
A CRITIQUE OF FOREST GOVERNANCE IN EASTERN INDIA

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Abstract

This paper is contextualized within postcolonial movements for social justice and ecological restoration in India, enabled through the emergent participation of diverse and subaltern stakeholders. This paper engages shifts in forest management in India. Within this frame, it refers to public forest lands reform initiatives in Orissa, a state in eastern India. In 1997-98, assisted by the Swedish International Development Agency, a review was conducted of forest management systems in Orissa. The intention was to understand microlevel frameworks within the state toward the transfer of authority over public forest lands from the government to local communities. Using information generated by this review, this paper discusses critical concerns in Orissa.

Explanations

Within movements for social change currently underway in South Asia and India, development reforms imply a multitude of contradictions and complexities to a diverse constituency of stakeholders. Such reforms instigate discussions and debate on sustainable development and raise strategic questions related to the role and responsibility of the State and international agencies to marginalized rural communities, and of community access to livelihood resources. It speaks to possibilities of social and ecological restitution that confront critical concerns of governmental decentralization, and relocation of authority and resources. This paper is informed by research connected to public forest lands reform in Orissa, a state in eastern India. In 1997-98, the Swedish International Development Agency (SIDA), the Swedish Government's international development assistance program, aided a review of forest management systems in Orissa. The intention was to understand microlevel frameworks within the state of Orissa toward the decentralization of forest management. A primary objective was to reframe the fabric of donor-community-government collaborations. The aim was to operationalize development mechanisms that embody the ethical

commitments of postcolonial advocacy and action in India. I was involved in this process, and responsible for conducting a Statewide participatory assessment of management systems related to public forest lands. (See Chatterji, 1998.)

The SIDA review supported participatory and generative methods of inquiry. It produced openings for limited participation of citizens in decision making within consultative governmental forums on public forest lands management. The review submitted its recommendations to SIDA in 1998. These recommendations constituted a proposal for future action linked to the devolution of authority over public forest lands, requesting SIDA financing for an implementation phase in Orissa. This implementation phase would facilitate capacity building for public lands reform through a reorganization and decentralization of the forest department and support to community institutions. In 1998, India conducted nuclear experiments, and in 1999-2000 SIDA retracted its support, citing its differences over India's nuclear politics as a primary reason for its withdrawal. While implicitly committed to anti-nuclear military policies, I would like to acknowledge the problematics of North-South relations where attempts at political/military self-assertion by ex-colonies are policed and met with punitive aid sanctions.⁽¹⁾ Reciprocal penalties are not enforceable on countries of the Global North as they continue to set the standard for nuclear stockpiling or participate in nuclear proliferation. The history of manufactured debt, and the plundering of the resources of former colonies, makes donor aid a critical component of human rights activities in the Global South. This is especially true as the debt of the colonizers to the most underprivileged sections of these societies have never been calculated or repaid. Revoking aid impacts the most marginalized sections of these societies who, ironically, do not have access to decision making that relate to nuclear policy.

SIDA's annulment of aid, complimented by uninformed decisions made by other donor agencies in the last two years, along with the devastating cyclone of 1999, have produced severe consequences for Orissa's rural communities and public lands reform processes. (Poffenberger and Chatterji, 2000.) The lack of donor commitment to the Orissa initiatives is symptomatic of development practices where donors (or governments) responsible for disbursing substantial financial contributions fail to ensure continued support for social change. The absence of sustained political and economic commitment reflects inadequate accountability to social processes on the part of institutions whose very mandate is to enable social change. This illustrates contradictions in relations of dependency that mandate dialogue between donor agencies, governments, communities, and allies toward accountability in development. That development aid is discoursed as efforts on the part of the advanced North to facilitate economic growth in the 'poor' South, rather than commitments of the North toward taking responsibility

for colonization, is part of the problem. It alters the premise of development from building local capacity for furthering equity to technological, environmental and economic modifications that advance the conditions of inequity.

This paper locates the complex histories of development in analyzing forest management processes in India and Orissa. It raises questions in relation to public forest lands reform movements with which I have been involved since 1990. Do state policies that support livelihood and sustainable environmental management facilitate local empowerment and safeguard human rights? Do such reforms destabilize the inequities that shape gender, class and caste relations in Indian society, and produce contexts within which the subaltern might be heard?

The Development Crisis in India: Gendered Inequities

The postcolonial(2) Indian state has been challenged by conflicting agendas of nation construction since independence.(3) The imagery of nationhood was linked closely to the Gandhian vision of the rural economy as the foundation for development, contradicted since its inception by Nehruvian ideals of 'progress' mediated through aggressive modern development. The Gandhian program emphasized the application of appropriate and local technologies to provide employment and livelihood to India's primarily agrarian population. Gandhi promised a liberation that encompassed economic and social security, premised on a sacred commitment that the diversity of cultural, social and spiritual traditions of India be resuscitated and feudal-colonial-postcolonial oppressions be addressed. (Baviskar, 1995:p.21., and Nandy, 1989.) Gandhi's vision of development was obscured by the ideas of Nehru and others who opted for development through large-scale industrialization, urbanization and modernization, designed to alleviate poverty and debt that ironically targeted elite and urban sections of India with residual impact on rural populations.

