Disempowerment in the name of 'participatory' forestry? - Village forests joint management in Uttarakhand

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In the name of devolution, the Uttar Pradesh Forest Department is being empowered to reassert control over the only example of legally demarcated village forests managed by *Van Panchayats* (elected forest councils). The case of Pakhi *Van Panchayat* is presented to illustrate the concrete effects of the top-down planning and implementation of a 'participatory' forestry project. Set in the wider historical and cultural context, it indicates how big money in combination with the need for uniformity when implementing large projects reek havoc among the great diversity of existing local institutional arrangements. The poor, and the women, increasingly targeted as primary project beneficiaries, are often left further disempowered. If we are serious about achieving the stated goals of women's empowerment and poverty alleviation there are some important lessons to be learned. Is anyone interested?

The case of Pakhi *Van Panchayat*

Pakhi *Van Panchayat* was constituted in 1958 to manage a 240 hectare legally demarcated village forest for meeting the needs of Pakhi and Jalgwad villages. The village lies in Chamoli district from where the famous Chipko movement against commercial forest exploitation had begun in the early 1970s. The village women and men actively participated in the movement and successfully stopped commercial felling of their forests by forest department contractors. Today the village forest is in good condition and has mixed species dominated by oak and rhododendron, and a sprinkling of deodar (Himalayan cedar). Fuelwood, fodder, leaf litter for animal bedding and other non-timber forest products (NTFPs), rather than cash income, have been the primary benefits of the village forest. These have been critical for sustaining local agro-pastoral livelihoods. The area has limited male migration with only a few men having regular jobs. Besides wage work for road construction, some men find seasonal employment in Badrinath shrine, 60 kms away, during the summer months of pilgrimage.

Due to the women's involvement with *Chipko*, they have a strong and active *Mahila Mangal Dal* (women's welfare association). The *Mahila Mangal Dal* networks with women of neighbouring villages, interacts with several non-governmental organisations, participates in government sponsored camps for women, and is also a member of HIMVANTI, a multi-country federation of mountain women's organisations for the Hindukush Himalayan region. Although the elected forest council had 2 women members, they did not

participate actively in *Van Panchayat* meetings. Instead, the *Mahila Mangal Dal* as a whole influenced the VP council by the women's collective decisions.

This strong *Mahila Mangal Dal* had established effective control over management of the village forest as collection of fuelwood, fodder & water is almost exclusively women's work in the hills. Decisions about when to open the forest for grass, leaf and firewood collection, the rules for collection, the fines for violation, etc. were taken by the *Mahila Mangal Dal* and communicated to the *Van Panchayat Sarpanch* (president). His primary responsibility was to get these decisions publicly announced in the two villages. As no external funds were available, the women used to repair the forest boundary wall with voluntary labour. They also employed a poor woman as forest *chowkidar* (watchwoman). Her salary of Rs.300 per month was raised through voluntary contributions. Fines from those violating the protection rules were collected by the Mahila Mangal Dal and deposited in its own account.

The women's control over forest use decisions enables them to ensure that forest product collection does not conflict with periods of heavy agricultural work. Soon after harvesting the monsoon mandwa crop in October, they open the forest closest to the village for grass collection. The furthest forest area is opened in December when all agricultural work is finished and women can devote most of their time to stocking up firewood and grass before the snow falls. Cutting of bushes and pruning tree branches is done from April to May.

Although pleased with having appropriated control over the village forest, the women expressed resentment over the men leaving all the forest protection work to them. They had attempted to coax the men to assist with voluntary patrolling but the men had refused saying that only women need the forest. The women also reported that when outsiders come to the village, and there are many visitors due to the contacts established during Chipko, the men push the women forward for talking to them. However, when important village related decisions are made, the women are often kept in the dark.

Power shift with the introduction of 'participatory' village forests joint management (VFJM)

The women lose out

The women's lament about being kept in the dark about important village related decisions came starkly true with the introduction of VFJM under a World Bank funded forestry project in August 1999. The forestry project documents specifically emphasise the targeting of women and the



poor during participatory micro-planning. However, Pakhi's women were neither consulted nor their existing management system taken into account while deciding to introduce VFJM with the *Van Panchayat*. Neither the Forest Department-NGO spearhead team[2] (responsible for developing forest management microplans) nor the male village leaders provided the women much information about the rules governing VFJM. The men only told them that a budget of Rs. 20 *lakhs* (Rs.2 000 000)[3] was being approved for the *Van Panchayat* forest and that this would be very beneficial for the village.

