



# Inserting Politics and History in Conservation

NITIN D. RAI\* ‡ AND KAMALJIT S. BAWA\* † §

\*Ashoka Trust for Research in Ecology and the Environment, Bangalore 560064, India

†University of Massachusetts, Boston, MA 02125, U.S.A.

“On 2 October 2012, birthday of the Mahatma (Gandhi), Sargun Masomait, a 35-year-old tribal woman . . . began marching toward New Delhi from Gwalior. She was part of a group of 40,000 people – tribals, Dalits, nomads, nowhere people with no land of their own, the wretched of the Indian earth, out to claim their dignity; or to reclaim it” (Pandey 2012). The March of the Landless led to the signing of the Agra declaration between the marchers and the central government which included the demand for the “effective implementation of the Forest Rights Act (FRA)” (Jansatyagraha 2012). We recount this event from among many recent ones to emphasize the political and democratic support for rights-based legislation such as the FRA.

Krishnadas et al. (2013) question the basis of the FRA and the conservation implications of sociopolitical and rights-based legislation. They criticize us (Bawa et al. 2011) for things we did not say, while crediting us with statements we did not make. We, therefore, repeat our major thesis: “we do not assume that rights-based approaches will mitigate loss of biological diversity, but suggest that efforts based on local knowledge, institutions, and practices will empower local communities to better manage biological diversity.” Krishnadas et al. misinterpret our central argument that the Forest Rights Act (FRA) although not a panacea, helps local stakeholders shake off the legacy of centralized state control of their lives and helps build local institutions that now barely exist. Here, we address 5 of their main arguments.

## Local Institutions

Krishnadas et al. claim that even though there is a “lack of local institutional mechanisms to reconcile the Recognition of Forest Rights Act (RFRA) with social needs and conservation,” we “paradoxically recommend im-

mediate implementation of RFRA.” They have not only misread our arguments but have also not adequately comprehended the institutional landscape and the social context within which conservation occurs in India. Natural resource managers have, for a long time, circulated the claim that local institutions are not fully developed and used this as an excuse for the denial of rights (Ribot 2004). That this position is still being advocated in the years following Elinor Ostrom’s Nobel Prize for common-property research is surprising and suggests an inadequate understanding of the literature on common property and political ecology (Agrawal & Ostrom 2006). Following Ribot (2004), we contend that the state cannot afford to wait for a demonstration of local capacity and institutional structures to give rights to indigenous communities.

Krishnadas et al. have also misread the literature on decentralization. For instance, Agrawal and Ostrom (2001) do not suggest that decentralization without appropriate institutions results in exploitation. On the contrary, they emphasize that not only is active participation a prerequisite for decentralization but more importantly that local users be given property rights so that they might transform into “claimants and proprietors to achieve effective decentralization” (Agrawal & Ostrom 2001). Similarly confused is Krishnadas et al.’s reading of Berkes (2004), who argues for decentralized institutions while saying that most tropical countries have weak institutions at all levels and that it is necessary to “distribute authority across multiple institutions, rather than concentrating it in just one” (see reference Barrett et al. (2001) quoted in Berkes (2004)). This is precisely what the FRA is designed to do. Thus, scholars who have studied the commons agree that irrespective of the current institutional structure decentralization is a necessity for conservation and management of resources.

‡We dedicate this response to Navjot S. Sodbi, our coauthor on the original paper, whose untimely death has been a loss to us and to conservation efforts worldwide.

§email [kamal.bawa@umb.edu](mailto:kamal.bawa@umb.edu)

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## Coercive Conservation and Monitoring of Biological diversity

Krishnadas et al. suggest that “conservation should be of equal priority in the evaluation of the act” because “communities may not consider the conservation of non-resource biodiversity.” That the authors are asking for the FRA to serve conservation outcomes ignores the history of oppressive state policy that has debilitated tribal communities. The authors’ suggestion that the FRA be “recast . . . in concordance with conservation laws and needs” ignores political struggles that have been and are being waged by forest dwellers across the country (Baviskar 2001; Jewitt 2008). That there are continued calls for rescinding and recasting rights-based laws is a cause for concern. The issue is not conservation alone but also socially just governance of protected areas. Krishnadas et al. take a position that is morally untenable, apolitical, and ahistoric.

Krishnadas et al. say that the FRA provides communities a stake in forests through land privatization. This is a misinterpretation of the FRA. Section 4.4 of the FRA says that rights to land “shall be heritable but not alienable or transferable” (Ministry of Tribal Affairs 2007). Privatization is the ability to transfer for profit any property or asset. The claim that FRA promotes land privatization is false, and Krishnadas et al. are perpetuating canards that have been around since the FRA was first announced in 2005.

We might today, following Li (2010), argue that forest policy that gives only rights, but not ownership, to land and forest produce makes people solely dependent on produce and prevents them from participating in the local economy because they are unable to sell land or treat it as an asset. The FRA, we suggest, does not go far enough. Dependence on forest products keeps people in poverty, whereas alienable titles to land help alleviate poverty. Li (2010) argues, and we concur, that rights to land should be alienable to make forest dwellers full members of society and able to participate in the microeconomics of local regions.

