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Introduction

Unraveling the Tangle State-Society Negotiations over Natural Resources in Himachal Pradesh

Mark Baker and Vasant Saberwal

In the months preceding the national elections in 1999 after a series of public demonstrations and rallies, residents of villages adjacent to the Great Himalaya National Park in District Kullu, Himachal Pradesh were allowed back into the Park to graze their herds of sheep and goats and collect valuable medicinal plants. This occurred despite the staunch opposition of Park authorities who believe these activities threaten the Park's biodiversity. Earlier that year the Park had been "notified," meaning that all human activities within the Park's boundaries were prohibited, as required by the Indian Wildlife (Protection) Act. Recognizing the long standing traditions of natural resource use within the park, the notification included provisions for "settling" or "acquiring" traditional rights. Households whose ancestors' names appeared in Anderson's late nineteenth century colonial land settlement were eligible for monetary compensation in exchange for their land and resource use rights as described in the settlement papers. Customary rights holders whose names were not on Anderson's registers were not eligible for such compensation. A variety of ostensibly participatory "ecodevelopment" projects, funded in part by the World Bank, were implemented to soften the effects of prohibiting human activity within the Park. Dissatisfaction with the scope and depth of compensation, perhaps fanned by local opposition party leaders, lead local communities to press their elected representatives to re-open the Park. This was accomplished in late 1999 and every summer since. Meanwhile, a 10 sq. km section of the Park was "de-notified" in 1999 to facilitate the construction of a run-of-the-river hydroelectric facility, despite the fact that the de-notified area had been identified as ideal habitat for the Western Tragopan – a pheasant species with only two protected populations worldwide, one of which resides within the Park. Ironically, the presence of the Western Tragopan in this area was a key element in the initial creation of the Park in 1984.

This issue of *Himalayan Research Bulletin* examines the dynamic interplay between the processes of state formation, the contested as well as collaborative relationships between different state entities and local groups, and the relations within local communities that are based simultaneously on both commonality and difference. These themes are explored with respect to their implications for effective environmental conservation, equity and peoples' involvement in resource management in the western Himalayan state of Himachal Pradesh. The preceding vignette illustrates some of the tensions among competing discourses of capital-intensive forms of economic development (hydroelectric power development with its concomitant social and ecological ramifications), environmental conservation and participatory forms of "ecodevelopment." These tensions, especially the centrifugal pulls of centralizing state authority and decentralized forest management programs, figure prominently in several of the articles in this issue. Electoral politics, the intergovernmental *conflicts* and departmental *rivalries* associated with a differentiated state regime, and in some cases strategic *alliances* between local interest groups and governmental entities, frame the negotiations of these tensions and competing interests.

History figures prominently throughout this issue. The pivotal role of Anderson's settlement in defining who are "legitimate" rights-holders in the eyes of the state illustrates the contemporary importance of the colonial settlement of forest and other rights. In many ways such historical relationships structure the field within which contemporary actors engage with each other and resource issues play themselves out. In particular, the papers in this issue focus attention on the processes of territorialization linked with state formation during the colonial

period. Associated with the expansion of state power, through the assertion and defense of territorial claims, were fine-grained efforts to codify rights to forest, grass and water resources. These codification efforts allocated rights between and among village communities and the colonial administration. In quite specific ways, these early attempts at codification structure the contemporary negotiation of local rights of resource access and use relative to state property rights claims to those same resources.

This codification of property rights during the colonial period also established a framework for defining the nature of the village “community,” as determined by the distribution of rights of resource access and use across social groups differentiated by caste, class, or gender. The resulting property rights framework has been embellished, strengthened, challenged and modified through subsequent programs, such as the collaborative forest management initiatives in Himachal Pradesh, the development of vital *mahila mandals* (village-level women’s organizations) throughout much of the state, and national legislation requiring greater gender balance at the *panchayat* level. Several of the articles in this issue focus on the dynamic interplay between the state and civil society as mediated by village level institutions, such as *mahila mandals*, and negotiated through various types of co-management efforts including the cooperative forest management societies of Kangra and state-wide joint forest management programs.

Although we did not provide authors an overarching thematic framework, the papers do organize themselves around the themes described above. Walter Coward’s overview of economic development in the Kullu Valley over the past three decades serves as a background paper that intersects with a number of other papers in the volume. It provides a useful context for understanding processes of regional transformation, particularly the interactive relationships among agriculture, horticulture, forest management, market access and other drivers of regional economic change such as tourism development in Kullu Valley. Ashwini Chhatre and Mark Baker provide detailed historical accounts of the recording of rights to forest and water resources, respectively. Chhatre analyzes the relationship between colonial state formation and territorialization on the one hand, and interdepartmental rivalries and local resistance on the other. Both Chhatre and Baker show how the codification process is contested within the government as well as within affected communities, and their papers critically highlight the divergent interests of both government and communities. The codification of rights by the government, over a hundred years ago, continue to form the basis for both contestation and resolution of conflicts over access to water and forest resources.