The sudden offer of a generous budget for the village forest, however, led to a rapid gender based shift in power and control. The same men, about whom the women complained of leaving all forest protection work to the women, suddenly became over enthusiastic for it. 3 watch*men*, at salaries of Rs.1000 per month, were employed together with one watchwoman for forest protection. After 3 months of working without a salary, the *Sarpanch* offered to pay the watchwoman Rs.200 per month. Knowing that the men were being paid Rs.1000 per month, she refused to accept such a payment. After a lot of arguing, she was finally paid Rs.700 for the previous month's work and then laid off on the grounds that it was difficult for a woman to protect the far ends of a large forest. Initially, the men even monopolized wage work in the project financed nursery. Only after strong protests by the women were some women also employed.

When no funds were available for the village forest, women were left to take care of it with voluntary labour. As soon as money came in, the women were labelled ineffective for undertaking the task. At the time of this study in December 1999, the women were still being permitted to frame rules of use in accordance with their needs as no plantation had yet been established. Following closure after plantation, they may have lost control even over such decisions[4].

Men are also losers

The men too, however, were not outright winners in the subtle shifts in the balance of power and control within the village. The *Van Panchayat* council and *Sarpanch* had experienced a similar loss in local decision making control to the Forest Department. Maintenance of the muster roll for wage work and preparation of the monthly progress report is now done by the guard or forester instead of the *Sarpanch* as had been the case earlier. According to the *Sarpanch*, VFJM had reduced the villagers' role from being responsible for forest management to providing information for preparation of the microplan and working as paid labour for forestry operations. The villagers can no longer do anything on their own without prior approval of the forest staff. Neither the men nor the women were clear about the new VFJM rules or the legal agreement they were supposed to have signed accepting superior authority of the Forest Department over their village forest. There was no copy of the agreement in the VP records and the *Sarpanch* did not have a copy of the microplan with him. He said that years of experience had made him familiar with the rules governing *Van Panchayats*. But he knew little about the VFJM rules which had superseded the VP rules.

In the words of one of the worried women when these issues were probed by the researcher, *"In their lure for money, the men have made a deal over our village forest with the Forest Department."*

Forest category distribution

Category	Jurisdiction	Area (Ha.)	% of total forest area
Reserved Forest	Forest Department	2,375,571	68.92
Civil and Soyam[6] Forests	Revenue Department/ Gram Sabha	578,550	16.78
(Van) Panchayat Forests	Van Panchayats/ Revenue Department	469,326	13.63
Private, Cantonment and others	Miscellaneous	23,262	00.67
Total		**3,446,655**	**100.00**

(Source: Jena, N.S., et al, 1997 Panchayati vano mein vyavsayaik paudharopan, in Parvatiya Vikas: 1(iv), CDS, Nainital.)

Discussion

The above case of Pakhi *Van Panchayat* is one of sixteen case studies carried out in Uttarakhand as part of CIFOR research to analyse the impact of devolution policies (in this case of VFJM) on increasing local control over forest management decisions, enhancing livelihoods and improving forest quality. Special attention was given to analysing impacts on the poorest forest dependent women and men within communities. The findings raise several issues concerning the gap between the stated objectives of donors/government agencies and actual policy outcomes. Let us look at how VFJM aiming to promote villagers' 'participation' in forest management - especially of women and the poorest - ends up leaving them far more disempowered than before. To do so, it is important to understand the present and historical context of Uttarakhand.

The context for forest management in Uttarakhand - Diversity of community institutions

Uttarakhand[5], the hill region of Uttar Pradesh, has an agro-pastoral economy that is still predominantly subsistence based. About 50% of rural households, including the rural elite, have a high dependence on village commons and forest lands. Land distribution is relatively equal with rare cases of land holdings of over 2 hectares, and landlessness is low. Because many men out-migrate in search of employment the women are in effect the managers of the rural subsistence economy. About 40% of households are estimated to be headed by women.

Whereas only 12.5% of Uttarakhand's geographical area is private cultivable land, 67% of it is legally classified as 'forests'. The table above indicates the present distribution of this land under different legal categories of forests.

