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Community Control

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'Nature can never be managed well unless the people closest to it are involved in its management and a healthy relationship is established between nature, society and culture. Common natural resources were earlier regulated through diverse, decentralized, community control systems. But the state's policy of converting common property resources into government property resources has put them under the control of centralized bureaucracies, who in turn have put them at the service of the more powerful.

'The process of state control over natural resources that started with the period of colonialism must be rolled back. Given the changed socio-economic circumstances and greater pressure on natural resources, new community control systems have to be established that are more highly integrated, scientifically sophisticated, equitable and sustainable. This is the biggest challenge.'

WHEN over 50 of us from across the country - scientists, activists associated with people's movements for environment protection - signed the above statement of shared concern in the Second Citizen's Report (1984-85),¹ we were both describing the genesis of the problem of environmental degradation and alienation of local people from natural resources and the challenge of establishing community control over natural resources. The process of alienation began around 1860, during colonial days, when the British began to 'reserve' the forests as source of revenue for the state and for their commercial and industrial needs back home, and established the Forest Department in 1894.

This policy adversely affected the close and living relationship between natural resources, the tribals and rural poor who are critically dependent on them for their survival. While the so-called 'scientific management' may have served the strategic needs of the colonizer, it led to the destruction of the forest wealth of the people, adversely affected a wholesome lifestyle and culture on one hand and hit at their very survival base and a great civilization that had established a healthy relationship between nature, culture and society, on the other.

This paper deals with the above broad issues of common lands (all lands except private lands) from our grassroot experience of over two decades to the difficult fight against the forest mafia and changes in the policy and legal arena for meaningful people-centred management of natural resources.

It also addresses the greater challenge of re-establishing, in the present context, community control and management of natural resources like jal, jungle, jameen and khaneej (water, forest, land and minerals) on one hand and self-rule (empowered gram sabhas) on the other. This can be achieved by adopting a holistic and multidisciplinary

approach to the issues of forestry and common lands that takes us to the core of our notions of 'progress' and 'civilization'. What we need is a second freedom movement to place the issues of people's control over livelihood resources and 'self rule' (empowered gram sabhas) on the national agenda, a task unfinished by our freedom movement.

Two developments in the early 1980s brought us face to face with the issues of common lands (i) a state-industry combine called the Karnataka Pulpwood Ltd., (KPL) ,a joint sector company came into existence on 14 November 1984, and (ii) the Karnataka Social Forestry Project (KSFP), a five year (1983-88) Rs 55 crore project financed by the World Bank and Overseas Development Administration (ODA). Our involvement soon broadbased itself to the national level. This included fighting the timber mafia in the Bastar region in Madhya Pradesh, and working a national campaign for the protection of common lands, and making the large forestry projects relevant to people's needs, like the Western Ghats Forestry Project funded by the Department for International Development (DFID), U.K.

The KPL was formed by the Karnataka Forest Development Corporation (a corporation wholly owned by the Government of Karnataka) with 51% shares and the Birla owned Harihar Polyfibres (a private company which has heavily polluted the Tungabhadra river, a major lifeline of Karnataka, which joins the Krishna river downstream), with a 49% share. The sole purpose of KPL, with an initial outlay of Rs 30 crore, financed by a consortium of three nationalized banks with refinancing facility by the National Bank for Agriculture and Rural Development (NABARD), was to grow eucalyptus and other fast growing trees on forest and community lands (gomal, soppinabetta and others) for captive consumption of Harihar Polyfibres. The KPL was to deprive a rural population of over 500,000, especially the landless and marginal and small farmers, of their basic needs of fodder for cattle and sheep, fuelwood for cooking, small timber for agricultural implements, raw material for rural artisans, like basket and mat weavers, and fruits for the poor.^{2, 3}

In the 1990s, the Ministry of Environment and Forest (led by Kamal Nath, the Union Minister of Environment and Forests) attempted to give 2 million hectares (50 lakh acres) for captive consumption of paper and pulp industries^{4, 5} by amending the National Forest Policy, 1988 and the Conservation of Forests Act, 1980. This would have resulted in the destruction of forests with large scale felling of trees by the timber mafia, illegal mining and so on especially in the Bastar region in Madhya Pradesh in the 1990s.^{10,11} It could have possibly choked off the origin of three rivers at Gangamul in the Western Ghats by

giving prior permission for prospective mining in Kudremukh National Park and illegal tree felling and mining in Mahadayi Valley, right in the heart of the Western Ghats.

