

ESPM 255: Property and Natural Resources: Fall 2006

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Nota Bene: To the extent possible all readings will be on reserve in the Biosciences library in Valley Life Sciences Building. Readers are available at Replica Copy 2140 Oxford.

Required Texts:

- Agarwal, Bina. 1994. *A Field of One's Own: Gender and Land Rights in South Asia*. Cambridge: Cambridge University Press.
- Becker, Howard. 1986. *Writing for Social Scientists*. Chicago: University of Chicago Press.
- MacPherson, C.B. 1983. *Property: Mainstream and Critical Positions*. Toronto: University of Toronto Press.
- Ostrom, Elinor. 1991. *Governing the Commons: The Evolution of Institutions for Collective Action* Cambridge: Cambridge University Press.

This seminar will explore the institutional structures which mediate human interaction with natural resources. In particular we shall focus on the question of how communities and other forms of local social organization gain control over local resources. We shall consider literature on property, common property management, and narrative in order to develop an understanding of group and community level strategies for resource control and resource management. To a lesser extent, we will explore methods for studying property.

Each student will write and present a paper on an aspect of property. You must meet with me to discuss your paper topic and have it approved before you turn in your prospectus. I will schedule special office hours for this. Reading and heeding Becker will help you write a more lucid paper.

Week 1 (August 30): Class Organization and Introduction

Stuff You Might Enjoy

- Stephen J. Gould. 1989. *Wonderful Life: The Burgess Shale and the Nature of History*. NY: W.W. Norton.
- Robin Tolmach Lakoff. 1990. *Talking Power: The Politics of Language in Our Lives* NY: Basic Books.
- C. Wright Mills. "On Intellectual Craftsmanship" in *The Sociological Imagination*
- Orhan Pamuck. 2002. *My Name is Red*. New York: Vintage Books.

Brief lecture on bundles of rights

Week 2 (September 6) Some Property Basics

Singer, Joseph. 2000. *Entitlement : The Paradoxes Of Property*. New Haven: Yale University Press. 1-18

Ribot, Jesse C. and Nancy Lee Peluso. 2003. "A Theory of Access." *Rural Sociology* 68 (2): 153-181.

<http://proquest.umi.com/pqdweb?did=343718101&sid=2&Fmt=3&clientId=1566&RQT=309&VName=PQD>

Macpherson Chapter 1 (NB: Like many legal scholars, Macpherson does not understand common property, so please ignore everything he writes on this topic.)

Underkuffler, Laura S. 2003. *The Idea of Property: Its Meaning and Power*. Oxford: Oxford University Press. : 11-33

Geisler, Charles. 2000. "Property Pluralism" in Charles Geisler and Gail Daneker (eds) *Property and Values: Alternatives to Public and Private Ownership*. Covelo, California: Island Press: 65-87

Recommended

Bruce, John. 1993. "A Review of Tenure Terminology." Land Tenure Center, University of Wisconsin-Madison. (skim- use for reference as needed)

Week 3 (September 13) Grand Old Men of Property Theory (and a feminist theorist)

Rose, Carol M. 1994. *Property and Persuasion : Essay on the History, Theory, and Rhetoric of Ownership*. Boulder: Westview Press.

Introduction "Approaching Property" pp. 1-8

Chapter 2 "Property as Storytelling: Perspectives from Game Theory, Narrative Theory, Feminist Theory" pp. 25-45.

MacPherson, C.B. 1983. *Property: Mainstream & Critical Positions*.

Chapter 2 "John Locke: Of Property" pp. 15-27

Chapter 4 "Jeremy Bentham: Security and Equity of Property" pp. 39-58

Chapter 5 "Karl Marx: Bourgeois Property and Capitalist Accumulation" pp. 59-

74

Week 4 (September 20) Consequentialists (and a case study)

