

**CONFLICTS OVER NATURAL RESOURCES:  
PEOPLE'S MOVEMENTS AND RECLAIMING  
THE COMMONS**

Dissertation submitted to the Jawaharlal Nehru University in  
partial fulfillment of the requirements for the  
award of the degree of

**MASTER OF PHILOSOPHY**

**SATYANARAYAN JENA**



**CENTRE FOR POLITICAL STUDIES  
SCHOOL OF SOCIAL SCIENCES  
JAWAHARLAL NEHRU UNIVERSITY  
NEW DELHI -110067  
INDIA  
2003**



CENTRE FOR POLITICAL STUDIES  
SCHOOL OF SOCIAL SCIENCES

Dated : 31<sup>st</sup> July, 2008

## CERTIFICATE

This is to certify that the dissertation entitled, **Conflicts Over Natural Resources: People's Movements and Reclaiming the Commons** submitted by **Satyanarayan Jena** in partial fulfillment of the requirement for the award of the degree of **Master of Philosophy**, is his own work, and has not been previously submitted for the award of any other degree of this or any other university.

We, therefore, recommend that this dissertation may be placed before the examiners for evaluation.

**PROF. ZOYA HASAN**  
(Chairperson)

**CHAIRPERSON**  
Centre for Political Studies  
School of Social Sciences  
Jawaharlal Nehru University  
New Delhi-110067

**PROF. KULDEEP MATHUR**  
(Supervisor)

*IN THE MEMORY OF*

*My*

*SAANTA & MAA*

# CONTENTS

	<b>Page No.</b>
<b>Acknowledgement</b>	
<b>Abbreviation</b>	
<b>Introduction</b>	<b>1-7</b>
Chapter I <b>Understanding Natural Resource Conflicts: Issues in Development, Environment and Globalization.</b>	<b>8-22</b>
Chapter-II <b>Vesting Property Rights: From Open-Access To Common Property.</b>	<b>23-43</b>
Chapter-III <b>Common Property Resources in India and the Third World: Some Significant Issues</b>	<b>44-57</b>
Chapter-IV <b>People's Movements and Reclaiming the Commons: A Brief Account from India.</b>	<b>58-74</b>
<b>Conclusion</b>	<b>75-80</b>
<b>Bibliography</b>	<b>81-89</b>

# ACKNOWLEDGEMENT

*This academic endeavour of mine would not have been possible without the help of a number of people, who with their kind co-operation, active supervision and steadfast support have made this research work a reality.*

*I am extremely grateful to my esteemed supervisor Prof. KULDEEP MATHUR whose able guidance, intellectual ingenuity and avid suggestion helped me in completing this academic exercise. I express my deep gratitude to Prof. Manoranjan Mohanty for his invaluable suggestions.*

*I am thankful to Ms. Bridget of South Asia Foundation, Documentation and Information Centre, New Delhi for her kind help in the required literature. Also the staffs of JNU library, JNU Exim Bank Economics Library, CSE Library, Nehru Memorial Museum and Library, and Navadanya Library have rendered their active co-operation in the collection of relevant information.*

*I am highly indebted to Bibhu Bhai and Manoj Bhai for their timely help without which the work would have been poorly presented. I am appreciative of the help and guidance offered by Madhu Apa, Nihar Bhai, Raju Bhai. And Byasa Bhai.*

*My friends Raja, Tapan, Sashi, Soumendra (Chagu), Rennée, Nizni, Priyanka and Prajana have been constant source of moral support and immense encouragement throughout this exercise. I am also thankful to Mrinal, Bikash, Aswini and Kannan for their love and co-operation.*

*I would like to mention my gratitude to my friend Jyoti for her inspiration and appreciation throughout the work. Without her support this work would not have taken the present shape.*

*My parents and brother (Raju Bhai), My Mausea-Mausi, Nana and Mamee dei, Aja-Aae, Jitu dada and Mausumee Khudee have given me all kinds of support during the course of my work.*

*Having been privileged in receiving such love and support, I own responsibility for all the errors or omission that might have crept in the work.*

*New Delhi*

*Date: 31/07/2002*

**SATYANARAYANA JENA.**

## ABBREVIATIONS

<b>CBA</b>	:	Chilika Bachao Andolan
<b>CMM</b>	:	Chilika Matsyajibee Mahasangha
<b>CPR</b>	:	Common Property Right/Regime
<b>CPRs</b>	:	Common Property Resources
<b>FDI</b>	:	Foreign Direct Investment
<b>MNCs</b>	:	Multi National Corporations
<b>NABM</b>	:	National Alliance of People's Movement
<b>NBA</b>	:	Narmada Bachao Andolan
<b>NFU</b>	:	National Fishermen's Union
<b>NRM</b>	:	Natural Resource Management
<b>ODA</b>	:	Official Development Assistance
<b>SSP</b>	:	Sardar Sarovar Project
<b>UAIL</b>	:	Utkal Alumina International Ltd.
<b>UNCED</b>	:	United Nations Conference on Environment and Development
<b>UNDP</b>	:	United Nations Development Programme
<b>UNEP</b>	:	United Nations Environment Programme
<b>USV</b>	:	Uttarakhand Sangharsh Vahini
<b>WCED</b>	:	World Commission on Environment and Development
<b>WSSD</b>	:	World Summit on Sustainable Development

## INTRODUCTION

*“ You Collector, Ministers, Company managers have neither created nor given us this land and forest, hills and rivers. This is given by Nature, ... God. How can you snatch away (all these) from us for your profit? We won't give up our fight ...till our death”.*

---- The voice of protest of Mukta Jhudia, a tribal woman of Kashipur during their struggle against proposed Utkal Allumina International Ltd. (UAIL)<sup>1</sup>.

From Kashipur to Kumaon, this reflects the numerous and ever increasing voices of protest against exploitation and marginalization, and of assertion of people's rights to their lives and over their common resources. Such protests reflect the numerous conflicts that are erupting on the claims and counter-claims over natural resources. Moreover these conflicts are now being translated into intense and more complex social and political conflicts that are encountered in the every day society and polity of India. Similarly, these ‘million mutinies’<sup>2</sup> explain a deep-rooted and increasingly powerful\ vocal resistance to the ‘long march’ of ‘development’ and the newfound ‘glory’ of the market. On the other hand, the state responds in a very complex manner, some times giving precedence to the market forces and its neo-liberal agenda; and some other times, it is being forced to accept and honour peoples movements and their claims or demands.

While these conflicts indicate towards the competing claims between the globalised rich class and the localized poor, the continuing eco-political crises expose certain weaknesses and grey- areas in the dominant paradigm of development and democracy. On the other hand, the social or people's movements raise questions to the prevailing notions of property rights, people-environment relationship, and highlight a fusion of ideas on social and ecological justice, sustainability and equity, participatory development and decentralized democracy etc.

