

Forest Governance: Old and New Perspectives

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'Management' or 'Governance'

- Typical questions for a 'manager'
 - What to plant, where to plant, when to harvest, how to protect, how to sell
- Works when a single column is the goal
- Management still has to make some tradeoffs
- Still works for private goods with no externalities
- Lets go back to the matrix

Ecological Trade-offs

			FOREST PRODUCT, SERVICE or BENEFIT								
			Timber	Fuel-wood	Leaf manure	Fodder	"Minor" Produce	Hydro-logical regulation	Soil Conser-vation	Bio-diversity	Carbon seques-tered
LAND USE TYPE	"Forest"	Dense "natural" forest	0	++	++	0	+++	+++	+++	+++	+++
		Dense lopped forest	+	+++	+++	+	++	++?	++	++	++
		Open tree savanna	0	++	++	++	+	+?	++	+	+
		Pure grassland	0	0	0	+++	0	+++?	++	+	+
		Timber plantation	+++	+	+	0	0	+/-?	+	+	+++
	"Non-forest"	Coffee plantation									
		Terraced paddy									
		Slope cultivation									
		Barren land									

The Socio-Ecological Nature of Forests in general

1. Multiple benefits, not simultaneously maximisable, i.e., TRADE-OFFS
2. Benefits go to different beneficiaries
3. Beneficiaries are at different physical distance from the forest, have different relationship (one-way vs. two-way), are at different scales (local to global)
4. Slow-growing Resource (so future generations are also involved)
5. Aside: "Sustainability" is necessary but not sufficient

The (Social) nature of Indian forests

- Dense human presence
- Historical, complex and persistent dependence of local communities
- Poverty, tribal and forest correlation
- Contentious and ambiguous rights situation
- Rapidly industrializing economy

Key questions in forest “governance”

- Which (whose) benefits should be prioritized?
- Or, if we recognize multiple stakes, how should they be reconciled? Through what process? (Valuation, PES, or deliberation?)
- Who should manage on a day-to-day basis?
- How much should be allowed to be converted to 'non-forest' where, by whom, and who should regulate this and how?
- What should be the decision-making process at all levels?

Answers flow from normative and theoretical positions

- Normative:
 - Productivity
 - Sustainability
 - Fairness & Social Justice
 - Democratic process
- Theoretical:
 - What works best in which context for which normative goals

How does this translate in a forest context?

- Multiple legitimate stakeholders: not just local, but certainly not just global or national!
- Fair balance between stakes means fair balance across stakeholders (including non-forest users!)
- Sustainability is not a single idea, but of ensuring a given mix of benefits over time in a particular landscape
- Devolution not just an instrument for reducing costs or even guaranteeing sustainable use, but a right in itself, as a part of democratization

How does this translate in the case of Indian forests? (Analytically)

- If forests provide local-level common-pool goods, best to have collective management at local level
- Communities are not homogeneous nor bereft of power dynamics, nor necessarily conservationists
 - So externally monitored sustainability norms
 - So devolution with democratic safeguards
- And since forests *ALSO* provide one-way externalities beyond the local, external regulation is anyway required

**NOW FROM THEORY TO
REALITY...!**

Historical responses

- 1830s to 1947: Colonial takeover of Indian forests:
 - RF & PF, fellings & plantations, taungya
- 1890s-1920s: backlash in pockets → concessions (SB, VP)
- 1947-1970s: Continuation of colonial policy in name of state-led development: more RF & PF, & more f & p
- Early 1970s: Chipko movement, Jharkhand movement
- 1972-till date: Conservation goals: National Parks/WLS and 'environmental goals'-FCA 1980
- 1988: New policy: new priorities on paper
 - 'ecological balance', 'local needs' , 'participation'
- Joint Forest Management: 1990- till date
- Supreme Court intervention: 1996- till date
- Forest Rights Act 2006: implementation ongoing

Changing perspectives

- Each period reflects a different normative position
 - pre-colonial, colonial, post-colonial, post NFP88, and **post-FRA**
- Each period also contains some shifts in theory *within* that normative framework
 - contracting versus state management
 - JFM versus CFR-based management

FRA as a game changer: The idea of 'historical injustice'

- Loss of customary land/cultivation rights
- Non-recognition of lands granted later on
- Taking away forest use & management rights
- Evicting forest-dwellers when creating PAs
- Forced labour in FVs
- Forest land diversion without consultation or compensation

