

Sustainable Forest Management and Governance

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India became a democratic Republic In 1950. During the Constituent Assembly debate Jaipal Singh of Jharkhand expressed his doubt about the sincerity of the leaders of the newly formed nation-state of India. Even then he promised to cooperate with them and urged the members to work together with the Adivasis of India to usher in a new dawn of democracy. In this effort he asked them to learn a few things from the Adivais for they were the ones who had been practicing democracy since time immemorial.

Democracy is a political system based on the value of equality - equal rights to every citizen to take part in the decision making process. It is not just one man - one vote, as Justice V. Krishna Iyar puts it, but more importantly one man - one value. Democracy is a way of life that flourishes with the growth of democratic institutions and their sincere and honest functioning. Unfortunately after the passage of more than half a century since independence the promise of democracy has not been fulfilled by the state. The state was supposed to replace colonialism by democracy, colonial institutions and laws by democratic institutions and democratic jurisprudence. But neither the colonial laws were changed nor the institutions. Superficial efforts were made to establish democracy at the apex level by the formation representative democratic institutions, such as the Lok Sabha and Vidhan Sabha. The first attempt to take democracy to the villages by the establishment of Panchyati Raj institutions of 1957 were completely ignored and the present effort to implement the Pnachyati Raj Act of 1996 has been frustrated by non implementation and turning it into a bone of contention between the social groups. In most of the states Panchyat elections have not been conducted. And where they are functioning instead of uniting people they have divided them owing to the interference of the political parties. In the case of the Adivasis the situation has been horrific.

Pre-colonial states recognized the Adivasi social institutions. Even the princely states under the British colonial rule continued to respect them. Where there was the Direct Rule by the British, as in Chhotanagpur, these institutions were functional to a large extent. These institutions were run on the basis of consensus - a time tested form of participatory democracy where every adult member of the community enjoyed the equal right to take part in the decision making process. After independence the state destroyed them systematically without offering any new ones. This was done to establish the rule of Bureaucracy even at the village level. The government officers became the most powerful people to take all decisions on behalf of the people. A new ruling elite emerged with autocratic power structure under its control. The newly founded institutions of Political Parties and the apex decision making institutions of Lok Sabha and Vidhan Sabha got clubbed together with it to form a nexus of power that deprived the common people of the test of democracy they struggled so hard to achieve. Thus for the Adivasis the rule of colonialism did not end with independence. The same colonial laws that deprived them of their ancestral rights of land and forest continued to exist, the same police and administration that

oppressed them remained unaltered, the same people who alienated their land continued to rob them further. However the growing demand of democracy all over the country, especially in the Adivasi regions, forced the government to re-enact the Panchyati Raj system in 1996. The demand for Self Rule of the Adivasis was incorporated in the PESA Act (Panchyati Raj Extension in Schedule Areas Act 1996). However, the above mentioned nexus of power has so far been successful in first watering down the power recommended by the Bhuria Committee to a large extent and then in stalling whatever little stamina was left in the act from being implemented.

Democracy in Forest Management

As in other areas of economic activity of the people democratic functioning of the state in the forest sector is elusive. The colonial Judicial Acts that are still in vogue in forest sector has been strengthened during last half a century of 'democratic rule' with the addition of even more stringent laws. While the Indian Forest Act of 1927 took away the ownership rights of the forest dependent people, especially the Adivasis, the new laws hit the last nail in the coffin of their right to access. The forest dwellers were branded as encroachers in the forest. The Indian Forest is still treated as the fiefdom of the Forest Department officials. In a true democracy it is the right of the people to manage their livelihood resources through democratic institutions. In Indian brand of democracy that is completely denied. Here colonialism was not replaced by democracy but by 'development'. Under the scheme of 'development' resource predation for vested interests has been the order of the day. Since the enactment of the Forest Conservation Act of 1980 innumerable cases of arson, murder, destruction of houses, loot of belongings of the forest dwellers by the forest department have been registered, recorded and publicized but in vain. Over the years forests have been denuded indiscriminately by the nexus of the Forest Department, local administration, politicians and industrial houses to the utter suffering of the forest dependent people. It is the law of internal-colonialism that rules the forests, not democracy.