---

<sup>1</sup> Quoted from Praffula Samantra, Paper Presented at the Intrnational Conference on Globalisation. Environment and People's Survival, IIC, New Delhi: 29<sup>th</sup> Sept. to 1<sup>st</sup> Oct. 2001

<sup>2</sup> Smitu Kothari, , “A million mutinies”, *Humanscape*, Oct'2000, pp. 5-15

Since independence in 1947, there have been many radical changes in the social and ecological landscape of India. The 'development project', though, brought in many socio-economic changes, has generated serious ecological and livelihood crisis. This crisis, in turn, has fuelled/accelerated many social conflict as different groups exercising competing claims on a dwindling resource base. Hence, "India, today, is a veritable cauldron of social conflicts, many of which pertain directly to the control and use of natural resources. These conflicts are played out at different levels and in varying degrees".<sup>3</sup>

The planned economic development model, unfortunately, did not question either the over centralizing role of the state or the colonial/ western pattern of development. On the contrary, the model chosen continued to be state-centric, capital and energy intensive and heavy industry based. In this framework, natural and common property resources were seen as ' objects to be exploited' for economic growth, and not for socio-economic changes. Accordingly, community control over the commons was over-ridden in favour of state's responsibility (or ability) to construct, conserve and manage the resources.<sup>4</sup>

Similarly, the perpetuation of colonial patterns of land tenure and property rights with their sources from the Indian Forest and land Acquisition Acts of 1865,1878,1927 etc., even after Independence, showed a deep rooted pessimism about the possibility of preserving and managing common resources other than through centralized state control. This legitimized the process of state take-over of local resource systems or bases that are essential to the livelihood of the 'eco system' people and the subsistence communities. 'Thus, the local peoples livelihood, culture and ecological spaces become dispensable to the needs of capital for 'development'.<sup>5</sup> And it was taken for granted that the state initiated higher investment and productivity would gradually trickle-down and solve socio-economic problems and subsequently lead to an egalitarian distribution of assets and incomes. But this has eluded the masses. Now, even the new-found 'faith' in the 'free-market' is being shattered as is evident in the increasing disparity and deprivation, rampant hunger,

---

<sup>3</sup> Ramachandra Guha and Madhav Gadgil , ' *Ecology and Equity: the use and abuse of nature in contemporary india*' Penguin Book India (p) ltd, New Delhi (1995) pp-2

<sup>4</sup> Arundhati Roy Choudhury, *Common Property Management: Gender, Equity and Participatio-A case study of the fish workers of Kerala*, New Delhi, Indian Social Institutess, 2001.pp-1.

<sup>5</sup> *ibid*, pp-2.



widespread social conflicts and mass resentments. More so, the evolving economic order in the liberalization and globalisation framework further dis-empowers and impoverishes the poor and the subsistence communities as states monopoly control is being extended to private and big business control.

### **Changing Discourses: Bringing the People Back**

During the last 50 years or so, a powerful thrust has been on the state and corporate sector led consumerist economic growth involving more and more extensive spatial and temporal control of natural resources using the enormously increased power of money, science, technology, management institutions and when necessary, force of arms. As consumerist economic growth has had its way, the communities, their natural resources, cultures, identities and sensibilities have suffered at the hands of developers. Mainstream development continues to cause ecological damage, displacement, land alienation and loss of employment among the communities.

Following the decades of frustration with the state-led development, and recent experience with the 'free-market' mechanism, today, the idea of community control and management has come to occupy the centre-stage of various discourses on development. Local control and participation is widely discussed and suggested in the context of economic efficiency, sustainable development, decentralization and peoples rights.

The current valorization of the community contrasts with earlier analysis that positioned modernity and community at opposing poles. No longer is community the refuge within which tradition lurks to the block progressive social trends. Instead, it has become the focus of writings on devolution of power, meaningful participation, and cultural autonomy and people's empowerment. This is also based on the larger understanding, that local social, cultural and political factors play a far more significant role than just economic factors where development is concerned.

Similarly, this shift of focus is being reflected in the awareness or attention drawn to the wide-spread existence of effective communitarian system of 'sharing and caring' that exists in the commons. As the numerous grassroots people's movements are surging ahead and reasserting local people's claims over their

livelihood sources, we witness a new scholarly interest in these issues. And now, there is a greater scholarly treatment of these grassroots politics. This academic trend is due as much to the resurgence of this form of protest as to the intellectuals' own ideological disillusionment with electoral politics and the mainstream socialist politics<sup>6</sup>.

In fact, the various new initiatives regarding community participation, local peoples rights etc have their common ground in the 'moral economy'.<sup>7</sup> The term 'moral economy', following E.P. Thompson refers to the idea of economic practices, 'grounded upon a consistent traditional view of social norms and obligations of the proper economic functions of several parties within the community'. Poor peasants and others draw upon these traditional rights and customs when they face new, and more contractual market-based notions of rights and obligations imposed by landlords or capitalists. The irony is that capitalists and many national legal provisions deny the relevance of explicit or implicit sets of expectations, rights and duties that exist in these non-market forms of economic organizations. However, that the state and other actors have been forced to recognize the 'moral legitimacy' of the claims of the local people to have access to forests, fisheries etc. often in response to movements of resistance. Ironically, people's claims are not generally being recognized on the basis of historical or customary rights of the people.<sup>8</sup>

This remarkable trend to bringing people and communities back into the focus of development discourses and policy formulation may also be traced to the wider shift in models of governance and trends in political theory with the rise of communitarianism and the critique of the all powerful state in the 1980s. Similarly, other reasons that have been advanced relate to the fiscal crisis of the state and its need to shift the cost/burden of development intervention to NGOs and communities themselves. More over the idea that community management is more efficient than state action came to be widely held, since communities are increasingly perceived as the best judge of their own interest and because of their immediate proximity to their local environment and resource systems. Most importantly, many of these new trends

---

<sup>6</sup> See Amita Baviskar, *In the Belly of Rives: Tribal Conflict over Development in the Narmada Valley*, New Delhi: OUP, 1995. p.38

<sup>7</sup> Nandini Sundar and Roger Jeffery (eds.), *a new moral economy for india's forests? Discourses of community and participation* (New Delhi:Sage publication, 1999)

<sup>8</sup> *ibid*, p.19.

and redefinitions can be traced to a combination of fresh knowledge generation (about the environment, natural resources, science etc.), as also to the emergence of new actors in the environmental domain. In fact, this is happening due to the emergence of radically new orientation and greater political and social consciousness challenging many of our traditionally favoured formulations on state, democracy, rights, and development, etc. This highlights the centrality of community or the people to the assertion of rights claims. The Narmada story is symptomatic. Thus, there is a strong tendency towards foregrounding local control over local resources, often using the language of community and tradition.<sup>9</sup> These progressive developments indicate towards a move for deepening democracy and achieving humane development.