- Sen, Amartya. 1988. "Property and Hunger." *Economics and Philosophy* 4: 57-68.
- Waldron, Jeremy. 1991. "Homelessness and the Issue of Freedom." *UCLA Law Review* 39 (2): 295-324.
- Singer, Joseph. 2000. *The edges of the field: lessons on the obligations of ownership*. Boston: Beacon Press. 7-9, 18-37, 63-83
(On Reserve in the BioSciences Library)
- MacPherson, C.B. 1983. *Property: Mainstream & Critical Positions*.
Chapter 10 "Morris Cohen: Property and Sovereignty" pp. 153-175.
- Panda, P. and Bina Agarwal. 2005. "Marital Violence, Human Development and Women's Property Status in India" *World Development* 33 (5):823-850.
Go to <http://dx.doi.org>
Enter 10.1016/j.worlddev.2005.01.009 and press "Go"

Additional Sources (for weeks 2, 3, & 4):

- Becker, Lawrence C. 1977. *Property Rights: Philosophic Foundations*. London: Routledge
- Blomley, N. 2006. Editorial: Homelessness and the delusions of property" Transactions of the Institute of British Geographers 31 (1): 3. Available on-line at <http://www.blackwell-synergy.com/doi/full/10.1111/j.1475-5661.2006.00195.x>
- Calef, Wesley. 1979. *Private Grazing and Public Lands*. New York: Arno Press.
- Ellis, Richard J. 1992. "Radical Lockeanism in American Political Culture" *Western Political Quarterly* 45 (4): 825-849.
- Gates, Paul W. 1968. "The Homestead Law in an Incongruous Land System" in *The Public Land* Vernon Carstensen (ed). Madison: University of Wisconsin Press 1968:315-148.
- Geisler, Charles C. 1980. "The Quiet Revolution in Land Use Controls Revisited." in Frederick H. Buttel and Howard Newby (eds) *The Rural Sociology of the Advanced Societies*. Totowa, N.J.: Allenheld.
- Horne, Thomas A. 1990. *Property Rights and Poverty: Political Argument in Britain, 1605-1834*. Chapel Hill: University of North Carolina Press.
- Hunt, Robert C. 1998. "Properties of Property: Conceptual Issues" in Robert C. Hunt and Antonio Gilman (eds) *Property in Economic Context*. New York: University Press of America, Inc.; 7-28.
- Knowlton, Clark S. 1972. "Culture Conflict and Natural Resources" in William R. Burch, Jr. et al. (eds.) *Social Behavior, Natural Resources and the Environment*. New York: Harper and Row, Publishers.
- Lazarus, Richard J. 1986. "Changing Conceptions of Property and Sovereignty in Natural Resources: Questioning the Public Trust Doctrine" *Iowa Law Review* : 631-719
- Munzer, Stephen R. 1990. *A Theory of Property*. Cambridge: Cambridge University Press.
- Murray, Gerald F. 1984. "The Wood Tree as a Peasant Cash Crop: An Anthropological Strategy for the Domestication of Energy" in Charles R. Foster and Albert Valdman (eds.) *Haiti-Today and Tomorrow: An Interdisciplinary Study*. Lanham, MD.: University Press of America.
- Nelson, Robert H. 1986. "Private Rights to Government Actions: How Modern Property Rights Evolve" *University of Illinois Law Review*: 361-386.
- Noronha, R. and Francis Lethem. 198 . *Traditional Land Tenures and Land Use Systems in the Design of Agricultural Projects*. Washington, D.C.: World Bank
- Parel, Anthony and Thomas Flanagan (eds.) 1979. *Theories of Property : Aristotle to the Present*. Waterloo: Wilfrid Laurier University Press
- Pound, Roscoe. 1974. "Property" in *An Introduction to the Philosophy of Law*. New Haven: Yale University Press:107-132. (Roscoe Pound, you will be interested to know, was also a very fine ecologist.)