The region has an impressive array of community forest management systems, both informal as well as officially constituted. Unofficial community management, with diverse institutional arrangements on all legal categories of forest lands, has co-exi th formally constituted *Van Panchayats*, and in fact predates them. Democratic and autonomous community management of legally demarcated *village forests* (on Forest & Revenue Department land) by elected forest councils, *Van Panchayats* (VPs), has existed in Uttarakhand for over 7 decades.

The historical context

Prior to British conquest in 1815, the hill peasantry effectively exercised direct control over the use and management of cultivated lands and uncultivated commons, with little interference from their rulers. Resident communities regulated use within customary village boundaries, which defined communal property rights, by evolving their own rules rooted in cultural norms and traditions. Agriculture and animal husbandry comprised inseparable components of hill farming systems dependent on spatially and temporally integrated use of cultivated and uncultivated lands. Seasonal transhumance to alpine pastures and grasslands ensured lowland pasture regeneration. High dependence on the forests generated conservation values embedded in cultural and religious traditions, such as the maintenance of sacred groves. Traditional (male) village *panchayats* dealt with community affairs and inter- and intra-village disputes.

A number of interventions during colonial rule permanently altered this landscape of integrated local resource use and management with progressive transfer of ownership and control from villages to the state. Among other things, this trend has been characterised by:

- dilution of customary resource boundaries defining communal property rights;
- state enclosure of common property as reserve and protected forests;
- fragmentation of holistic resource management into individual rights/ concessions;
- conversion of common property resources into open access; and
- progressive reduction of villagers' access to critical livelihood resources.

Reservation of forests under colonial rule was met with stiff resistance by the peasantry who set the commercially valuable pine forests on fire in protest. To contain the

unrest, the colonial government was compelled to withdraw the forest department from over 50% of the new reserves, restore people's rights in these areas (while simultaneously converting them into open access) and create legal space for community based forest management through the institution of *Van Panchayats*.

After Independence, however, this centralisation trend continued as the state concentrated on commercial forest exploitation with even greater vigour. The Forest Department continued to gain still more control over forest resources. Local livelihoods received even less attention than under colonial rule, as state policy consistently favored export of raw timber and resin for processing by large industry in the plains. By the 1970s, the *Chipko* Movement had emerged to demand that priority be given to local needs and employment in the extraction and processing of forest produce. Increasing incidents of landslides and floods and declining availability of biomass for subsistence needs propelled even hill women into the movement. The issue of local forest rights, however, was soon subsumed within the new national and global ideology of environmental conservation. Instead of priority to local forest based livelihoods and employment, Chipko was used to justify a spate of fresh centralizing environmental policies and laws.

As the largest custodian of state property the Forest Department had been unable to maintain the forests in good condition or meet people's forest-based livelihood needs. Its responsibility for enforcing the Forest Conservation and Wildlife Protection Acts had reinforced its image as an anti-people agency. Thus, in 1988-89, some of the Chipko activists started yet another, relatively less known *Ped Kato Andolan* (cut trees movement) in protest against the Forest Conservation Act. They felt that it was being used to hold up basic development schemes for the hill villages while the builders' mafia continued to flout it brazenly under the guise of promoting tourism. More recently, resource displacement and loss of livelihoods caused by expansion of the protected area network to twenty percent of Uttarakhand's geographical area has produced the *Jhapto Cheeno Andolan* (snatch and grab movement) reflecting the intense local feelings of alienation and disempowerment. Women who earned international fame for stopping contractors from felling their forests during *Chipko* have come to hate the word *paryavaran* (environment). As one of these women from Reni village complained "*They have put this entire [surrounding forest] area under the Nanda Devi National Park. I can't even pick herbs to treat a stomach ache any more.*"[7]

Van Panchayats - a unique space for local forest management

The institution of Van Panchayats was created in response to protests against forest reservation through notification of the Kumaon *Panchayat* Forest Rules in 1931. Although it has undergone several changes since, it remains a unique example of community based forest management in India possible under section 28 of the Indian Forest Act, 1927. These forests are demarcated as village forests under the Act and are entered in the land records in the *panchayat's* name[8]. The original framework provided by the 1931 Rules is summarized in the box below.

According to recent Forest Department estimates, there are 6,069 *Van Panchayats* managing 405,426 hectares of forests (13.63% of total forest area) in Uttarakhand. Various studies have shown that although the effectiveness of *Van Panchayats* varied from village to village, the condition of panchayat forests has been generally as good or better than that of Reserve Forests, particularly those near habitations.