This study analyses these emerging issues in a eco-political perspective. Though the study does not claim to be comprehensive, it tries to touch upon various issues concerning people's movement for local control of common property resources. It consists of four chapters and a concluding essay.

The first chapter-'Understanding Natural Resource Conflicts' begins with a discussion on the genesis and causes of conflict in general. Then it goes to delineate upon the factors responsible for the emergence and exacerbation of natural resource conflicts. Herein, it discusses about population pressure and resource scarcity, contradiction with in and limitations of development programmes and associated inequities in resource provision. Further, it touches upon the issue of poverty and ecological crisis. It explores the profound, but complex nature of their inter-relationship. The issue of changes in the resource use pattern or shift in property rights framework is also been discussed. Some significant issues on environment, environmentalism, globalisation and resource conflict is also analyzed. Here it highlights the environmental impact on civilisational progress, the emergence of environmental concern, the difference between western and third world environmentalism, and how environment is a livelihood issue here. This chapter also discusses the iniquitous nature of capitalist globalisation and how it undermines people's rights and subsistence needs, and intensifies resource-conflicts.

The second chapter-'Vesting Property Rights' presents a theoretical understanding of various resource use systems or property right regimes. It initiates

---

<sup>9</sup> Harsh Sethi, " The Problem", *Seminar*,516, August'2002

the discussion by touching upon the basic formulations on resource, property, property rights and their emergence. Also, the four important types of property arrangements- private, common, state and open-access - with their dominant form of ownership and user rights over the resource system is being discussed. Importantly, there is a discussion on the weakness of the 'tragedy of the commons' argument. Instead, it is proved that in reality, it is an 'open-access tragedy'. This understanding helps distinguish clearly the various kinds of property rights or resource use systems. There is an attempt to understand the various aspects and characteristics of common property rights, and how it is different from public property and global commons. Also CPRs significance is highlighted.

The third chapter-'Common Property Resources In India And The Third World' discusses some significant issues including the issue of capitalism, colonialism and the 'tragedy of enclosure'. It endeavors to highlight the adverse effects of enclosure process and the consequent privatization, and how it badly affects the whole life process of the (rural) poor. This chapter also includes a discussion on the viability and imperatives of traditional resource management systems for the commons. More particularly, it briefly discusses the magnitude, the significance, the decline and other challenges of CPRs in India.

The fourth chapter- 'People's Movements And Reclaiming The Commons ' consists of two sections. Its first section presents a theoretical understanding of social or people's movement in brief. It includes an account of the emergence of social movement, its analytical components, phases of mobilization and the changes in the understanding of social movement. There is also an analysis of the subtle difference between social and people's movement. Considering ' people's movement ' as a more "potent" concept, this chapter uses it in the succeeding discussion. Similarly, this study tries to show how people's movements strive to expand the horizon of freedom and the content of rights (in the framework of people's rights).

The second section presents a brief account of the many people's struggles that were/are aimed at rediscovering, rejuvenating and reclaiming the commons. This includes some cross-national examples of people's movements against big dams, mining, and forest looting; also struggles for fisher-folk rights, and other livelihood rights etc. There are many well-known movements along with the numerous micro-

struggles or "million mutinies" which strive towards people's or communities' control over local natural resource base. These struggles significantly influence the socio-political-ecological landscape of India.

The concluding essay sums up the essence of the preceding discussions. It views these developments as a progressive trend directed towards deepening the democratic process and strengthening decentralized governance. This paradigm shift occurs when traditionally dominant notions of state, development, rights, environment, democracy, etc, are challenged by the growing political awareness of the people at the grassroots or the meso level. This essay also appreciates the challenges to the idea and viability of community and participation. The conclusion ends with a hope that human destiny is moving towards an emancipatory and enabling environment.

# *CHAPTER - I*

## **UNDERSTANDING NATURAL RESOURCE CONFLICTS: ISSUES IN DEVELOPMENT, ENVIRONMENT AND GLOBALIZATION**

Conflict is a state of clashing of opposing interests. Conflict occurs when two or more people oppose one another because of difference in their needs, wants goals or values. When the latitude of tolerance crosses the bottom line, then conflict occurs. Earlier, conflicts were treated as pathological events that need to be resolved. But perception is changing, and now conflicts are viewed as inevitable process whose study can be helpful in analyzing socio-economic and political transformation. When there is a conflict, it gives an opportunity to look into and understand the causes of the problem and look for remedial measures.

Social and natural resource conflicts can be seen in the wider context of historical, cultural, political, economic, institutional and technological dimensions that provide the basis for the generation, escalation, and management or resolution of the conflict. There is a greater need to look into the inter linkages of natural resource related conflicts with other broader social conflicts in the context of economic and political changes.

Conflicts over natural resources are the outcome of societal arrangements, of human interactions framed within its biophysical properties<sup>1</sup>. In the context of natural resources, the perceived inconsistency among the people about acquired rights, incurred obligations or contradictions of two or more jurisdictions can lead to a conflict. In the rural scene, conflict erupts due to inappropriate decision to alter the existing resource use patterns, about access and control of locally available natural resources, and in the issue of ownership & property rights etc.

Understanding both the physical and social dimensions of natural resources is, thus, essential for a sound analysis of the conflict. In India, most national planners, bureaucrats, policy makers and professionals still go along with the dominant technocratic approach and ignore the socio-political and cultural dimensions of natural resource. Extensive research in this field is proving that natural resource conflicts are

---

<sup>1</sup>See N.Roling, "The soft side of land", *ITC Journal*, No. 3&4, special congress issue, pp.248-62.

not confined to only technical or management domain, rather more importantly it involves a socio-political discourse.

Now we are in an era, in which conflict between economic objectives and sustainable ecological practices is accelerating. In fact, the increasing problems such as the lack of pure drinking water, loss of bio-diversity, climate change, environmental pollutions and other ecological challenges are the combined result of excessive population growth, capitalist market oriented economic activities, and most importantly an increasing disparity in resource/wealth allocation and distribution. These problems are not only undermining livelihood needs of vast majority of people and disrupting sustainable ecological practices, but also creating severe conflicts in society. Thus, population pressure, conflicting developmental agenda, scarcity, poverty and unequal distribution of resource are the root causes of natural resource related social conflicts.

#### **Population Pressure and Scarcity of Natural Resource:**

Throughout the world, and particularly in developing countries, excessive population growth has been a cause of concern. As there is a limit to the global resource pool, increasing population with an ever-multiplying demand puts severe strain upon the resource base. A report of the John Hopkins Population Information Programme (1998) states that nearly half a billion people worldwide are currently facing water shortage. The World Water Forum (2000) also stresses that more than one billion people in the world have no access to water of sufficient quantity and quality to meet even a minimum level of health, income, safety and freedom from drudgery. United Nations projections indicate that the global population in 2050 will be 9.5 billion, with 8 billion in developing countries. To feed this population adequately will require three times the basic calories consumed today, the equivalent of about 10 billion tons of grain a year. This will contribute to overgrazing, over-cutting, over-farming, deforestation, and thus, will enormously increase pressure on natural resources<sup>2</sup>.