## Sustenance and Markets

Krishnadas et al. claim that the definition of sustenance has been changed by the Indian government so that it “allows use of forest resources to be governed by market forces.” The actual sentence from the official document that they cite says, “sustenance includes fulfillment of livelihood needs of self and family, including the sale of any produce.” The sale of forest produce (i.e., nontimber forest products [NTFPs] excluding hunted animals) for sustenance of local forest-dwelling households is a necessity in the stifling poverty of the rural landscape,

especially for people who have little or no access to land and state schemes as a result of a century and a half of state policy that has marginalized them (Guha & Gadgil 1989). To suggest, as the authors do, that the sale of NTFP for subsistence is governed by market forces is to ignore the role of NTFP as a risk-averting strategy (Shackleton et al. 2011). The argument that the sale of NTFPs by households is market oriented is therefore deceptive.

## Sustainability Thresholds and Community Forests

Krishnadas et al. say we “do not discuss the conservation responsibilities of communities or highlight that sustainability thresholds remain largely unstudied in India.” Continuing in this vein they contend that “community forests appear to protect fewer species, especially habitat specialists, and fewer endangered and endemic species.” The call for harvest thresholds, conservation measures, and indicators of success resonates with calls seeking to tighten control of forests by authorities; such calls have been made since the days of Thomas Malthus and have been countered by recent work on collective action and decentralization (Larson & Soto 2008). In the absence of land-tenure and management rights over forests, we wonder how local communities can be held responsible for conserving forests. There is, however, an increasing number of examples of communities conserving forests and even designating entire landscapes as conservation areas (Kothari et al. 2012). It is true that “sustainability thresholds,” whatever that means, are not known for many extracted species, but recent evidence suggests that collection of NTFPs is not as degrading as previously believed (Ticktin et al. 2012) and that tigers and people can coexist at fine scales (Carter et al. 2012).

The authors’ claim that community forests have less diversity than state-controlled protected areas is a red herring and hides numerous and nuanced arguments around forest commons and state protection. In a recent analysis of the benefits of carbon storage from forest commons, Chhatre and Agrawal (2009) conclude that benefits are secured “if communities gain greater rights locally to make rules about how to govern forests’ and that transfer of land ownership of forest commons likely advances carbon storage benefits because local communities have the incentive to defer present livelihood benefits.” Somanathan et al. (2009) conclude that “forests in the Indian central Himalayas have been conserved at least as well and possibly better under decentralized management and at much lower cost” than state forests. A recent meta-analysis of more than 30 pairwise comparisons of community forests and protected areas showed that the former had lower and less variable rates of deforestation than protected areas (Porter-Bolland et al. 2012). These studies belie the simplistic assumptions behind the prevalence of state-protected forests in conservation approaches to

the exclusion of everything else. We echo Persha et al. (2010) who claim that “although strict protected areas are effective tools for biological diversity conservation, a singular focus on them risks ignoring other resource governance approaches that can fruitfully complement existing conservation regimes.” The FRA allows for just such a diversity of governance regimes.

## Land Sparing versus Land Sharing

Citing a paper on land sparing (Phalan et al. 2011), Krishnadas et al. argue that successful conservation needs a combination of no-use and multiple-use areas. Land-use sparing arguments ignore social and ecological realities (Fischer et al. 2011) and assume that states can deny rights of people over their lands and relocate people. This was the basis of colonial and successive state policy in India, which expropriated forest land for state-enforced protection, for timber extraction in the past and biological diversity conservation today. The FRA is intended to redress these outcomes. It is time to rethink, revise, and reject the modern idea that people and wildlife have to be isolated and managed separately, scientifically, and by expert knowledge alone.

Although we agree that studies on the effects of the FRA are needed and are being initiated across the country by a variety of agencies, sympathetic as well as antagonistic to the FRA, we argue for the immediate implementation of the FRA, despite the uncertainties surrounding ecological outcomes, largely because of the sense of alienation among local communities that past forest policy has produced.

Krishnadas et al. say that the “the RFRA will indubitably affect wildlife and ecosystem functioning and change land-use governance in Indian forests.” We certainly think so too and believe that the FRA will change conservation for the better because the current state of India’s wildlife conservation is in shambles and the incorporation of local knowledge, rights, and institutions into conservation practice may deliver forests and wildlife, and people and livelihoods out of the conflict-ridden situations that they find themselves in today.

To inspire a rethinking of conservation in India, we conclude with a quote from one of India’s leading writers, Amitav Ghosh (2008), who in his appeal to conservationists says “. . . the limitation of the sciences in relation to the natural world is that they cannot address its single most important determinant, which is human action and subjectivity. These last are properly and necessarily the domain of politics. But the limitation of political action, in turn, is that it cannot generate the imaginative resources that are necessary to a re-thinking of the human relationship with nature. And yet, the truth is that new policies will be impossible without such a re-thinking.”

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