There have been some worthwhile efforts by SPS and other NGOs associated with the common lands movement to regreen common lands with the active involvement of local people, especially the poor, through village forest committees (VFCs). The effort at natural regeneration was guided by five principles, viz., (i) meeting survival needs of the poor, (ii) equity between sections of the society, (iii) sustainability of development process (socially, economically and environmentally), (iv) democracy in planning and management (eg: gram sabha) and (v) social justice.

These efforts received widespread recognition, including the highest award of the MoEF, called the Indira Gandhi Paryavaran Puraskar and the Van Mitra Award to the VFC of Kumaranahalli in Harapanahalli taluka, Davanagere district.^{6, 9, 17} This experience led to our two-pronged approach to establish community control over natural resources and empower gram sabhas, and a deeper understanding of the very concepts of 'progress' and 'civilization'.

It is a matter of some satisfaction that the people's movement for common lands in Karnataka (1984 to 1992) spearheaded by the SPS, the national campaign for protection of common lands (1992 to date) spearheaded by the national network called the national committee for protection of natural resources (NCPNR) and the efforts in Bastar region^{10, 11} - through effective legal intervention in the Supreme Court (by the LA. filed by the author with the help of Ekta Parishad and NCPNR in W.P. No.202 of 1995) - succeeded in their attempts to protect common lands for people's livelihood needs (against privatization by industrial and commercial forces, including the powerful timber mafia).^{16, 17}

However, we now face a major **threat** from international forces, especially the World Bank and multinational corporations who are trying to bring the corporate sector into the forest areas in the name of 'efficiency', 'technical input' and 'financial investments'. Undoubtedly, this will bear enormous cost to the rural poor and tribals who are dependent for their survival on these common lands.

This threat prompted a concerned, high ranking government official, N.C. Saxena, to ask an Important question: 'In the ultimate analysis the question to be asked is whether the claim of the industry over forestry lands is based on sound economic rationale or is it a seductive myth and a ploy to grab the good quality forest lands,' (The Indian Express,

24.08.1994). Saxena delivered the keynote address at the national workshop on Forest Lands Issues held at Bangalore in August 1995, the proceedings of which are published in the book, *Forest Land and Forest Produce as if People Mattered*. From our experience with the local common communities, as is the case with many others in different parts of India, the empowerment of gram sabha and community control over natural resources seem to be the best instruments to fight these global forces of privatization.

The Karnataka Pulpwood Ltd. (KPL) was the issue where we got centrally involved through an effective people's movement. It was over the question of eucalyptus or commercial species and more importantly, the deeper questions of land - who controls it, who decides what species to plant and who benefits from them. It was an enormous learning experience.

In this process, we also came to question the role of the forest department and other government machinery. Whose side do they normally take in a conflict between the rural poor and industry on issues of forestry and common lands? We also learnt about the constitutional provisions for establishing people's rights over natural resources and how to further promote them. This helped us work out a more comprehensive strategy to deal with the various issues of common lands, including the KPL issue.

It was the combination of a powerful people's movement for protection of common lands supported by scientific studies, filing of a public interest litigation in the Supreme Court of India (W.P. No. 35 of 1987), mobilizing support among the legislators and other people's representatives at panchayat and grassroots levels and, equally important, advocacy efforts with the concerned bankers and government officials, that finally led to the success of the people's movement for common lands and to the closure of KPL. This story has been narrated in the book, *Quest for Justice*.²

Some of the other activities we have been involved with are the social forestry plantation (eucalyptus and acacia) in Medleri village, Save the Western Ghats March (SWGMM), over 3000 km in 1987-88, Medleri integrated wasteland development project in Ranebennur taluka (1992-95) and more recently, natural regeneration of common lands in Kusnur and Kumaranahalli clusters of villages, Karnataka.⁹ These have further contributed to our understanding of the issues of common lands and provided useful insights into the social and economic aspects of eucalyptus and other commercial plantations and their impact on the rural poor, the tribals and their environment.