This contradiction between increasing population pressure and scarcity of natural resources would enhance conflicts over natural resources. In fact, regional conflicts over natural resources are brewing and could turn violent as shortages grow. This is evident from the Cauvery story. However, this simplified version of the

---

<sup>2</sup>UNDP *Human Development Report* 1998, (New York: Oxford University Press, 1998), pp. 5, 66.



relationship between population growth and environmental degradation or resource conflict has been contested by many scholars. Here, Rohan D'Souza argues that the neo-Malthusian argument/schema is deeply flawed. "The great lie about neo-Malthusianism is that it deliberately ignores and avoids engaging with aspects of structural inequality and seeks to obscure the political origin of environmental degradation"<sup>3</sup>. When the highly unequal consumption pattern is highlighted vis-à-vis the statistics on population growth, an entirely different picture emerges. The UNDP Human Development Report, 1998 highlight this aspect.

### **Conflicting Development Agenda and Unequal Resource Allocation:**

Conflicts over natural resource have been generated when resource and energy intensive development agenda threatens the basic subsistence needs of the vast majority of people. Development interventions aimed at industrialization and marketization involve a major shift in the manner in which rights to resources are perceived and exercised. The process of our economic development has not been one of enhancing the availability of resources to the entire population. Instead, it has largely been one of organizing flows of resources towards a few lands of prosperity by draining the livelihood from the seas of poverty in this country<sup>4</sup>.

In the name of development, national elites, through the institutions of the state and the market, and often in collaboration with foreign capital, have appropriated natural resources, converting them into commodities. The circulation of goods, which this has brought forth, has taken place primarily among the affluent sections and the middle class. Similarly, in the name of development, people have been pushed off their land, their forests and water resources. The common resources have been taken over by the state and the market, and poor communities have been deprived of everything except their labour power. This conflicting development agenda can be understood by examining the pattern of state intervention in the allocation of resources. The independent state has been primarily moved by the desire to safeguard and further its own interest and those of its allies: capitalists, merchants, industrialists, and rich farmers. For instance, Gadgil and Guha (1992) show that forest policies were executed in order to maximize immediate profits for the state and industry disregarding the

---

<sup>3</sup> R. D'Souza, Capitalisms Ecological Crisis, *Seminar*, No. 516, August 2002.

<sup>4</sup> See Madhav Gadgil, *Ecological Journeys: The science and Politics of Conservation in India*(New Delhi: Permanent Black, 2001).

historical rights of forest dependent communities<sup>5</sup> The inequalities in access to resources are exacerbated by strategies such as the differential pricing of forest produce: in Karnataka, while bamboo was supplied to paper mills at the cost of Rs. 15 a tone, it was sold to basket weavers and other small bamboo users in the market at Rs. 1200 per tone.<sup>6</sup>

Similarly, the tendency of the government to consolidate its power over resources is also shown in its support for large, centralized irrigation and energy projects. These have encouraged the profligate use of natural resources. The provision of abundant water for the few through costly irrigation schemes results in induced scarcity for the many. In Maharashtra, people living in the catchment area of a large dam were prohibited by the government from using more than 15 percent of the total available water<sup>7</sup>.

Ironically, the bulk of development policies, justified in the 'national interest', actually *diminish* poor people's ability to control and gainfully use natural resources. Every 'national' project is presented as beneficial for the masses even though it requires some poor people to surrender their land or their livelihood. Suresh Sharma describes that when Prime Minister Nehru reassured those displaced by Rihand dam in Singrauli in 1961: "*People felt that their suffering would not be in vein. Their instinctive sense of nobility was stirred when Nehru spoke of the Nation and 'development'. They believed in his promise of a future of plenty to be shared by all, and they half-accepted the trauma of displacement believing in the promise of irrigated fields and plentiful harvests. So often have the survivors of Rihand told us that they accepted their suffering for the sake of their nation. But now, after thirty bitter years of being adrift, their livelihood even more precarious, they ask*": "*Are we the only ones chosen to make sacrifices for the nation?*"<sup>8</sup>

Thus, the model of development established since independence has fundamentally altered the way in which different social groups use and have access to natural resources. The changes wrought by the 'development agenda' have created

---

<sup>5</sup> M. Gadgil and R. Guha, *This fissured land: An ecological history of India*, (New Delhi: Oxford University Press, 1992)

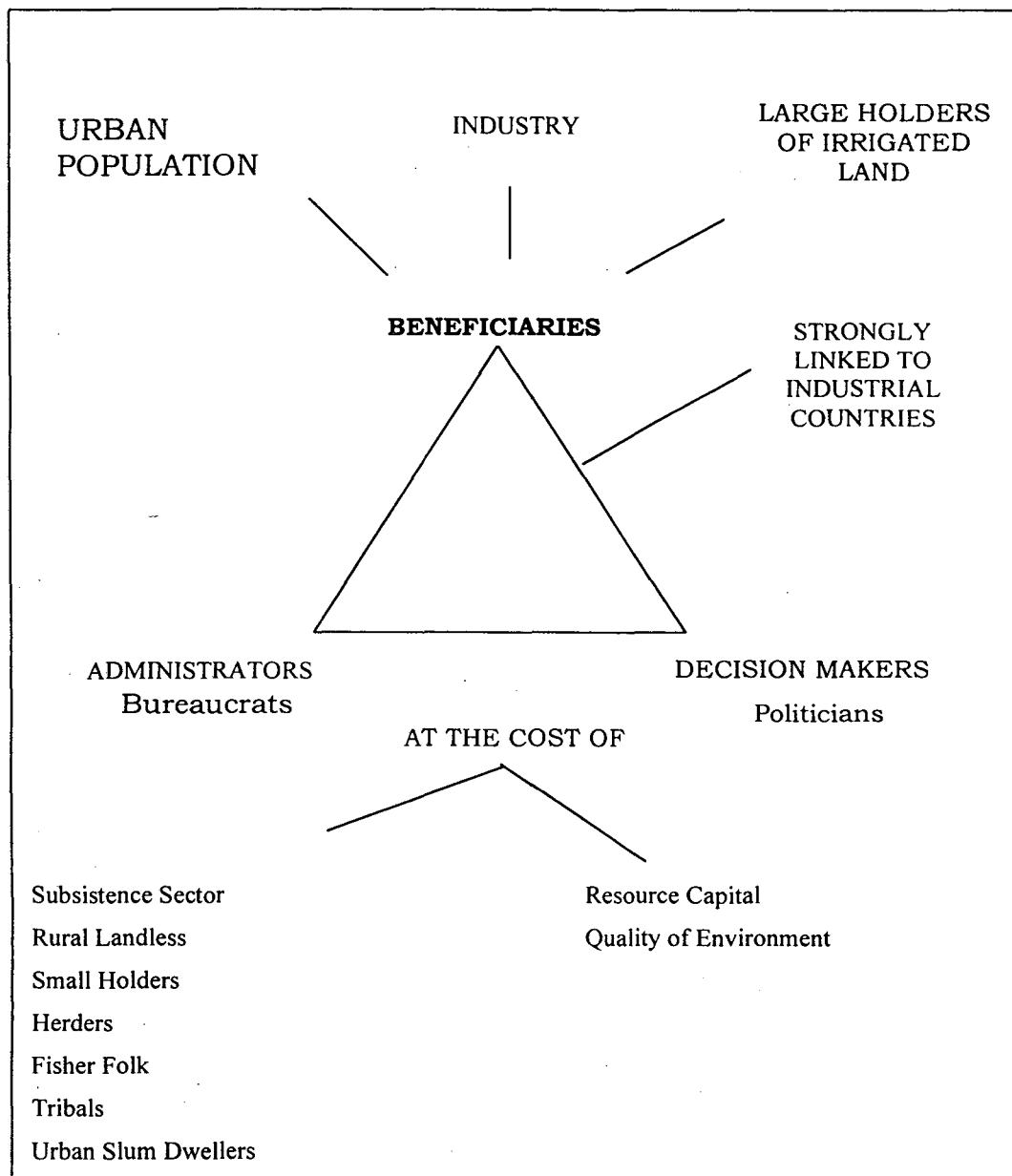
<sup>6</sup> Centre for science and environment, *The state of India's environment 1984-85: The second citizen's report*, 1985, New Delhi.