- Radin, Margaret Jean. 1982. "Property and Personhood" *Stanford Law Review* 34:957-1015.
- Reich, Charles A. 1964. "The New Property" *Yale Law Journal* 73(5) 733-787.
- Rose, Carol M. 1985. "Possession as the Origin of Property" *University of Chicago Law Review* 52: 73-88.
- Ryan, Alan. 1984. *Property and Political Theory*. Oxford: Basil Blackwell.
- Sax, Joseph L. 1971. "Takings, Private Property, and Public Rights" *The Yale Law Journal* 81(2): 149-186.
- Sax, Joseph L. 1991. "Ecosystems and Property Rights in Greater Yellowstone: The Legal System in Transition: in Robert b. Keiter and Mark S. Boyce (eds) *The Greater Yellowstone Ecosystem: Redefining America's Wilderness Heritage*. New Haven: Yale University Press.
- Sax, Joseph L. 1992. "The Constitutional Dimensions of Property: A Debate" *Loyola of Los Angeles Law Review* 26: 23-37.
- Sax, Joseph L. 1993. "Property Rights and the Economy of Nature: Understanding *Lucas v. South Carolina Coastal Council*." *Stanford Law Review* 45 (5): 1433-1455.
- Sax, Joseph L. 1993. "Bringing an Ecological Perspective to Natural Resources Law: Fulfilling the Promise of the Public Trust" in Lawrence J. MacDonnell and Sarah F. Bates (eds) *Natural Resources Policy and Law: Trends and Directions* Natural Resources Law Center: University of Colorado School of Law :148-161
- Schlatter, Richard. 1951. *Private Property: The History of an Idea*. New Brunswick: Rutgers University Press.
- Tully, James. 1980. *A Discourse on Property: John Locke and His Adversaries*" Cambridge: Cambridge University Press. (for the historically inclined only)
- Underkuffler, Laura S. 1990. "On Property: An Essay" *The Yale Law Journal* 100 :127-149
- Waldron, Jeremy (ed.). 1984. *Theories of Rights*. Oxford: Oxford University Press.
- Waldron, Jeremy. 1987. "Can Communal Goods Be Human Rights?" *Arch. Europ. Sociol.* XXVII: 296-321.
- Waldron, Jeremy. 1988. *The Right to Private Property*. Oxford: Clarendon Press.
- Waldron, Jeremy. 1993. "Property, Justification and Need" *Canadian Journal of Law and Jurisprudence* VI (2) :185-215
- West, Robin.1988). "Economic Man and Literary Woman: One Contrast" *Mercer Law Review*39 (3):867-878

Week 5 (September 27) Legal Pluralism

Your prospectus is due today. Give a copy to me and to your buddy.

Merry, Sally Engle. 1988. "Legal Pluralism." *Law and Society Review* 22 (5): 869-896.
<http://www.jstor.org/view/00239216/sp020101/02x1084r/0>

Melissaris, Emmanuel. 1998. "The More the Merrier? A New Take on Legal Pluralism." *Social and Legal Studies* 13 (91): 57-79. available on-line at <http://sls.sagepub.com/cgi/reprint/13/1/57>

Manji, Ambreena S. 1999. "Imagining Women's 'Legal World': Towards a Feminist Theory of Legal Pluralism" *Social and Legal Studies* 8 (4): 435-455
<http://sls.sagepub.com/cgi/reprint/8/4/435>

Bavinck, M. 2005. "Understanding Fisheries Conflict in the South-A Legal Pluralistic Perspective" *Society and Natural Resources* 18 (9):805-820
<http://www.ingentaconnect.com/content/routledg/usnr/2005/00000018/00000009/art00003>

Robbins, Paul. 1998. "Authority and Environment: Institutional Landscapes in Rajasthan, India" *Annals of the Association of American Geographers* 88 (3): 410-435.
<http://www.jstor.org/view/00045608/di010528/01p0035m/0>

Additional Sources:

- Allot, Antony and Gordon R. Woodman (eds.) *People's Law and State Law. The Bellagio Papers*. Dordrecht: Foris Publications
- Cramb, R.A. and I.R. Wills. 1990. "The role of Traditional Institutions in Rural Development: Community-Based Land Tenure and Government Land Policy in Sarawak, Malaysia" *World Development* 18 (3):347-360.
- Doolittle, A. A. 2001. "From village land to 'native reserve': changes in property rights in Sabah, Malaysia, 1950-1996." *Human Ecology* 29(1): 69-98.
- Ellickson, Robert C. 1986. "Of Coase and Cattle: Dispute Resolution among Neighbors in Shasta County" *Stanford Law Review* 38: 623-687.
- Ellickson, Robert. 1991. *Order without Law: How Neighbors Settle Disputes*. Cambridge: Harvard University Press
- Galanter, Marc. 1981. "Justice in Many Rooms: Courts, Private Ordering, and Indigenous Law." *Journal of Legal Pluralism and Unofficial Law* 1981: 1-47.
- Griffiths, John. 1986. "What is Legal Pluralism" *Journal of Legal Pluralism and Unofficial Law* 1986 (nr. 24): 1-55.
- Ives, Edward. 1988. *George Magoon and the Downeast Game War: History, Folklore and the Law*. Urbana: University of Illinois Press.
- Macaulay, Stewart. 1963. "Non-contractual Relations in Business: A Preliminary Study" *American Sociological Review* 28:55-67.
- Maddock, Kenneth. 1981. "Warlpiri Land Tenure: a Test Case in Legal Anthropology" *Oceania* 52(2): 85-102.
- Nozick, Robert. 1974. *Anarchy, State and Utopia*. New York: Basic Books : Chapter 10.
- Santos, B. D. 2006. "The Heterogeneous State and Legal Pluralism in Mozambique." *Law and Society Review* 40 (1): 39-75.
- Sheleff, Leon. 1999. *The Future Of Tradition : Customary Law, Common Law, And Legal Pluralism*. London; Portland, OR: Frank Cass.
- Tie, Warwick. 1999. *Legal Pluralism: Toward a Multicultural Conception of Law*. Aldershot, England: Ashgate Publishing Company.
- von Benda-Beckmann, Franz. 1988. "Comment on Merry" *Law and Society Review* 22 (5):897-901

Week 6 (October 4) Narratives and Property**Your buddy comments are due today-one copy to me, one to your buddy**

Ewick, Patricia and Susan S. Silbey. 1995. "Subversive Stories and Hegemonic Tales: Toward a Sociology of Narrative." *Law and Society Review* 29 (2): 197-226.
<http://www.jstor.org/view/00239216/sp020115/02x1305e/0>

Fortmann, Louise. 1995. "Talking Claims: Discursive Strategies in Contesting Property." *World Development* 23(6): 1053-1063.

Go to <http://dx.doi.org>

Enter: 10.1016/0305-750X(95)00024-7

Biezeveld, Renske. 2004. "Discourse Shopping in a Dispute over Land in Rural Indonesia." *Ethnology* 137-154

<http://proquest.umi.com/pqdweb?did=671514941&sid=3&Fmt=4&clientId=1566&RQT=309&VName=PQD>

Wolford, Wendy. 2005. "Agrarian Moral Economies and Neoliberalism in Brazil: Competing Worldviews and the State in the Struggle for Land" *Environment and Planning A* 37: 241-261

<http://www.envplan.com/epa/abstracts/a37/a3745.html>

Additional Sources:

- Adas, Michael. 1992. "From Avoidance to Confrontation: Peasant Protest in Precolonial and Colonial Southeast Asia" in Nicholas B. Dirks (ed) *Colonialism and Culture*. Ann Arbor: University of Michigan Press: 89-126.
- Anderson, Benedict. 1983. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso
- Appadurai, Arjun, Frank J. Karom, and Margaret A. Mills (eds.) *Gender, Genre, and Power in South Asian Expressive Tradition*. Philadelphia: University of Pennsylvania Press
- Berry, Sara. 2001. *Chiefs Know their Boundaries: Essays on Property, Power and the Past in Asante, 1896-1996*. Portsmouth, N.H.: Heinemann.
- Campbell, Lisa M. 2002. "Conservation narratives in Costa Rica: Conflict and co-existence." *Development and Change* 33(1): 29-56.
- Carr, David. 1986. *Time, Narrative and History*. Bloomington: Indiana University Press.
- Cheater, Angela. 1990. "The Ideology of "Communal" Land Tenure in Zimbabwe: Mythogenesis Enacted?" *Africa* 60 (2): 188-206.
- Clover, Carol. 1992. Men, Women, and Chain saws : Gender in the Modern Horror Film . Princeton, N.J.: Princeton University Press.:124-137
- Cronon, W. 1992. "A Place for Stories: Nature, History, and Narrative" *Journal of American History* March
- Davis, Natalie Zemon and Randolph Starns. 1989. "Introduction" Special Issue on Memory and Counter Memory. *Representations* 26:1-6.
- Feierman, Steven 1990. *Peasant Intellectuals: Anthropology and History in Tanzania*. Madison: University of Wisconsin Press.
- Foley, Michael W. 1990. "Organizing, Ideology, and Moral Suasion: Political Discourse and Action in a Mexican Town." *Comparative Studies in Society and History* 32 (3): 455-487
- Gismondi, Michael and Mary Richardson. 1993. "Discourse and Power in Environmental Politics: Public Hearings on a Bleached Kraft Pulp Mill in Alberta, Canada." in James O'Connor (ed.) *the Capitalist State and Natural Resources*. Santa Cruz: The Center for Ecological Socialism:41-52.
- Hall, Stuart. 1984. "The Narrative Construction of Reality: An Interview" *Southern Review* 17 (1): 3-17.
- Ives, Edward. 1988. *George Magoon and the Downeast Game War.: History, Folklore and the Law. Urbana: University of Illinois Press.*
- Justice, Steven. 1994. *Writing and Rebellion: England in 1381*. Berkeley: University of California Press.
- Mackenzie, F. 1992. "The Worse It Got, the More We Laughed - a Discourse of Resistance among Farmers of Eastern Ontario." *Environment and Planning D-Society & Space* 10(6): 691-713.
- Newman, David and Anssi Paasi. 1998. "Fences and neighbours in the postmodern world: boundary narratives in political geography." *Progress in Human Geography* 22 (2): 186-207.
- Ong, Walter J. 1982. *Orality and Literacy: The Technologizing of the Word*. Routledge: London
- Polkinghorne, Donald E. 1988. *Narrative Knowing and the Human Sciences*. Albany: State University of New York Press.
- Schroeder, RA. 1997. "Re-claiming" land in the Gambia: Gendered Property Rights and Environmental Intervention." *Annals of the Association of American Geographers* 87 (3): 487-508.
- Scott, James C. 1990. *Domination and the Arts of Resistance.: Hidden Transcripts*. Yale University Press.
- Williams, Raymond. 1977. *Marxism and Literature*. Oxford: Oxford University Press.

Week 7 (October 11) Representations of Property

Rose, Carol M. 1994. *Property and Persuasion. Essay on the History, Theory, and Rhetoric of Ownership*. Boulder: Westview Press. Chapter 9: "Seeing Property" pp. 267-304.

Orlove, Benjamin S. 1991. "Mapping Reeds and Reading Maps: The Politics of Representation in Lake Titicaca." *American Ethnologist* 18 (1): 3-38.
<http://www.jstor.org/view/00940496/ap020069/02a00010/0>

Peluso, Nancy Lee. 2005. "Seeing property in land use: Local territorializations in West Kalimantan, Indonesia" *Danish Journal of Geography* 105(1):1-15. Available on-line at http://www.geogr.ku.dk/dkgs/image/pub_pdf/artikler/2005_1/01_pe.pdf

(nb: The two Blomley texts give you different insights from the same case study.)

Blomley, Nicholas. 2004. "The boundaries of property: lessons from Beatrix Potter" *Canadian Geographer* 48 (2): 91-100. Available on-line at:
http://www.sfu.ca/geography/people/faculty/Faculty_sites/NickBlomley/documents/books/CG.pdf

Blomley, Nicholas. 2005. "Flowers in the bathtub: boundary crossings at the public-private divide" *Geoforum* 36 (4): 281-296. Available on-line at http://www.sfu.ca/geography/people/faculty/Faculty_sites/NickBlomley/documents/books/geoforum.pdf

Additional Sources:

Blomley, Nicholas. 2004. "Un-real Estate: Proprietary Space and Public Gardening" *Antipode*: 614-641. Available on-line at

http://www.sfu.ca/geography/people/faculty/Faculty_sites/NickBlomley/documents/books/NKB_antipode.pdf

Hesley, Lynne. 2003. "Shifting Boundaries on a Wisconsin Landscape: Can GIS Help Historians Tell a Complicated Story?" *Human Ecology* 31(2): 183-213.