The low cost but effective afforestation of the common lands, including those reclaimed from KPL, measures such as social fencing, firelining and natural regeneration is described in the article, 'Moving Mountains' (Deccan Herald, August 1999) and in *Grassroots* by the veteran journalist Ajit Bhattacharjea, who extensively covered the common lands movement against KPL.^{9,10}

These experiences led us to understand the dependence of the rural poor, including tribal communities, on common lands and also gave insights into historical developments relating to common lands and forestry issues. For example, during our struggle we learnt about the significant role of common lands in the life of the rural poor through the comprehensive study of N.S. Jodha ('Common Property Resources and Rural Poor in Dry Regions' of India', EPW, 5 July 1986). This important study described the significant contribution of common property resources in employment and income generation and how the poor are worse off due to privatization of CPRs in the following words:

Common Property Resources (CPRs), though neglected by policy-makers and planners, play a significant role in the life of the rural poor. The paper is part of a larger study on the role of CPRs in farming system of dry areas of India which attempts to quantify the extent to which the rural poor benefit from CPRs. Based on data from over 80 villages in 21 districts in the dry regions of seven states, the study reveals significant contribution of CPRs towards the employment and income generation for the rural poor, i.e. labour and small farm households. The per household per year income derived from CPRs ranged between Rs 530 and Rs 830 in different areas. This is higher than the income generated by a number of anti-poverty programmes in some areas. The dependence of richer households on CPRs is much lower.

Despite contributions of CPRs, their area and productivity are declining in all the regions. The area of CPRs has declined by 26-63% during last three decades. Large scale privatization of CPRs has also taken place. Though the privatization of CPRs was done mainly to help the poor, 49-86% of the privatized CPRs have ended up in the hands of the non-poor in different areas. Further, most of the land received by the poor households was given up by them as they lacked complimentary resources to develop and use the newly received lands. Thus, the rural poor collectively lost a significant part of the source of their subsistence through the decline of CPRs. This loss does not seem to be compensated by privatized CPR lands given to (or retained by) them. The situation calls for greater attention to CPRs as a part of the anti-poverty strategy.

Sensitive British officers in the last century, like Captain James Forsyth who worked in the Central Provinces and Berar, had cautioned against an unthinking application of western forestry models to India. He stated, 'The danger is that a purely professional view of forest question may be allowed to exclude considerations bearing powerfully on the general economy of the masses of the people, particularly hill tribes.' Another example is the statement by the Collector of Kurnool during the debates on the second

Indian Forest Act of 1878, that, 'Section 26 of the Act would inflict great hardship on hundreds of women whose only means of livelihood for several months of the year consists in gathering for sale of jungle produce. Inconvenience will also be felt by native doctors, most of whose medicines are found in the forests, probably at the very season when the forests may be closed'.⁵

Social thinkers like Jyotiba-Phule as early as 1882 in his Marathi book, *Shetkaryacha Aasud* (Cultivator's Whipcord) expressed:

'In the past the peasants who had small pieces of land and who couldn't eke out enough from it for their survival used to eat fruits from the nearby forests and used to collect leaves, flowers and dried tree branches and by selling these to others supplemented their income. They also used to maintain a couple of cows or goats and were living happily in their villages depending on the village grazing land. But the British government's conspiratorial bureaucracy have used their foreign intelligence and have newly established the great forest department and have incorporated all mountains, hills, valleys along with barren lands, and village common grazing lands in the department, thus making it impossible for the goats of the poor peasants to find even breathing space in the forests.'

Thousands of protest movements including well-known tribal rebellions from the late 1700s to 1907 led by respected leaders like Tilka Manjani, Sidhu Kanhu, Birsa Munda to protect their land, forests, wholesome lifestyle, which do not find an important place in regular history books, need to be studied in detail. The spirit of these efforts was to protect natural resources. There is a need to inculcate this in younger minds. However, the assault on the country's common property resource.; (CPRs) like the forests, grazing lands, tanks and ponds continued even after Independence, with continued, disastrous consequences. We now have only 11% of land under good tree cover. The continued deforestation has led to a siltation of dams, recurrent devastating floods and an overall scarcity of water in dry seasons. It has also led to starvation of people living on forest produce, which is reflected in the increase in deaths, particularly of children in forest areas.