<sup>7</sup> B.D Sharma, *Report of the commissioner for scheduled castes and scheduled tribes*, 29<sup>th</sup> report 1988-89, 1990.

<sup>8</sup> See Suresh Sharma, "The Vanquished Tribal World Of Shifting Cultivation" in A. Bhalla and P.J. Bumke (eds.) *Images of Rural India in the 20<sup>th</sup> Century*. New Delhi: Sterling Publishers, 1992, p.78

conflicts over competing claims to the environment. Gadgil and Guha have summarized this unequal allocation in a macro level analysis, which is presented in the figure 1.1.

**Figure 1.1 Patterns of Resource Use In India**



*The iron triangle governing resource use patterns in India. Large state sponsored subsidies have created an iron triangle of components of Indian society benefiting from, administering and deciding upon state patronage. Constituents of this iron triangle are forcing the country into a pattern of exhaustive resource use at the expense of the environment and majority of the people.*

(Source: M. Gadgil and R. Guha, "Ecology and Equity: the use and abuse of nature in India", Penguin Books India Pvt. Ltd. New Delhi, 1995)

## Poverty and Ecological Crisis:

Discussions of the links between poverty and the environment often focus on the ‘vicious circle’ in which the poor degrade their environment in a desperate quest to survive, in turn deepening their poverty in future. Such cases undoubtedly exist. But if we make a comparative political-economy analysis of the sharp disparities in income and consumption pattern among and within countries, then we can see that environmental degradation driven by the economic activities of the rich is likely to surpass, by a substantial margin, that of the poor.

The disparities of power and wealth influence not only how nature’s pie is sliced, but also its overall magnitude.<sup>9</sup> It is important to note that an increasing disparity and worsening poverty contributes towards the exacerbation of resource conflicts.

Today, inequalities in consumption are stark. Globally, the 20% of the world’s people in the highest income countries account for 86% of total private consumption expenditure – the poorest 20% a minuscule 1.3%. The better-off benefit from the cornucopia of consumption. But poor people in poor countries bear many of its costs. The severest of human deprivations arising from environmental damage and resource depletion are concentrated in the poorest regions and affect the poorest people, unable to protect themselves.

Environmental damage is an important source of global poverty and is growing inequality. The crisis of renewables, a major source of global poverty, endanger the livelihoods of millions, especially the rural people who derive their livelihood directly from the natural environment around them. They are the poorest in Asia, Africa, Latin America and the Arab states. By even the most conservative estimates, at least 500 million of the world’s poorest people are forced to live in ecologically marginal or fragile lands. Further, this process disproportionately affects women. Thus, as the current consumption pattern is undermining the environmental resource base, exacerbating inequalities, the dynamics of the consumption – poverty – inequality – environment nexus are accelerating<sup>10</sup>.

---

<sup>9</sup> See J.K. Boyce, *The Political Economy of the Environment* (UK: Edward Elgar Publishing Ltd., 2002) pp.1-7

<sup>10</sup> For details see, UNDP Human Development Report 1998 (New York: OUP, 1998).

## Shifting Property Rights:

Conflicts over natural resources are about access and control, and benefit from their use. Access and control are greatly influenced by property relations. Property right is therefore, a central issue in natural resource conflict. The difference between legal constructions of property rights and traditional or customary practices provides an additional potential source for conflicts. As Benda-Beckmann<sup>11</sup> et al noted, local people have their own cultural, social and customary practices to control, use and management of natural resources. When state or market intervention brings in new users or appropriators from outside, they have little affinity with the resource base; hence contribute less towards its sustainability. In this way, formal agencies, by ignoring traditional rights of existing users and excluding them from decision- making, promote unsustainable use of natural resource and induce conflicts over it<sup>12</sup>.

Though the open and hidden causes of conflict may be different, in all cases the issue of access to and control of resource is important. The entitlement of rights are generally related to an individual's or group's involvement in managing natural resource, or having a historical association such as grazing rights in village forest and pasture land. When existing rights are not taken into account while recognizing or creating new ownership/management, conflict is inevitable.<sup>13</sup>

Thus, competing interests between the demands of the state's development agenda and corporate commercial interest on the one hand and local communities' basic needs and the pre conservation objectives on the other, lies at the heart of natural resource related conflicts. Changes in legislation, policies and strategies with changes in the political economy and social processes have provided fertile ground for emerging conflicts. Many conflicts have arisen as a response to conflicting natural resource management (NRM) agendas, policy clashes, competition over access to natural

---

<sup>11</sup>See Benda-Beckmann et.al., "Local Law And Customary Practices In The Study Of Water Rights" in R. Pradhan, eds., *Water Rights ,Conflict And Policy*, proceeding of workshop held in kathmandu, Nepal, January 22-24,1996, pp.221-42

<sup>12</sup> For details, see E. Ostrom, *Governing The Commons : The Evolution Of Institutions For Colletive Action*, new york: Cambridge university press,1990; also see A. Bhatia,ed., *seminar on conflict resolution in natural resources,kallimands :Nepal mediation group/ ICIMOD,1995.*