Hodgson, Dorothy L. and Richard A. Schroeder. 2002. "Dilemmas of Counter-Mapping Community Resources in Tanzania." *Development and Change* 33: 79-100.

Strang, V. 2000. "Showing and Telling: Australian Land Rights and material Moralities" *Journal of Material Culture*. 5 (3):275-299.

Week 8 (October 18): Gender and Property

Agarwal, Bina. 1994. *A Field of One's Own: Gender and Land Rights in South Asia*. Cambridge: Cambridge University Press.
 Chapter 1: Land Rights for Women: Making the Case.
 Chapter 2: Conceptualizing Gender Relations.

Carmen Diana Deere and Magdalena Leon. 2001. *Empowering Women: Land and Property Rights In Latin America*. Pittsburgh: University of Pittsburgh Press:
 Chapter 3 Gender Exclusionary Agrarian Reform 62-102
 Chapter 9 Women Property Owners: Land Titling, Inheritance and the Market 292-329.

On Reserve in Biosciences Library

Whitehead, Ann and Dzodi Tsikata. 2003. "Policy Discourses on Women's Land Rights in Sub-Saharan Africa: The Implications of the Re-turn to the Customary." *Journal of Agrarian Change* 3 (1 & 2): 67-112.

Deere, C.D. and C. R. Doss. 2006. "The Gender Asset Gap: What do We Know and Why Does it Matter?" *Feminist Economics* 12 (1-2): 1-50.

Go to <http://dx.doi.org/>

Enter 10.1080/13545700500508056

Additional Sources:

- Carney Judith and Michael Watts. 1990. "Manufacturing Dissent-Work, Gender and the Politics of Meaning in a Peasant Society" *AFRICA*, 60 (2):207-241.
- Cheater, A.P. and R.B. Gaidzanwa. 1996. "Citizenship in Neo-patrilineal States: Gender & Mobility in Southern Africa." *Journal of Southern African Studies* 22(2): 189-200.
- Chimedza, Ruvimbo. 1988 [?] "Women's access to and control over land : the case of Zimbabwe" Mount Pleasant, Harare, Zimbabwe : Department of Agricultural Economics & Extension, Faculty of Agriculture, University of Zimbabwe Series title: Working paper AEE 10/88.
- Clover, C.J. 1993. Regardless of Sex-Men, Women, and Power in Early Northern Europe. *Speculum-A Journal Of Medieval Studies* V68 N2:363-387.
- Datta, Namita. 2006. "Joint titling – A win-win policy? Gender and property rights in urban informal settlements in Chandigarh, India." *Feminist Economics* 12(1-2): 271-298.
- Davison, J. (ed.) 1988. Agriculture, women, and land : the African experience Boulder : Westview Press, 1988.
- Deere, Carmen Diana and Magdalena Leon. 2001. *Empowering Women: Land and Property Rights in Latin America*. Pittsburgh, University of Pittsburgh Press.
- Deere, Carmen Diana and Magdalena Leon. 2001. "Who Owns the Land? Gender and Land Titling Programmes in Latin America" *Journal of Agrarian Change* 1 (3):440-467.
- Deere, Carmen Diana and Magdalena Leon. 2000. "Neo-Liberal Agrarian Legislation, Gender Equality, and Indigenous Rights: The Impact of New Social Movements" in Annelies Zommers and Gemma v.d. Haar (eds) *Current Land Policy in Latin America: Regulating Land Tenure under Neo-Liberalism*. Leiden: Koninklijk Institute: 75-92.
- Dickenson, Donna. 1997. *Property, Women and Politics: Subjects or Objects?* New Brunswick, NJ: Rutgers University Press.
- Dore, Elizabeth. 2000. "Property, Households, and Public Regulation of Domestic Life: Diriomo, Nicaragua, 1840-1900" in Elizabeth Dore and Maxine Molyneux (eds) *Hidden Histories of Gender and the State in Latin America*. Durham, NC: Duke University Press: 147-171.
- Fortmann, L. and J. Bruce (eds.) 1988. *Whose Trees? Proprietary Dimensions of Forestry* Boulder:Westview Press: 235-272
- Fortmann, Louise, Camille Antinori and Nontokozo Nabane. 1997. "Fruits of their Labors: Gender, Property Rights and Tree Planting in Two Zimbabwe Villages" *Rural Sociology*
- Gould, Florence C. 1991. *Claiming their land : women homesteaders in Texas* El Paso, Tex. : Texas Western Press, monograph no. 93.
- Grigsby, W. J. 2004. "The gendered nature of subsistence and its effect on customary land tenure." *Society & Natural Resources* 17(3): 207-222.
- Hamilton, Sarah. 2002. "Neoliberalism, Gender and Property Rights in Rural Mexico." *Latin American Research Review* 37 (1): 119-143.
- Hansen, J. D., M. K., Luckert, et al. 2005. "Tree planting under customary tenure systems in Malawi: impacts on marriage and inheritance patterns." *Agricultural Systems* 84(1): 99-118.
- Moors, Annelies. 1996. "Gender Relations and Inheritance: Person, Power, and Property in Palestine" in Deniz Kandiyoti (ed.) *Gendering the Middle East: Emerging Perspectives*. Syracuse, NY: Syracuse University Press: 69-84.