FRA as a game changer...(contd)

- SHIFTS the discourse from instrumental to normative goal of democratization & justice
- Specifies goals: livelihoods, sustainability, justice
- Addresses land rights & development rights (IFR+3(2))
- Addresses community forest rights (CFR)
- Creates voice in forest diversion (amended FCA)
- Stringent process and consent requirement in high biodiversity areas (CWH)

What happened on the ground

- CFR provisions ignored, never publicised, jumbled up, openly denied (Exception: part-Maharashtra, part-Odisha, now CG)
- FCA amended, Niyamgiri success, but then subverted!
- CWH: bypass with CTH, or another tool for eviction
- FRA was interpreted as 'only granting of IFRs' = 'regularisation of encroachments' = 'land grants'
- PIL by conservationists & ret'd IFS

Expansion & clarity needed

- Increasing rights/compensatory rights
 - Tourism revenues in CWHs/Pas
 - Timber rights in CFRs
 - Rights to external fund flows: carbon, CAMPA
- Clarify rights
 - in areas with pre-existing individual rights!
 - In areas with pre-existing shifting cultivation rights!
- Deepening local-level democracy
 - Clarifying internal arrangements in CFRs

Expansion & clarity... (contd)

- Setting up the higher level governance system
 - Coordination at landscape scale
 - CFR regulation
 - Policing support
 - Technical support
 - Wildlife co-management?
 - Funding

Summary

- Rather than ad-hoc patch-up of the forest governance structure, better to go back to first principles
- Forests cannot be managed solely by state OR solely by community
- Acknowledging the colonial heritage does not mean whole-sale rejection of all structures
- State agencies have significant roles to play, but these roles need clarification and separation and transp.+account.

The Hindu SoEn 2011

FOREST GOVERNANCE

Rethinking forest governance

**Towards a perspective beyond JFM,
the Godavarman case and FRA**

Protection and regeneration of India's vast forest land requires a more democratic and multi-layered approach that will necessitate a transformation of mindsets, bureaucratic structures and powers, forest rights assignments, and community attitudes, says **Sharachandra Lele**.



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Forest Governance From Co-option and Conflict to Multilayered Governance?

SHARACHCHANDRA LELE

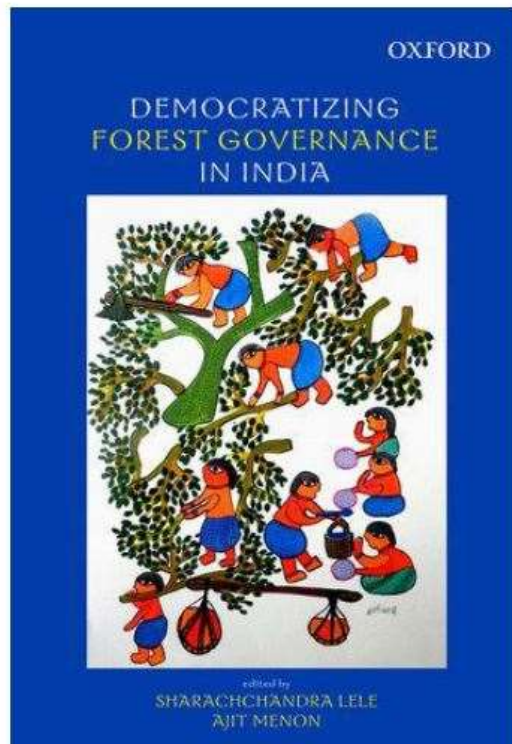
Further reading:

Report
National Committee
on Forest Rights Act.

*See alternative
summary*

December 2010.

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UNIVERSITY PRESS



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Highlights

- A timely study of governance and management of forest resources

Democratizing Forest Governance in India

Sharachchandra Lele and Ajit Menon (eds)

‘In this brilliant book, a group of high-quality researchers present a comprehensive analysis of forest and wildlife policy in India ... Critical as well as forward-looking, this book shall be an indispensable resource for scholars and practitioners in the forestry sector. Those with a more general interest in the environment-development debate can also benefit from it.’—**Ramachandra Guha**, Historian, author and columnist

‘This timely volume should be required reading for all those interested in the future of India’s forests and its people. Empirically informed and analytically sophisticated, these essays comprehensively address the complex issues that make up the question of forest governance today.’—**Nandini Sundar**, Professor of Sociology, Delhi School of Economics, University of Delhi