<sup>13</sup> For more, see B.R. Upreti, *Management of Social and Natural Resource conflict in Nepal-Realities and Alternatives* (New Delhi: Adriot Publishers, 2002).

resources, political and commercial interests and pace of exploitation of these resources.<sup>14</sup>

### **Environmentalism and Resource Conflict:**

Exploitation of natural resources since the 19<sup>th</sup> century has been guided by 'scientificism' and 'technologism' aiming at generating economic growth and bringing in 'development'. Hence, we witnessed rapid industrialization and urbanization, and the consequent evils in deforestation, land degradation, water and air pollution, toxic and chemical contamination, and many other environmental hazards. It created displacement and economic marginalization of subsistence communities, socio-cultural deprivation and disempowerment, and several other disparities. Hence, forth, the march of 'development' (and its growth orientation) never remained smooth and uncritical. Over the subsequent period, when this 'development' paradigm was exposed as not only hazardous but also iniquitous, the debate on environment and development formalized into full fledged environmentalism. In many ways, it was only after the publication of Rachel Carson's classic, *Silent Spring* (1962), Garrett Hardin's essay "The tragedy of the commons" (1968) and then the influential Club of Rome report, *Limits to Growth* (1972) that the decision-makers and intelligentsia realized the intervention in nature. This led to the first international initiative at the Stockholm conference in 1972 to devise an action plan for cooperation on Human Environment. And the subsequent formation of United Nations Environment Programme (UNEP) saw the beginning of a paradigm shift in global environmental politics.<sup>15</sup> After this many international conventions and protocols evolved characterizing global environmental politics. But most significantly, in 1987 the Brundtland Report of the World Commission on Environment and Development (WECD) which was published with the title - *Our Common Future* -highlighted the issue of *intergenerational equity and justice, stressing the need for harmony between environment and development*. It formally spelled out the concept of '**sustainable development**' as the development "*that meets the needs of the present without compromising the ability of future generations to meet their own needs*".<sup>16</sup> In fact, it extends the principle of equity among

---

<sup>14</sup>See, G.Sivakoti,et.al., *People And Sustainable Development:Understanding The Dynamics Of Natural Resources System*,IAAS/TU, Kathmandu: Indiana university,1996;also see,K.P. Oli, *Conflict Resolution And Mediation Innatural Resources Management*, kathmandu,1998.

<sup>15</sup> See for more details Amita Sing. *The politics of Environment Administration*.

<sup>16</sup>World Commission On Environment Report,1987:8

the human community along the axis of time.<sup>17</sup> Afterwards, the UN Conference on Environment and Development (UNCED), popularly known as The Earth Summit, which was held at Rio de Janeiro in 1992 declared global objectives of attaining sustainable development and arresting environmental degradation in the form of 27 'Principle for Sustainable Development' and an action plan known as "Agenda 21".

But the results of the Summit were not that much encouraging which can be summed up as "progress in many fields, too little progress in most fields and no progress at all in some fields" In between, several conventions and protocols such as the Bio-diversity convention,(1993), the Berlin climate summit (1995), the Kyoto Protocol (1997) etc characterized the global environmental politics<sup>18</sup>. The latest in the series was the World Summit on Sustainable Development (WSSD) was held in Johannesburg in September 2002. This saw a decline in commitment to equitable and sustainable development at the global level, and efforts by the rich and powerful nations to diluting major global agreements. Moreover, several other issues like North-South Dialogue, technology transfer, international aid, right to development, carbon-dioxide emission etc. has influenced the global environmental politics.

The fact is that, though all these global environmental agreements, protocols, summits helped in highlighting and bringing in some concrete efforts on the environment- development front, they contributed little for the creation of a framework whereby local people's rights over their livelihood resource bases could be protected and strengthened. Such environmental politics guided by western environmentalism has failed to protect the subsistence economies and basic livelihood sources from the onslaught of market economy and growth oriented development. Similarly, the 'wilderness conservationism' blinded by western environmentalism has alienated people from nature, abrogated their basic rights to livelihood and habitat. While the creation of national parks, wildlife-sanctuaries and forest laws etc. has facilitated environmental conservation, this is preservation by fiat, for local people's rights are usually been overlooked. Such efforts have been resented against by the locals whose very lives are tied to these ecological systems<sup>19</sup>. Such pit-falls highlight the disjunction

---

<sup>17</sup> See Ecology Justice, and the End of Development by wolfgang Sachs in Environmental Justice-Discourses in International Political Economy, p. 19.

<sup>18</sup> See for more details P.K. Rao. Sustainable Development Economics and Policy, Blackwell Publishers, 2000.

<sup>19</sup> See Ashok Prasad and Harish Dhawan, A Sanctuary for Birds Only (New Delhi: Kalpavriksha, 1982)

in environmental governance with their utter disregard for people's basic needs and the human-ecology inter-relationships.

Of course, environmentalism in India has evolved on a different trajectory. The concept of 'protectionist conservationism' is what prevails across the paradigms of environmental thinking in the Western world. Indian environmentalism, however, has been built on the concept of 'utilitarian conservationism'.<sup>20</sup> This is simply because large number of people survive directly on what they get from nature – food, firewood, water, fodder, medicines, building materials etc. The destruction of these resource bases would threaten their very livelihood sources. In fact, this can best be described as 'environmentalism of the poor'.<sup>21</sup> This has emerged along with the grassroots popular movements to influence environment and development policies in support of natural resource based subsistence communities. After all, major conflicts in societies such as ours -- tropical, agrarian and often densely populated -- are more around the use and control of natural resources. "Equally, in our case considerations of political-economy are mediated by the presence of communities, both made by and dependent on nature, in the form of struggles over common property resources".<sup>22</sup>

It is hardly surprising that issues of equity and social justice play such a crucial role in our environmental thinking. Infact, it is not ecology but sociology and economics<sup>23</sup> which is at work -- as a pro-poor, human-centered environmentalism has emerged in our part of the world compared to the nature-centred environmentalism espoused by the greens of the West/North. Thus, environmentalism in India, like other third world societies, has emerged as an integral part of local level activism for broad social justice.<sup>24</sup> The spontaneous resistance and protest by the affected parties, when and where the lives and livelihoods of a number of people or communities have been threatened by the activities of others (i.e. state, developers, capitalists, corporate etc), have come to be identified as environmentalism. This is evident from a virtual explosion in popular mobilizations such as Chipko, Narmada Bachao Andolan, Chilika Bachao Andolan, Movement of National Fisher Workers Federation etc.

---

<sup>20</sup> Sunita Narain, Seminar, 516, August 2002.