In the early 1950's, five year economic plans were adopted to propel India's development in industry and agriculture, and remedy the political dissension, debt, and infrastructural disarray that plagued the newly independent country.(4) While the first plan experimented with the options of labor intensive, semi-Gandhian development to satisfy the basic needs of India's population, the Second Five Year Plan in 1956 adopted the 'industrialize or perish'(5) model. (Baviskar, 1995:p.22.) This model was capital, technology and energy intensive, environmentally degrading and polluting, and *"critically [positively] affected three powerful interest groups -- capitalist merchants and industrialists, the technical and administrative bureaucracy, and rich farmers."* (Ibid.)(6)

Development actions succeeded in exponentially increasing India's industrial production, and radically deteriorating its land, forest and water resources. Its consequent residual impact, calculated to alleviate poverty and related socioeconomic oppressions within the most disenfranchised caste, class and adivasi (tribal) communities in India, failed to produce corresponding results. To the contrary, it has generated other forms of poverty through the devastation the livelihood base of subsistence communities. *"The optimistic assumption that increased welfare due to industrial growth would automatically percolate to the poor has not been borne out by experience."* (Ibid,p.25.) Economic poverty continues to deface India -- as 350 million people continue to live in poverty. For over 35 percent of the country's population, development has remained unattainable. (Saxena, 2000a:p.6.) In 2001, almost fifty-four years after independence, people continue to struggle within the violence of deprivation and powerlessness, burdened by the dilemmas of everyday existence. The scale and implications of this poverty and the magnitude of its bondage is experienced by most nations of the Global South, forcing its citizens to live within a constant state of war whose conditions are languaged as impoverishment, in circumstances where their most basic human rights are violated.

Incremental changes wrought by development processes have assembled deep discord related to environmental management. *"These conflicts range from the incessant battle between the forest department and local communities..."* (Baviskar, 1995:p.32.), to continual collisions *"between mechanized trawlers and traditional fishing boats in India's coastal waters, to the controversy over the Dunkel Draft and rights to genetic resources."* (Ibid,p.33.), and intellectual property rights. These conflicts reside in ambiguous international territory mediated by historically produced social and corporate relations of power, racism and real politick. These conflicts within the post-independent State, and between States, are not simply premised on demands for improved access to resources, but involve conflicting rationalities and mechanisms for using human and environmental resources, and ways of allocating worth to human and social labor.

The Green Revolution

In the 1950's and 60's, the World Bank introduced to the 'Third World' the 'Green Revolution' in forestry and agricultural sectors -- new quick-growing, high-yielding timber species and agricultural crops. The Bank exported technological and scientific knowledge to India and other countries of the South to facilitate the large scale cultivation of these new species. Through the much proclaimed Green Revolution, organized techno-management of the environment was seen as the resolution to food-supply problems, poverty and industrial demand. It

progressively resulted in a consequent growth in agricultural and timber productivity along with landlessness and out-migration from rural areas. (Sale, 1995:p.265, and Shiva, 1989:p.78.) It generated other forms of poverty through the homogenization and devastation of ecosystems, and facilitated the production of mechanized agriculture, monopolies and alienated labor. (For a conceptual discussion, see Haraway, 1991., and Heidegger, 1977.)

By the early 1960's, government and international donor agencies had mounted a crusade to fund commercial monoculture plantations of imported species on public and private lands. Theoretically, social forestry provided an avenue for regenerating the forests through scientific and silvicultural management, and providing subsistence resources to local communities. In practice, the Green Revolution promoted the exhaustion of nature as a resource, and displaced, dispossessed and alienated millions of rural and forest communities in unsurpassed ecological and cultural genocide. (Gadgil and Guha, 1995:p.26.) Social forestry programs provided incentive to large-scale industries to clear ecologically valuable degraded forest areas and common property lands for plantations. Reflecting exacerbated plunder of forest resources in India, between 1950 and 1990, healthy forest cover diminished from 48 to 8 percent. (Poffenberger, 1995:p.2.)(7) Social forestry created a uniform monoculture of timber species through which the timber industry and the small farmer could accrue profits from land without any allied commitments to sustainability or community development. Eucalyptus plantations in villages were planted on private landholdings that were earlier used for food crops, resulting in the disappearance of common lands and resources. (Shiva and Bandyopadhyay, 1987:p.18.) These schemes functioned with disregard for local knowledges, forcing communities to participate in ways that undermined sustainable practice. The forests became another industry, not the sacred space that defined life, living and heritage.

Transitions in Forest Management

Co-existent with the oppressions and contradictions produced by dominant development actions, emerged the creation and consolidation of people's movements across India, and across the Global South. These movements, historicized and problematized the ideology of progress, questioning the infrastructure of development in Latin America, Asia and Africa that facilitated the creation of the 'Third World' and the condition of underdevelopment. (See Escobar, 1995.) In India, social movements in the 1950's through the 90's argued for participatory democracy, through empowering grassroots institutions, land reforms and relocation of resources. While the need for sustainable development

is crucial in the global North and urban environments in the South because of their intensive resource consumption, one of the primary sectors of forging sustainable change has been among rural communities in the South who live in contiguity to forest areas. Within the Southeast/South Asia region, Cambodia, China, India, Indonesia, Nepal, Philippines, Thailand and Vietnam are involved in forest restoration. (Asia Forest Network, 1996:p.3.) These processes, initiated primarily by local communities, work towards creating mechanisms where local communities and state agencies like the forest department (FD) collaborate in participatory management ventures, for sustained forest regeneration, conservation and protection, and for management and distribution of forest resources. It is shaped by local resistance to historical oppressions that continue to function in the present, seeking equity in the context of shaping a postcolonial nation-state. It addresses the redistribution of environmental resources and finance and advocates allocating access and security for marginal communities in relation to public forest areas.