- Plaza, Roslo Cordova. 2000. "Gender Roles, Inheritance Patterns, and Female Access to Land in an *Ejidal* Community in Veracruz, Mexico" in Annelies Zoomers and Gemma v.d. Haar (eds) *Current Land Policy in Latin America: Regulating Land Tenure under Neo-Liberalism*. Leiden: Koninklijk Institute: 161-173.
- Shahra Razavi. 2003. Special Issue: Agrarian Change, Gender and Land Rights" *Journal of Agrarian Change* 3 (1 & 2)
- Rocheleau, Dianne. 1987. "Women, Trees and Tenure: Implications for Agroforestry Research and Development" in J. B. Raintree (ed.) *Land, Trees and Tenure: Proceedings of an International Workshop on Tenure Issues in Agroforestry*. Nairobi and Madison, Wisconsin: ICRAF and Land Tenure Center.
- Rogers, D.M. and A. M. Vandeman. 1993. "Women as Farm Landlords-Does Gender Affect - Environmental Decision-Making on Leased Land" *RURAL SOCIOLOGY* 58(4): 560-568.
- Schroeder, Richard. 1993. "Shady Practice - Gender and the Political Ecology of Resource Stabilization in Gambian Garden Orchards. *Economic Geography* 69 (4):349-365.
- Weissman, K. H. 2005. "Property and gender in the inheritance patterns of a southern Appalachian community: Boone County, West Virginia, 1865-1924." *Journal of American Family History* 30(1): 48-65.

**Week 9 (October 25) New Forms of Property, New Forms of Commons
INSTEAD OF MEETING ON WEDNESDAY, WE WILL ATTEND THE FRIDAY
OCTOBER 27 Symposium on intellectual property rights. 4-6 pm in a place to be
announced.**

Drahos, Peter with John Braithwaite. 2003. *Information Feudalism: Who Owns The Knowledge Economy?* New York: New Press. 1-60. 150-168 plus endnotes
On reserve in Biosciences Library

Chander, Anupam and Madhavi Sunder. 2004. "The Romance of the Public Domain."
Available on-line from me.

Heller, M. A. and R. S. Eisenberg (1998). "Can Patents Deter Innovation? The Anticommons in Biomedical Research." *Science* 280: 698-701.

<http://www.jstor.org/view/00368075/di002467/00p0037u/0>

Bhattacharjee, Yudhijt (editor). 2006. "Universal Ownership" Newsmakers *Science* 313:295

<http://www.sciencemag.org/cgi/reprint/313/5785/295a.pdf>

Additional Sources:

Bainbridge, David I. 1999. *Intellectual Property*. London: Financial Times Management. 4th Edition.