<sup>21</sup> M.Gadgil and R.Guha, Ecology and Equity, 1995

<sup>22</sup> Harsh Sethi, Seminar, 516, August 2002

<sup>23</sup> See for details, Harpriya Rangan 'Of Myths and Movements: Recruiting Chipko into Himalayan History, and Sunita Narain, Seminar,no.526, August,2002.

<sup>24</sup> Jayanta Bandopadhyay, Seminar, 516, August, 2002.



## Globalization and Resource Conflict:

Globalization has become a catchword since the 1990s. However, it remains a confusing and complex term, as we encounter several and even contrasting ideas, definitions, and views on it. But, "in one sense, globalization may be considered as the 'natural' functioning of modernity, with its propensity for economic growth mediated and facilitated through nation-states, industrial capitalism, modern science and technology, and liberal democratic governance. Expanding and deepening of global economic interactions and networks are without precedent in scale, velocity, reach, and influence. Globalization represents, therefore, the geographic diffusion of modernity through primarily economic relationship".<sup>25</sup> Though globalization has been considered as a process entirely co-existent with the long sweep of history accompanying the process of modernization and capitalism, what is important is that the contemporary phase is witnessing a rapid extension of capitalism world wide with the value of world trade and economic production reaching an unprecedented level. Globalization may be a historical reality, nevertheless it is a contentions and contested concept. Its promoters identify it as radically transforming the global future into an era of great prosperity.<sup>26</sup> The skeptical consider it to be a fraud, misnomer, or mythical. Similarly a more substantial group recognize globalization as a real phenomenon (though contest its 'global' appellation), but see it to be producing a world with many undesirable features. The environmentalists and other social activists who challenge globalization on both scientific and normative grounds can be identified with the later group.

Here, it is not intended to go into the details of the globalization debate *per se*, still it can be said that till date globalization has evolved as an iniquitous process with many of its discontents.<sup>27</sup> Even, the process has not actually been global. Gilpin, one of globalism's proponents and admirers, notes: "Moreover, integration of the world economy has been highly uneven, restricted to particular economic sectors (like the US, Western Europe, Japan etc.) and not nearly extensive as some believe."<sup>28</sup> Certainly, it makes little sense to talk of global benefits of globalization when the income of 1.2

---

<sup>25</sup> Leigh Grover, "globalization.com Vs. ecological justice. Org: contesting the end of History", in *Environmental Justice Discourses in International Political Economy*.

<sup>26</sup> See Lowell Brian and Diana Farrel.1996.*Market Unbound: Unleashing Global Capitalism*, New York: John Wiley

<sup>27</sup> J.Stiglitz,*Globalization And It's Discontents*,2000

<sup>28</sup> Gilpin, 2000:294.

billion people is less than US\$ 1 a day and over one billion lack access to safe drinking water.<sup>29</sup> “Although globalization is seemingly justified on the premise of its economic superiority, the decline in ecological conditions that can result from its imposition undermines this position”<sup>30</sup>. In the globalization framework, governments are forced to create institutions that favor market-based capitalism, even when existing socio-economic institutions may be environmentally and socially more benevolent, more efficient, and economically cost effective. On the grounds of managing commons resources, traditional cultures or customary practices have much to offer for sustainable resource management than the emerging market-based institutions<sup>31</sup>.

As globalization proceeds with a process of homogenization, it may lead to disappearance of local cultural and governing practices, and thus, result in the degradation of land and water resources, sometimes to the extent that subsequent scientific management can not restore.<sup>32</sup> Similarly, a liberal democratic order with an imposed economic system can not be guarantee for retaining access to common resources or investing such rights in indigenous peoples, unless those rights accord with the interests of ‘capital’.

Globalization has produced a complex set of influences on the natural resource systems, which are considered as 'commons': it both appropriates commons, but can also serve to foster organizational arrangements for environmental protection and resource management. Irrefutably, globalization has extended the reach of market-based capitalism into the realm of that which was previously available for communal use, and has quickened the commodification and trading of the 'commons'. Moreover, the entry of non-national actors brings local struggles under an international spotlight, permitting foreign powers to intervene in what were seen as exclusively national issues. With world trade organizations regime now intervening even in issues like drinking water and helping to convert free resources into commodities where rights of investors are placed at par with consumers, we seem to have entered into new, possibly a frightening world<sup>33</sup>.

---

<sup>29</sup> UNDP *Human Development Report*.2000, New York: OUP, P.4.

<sup>30</sup> Leigh Grover,op.cit.,p.239

<sup>31</sup> WCED,*Our Common Future*, Oxford: OUP,1987.

<sup>32</sup>The Ecologist, 1993; Shiva, 1988, 1994.

<sup>33</sup> Harsh Sethi, “The Problem”, *Seminar*, no.516,August 2002, p.14.

Such community dispossessions may take the form of material, cultural, spiritual, aesthetic and social deprivations. Governments in the third world have been legitimizing the conversions of the local commons into private property either willingly, as political favours or to promote economic activity, or implicitly, by failing to protect the commons. Indeed, where there is no pre-existing acceptance of commons ownership, there are few parties empowered, in a legal sense, to contest the appropriation of commons at the macro level. Particularly affected by globalization in the developing countries are the indigenous peoples or subsistence communities, whose lives are closely tied to the access to commons. Development and industrial activities, such as converting communal ecosystems to industrial cropping, timber lands and mineral mines, and privatizing water, land and other ubiquitous resources, have dramatically shrunk available commons areas. In turn, this has greatly compromised the capacities for self-determination and independence of local, subsistence communities or the 'ecosystem people'. Such appropriation typically involves local/ indigenous peoples' resources ceded to government or corporate control. However, these local losses of commons are often fiercely contested, though largely unnoticed by those not immediately affected.

On many occasions, state's role in securing resources for facilitating economic and industrial development conflicts with its responsibility of community welfare and commons' protection. Also, protecting the historical or customary rights of access to common resources and restricting the reach of new markets to these resource bases is necessary to promote sustainability, yet contrary to the character and purpose of globalization. Thus, globalization's market-based approaches to commons' management -- through either privatization or governmental regulation -- seen to sever communities from commons, despite the evidence of mutual harm.<sup>34</sup>

Moreover, the process of globalization has witnessed the emergence of 'rightwing environmentalism', otherwise known as 'free-market environmentalism'. This has negatively affected the progressive discourses on resource conflicts and people's rights. Its proponents are currently advertising it as a veritable global vision for saving the natural world. The entire history of environmental destruction is being

---

<sup>34</sup> Leigh Grover, globalization.com Vs. Ecological justice. Org: contesting the end of History, in *Environmental Justice Discourses in International Political Economy*. p.244.

rewritten a historically as a product of wrong-pricing, inadequate incentives, free-riders, subsidies and inefficiency. The solution, according to these market-environmentalists, is to allow and enable the rule of the self-regulating market as final arbiter for resource allocation (that operates unhindered through 'the true laws of supply and demand') with the state only being required to enforce property rights and other contracts.<sup>35</sup>