India's forests have been savagely degraded through optimum commercial felling that had escalated by the mid eighteenth century, and progressively increased during the nineteenth and twentieth centuries, to meet demands for supportive infrastructure for national growth. (Poffenberger and McGean, 1995:p.127.) By the late twentieth century, only 19.4 percent of India's total land area was under some scrub, dense or open forest cover. (Poffenberger, 1995:p.2., and Mukhopadhyay, 1994:p.35.) By the 1950's, increasing numbers of people became dependent on the few remaining forests and these communities no longer had any rights over forest lands, only 'privileges'. In response to such crises, various strategies for ecological restoration emerged in independent India, some exclusively among community groups, others that involved community groups and State agencies in collaboration. Community, Participatory and Joint Forest Management systems emerged out of the failure of colonial and social forestry and the Indian government's forest policies in general. The term Community Forest Management (CFM) refers to local community initiatives and organization toward regenerating, protecting and managing public and other forest lands. CFM ventures have emerged as sociopolitical processes and are found in village forest lands, revenue forest lands, community woodlots, i.e., in land that is not legally owned by the state. These systems also exist on state owned forest lands where communities have taken initiative in protection and management without the aid of the FD. Participatory Forest Management (PFM) is widely used when describing forest management systems that are collaborative in nature, involving local community groups and State Forest Departments and other agencies. Joint Forest Management (JFM) refers to formalized local community and forest department agreements relating to regenerating, protecting and managing state owned, public forest lands. The extent and nature of collaboration was contingent

upon, among other things, the type of partnership, the type of management collaboration and the type of forest land being managed. (Chatterji, 1998.)

These forest management systems were meant to include and empower the community. In post-independent India initiatives for a transition to informal PFM systems have come from rural communities from all regions, non governmental organizations (NGOs), government and donor agencies. Alternatively, without waiting for supportive policies and judicial decisions, since the 1940's-50's, thousands of communities started forming CFM groups to protect their degrading forests, primarily in eastern India's tribal forest tracts. Village communities in West Bengal, Bihar and Orissa began responding to the environmental crisis as they watched the once densely forested hills and plains being denuded. Policy shifts in forest management began at the national level in India in 1980, when increasing anxiety related to the degradation and depletion of the environment led to the passage of the Forest Conservation Act. The Act imposed considerable curbs on logging in natural forests, emphasizing the environmental and cultural significance of these assets. While the Act limited the economic and industrial use of these resources, it offered insufficient practical guidelines to balance and sustain public forests. (IUCN, 1996:p.13.) During the 1980's, subsistence forest products became scarce among India's rural resource users and the first pro-community policy transpired at the national level with the passage of the National Forest Policy (NFP) in 1988. Contrary to the policy of 1952, the new policy prioritized environmental sustainability over commercial economic gain from India's forests. In addition, the policy states that 'subsistence and livelihood requirements of resource poor communities living contiguous to the forests should be the first load on forest produce. The NFP of 1988 provides the basis for the inclusion of local community groups in the protection and management of India's forests. (Orissa Forest Department, 1996:p.6.)

Prior to this, the states of Orissa and West Bengal ratified guidelines for JFM in 1988 and 1989 respectively. This enabled local communities living in and adjacent to forest areas to manage public forests. Recognizing the FD's own ineffectual attempts at forest protection, and the need and growing political pressure to include local communities in forest protection activities, the Government of India passed an Order in 1990 that solicited people's participation in joint forest management ventures honoring community rights to fuelwood, timber, fodder and non timber forest produce collection from public forest areas they organize to safeguard. (Chatterji, 1996.) In response to this circular, 24 states in India have issued formal JFM directives in the last decade and it is estimated that 36,075 villages are currently engaged in organized forest protection. (Society for Promotion of Wastelands Development, 1998.) The Government of India issued revised guidelines in February 2000 that are more attentive to the complex

conditions under which JFM operates. (Saigal, 1999., and Government of India, 2000.)(8)

In India, while radical transformations have occurred in reforming public forest management systems over the past decade, political and operational constraints have slowed the devolution of rights over forest land to user communities. While between 10.24 -35 million hectares have been brought under the control of community groups,(9) this still represents a small percentage of the area that could benefit by village imposed use regulations. There are currently 300 million forest dependent people in the country, and much of India's forest lands, and in particular much of the 15.4 million hectares under forestry, remain over exploited and caught in a process of biotic degradation. (Ministry of Environment and Forests, Volume 1. 1999a:p.124.) India's per capita forest land is only 0.08 hectare, second to Bangladesh's lowest statistic of 0.01 hectare.(10) If not checked, many degraded forests that currently retain some root stock, top soil, mycorrhizal fungi and other micro-organisms essential for successful regeneration, will become unfertile, diminished wastelands. Community protection and natural regeneration have been remarkably effective in halting further degradation and restoring productivity to these environments. Stabilizing India's natural forests and watersheds is a significant step in sustaining a rural environment that can support India's still expanding population.