The succeeding articles then use different lenses to explore the implications of the recently launched program of Joint Forest Management (JFM). Sudha Vasan suggests that the Forest Department’s current attempt to devolve power to local communities, is merely the latest in a series of such attempts, and that these schemes could be more effective if they were to learn from the rich historical legacy of earlier community forestry institutions and practices. Oliver Springate-Baginski takes a more fine-grained look at one of these earlier community forestry efforts, the Cooperative Forest Societies that were formed during the 1940s in Kangra District and continue to function today. Springate-Baginski analyzes the history and evolution of this early attempt at collaborative forest management and seeks lessons that might inform the current JFM program. Kristin Bingeman demonstrates that even as JFM seeks to involve local communities in forest management, it may undermine existing institutions already involved with forest conservation, in this case the *mahila mandals* of the upper Kullu Valley.

Two authors have a particularly fine-grained focus, as they examine the work of women and grassroots leaders and activists. Kim Berry’s analysis of *mahila mandals* in the relatively inaccessible Changar region of Kangra demonstrates that by collective action women in public spaces can both contest and conserve social hierarchies. Through collective action to demand public goods and services, e.g. bridges, schools, and safe and reliable water supplies, *mahila mandal* members may contest restrictive norms while simultaneously, or in other contexts, reproducing caste, class and kin-based hierarchies amongst themselves. Karen Gaul takes an equally close look at the intersection of government-sponsored forest management schemes, strategically-minded local village leaders, and the emerging network of grassroots environmental activists in Chamba District and across the state. In examining the relationship between civil society and government institutions, Gaul focuses on the strategic decisions people and their organizations (NGO’s) make with regards to how and why they choose to participate in government reforestation programs.

Stepping back from these tightly focused studies, Vasant Saberwal and Ashwini Chhatre explore the intertwining of electoral politics, conservation policies and development practice, set within the context of the recent settlement of rights within the Great Himalayan National Park (GHNP), in the Kullu Valley. As indicated in the above vignette, their paper highlights many of the key themes that run through this issue. Lastly, Badrish Mehra and P. K. Mathur show that grazing does not necessarily constitute a problem vis-à-vis biodiversity in the GHNP, particularly when examined at the level of the overall landscape. They argue that under some conditions both grazing and people within the GHNP may play important roles in preserving the very biodiversity the park was established to protect.

The thematic cohesiveness of the papers in this issue, and the restriction of their geographical scope to Kangra, Kullu and Chamba Districts, inevitably results in the omission of other important themes and places. Kangra, Kullu and Chamba are contiguous districts. They are essentially encircled by the remainder of the state - Shimla, Kinnaur, the cold high altitude deserts of Lahaul and Spiti; Nahan in the east to Nurpur in the south west make up the surrounding low-country. Making reference to these geographic absentees, as it were, is important – particularly in noting the absence of representation from regions that are poorer than Kullu and Kangra, farther from the centre of state power, and in general, recipients of less development assistance. While basic amenities have been provided more or less across the state, state subsidies to the two big money-spinners in the past couple of decades — tourism and horticulture — have almost exclusively benefited the higher reaches of the state, in particular the Kullu Valley and parts of Shimla district. There is an obvious need to expand the current research focus, to better reflect the diversity of conditions – ecological, political and economic – that characterize the state as a whole.

There also remain numerous themes that have not been addressed in this collection. The bulk of the research presented here relates to issues of natural resources - unsurprising, perhaps, in light of an overwhelmingly rural-based population. But even here, there are critical questions to be asked regarding the nature of agricultural change taking place in the region, particularly relating to the impact of WTO agreements on local marketing abilities. Amongst the biggest transformations in the offing, is the proposed construction of hydel-projects across most streams in the state – 300 such projects are on the anvil at last count. While many of these efforts are projected as eco-friendly owing to their status as run-of-the-river projects, the absence of any real environmental evaluation or public debate about the social, environmental, and economic costs is cause for concern. And finally, while one of the pieces in this volume takes a look at the consequences of unplanned urban development in the town of Manali, it is a widespread phenomenon, with potentially damaging pressures on various public services. As with other parts of the country, processes of urbanization require a better understanding.

While this volume is by no means a statement on the “state of the art” with regards to research in the natural and social sciences in Himachal today, it is probably a fair representation of the geographic and thematic concerns of local residents and those that have most excited scholars in recent years. This volume then, calls attention both to the kinds of issues being researched in the state, as well as the many geographic and thematic gaps that remain.