairobi. (1994) *Legal Literacy in Kenya: A Case for The Right to legal Literacy*, the Master of Laws (LL.M.).Dissertation, University of Nairobi.
- Nyamu, C. I. "Achieving Equality in Plural Legal Context: Gender and Women's Access to Control of Land in Kenya" (1998-99) *Third World Legal Studies* pp 21-63.

- Odaga, A. and W. Heneveld (1995) *Girls and Schools in Sub-Saharan Africa From Analysis to Action*, The World Bank, Washington, D.C.
- Orina, E. (June 03, 2003, *Business Week, Kenya*).
- Orford, A. "Contesting Globalization: A Feminist Perspective on the Future of Human Rights" (1998) 8 *Transnational Law and Contemporary Problems* pp171-198.
- Parenti, M. (1995) *Against Empire*, San Francisco: City Lights Books.
- Rocheleau, D., B. Thomas-Slayter and E. Wangari (eds.) (1996) *Feminist Political Ecology: Global Issues and Local Experiences*, London: Routledge.
- Samir, A. (1976) *Unequal Development: An Essay on the Social Formations of Peripheral Capitalism*, New York: Monthly Review Press.
- Santos, B. (1999) "The Gatt of Law and Democracy: (Mis)Trusting the Global Reform of Courts" in Feest, J. (Ed.) (1999) *Globalization and Legal Cultures* 49.
- Stark, B. "Women and Globalization: The Failure and Postmodern Possibilities of International Law(2000) 33 *Vanderbilt Journal of Transnational Law* pp 503-571.
- The Republic of Kenya. Government Development Plan 1977.
- Shiva, M. "Environmental Degradation and Subversion of Health" in Shiva, B (ed.). (1994) *Close to Home: Women Reconnect Ecology, Health and Development Worldwide*, Philadelphia: New Society Publishers.
- Usher, A. D. "After the Forest: AIDS as Ecological Collapse in Thailand" in Shiva, B. (ed.) (1994) *Close to Home: Women Reconnect Ecology, Health and Development Worldwide*, Philadelphia: New Society Publisher.
- Wangari, E. "Reproductive Technologies: A Third World Feminist Perspective" in Saunders, K. (ed.) (2002) *Feminist Post-Development Thought: Rethinking Modernity, Post-Colonialism and Representation*, London: Zed Books. (1992) *Effects of Land Registration on Small-Scale Farming in Kenya: The Case of Mbeere in Embu District*, University Microfilms Inc Ann Arbor Michigan. _ (1988) "Land Registration and Its Impact on Small-Scale Farming in Kenya: The Case of Mbeere n Embu District" *Institute for Development Studies, University of Nairobi*, Working Paper No. 464.
- Wichterich, C. (1998) *The Globalized Woman: Reports from a Future of Inequality*, London: Zed Books.