While government and development agency financial support for JFM has increased exponentially during the 1990's, numerous issues are not being addressed. Such issues include critical JFM policy weaknesses, commitment to CFM, need for procedural, tenurial and legal changes, and the importance of training and restructuring programs to build capacity for co-management. PFM strategies that have demonstrated effectiveness on degraded forest lands have not yet been extended to protected areas(11) and well-stocked forests. At the same time, changes in updating archaic planning systems, training programs, and other institutional elements have been slow. In addressing the growing needs of public lands reform, there is a felt absence of effective mechanisms to operationalize field learning and forums for dialogue between primary government planners, state forest departments, and the diversity of development agencies entering the arena at the state and national level.

At present, the National Ministry of Environment and Forests(12) has limited capacity to guide the national transition in public forest lands management systems. There is a growing sense among participants and supporters of JFM in India that new initiatives are required to maintain the larger national effort to reform public forest lands management. JFM stakeholders are stressing the need for the transfer of authority over forest lands through establishing tenurial

agreements and custodian rights with local community groups. Unilaterally, within CFM and JFM, with a few honorable exceptions, women are the most adversely affected by forest degradation. Poor rural women in India, constitute the lowest sociocultural and economic 'caste'. Rural women perform housework, agricultural work, and non formal forest-based and other industrial work. Their work days are invariably 1.5 times longer than men's workdays. (Tinker, 1994:p.98.) There is a greater need for transparency and accountability on the part of development agencies, both bi-lateral and multi-lateral, that are currently investing hundreds of millions of dollars into JFM projects at the state level. (Chatterji, 2000:p.22.) To shift the enduring inequities that characterize development interventions and civil society in India, forest reform processes and programs require major political and legal reframe from the state custodial and industrial management models that have organized the Indian Forest Service for over almost a hundred and fifty years. In this context, there is a critical need to identify areas where capacity building and interventions through policy and programmatic changes are most necessary, and develop apparatus for doing so.

The SIDA Review Process

This SIDA assisted review in 1997 sought to interrogate processes and meanings of public lands reform in Orissa, a state of approximately 50 million people. (See Chatterji, 1998.) SIDA, rethinking its long history of implementing social forestry projects, was a primary donor aiding the forest department in its commitment to democratic forest management in the 1990s, and assisting with other forms of capacity building at the FD and community level. In 1995, citizens bodies challenged the Orissa Forest Department (OFD) to reformulate policies associated with public forest lands to prioritize community access and involvement in custodianship of public forest lands. They requested that SIDA assist in this by instating a review of FD policies and actions before continuing further funding to the Orissa State Government. SIDA agreed to this petition in 1996. The review commissioned independent participatory research that drew on social and political processes in Orissa to offer analysis and recommendations to the Orissa State Government. This review engaged and facilitated certain forms of local action.

The review was conducted in five of the twenty-eight forest divisions in Orissa -- Dhenkanal, Karanjia, Ghumsur South, Rayagada and Bolangir. These divisions were identified through participatory methods with Orissa Forest Department officials, community groups and NGOs, based on their ecological and social importance. (See Chatterji, 1998.) The major policy and programmatic changes identified through this process relate to the following areas: 1. Programmatic and Operational Constraints 2. Benefit Distribution: CFM and JFM

Issues. 3. Departmental Reorganization to Facilitate a Transition to Collaborative Forest Management. Research activities included community resource mapping and narrative assessments, cluster review and boundary demarcation, assessments of village level JFM-CFM and district level citizens groups.(13) The review initiated divisional level working groups, actively solicited the participation of state level NGOs, district forestry forums and other citizens bodies, and convened a state level NGOs and citizens advisory group. This review expanded an intellectual understanding of the organization of social movements related to public lands reform. It rendered problematic development alternatives and interventions within collaborative forest management processes in rural Orissa. In the following section, the paper discusses some of the key issues and concerns that emerged during the review, and continue to be important.

Situating Public Lands Reform in Orissa

The various stakeholders engaged in public forest lands reform articulate the political and legal change necessary to rethink ecological sustainability and socioeconomic empowerment of subsistence communities. Public forest lands reform refers to social and political processes, initiated by community groups, in collaboration with activists, intellectuals, State and donor agencies, that seek to reform rights, access, allocations, entitlements, inequities and agreements to public lands. Public forest lands are nationalized forests whose jurisdiction falls within the purview of the State, managed by State agencies such as the forest or revenue departments.

In Orissa, contemporary State-wide political shifts towards greater democratization increasingly endorse decentralized, communitarian governance structures, i.e., in the form of 'Village Republics', and are augmenting the voices of rural communities in their demands for authority over forest and other resources through local self governance, i.e., the Panchayati Act. (Saxena, 2000b.)(14) The political will of certain stakeholders, particularly local community groups and non governmental organizations, is committed to enabling community rights over public forest lands at the micro level. The State Forest Department has passed successive resolutions/guidelines in 1988, 1993 and 1996, for the inclusion of local communities in forest protection and subsequent management. The resolution of 1988 did not have the desired impact in enlisting people's participation in forest protection. The Orissa government amended the resolution in 1993 to include the FD and communities as 'equal' partners, with a subsequent amendment in 1996. The Orissa resolution mandates that the communities and FD would jointly protect and manage degraded forest lands where community organization was active, in both reserved and protected