The early *Van Panchayats* enjoyed considerable autonomy in decision-making and control over the forest. They balanced the maintenance of ecological services such as soil fertility and water source protection with grazing, collecting and other forest uses necessary to support local livelihoods. High stakes in the forest and strong bonds of trust among villagers allowed many of the *Van Panchayats* to remain successful for many years. Many have displayed remarkable resilience and adaptation to changing internal and external environments.

However, the total number of *Van*

The Kumaon Panchayat Forest Rules, GOUP 1931[9]

Any 2 or more right holding residents of a village could apply to the Deputy Commissioner (DC) to demarcate a specified forest area within the village's sal assi[10] boundary as a village forest. After dealing with any claims or objections, the DC called a meeting of the residents and other right holders for electing 3 to 9 panches for managing the village forest. The *panches* selected a *sarpanch* from among themselves.

The elected representatives signed an agreement that the village forest land would not be sold or partitioned[11] and that "The produce of the panchayat forest shall be utilized by the panchayat to the best advantage of the village community and of the right-holders". The panchayat had the status of a forest officer with the powers to fine or prosecute offenders and "To sell forest produce[12], including slates and stones without detriment to the forest, and to issue permits and charge fees for grazing or cutting grass or collecting fuel". Resin from Chir (Pine) trees was the only product that could not be extracted or sold without the permission of the Forest Department and resin income had to be shared with the department where extraction was done by the latter.

The *Van Panchayat* had full control over use and income from village forests and all dues payable to it were deemed as dues payable to the government, recoverable as arrears of land revenue.

The only role assigned to forest officers was to inspect the *panchayat* forests or their records, and report on their functioning or the condition of their forests, if requested to do so by the Deputy Commissioner.

Panchayats remained low for many decades, partly due to the weak capacity in many villages to negotiate the bureaucratic procedures for getting a *Van Panchayat* constituted. Also people saw little advantage in getting village forests notified as they continued to assert customary authority over their commons on the strength of the traditional *sal assi* boundaries. Such community forest management continues to be widespread and is growing outside any formal legal framework on all categories of legal forest lands. This is particularly so in villages away from major roads where the commons are still central for sustaining the local subsistence economy. Traditional *Lath Panchayats*, informal *Van Samitis* and more recently, increasing numbers of *Mahila Mangal Dals* are regenerating and regulating use of reserve and civil/*soyam* forest lands, often compelling unofficial cooperation by Forest and Revenue Department staff.

The erosion of *Van Panchayat* authority from the early 1960s

The centralizing policies and administrative changes mentioned earlier have weakened the *Van Panchayats*' abilities to manage forests for the benefit of their people. The revision of the 1931 Rules in 1976 drastically curtailed panchayat autonomy, authority and entitlements. The area eligible for *Van Panchayats* was drastically reduced through the redrawing of village boundaries. The *Van Panchayats*' entitlement to income from their forests was reduced to only 40 percent. Even this could be used only after obtaining permission from a distant Deputy Commissioner or Sub-Divisional Magistrate. Villagers continued to depend on adjoining forest areas, but they were no longer permitted to manage them.

Simultaneously, excessive powers and responsibilities were concentrated in the *Sarpanch* which has not only weakened the *Van Panchayats*' strong tradition of collective decision making but also reduced transparency and accountability. Excessive responsibilities thrust on the *Sarpanch* as an individual have also become a major disincentive for taking up *Van Panchayat* leadership.

The Forest Conservation Act, the felling ban, monopoly control of the Forest Corporation on resin and even salvage timber from village forests, and controls over NTFP marketing have drastically reduced local livelihood and employment benefits from both village and other categories of forests. Reduced bureaucratic support and accountability has resulted in a plethora of unattended boundary disputes in the absence of effective and accessible dispute resolution mechanisms. The problem of inter-village inequity in the availability of village forest areas remains unattended.

Van Panchayats have survived these multiple obstacles and challenges to their authority in many villages, albeit in a weakened state. Now they face a new threat from the introduction of VFJM. The practical effect of VFJM has been to transfer even more authority to the state at the expense of forest dependent villagers. Will VFJM be the final straw bringing about the demise of these relatively democratic and self-governing forest management institutions?

Why is village forest joint management (VFJM) so problematic?

In the name of promoting 'people's participation', *village* forests joint management being introduced in Uttarakhand is creating space for the Forest Department to intrude on the only existing example of reasonably autonomous legal space for community forest management in