Baird, P. 1998. "Patenting and Human Genes." *Perspectives in Biology and Medicine* 41(3): 391-408.

Barton, J. H. 2000. "Intellectual Property Rights: Reforming the Patent System." *Science* 287(5460): 1933-4.

Brown, Michael F. 2003. *Who Owns Native Culture?* Cambridge: Harvard University Press.

Brush, Stephen B. and Doreen Stabinsky. 1996. *Valuing Local Knowledge: Indigenous People and Intellectual Property Rights*. Washington D.C.: Island Press.

Cassier, M. 2002. "Private Property, Collective Property, and Public Property in the Age of Genomics." *International Social Science Journal* 54(1): 83-98.

- Coombe, Rosemary J. 1998. "Intellectual Property, Human Rights and Sovereignty: New Dilemmas in International Law posed by the Recognition of Indigenous Knowledge and the Conservation of Biodiversity." *Indiana Journal of Global Legal Studies* 6 (1): 59-115.
[<http://www.law.indiana.edu/glsj/vo16/no1/coom.html>]
- _____. 1998. *The Cultural Life of Intellectual Properties: Authorship, Appropriation, and the Law*. Durham, London: Duke University Press.
- Crucible Group. 1994. *People, Plants, and Patents: The Impact of Intellectual Property on Trade, Plant Biodiversity, and Rural Society*. Ottawa, International Development Research Centre.
- David, P. 1993. "Intellectual Property Institutions and the Panda's thumb: Patents, Copyrights, and Trade Secrets in Economic Theory and History." *Global dimensions of Intellectual Property Rights in Science and Technology*. M.B. Wallerstein, R.A. Schoen and M.E. Moge. Washington D.C., National Academy Press: 19-16.
- Dawkins, K. 2000. "WTO and Trade Policies for GMOs" in *Made Not Born: The Troubling World of Biotechnology*. Casey Walker, editor. San Francisco, Sierra Club Books. 138-150.
- Downes, D.R. 2000. "How intellectual Property could be a Tool to Protect Traditional Knowledge." *Columbia Journal of Environmental Law* 25: 253-281.
- Drahos, P. 1995. "Global Property Rights in Information: The Story of TRIPS at the GATT." *Prometheus* 13 (1): 6-19.
- Dutfield, G. 2000. *Intellectual Property Rights, Trade and Biodiversity: Seeds and Plant Varieties*. London, Earthscan and IUCN.
- Geismar, H. 2005. "Reproduction, creativity, restriction – Material culture and copyright in Vanuatu." *Journal of Social Archeology* 5(1): 25-51.
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Week 10 (November 1) Collective Action and the Commons: Models & Theories (New Institutionalists)

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Chapter 2 "An Institutional Approach to the Study of Self-Organization and Self-Governance in CPR Situation" pp. 29-57.

Chapter 3 "Analyzing Long-Enduring, Self-Organized, and Self-governed CPRs" pp. 58-102.

Chapter 4 "Analyzing Institutional Change" pp. 103-142

Chapter 5 "Analyzing Institutional Failures and Fragilities" pp. 143-181

Chapter 6: "A framework for Analysis of Self-Organizing and Self-Governing CPRs" pp. 182-216.

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Week 11 (November 8) Collective Action and the Commons: Models and Theories (Anthropologists and Political Ecologists)

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Week 12 (November 15) Political Change, Political Struggle and Property

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Week 13 (November 22) Discussion of Student Papers

Week 14 (November 29) Discussion of Student Papers

Week 15 (December 6) Discussion of Student Papers

Final papers are due in my office no later than noon, Friday December 8. SORRY: NO LATE PAPERS WILL BE ACCEPTED. I will HAPPILY accept early papers. All papers must be typed or word-processed. Do NOT exceed 20 pages of text. Figures, bibliography and footnotes that do not exceed two lines do not count against the 20 pages. I will not read anything past page 20. Any papers printed in a font smaller than 12 point type will be returned unread (have pity on a wearer of bifocals!) Please be sure to number the pages!!!!

Your grade will consist of 35% class participation, 5 % comments on "buddy paper", 5% presentation of your buddy's paper 55% your paper.