categories. This resolution excluded JFM possibilities in sanctuaries, national parks and on forest lands leased or allotted for any commercial venture. (Chatterji, 1998:p.14.) The resolution stipulated the village as the formal unit of management, and the Gram Panchayat was allocated responsibility for constituting the Vana Samrakshana Samiti (VSS) i.e., the village protection committee, (VFPC). A plethora of groups with differing names and definitions have been formed by the FD at the local level over a period of time, in response to varying State orders. Among them, there can be significant differences in rights and responsibilities. The FD was made responsible for management area demarcation for each VSS, drafting of a microplan, and a memorandum of understanding between the FD and the community stating rights and responsibilities, after which the VSS was registered in due time by the FD. Communities were given usufructory rights, non timber forest produce collection rights and 50 percent share in a major harvest or final felling. It is particularly important to narrate that differences and similarities between JFM and CFM relate to, among other things, protection and management history of specific forest patches, forest department and community histories in management, legal status of land under management, tenurial rights, mechanisms for benefit and cost distribution. There are different types of forest management systems in Orissa, namely CFM and JFM groups. NGOs and FD spokespersons say that while many of Orissa's approximately 6,000 formally registered forest protection committees (FPCs)(15) are nonfunctional, there are about 5000 unregistered groups that are actively protecting forests. Including unregistered groups, it is likely that there are between 4,000 and 8,000 functioning community FPCs in Orissa. These forest management groups individually control and manage anywhere from 25 to 500+ hectares of forest land. (Ibid.)

CFM and JFM efforts in Orissa have had beneficial impacts on regenerating the biological diversity of forests, introducing diverse silvicultural management practices, and facilitating peoples organization and access to forest resources. (Poffenberger, 1995.) These processes have highlighted the traditional conflict between the FD's command of the forests for commercial economic development and the creation of ecological reserves that exert scientific control over the management of natural resources, and the local communities use of the forests primarily for subsistence and well-being needs. These conflicts reflect debates regarding sustainable management. CFM and JFM movements and groups are ridden with multivariate hierarchies of marginalization related to class, gender, caste, and other social inequities within and between the communities, non governmental organizations and forest departments. (Sarin, 1999.) It is therefore understandable that within both JFM and CFM systems, tensions mediate alliances between different social and gender groups, and the FD around goals, resource needs, and management priorities. Women's dependency on forests

and forest based resources for subsistence in Orissa is acute as they are systematically excluded or marginalized from other sections of the economy. The forests also provide women with spiritual sustenance and a place for cultural and communal activity. Occupations linked to forest produce collection are ridden with stigma and considered 'primitive', and 'uncivilized'. Overwhelmingly, landless and marginalized caste and adivasi communities, particularly women members, resort to non timber forest produce collection for sustenance. As it is prevalently incumbent on the woman to provide household sustenance resources that include food and fuelwood, she is compelled to selling fuelwood and non timber forest produce such as mushrooms, to generate income to meet household food and fuelwood requirements. Sustained commitments that focus on women's needs are absent within the State agenda.

Clarifications

The JFM Resolution is perhaps the most valuable contract between the OFD and the people, and while there are provisions on paper for local communities to participate in forest protection and management, communities feel that they have thus far been primarily involved as protection givers, and that their vision and role is yet to be reflected in management objectives. Community groups contend that while the JFM Resolution has political and institutional support, it has no legal standing. JFM policies and institutional arrangements are generic and direct government agencies to control and regulate community management efforts. This generally fails to either improve or support grassroots organization, or enable sustainable human-nature interaction. According to current national and state forest laws, forest land ownership can play a very important role in defining the terms and conditions of co-management contracts. The role of the FD on non forest lands requires extensive clarification. For example, ownership of forests on revenue lands rest with the revenue department, while the FD is confined to protection and management activities. (Mishra, 1998:pp.8-9.) Therefore, it follows that while agreements on management and protection can fall under the supervisory capacity of the FD, those related to benefit distribution must be made with the concerned revenue department. It will be useful to determine precedence of such arrangements, if any, with the revenue department. (Ibid.) Contrary to this, officers within the OFD iterate that since the management of revenue forest lands rest with the OFD, all agreements regarding access and benefit distribution must be made with the OFD. They argue that the Forest Conservation Act and the Orissa Forest Act endorse the role of the FD as the primary department responsible for the management of revenue forest lands, and therefore, the principal agency responsible for determining the nature and scope of institutional arrangements with community groups.

Community and NGO groups strongly oppose steps taken by the OFD to classify all CFM groups and activity as falling under the purview of JFM, and formally register them as VSSs. They assert that in many instances communities have been protecting and managing a certain patch of forest land for a long time without any help from the FD. Therefore, they propose that benefits from these forests must belong to the communities. And, they strongly advocate that the people should be privy to policy processes and decisions that impact their livelihood resources. These groups contend that within the context of current JFM arrangements communities have no legal guarantees and are expected to alter their existing management structure and practices when signing a co-management agreement with the FD. Therefore, they stress that it might be in the interest of the local communities to refrain from participating in, or converting to, JFM programs, as it results in an erosion of their authority and social ownership. Community groups, particularly CFM groups, also recognize that their organizational efforts on public forest lands have no legal standing. These groups are organizing to form federations at the district level to mobilize a cohesive political base. Community groups acknowledge that the FD has an important function to play in supporting CFM efforts. These groups acknowledge that the FD can play a critical role in providing extension services and technical guidance. Marginalized communities, particularly women, say that the FD can be an important factor in ensuring distributive and representational equity within the village. Community groups and federations argue that it is a more empowering option for them to require the reclassification of forest lands under their protection as village forests. Through such reclassification, communities state that they can establish tenurial rights or custodianship over forest lands, in lieu of fees and taxes payable to the concerned State Departments. Such reorganization would force land reform of state owned forests and permit communities to assert their identity as stakeholders.