The reason of the failure of the Joint Forest Management lies exactly here. The denial of the Forest Department to democratize the forest management resulted in the alienation of the forest dwellers from the forest protection committees. Dr. Ajit Bannerji, considered to be the father of Joint Forest Management, rightly pointed out that the highly centralized and hierarchical nature of the Forest Department frustrated the effort of the few people in the Department to democratize the forest management through the JFM. The Forest Department reduced the fringe people in to insignificant minor partner. The FD took all the decision in respect of felling, allocation of funds for forest and rural developments, selection of species for afforestation, punishing and prosecuting the offenders. The only role that it assigned to the people was to protect the forest. This unequal sharing of power dampened the spirit of the Joint Forest Management. In his assessment he further under scored the fact that the FD continued to focus on timber production and plantation of such species that had little impact on the enhancement of livelihood of the people. The FD did nothing to satisfy the need of the people, such as, the firewood, fodder, small timer, and other Non Timber Forest Produces (NTFP), for home use and sale for enhancing the livelihood.

Reclaiming Democracy in Forest Management

Slowly but steadily the international community is realizing and recognizing the fact that the forest dependent people, especially the Adivasis, are the true protectors of the forests. If left to them they will ensure the regeneration of the forest for the benefit of not only themselves but also of the whole humankind. Democratization of the forest management is, therefore, urgently needed for two reasons. One, the rampant destruction of forest through out the world is leading to global warming and climate change, which are in turn posing a serious threat to the survival of our planet and life in it. Only under a democratic management where people play a dominant role the protection and regeneration is possible. Two, the forest dependent people are entitled to enjoy democracy which has long been denied to them. Democracy is necessary for the growth of a life with dignity. Democratic management of livelihood resources is a necessary pre-condition of it. The self-rule of the adivasis that the Bhuria Committee suggested was to ensure a minimum standard of life and livelihood of the people. Since forest is an important livelihood resource of the Adivasis its democratic management can only ensure a democratic life of the people.

Democratic management of forest can neither be achieved by JFM nor by Community Forest Management. Because neither of them recognize the ownership right of the forest dwelling people in forests. Both of them talk about the participation of the fringe people in forest management. Their remarkable silence about the role of the people living inside the forests implies that these people are to be ousted from the forest sooner or later. Both the forms of forest management do not consider any role of the forest dwelling people in the management of the reserve forests, national parks and sanctuaries, in other words the core areas of the forest.

It has been proved time and again that the forest dwellers never destroy forests or wild life. They live in a symbiotic relationship with them. Therefore, they can be the true and most efficient managers of the forest and wildlife. A successful management demands a democratic foundation. The withdrawal of the autocratic Forest Department from the forest management is, therefore, a necessary precondition of a democratic forest management. The Department should restrict itself to the role of the facilitator. It may perform the job of monitoring and account keeping. Let the people take the leading role and innovate ways and means in consultation with scientists, ecologists, environmentalists, botanists and so on for a sustainable forest management.

Four Pillars of Community Forest Governance

If the people receive the ownership and management rights of the forest and enjoy total control over it with no negative external interference the whole notion of the forest management radically changes from the JFM or even CFM to a qualitatively new one. We may call it the Community Forest Governance (CFG). Here people do not manage others property but govern their own. It is not the revival of the

traditional forest management of the Adivasis though it contains some basic ingredients of the same, such as ownership rights and decision making on the basis of consensus. It is actually the reconstruction of the old with new components in the new context. It implies a successful democratization of forest management.

The objective of the CFG is protection, regeneration and preservation of forest and animal kingdom for the people and the planet. Forests are to ensure livelihood of the forest dwellers and other forest dependent people, on the one hand, and to preserve and promote biological diversity, ecological balance and the environmental stability for the survival of the Mother Earth.

The corner stone of the CFG is the supreme decision making body of the village community, **the Gram Sabha, the village council**. The traditional village council can discharge the same responsibility provided it ensures the participation of women folk of the village as well as the descendents of the non-original settlers of the village. Both the Panchyati Raj Act and the PESA Act may come handy in establishing the legal authority of the Gram Sabha. It will formulate the basic principles of the forest management and will act as the final decision making body of all matters related to it. We may call it the first pillar of the CFG.