Our national freedom movement succeeded in incorporating into the national agenda the rights of small and marginal farmers (land to the tiller) and industrial workers (factory to the worker). However, the greatest challenge that we all face today, is to establish the 'Rights of people over natural resources'.

The sustained efforts of protest movements by people and voluntary organizations, especially in the decades of the 1970s and '80s, have had an impact on the concerned government officials and policy-makers. The three major successful movements that contributed significantly to these developments are the Chipko Movement in the Himalaya led by the Dasholi Gram Swarajya Mandal (DGSM), Gopeshwar, Chamoli district, U.P., the Common Lands Movement led by the Samaj Parivartana Samudaya (SPS), Dharwad, Karnataka and the Save the Silent Valley Campaign led by Kerala Sastra Sahitya Parishad (KSSP), Trivandrum, Kerala. All three have received widespread acclaim including the Indira Gandhi Paryavaran Puraskar by the Ministry of Environment and Forests, Government of India.

These developments, including the debate on the draft Forest Bill in 1982 and the well-known Save the Western Ghats March (SWG M), from 1 November 1987 to 30 January 1988 led to the unanimous adoption by Parliament of the enlightened National Forest Policy in December 1988. The two major objectives of this policy are to maintain ecological stability and meeting the basic needs of people living in and around the forests. The policy further emphasizes that having regard to the symbiotic relationship between the tribal people and forest, the local communities living in and around forests should be involved in the protection, regeneration and development of forests and have the first charge on forest produce like fodder, fuelwood and raw material for rural artisans. The policy also prohibits leasing of forest lands to industry for captive plantations. .

The National Forest Policy 1988 is an important landmark. It marks a major departure from the earlier commercially oriented policies of 1894 and 1952. This, however, requires a radical change from earlier bureaucratic forest management practice established by the British in 1860, a mentality which still dominates the mindset of foresters. The key issues involved in the forestry sector were presented to selected MPs and political party leaders at a seminar in February 1996 as part of Jan Vikas Andolan's national campaign. 14

Even though we became independent in 1947, the policies and programmes we pursued have benefited only a small segment of the society. However, vast sections of people especially those who are dependent on natural resources and an increasing number of slum dwellers in the urban areas have been further impoverished. The natural resource base has been further eroded with increasing deforestation and through the stranglehold of powerful forces both Indian and foreign, who are overexploiting them in an unsustainable way.

There is a continuing and ever increasing migration of tribals and rural poor who have often been evicted more than once from their homes. This has been done in the name of 'development' and 'scientific management' of natural resources like big dams, power

plants and other mega industrial and commercial ventures, and the creation of protected areas (national parks and sanctuaries).

One of the major challenges facing us is to recognise people's rights over natural resources. The tribals, fish workers and other rural poor must have greater control over their land, water and forests, which have been sustained over the centuries through utilizing them in a frugal and sustainable way. The continued systematic assault on these common property resources (CPRs), in the name of development and scientific management have most seriously threatened the very survival base of vast sections of people.

It is essential to emphasize that the rights of people always enumerate from the responsibilities they shoulder. The tribals, fisherfolk and rural poor derive their rights from the responsibilities that they have shouldered over centuries, of protecting biodiversity against heavy odds and utilized these resources in a frugal and sustainable way.

It is essential to recognize the rights of the deprived sections of the people over natural resources that they have tried to protect against heavy odds. In other words, we have to accept perhaps the greatest challenge to us social activists, scientists and others concerned about the future of this country - to put people's rights over natural resources within the precept of self-rule (swarajya) on the national agenda. As stated in the statement of shared concern at the beginning of this article, we have to evolve new community control systems that are suitable to the present complex situation.

It is through such an analysis of the historical developments and understanding of the present situation, that a national campaign called Azaadi Se Swarajya was launched on the midnight of 14-15 August 1996, on the eve of the 50th year of Independence, by Jan Vikas Andolan (JVA), a national network of people's movements, organizations and individuals. ¹³ It has addressed these issues from the grassroot to policy level in a broader context.