Commitment to Change?

The Orissa Government has not been committed to eliminating constraints within participatory forest management programs. Certain key questions that must be raised are -- how can the FD participate in the villagers' initiatives instead of vice versa, particularly in view of the extensive community forest protection in the state? How can communities strengthen grassroots initiatives while facilitating democratic decision making? How can the national government and international donor agencies increase their accountability to village institutions through creating more equitable relations of power? To respond to these concerns, policy and programmatic initiatives must balance conservation and protection aims while supporting the development of community management options for satisfying

current needs on an ongoing basis. Forest management objectives must be made compatible with the 1988 policy objectives and the 1996 legislation for extending the Panchayati Raj system to tribal areas. The role and function of the FD needs to be assessed and its revenue generation practices relocated. To do so, the OFD needs a new language of respect and inclusion, adequate decentralization, a new job description, and training that enables them to work for local communities. The FD currently determines and defines the structure of institutional arrangements between itself and community groups as they operate on public forest lands, through mechanisms of decision making that are neither participatory nor equitable.

Acknowledging the severity of social inequity and hierarchy that exists currently in the country, and in Orissa, the primary objective of public forest lands reform, along with conservation should be community empowerment through supporting livelihood and subsistence needs. Concurring with the NFP's objective of shifting commercial economic emphasis from the forests, and conceding that many communities have little access to sustained infrastructure for economic development, community groups must be accorded the maximum share of economic gains from the forests. For example, Orissa forest user communities contend that communities should have the right to collect, process and market forest produce, and after allocating a certain percentage toward meeting village needs, a fee or tax can be imposed on the surplus collectable by the FD for departmental use. Stakeholders, including state forest departments, have expressed concerns that JFM agreements and resolutions are weak in that they require rigid benefit sharing ratios that do not reflect varying community needs or forest capacities. State level dialogues need to be facilitated to determine to what extent community groups and FD's can create a need-based and situation specific arrangement in relation to benefit distribution within JFM. In rethinking benefit distribution agreements, how can community groups be enabled to play a major role in designing management contracts with governments or the private sector? Which of the stakeholders should decide on the question of final, selective or interim felling, or indeed debate the larger question of how forest resources should be used? Which representative bodies can ensure class, social group and gender equity? What role should the FD, other state departments, local NGOs, and citizens bodies play to promote equity?

While JFM and CFM processes have been criticized for failing to respond effectively to gender issues, these programs are working within the broader, inequitable, context of Indian society. How might State and citizens bodies be attentive to facilitating incremental changes related to women's participation, and participation of other socially disenfranchised groups, in activities and decision making? Women's membership in the Executive Governance Committee under

JFM is set at 33%, when usually 50 percent of the given population are women. Women should in fact organize the majority in the Executive Committee given their extensive use and dependency on forest resources.

In order to animate a socially mass based movement for public lands use, management and reform, the premise of JFM and co-management must be radically expanded to more democratically and effectively empower local community groups. Instead of a standardized, rigid set of norms and regulations that are currently applied to JFM programs and areas, varying institutional arrangements should be drafted locally within the purview of sustainable management. If the OFD is attentive to social processes in the State, it is evident that community groups, district level community organizations, grassroots federations and Panchayat stakeholders want to effect community jurisdiction over public lands. Community groups are dissatisfied with State efforts that have not sufficiently shifted to enable substantial change. Lower caste, tribal communities and women are concerned that community based governance manifests in the continued dominance of the local elite and politically powerful. Reservations and quotas for disadvantaged groups ensure their presence in decision making bodies, but without ethical capacity building from within, their voices are silenced and their agendas excluded.

Unfolding interventions of corporate globalization and its intersections with development is impacting the lives of communities engaged in public forest lands reform. Multi-sectoral, forestry related, corporate financed development projects are seeking to enhance forest and natural resource productivity. What are the consequences? Corporations operating within an international context are permitted by GATT/WTO regulations to optimize profit without reciprocal concern for social gains. Such conditions of intervention prompt social dislocation and violence, and raise important questions about development finance. Is there a lack of governmental, corporate and social policy that protects the interests and rights of local communities and the ecology? Recently there have been several incidences of police violence on rural communities resisting irresponsible globalization that have killed community members in Kashipur in Orissa and Koel Karo in Jharkhand. Where local communities are engaged in confrontational processes of self-determination, is the government seeking the collaboration of corporations to silence community voices? Are government agencies under pressure from transnational/multinational companies and international financial institutions like the World Bank and the Asian Development Bank to make available resource rich lands for development? Faced with opposition, are government agencies perpetrating violence on tribal and marginalized peoples to weaken popular struggles against irresponsible development? What interface, regulations and legal provisions allow for more responsible corporate behavior

and limit the extent of corporate control? What roles do (and can) local governance structures such as Panchayats play? What are the mechanisms through which rural community interests, and therefore national interests, can be protected?