The second pillar of the CFG is the Forest Protection Committee. The power of the FPC will be delegated to by the Gram Sabha. Everything, subjected to the approval of the Gram Sabha, related to forest protection and usage will be dealt with by the FPC. Rights and responsibilities with regards to forests of the village will be clearly articulated and put to practice by the FPC. It will prepare a list of dos and don'ts in the matters of usage of forest produces, identification of the offenders and guarding the forest from external offensive forces. The FPC is supposed to prepare the Micro Plan for forest management in collaboration of the other pillars. This needs some research and survey work. The FPC may engage experts and seek assistance from research institutes for this purpose.

Forest and women

While civilization emerged by alienating itself from nature and turning it into only an object of exploitation, the tribal society remained largely a forest based society. For the tribal people in India forest has been the source of both life and livelihood. Traditionally the spiritual, cultural and economic life of the tribe is largely dependent on flora and fauna. The age old tradition of upholding the symbiotic relationship with the physical nature that the tribal people enjoy is embedded on certain values. The notion of 'mother earth' is at the center of this value system. Woman is the human extension of nature; both have the power to procreate. The related institutions empower women economically and culturally. Even today all customary laws despite their disintegration and degeneration uphold this basic spirit and provide women access and rights, albeit in varying degrees, to the communally owned natural resources including land and forest. Forest has always been a source of empowerment for women in tribal society. In the pre-patriarchal era woman enjoyed special status in society as the discoverer of agriculture and as the healer because of her intimacy with forest. In the patriarchal era too neither the state nor the tribal patriarchy could ever fully alienate her from the forest.

The third and most potent pillar is the Women's Cooperative of NTFP Collectors (*Gair Lakdi Vanotpad Sangrhakari Mahila Sahakarita Samiti or Vanashrit Mahila Sahakarita Samiti*). The Samiti will ensure value addition to the Non-Timber Forest Products collected by them and their sale at a larger market and at a higher price. The men of the village may help them in marketing and to some extent in collection. But it will be essentially a women oriented institution and totally controlled by them. The objective is to ensure food security through empowering of women. This will ensure gender justice in the other wise male dominated society. The samity will be the real bread earner of the village. The male dominated agriculture, being the other source of income at present suffering from lack of irrigation, fertility and investment. Samity will soon be in a position to help agriculture with capital investment.

The last but not the least is the **fourth pillar of Bal Akhra**. The objective of the institution of Bal Akhra (Children's Forum) is to ensure child's rights in forests. We follow the United Nation's definition of Child and Indian Child Rights Act to define Child. Accordingly every one below the age of 18 is a child. Bal Akhra addresses the school going children or children of that age group who may not be fortunate enough to receive formal education. Traditionally the children of the forest dwelling societies start learning about the forest and the wild life at a very early age from their foraging mothers and sisters. They learn how to live in symbiotic relationship with the flora and fauna. They learn about the birds and the bees, the natural relationship between male and female species. From them they imbibe a healthy and balanced notion of sex. They learn to respect the variegated creations of nature. They soon realize the importance of nature in the maintenance of the food security of the community. From the elders they learn that the nature is not just the source of their economic livelihood but also their spiritual life. Since in the forest based societies, especially among the Adivasis, children are also a part of the productive force this knowledge leads them to use the natural resources in a sustainable way. Unfortunately, the devastation of forest and consequent poaching of wildlife destroyed this knowledge system. A renewed access to this should be considered as the democratic right of the children of the forests. The right to grow in the lap of the Mother Earth should be considered to be their birth right. This includes their right to free access to forests, right to protect and regenerate forests, right to inherit the traditional knowledge of the community and above all right to inherit the forest itself to pass it on in turn to the next generation. Bal Akhra is to emerge as the children's own forum where they would take decisions about their own rights independent of their parents. They would raise demands about the restoration of their lost rights. They would even pressurize the government to fulfill their dream and desires regarding the forest. But all these must happen under the guidance of the village elders as was the tradition in the past.

The four pillars will necessarily act in unison to make the CFG functional. However, a functional CFG will give rise to a series of conflicts; between the community and the FD to begin with and between the community and the capital to end with. Success of the CFG depends largely on the determination of the people but importantly enough on the will of the state as well. The FD will not easily part with its power. Similarly, the industry will not stop the indiscriminate exploitation of the forest for its immediate profit. In between there will be scores of other enraged vested interests who would lose the unholy benefit that they reap today at the cost of both nature and

human. Isolated and scattered CFGs will be unable to confront such forces on their own. Formation of large number of CFGs and their unity with other democratic and trade union movements through out the country can only guarantee their survival through a common platform of struggle.