The concept of self-rule contained in the panchayat raj legislation (73rd and 74th Amendment to the Constitution) and the Bhuria Committee Report (for tribal areas) which was implemented through enactment of Provisions of Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA-96) embodies to an extent the rights of the people over national resources in a broader way. It is essential to strengthen and deepen this process and spread it through empowerment of gram sabhas by amending the state panchayat raj acts. Gram Ganarajya Vedike (GGV) is spearheading a people's movement in Karnataka in this regard. Further, it is essential that we study tribal history carefully, first to document the true history as it happened and second, to derive inspiration from their protests and heroic struggles. It is also necessary to understand the concept of self-

rule as reflected in the actions and writings of persons like Jyotiba Phule, Birsa Munda, M.K. Gandhi, M.N. Roy and J.P. Narayan.

All these experiences have led us to understand these issues in-depth and redefine the notions of the development process, progress and civilization, as our national poet Rabindranath Tagore did in a lecture he delivered in China in 1924:

'We have for over a century been dragged by the prosperous West behind its chariot, choked by the dust, deafened by the noise, humbled by our own helplessness and overwhelmed by the speed. We agreed to acknowledge that this chariot drive was progress and that progress was civilization. If we even ventured to ask, "progress towards what and progress for whom," it was considered to be peculiarly and ridiculous or oriental to entertain such doubts about the absoluteness of progress. Of late, a voice has come bidding us to take count not only of the scientific perfection of the chariot but of the depth of the ditches lying across its path.'¹⁸

The above statement assumes much greater significance at this crucial time in our history when powerful forces like the MNCs in the name of liberalization and globalization, are trying to enslave us with the help of our own elite ruling class. The youth who are being brainwashed into joining the rich through allurements, including messages in the electronic media, need to think through what is happening, especially after 50 year of the adoption of the Constitution.

The forces of pseudo progress which entered this country in the form of an East India Company are at work again in a more concerted way than ever before to enslave Third World countries and instruments like the International Monetary Fund (IMF), World Trade Organizations (WTO) and World Bank are being fine-tuned to achieve the job. These institutions are jealously protecting the dominant paradigm of development.

'The tussle about what the WDR should and should not emphasize demonstrates that there are forces inside and outside the World Bank hostile to even a modest modification of the dominant paradigm on development. The Bank may want to signal that it is turning into a caring organization but, like a leopard and its spots, it cannot change even if it wants to' (The Hindu, 26 June 2000).

At the World Bank, the high church of development economics, a widening schism over how to fight poverty is sending ripples around the world. Ravi Kanbur, a top Cornell economist and the man hired by the Bank to oversee the writing of its World

Development Report, resigned in anger recently when he was ordered to rewrite his staffs draft. The report is extremely influential among economists, and Mr. Kanbur's version questioned how well developing countries adapt to capitalism. In fact, it questioned whether the West's standard prescription for reform does enough to help the poor' (The New York Times, 25 June 2000).

As M.K. Gandhi had clearly stated, 'Real swarajya will not come by the acquisition of power by the few but by the capacity of the many to resist when power is abused.'

Western civilization and the forces of globalization, liberalization and privatization have concentrated enormous power in a few hands at enormous cost to the vast sections of poor and tribal communities. This power is being misused to make the poor poorer and invade a whole-some lifestyle and culture of humane societies.

In other words, the last man who should occupy the central place in our development paradigm is systematically marginalised and eliminated. The fact that our own democratic governments have since 1947 evicted 1.5 crore rural poor from their homes and habitats in the name of 'national development' and that even after 50 years of adoption of the Constitution we do not have a rehabilitation policy is a sad commentary. There is need to give legal protection to the rural poor by incorporating key features into the land acquisition bill itself. The efforts by voluntary agencies who worked out alternate forest, land acquisition and rehabilitation bills are unfortunately not being recognized and the interest of these vulnerable communities not protected. 15, 16

This has to be protested and fought with both non-violent direct action¹² and the constructive instruments of people's rights over natural resources and 'empowered gram sabhas'.

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