Public forest lands reform remains an incisive space where inequities of power and access might be addressed. The classification of such lands, and the rights, responsibilities and allocations of the citizenry to them, are negotiable through challenging the role and capacity of the State in governing such resources. The State has an important role in controlling public forest lands, in the interest of national security and productivity. Citizens have an important function in contesting the scope of such control, where State interests conflict with the well-being of communities. In doing so, they dislocate dominant historical practices to produce unexpected fragmentations within which social processes craft their own agency. In negotiating the role of the individual/community and that of the State Forest Department in managing and retaining custody over public resources within a democratic State, we are asked to rethink the methods for safeguarding human rights.

Redefining and facilitating community participation within the dialectic of a transitional, complex and historically stratified society is intricate and ongoing. Certain empowered groups within Orissa are able to make a transition from participation in protection, to participation in management. These groups mostly belong to economically advantaged sections of society. While this transition often excludes marginalized sections it has impacted and opened up possibilities for their access to management. The practice of participation does not necessarily dismantle existing inequities and in some instances attempts at counterbalancing inequities reproduce injustices. For a majority of people within marginalized groups in Orissa, participation in public lands reform is dictated and determined by the government. Often it is a far less prolific commitment restricted to sharing forest resources between community groups and the State, posturing as land reform. This space is reflective of problematic power dynamics in its dependence on the active day-to-day involvement of entire communities, while not seeking their reciprocal participation within decision making, or addressing inequities within communities. In enabling empowerment, the focus must shift from joint or community management of forest lands to public lands reform. Until the discussion prioritizes the necessity of such reforms, rather than state concessions to communities over public lands, it will not be adequately attentive to the social movements underway in States such as Orissa. Orissa is an example of a state where local agendas are focused on negotiating the nature, apparatus and structure of land reforms, not merely on rights and concessions. The future of social justice, economic well-being and ecological restoration in Orissa and beyond will be

intimately linked to how these political processes unfold -- in elaborating the ethics and methods of environmental action and making necessary explanations of such labor.

Glossary

CFM: Community Forest Management
FD: Forest Department
FPC: Forest Protection Committee
JFM: Joint Forest Management
NFP: National Forest Policy
NGO: Non Governmental Organization
OFD: Orissa Forest Department
PFM: Participatory Forest Management
SIDA: Swedish International Development Agency
UN: United Nation
VFPC: Village Forest Protection Committee
VSS: Vana Samrakshana Samiti

Notes

1. I use the terms South, Southern countries, and Global South to refer to once colonized areas of the Third World. While using the term 'South' to create a languagable space, I do not overlook that there are wide-ranging social, political, cultural, historical, ethnic, economic differences within/between these countries.
2. Postcolonialism -- The diverse field of thinking, resistance, and action, within the North and the South, defined through a critical relationship to colonized history. It does not refer to the 'end' of colonization. It delineates the relations of power defined within the context of the North and the South, South and the South, the East and the West, since colonialism began. Postcolonialism is a contested space that operates within specific histories and contexts. (See Payne, 1997., Bhabha, 1994., Foucault, 1980., Shapiro, 2000., Spivak, 1994.)
3. India won independence from Britain on 15 August 1947, and became a Republic on 26 January 1950.
4. P. C. Mahalanobis was the architect of the five year plan system. (See Indian Social Institute, 1988., Sen, 1981.)

5. Political slogan adopted by the Congress Party at that time.

6. In the above quotation the insertion(s) within [] are mine.

7. (See Mukhopadhyay, 1994.)

8. Sushil Saigal. Personal Communication. 1999. Also see Government of India. 2000. Guidelines for Strengthening of Joint Forest Management Programme. Ministry of Environment and Forests. No 22-8/2000-JFM (FPD). February 21, 2000. New Delhi: Government of India.

9. (See Government of India, 2000.)

10. The United States has a per capita forest land of 0.84 hectare while Nepal's per capita area is 0.27 hectare. (See Ministry of Environment and Forests, 1999A.,p.125.)

11. 'Protected Areas' operate under different management demarcations than 'Protected Forests'.

12. The national level government department responsible for overseeing all affairs related to forests and environment in India.

13. Orissa has thirteen districts and twenty-eight forest divisions. The districts are administrative boundaries. The district administration oversees legal, jurisdictional, land and rural development matters. The forest divisions are forest boundaries. The divisional forest departments oversee forest jurisdiction and administrative, legal, financial matters related to specific forest divisions.

14. In independent India, the panchayat system of government, or Panchayati Raj (rule), refers to the three tier structure of local governing bodies from village to district level; gram (village), samati (block -- a collective administrative unit constituted of a group of villages), zilla (district -- an administrative unit constituting of a group of blocks). The passage of the 72 and 73 Constitutional Amendments in 1992 enabled Panchayati rule, enforcing a national mandate for greater democratisation and decentralisation. (See World Bank, 2000.)

15. FPCs -- generic term, includes different formal and informal bodies connected to local level forest protection and management.

References

Asia Forest Network. 1996. Grassroots Forest Protection: Eastern Indian Experiences. Asia Forest Network Research Report. Berkeley: Asia Forest Network, University of California.

Baviskar, Amita. 1995. *In the Belly of the River. Tribal Conflicts over Development in the Narmada Valley.* New Delhi: Oxford University Press.

Bhabha, Homi., K. 1994. *The Location of Culture.* London: Routledge.

Chatterji, Angana, P. 2000. "Decolonising Anthropology: Knowledge Making Toward Social Change." Paper presented at the Society for Applied Anthropology. San Francisco. March 2000.

Chatterji, Angana, P. 1998. *Toward An Ecology of Hope. Community and Joint Forest Management in Orissa.* Sweden: Scandisconsult Natura AB., and Berkeley: Asia Forest Network, University of California.

Chatterji, Angana, P. 1996. *Community Forest Management in Arabari: Understanding Sociocultural and Subsistence Issues.* New Delhi: Society for Promotion of Wastelands Development.

Escobar, Arturo. 1995. *Encountering Development: The Making and Unmaking of the Third World.* Princeton: Princeton University Press.

Foucault, Michel. 1980. *Power/Knowledge.* New York: Pantheon Press.

Gadgil, Madhav and Ramachandra Guha. 1995. *Ecology And Equity. The use and abuse of nature in contemporary India.* New Delhi: Penguin Books India (P) Ltd.

Government of India. 2000. *Guidelines for Strengthening of Joint Forest Management Programme.* Ministry of Environment and Forests. No 22-8/2000-JFM (FPD). February 21, 2000. New Delhi: Government of India.

Haraway, Donna. 1991. *Simians, Cyborgs and Women. The Re-Invention of Nature.* London: Free Association Books.

Heidegger, Martin. 1977. *Basis Writings.* (Edited by D. F. Krell.) New York: Harper and Row.

Indian Social Institute. 1988. *The Five Year Plan System.* New Delhi: Indian

Social Institute.

IUCN. The World Conservation Union. 1996. *Communities and Forest Management. With Recommendations to the Intergovernmental Panel on Forests.* (Edited by Mark Poffenberger.) Washington., D.C.: IUCN.

Kabeer, Naila. 1995. *Reversed Realities. Gender Hierarchies in Development Thought.* New Delhi: Kali for Women.

Ministry of Environment and Forests. 1999a. *National Forestry Action Program - India. Volume 1.* New Delhi: Government of India.

Mishra, R. 1998. *Legal Frameworks and Institutional Arrangements.* Sweden: Scandiaconsult Natura AB and Berkeley: Asia Forest Network, University of California.

Mukhopadhyay, J.K. (Ed.) 1994. *Statistical Outline of India. 1994-95.* Bombay: Tata Services Limited. Department of Economics and Statistics.

Nandy, Ashis. 1989. "The Political Culture of the Indian State." In *Daedalus*. P 118. Fall 1989.

Orissa Forest Department. 1996. *Capacity Building for Participatory Management of Degraded Forests in Orissa.* Bhubaneswar: Orissa Forest Department.

Payne, Michael. (Ed.) 1997. *A Dictionary of Cultural and Critical Theory.* Oxford: Blackwell Publishers.

Poffenberger, Mark. 1995. *Public Lands Reform: India's Experiences with Joint Forest Management.* Berkeley: Asia Forest Network, University of California.

Poffenberger, Mark and Angana Chatterji. 2000. *Joint Forest Management Support Project. Linking State and National Concerns.* Berkeley: Asia Forest Network, University of California.

Poffenberger, Mark and Betsy McGean. (Eds.) 1995. *Village Voices, Forest Choices.* Delhi: Oxford University Press.

Sale, Kirkpatrick. 1995. *Rebels against the Future: The Luddites and their War on the Industrial Revolution.* Addison-Wesley.

Sarin, Madhu. 1999. *Policy Goals and JFM Practice: An Analysis of Institutional*

Arrangements and Outcomes. New Delhi: WWF and IIED.

Saxena, N., C. 2000a. How have the poor done? Mid-term review of the Ninth Plan. *Economic and Political Weekly*, October 07, 2000. XXXV, No 41. New Delhi.

Saxena, N., C. 2000b. Decentralization and Panchayati Raj Institutions. (Draft. Copyright author.)

Sen, Amartya, K. 1981. *Poverty and Famines. An Essay on Entitlement and Deprivation*. Oxford: Clarendon Press.

Shapiro, Richard. 2000. "Power, Alliance and the Problematics of Intervention." Paper presented at the Society for Applied Anthropology. San Francisco. March 2000.

Shiva, Vandana. 1989. *Staying Alive: Women, Ecology and Development*. New Delhi: Zed Books.

Shiva, Vandana and J. Bandyopadhyay. 1987. *Ecological Audit of Eucalyptus Cultivation*. New Delhi: Sagar Publishers.

Spivak, Gayatri, Chakravorty. 1994. "Can the Subaltern Speak?" In *Colonial Discourse and Postcolonial Theory. A Reader*. Patrick Williams and Laura Chrisman. (Eds.) 1994. New York: Columbia University Press.

Society for Promotion of Wastelands Development. 1998. *Joint Forest Management Update 1998*. New Delhi: Society for Promotion of Wastelands Development.

Tinker, Irene. (Ed.) 1990. *Persistent Inequalities - Women and World Development*. New York: Oxford University Press.

World Bank. 2000. *Entering the 21st Century. World Development Report 1999/2000*. New York: Oxford University Press.