Globalization, thus, places serious limits on sustainable development and environmental justice in the post-colonial societies for three reasons. First, globalization has significantly affected policy reforms and transformed the post-colonial state. It favours market-oriented strategies that marginalizes environmental and survival concerns, fostering an economic restructuring that strengthens the same model of accumulation on the lines of industrialized countries. Already in India, some of the heady ideas of this convoluted reasoning, alongside the 'suggestions' or 'advices' of the World Bank and IMF, have been advanced - most recently in the water sector. With the declaration of the New National Water Policy by the Prime Minister in the National Water Resources Council meeting (1<sup>st</sup> April 2002), citizen-accountability will be transformed into customer choice. According to item 31 of the new policy, water will be privatized with transnational corporations managing access to this on the basis of profit.<sup>36</sup> Second, the ongoing reform of the state, launched in the context of liberalization of the 1990s, is not likely to improve environmental standards as it reduces resources allocated to environmental programmes and hampers the implementation of legislations on this front. And third, present policy is not promoting democratization of access to natural resources and of governance/management process at the community level. On the contrary, it tends to reproduce exclusion and deny entitlement to a vast majority of population.<sup>37</sup> In fact, the commercial interests of private actors have taken precedence and the demands of transnational corporations have been given grater value than the rights of that majority whose very lives critically depend on those resources.<sup>38</sup>

TH-10765

<sup>35</sup> See Terry L. Anderson and Donald R. Leal, *Free Market Environmentalism* (New York: Palgrave, 2001) 2<sup>nd</sup> edition

<sup>36</sup> Statement issued by *Rashtriya Jal Biradhari*, 8 April 2002. Also See Peter Gleick, Gang Wolff et. al. (Ed.) *The New Economy of Water: Globalization and Privatization of Fresh Water* (Oakland: Pacific Institute, 2002)

<sup>37</sup> See Dimitris Stevis and Valerie J. Assetto, *The International Political Economy of the Environment-Critical Perspectives*, Lynne Rienner Publishers, London, 2001.

<sup>38</sup> Smitu Kothari, *Seminar*, 516, August, 2002.

In India, globalization has contributed to the exacerbation of resource conflicts, raising them to a new scale that goes beyond the mere fight for land and forests. The conflicts over natural resources are, above all, conflicts about justice and redistribution. As globalization quickens the pace of market based industrial capitalism, there is an increasing pressure on the natural resource bases. Thus, it intensifies the conflicts as the competing claims of market and non market subsistence demands contest and challenge each other over a dwindling resource base. When such conflicts are linked up with socio-political agendas, it produces a complex set of social and political conflicts.

## *CHAPTER - II*

## VESTING PROPERTY RIGHTS: FROM OPEN-ACCESS TO COMMON PROPERTY

As natural resources and property rights are the theme of discussion, this chapter briefly touches upon in their basic formulation. Then it proceeds to an analysis of property rights, and more particularly of common property (resources) regimes.

### **Resource Defined:**

Resource originally implied life. Its root is the Latin verb '*Surgere*', which evoked the image of a spring that continually rises from the ground. Like a spring 'resource' rises again, even if it had repeatedly been used and consumed. The concept thus highlighted nature's power of self-regeneration and called attention to its prodigious creativity. Moreover, it implied an ancient idea about the relationship between humans and nature—that the earth bestows gifts on humans who, in turn, are well advised to show diligence, in order not to suffocate its generosity. '*Resources*', therefore, suggested reciprocity along with regeneration.<sup>1</sup>

However, with the advent of industrialism and colonialism, a conceptual break occurred. 'Natural resources' became those elements of nature which were required as inputs for industrial production and colonial trade. John Yeats in his '*Natural History of Commerce*' (1870) offered a definition of the new meaning, "In speaking of the natural resources of any country, we refer to the ore in the mine, the stone un-acquired, the timber unfelled, etc." Here, 'resources are defined by man, not nature'. As Ciriacy - Wantrup (1952) puts it, 'the concept "resource" pre-supposes that a "planning agent" is appraising the usefulness of his environment for the purpose of obtaining certain ends'. And, before any element can be classified as a resource, two basic pre-conditions must be satisfied; first, the knowledge or technical skill must exist to allow its extraction (or exploitation), and second, there must be a demand for the materials and services produced. If either of these conditions is not satisfied, then the physical substance remains "neutral stuff". It is, therefore, "human ability and need which creates resource value, not mere physical presence"<sup>2</sup>. In this view, nature has been clearly stripped of its

---

<sup>1</sup> Vandana Shiva, 'Resources' in Wolfgang Sachs (ed.), *The Development Dictionary – A Guide to Knowledge* (New Delhi: Orient Longman, 1997) p. 276

<sup>2</sup> Judith Rees, *Natural Resources: Allocation, Economics and Policy*, (London: Routledge 1992) p. 12

creative power, it has turned to be a container of raw materials. Resources are now merely 'any material condition existing in nature which may be capable of economic exploitation.'<sup>3</sup> With the capacity of regeneration gone, the attitude of reciprocity has lost its ground; for natural resources require to be 'exploited' and 'developed'<sup>4</sup>.

The above discussion indicates that ideas on what constitutes resources have been changed significantly over the period of time, in response to changing knowledge, technical improvements, and cultural changes which have influenced and shaped the perceived needs. Now, natural resources can broadly be defined as those elements of nature or the environment that possess the potential to be used for meeting the needs of human beings. Of course, this is an anthropocentric view; nevertheless, this idea characterizes the current phase of understanding of natural resource.

### **Property Defined:**

After discussion on different approach on the idea of resource, let me briefly touch upon the idea of property as has been put forward by various scholars. For John Locke, each individual has a "property in his own person". He states that property is created (by a person) by removing resources from nature through 'mixing labour' in its 'spiritual' (natural) form<sup>5</sup>.

The industrial revolution further caused an expansion of ideas of/on property to include other forms of wealth, such as innovations and productive techniques (i.e. Intellectual Property Rights, Trade Marks etc.)<sup>6</sup>. Similarly, to James Madison and other framers of the U.S. Constitution, 'Property' was "a broad and majestic term" that "embraces everything which may have a value to which man may attach a right"<sup>7</sup>

While questions concerning the nature, function, purpose and legitimacy of property have long been topics of debates among political scientists, social theorists, philosophers, these issues are fairly well-settled among economists. For them

---

<sup>3</sup> Joseph Meeker, "Misused Resources", *Resurgence*, NO. 125, December, 1987

<sup>4</sup> Vandana Shiva, 1997: 278,

<sup>5</sup> See John Locke, *Two Treatises of Government, Second Treaties* (1960), ed. Peter Laslett, (New York: Mentor, 1960) Sec. 27

<sup>6</sup> See Jonathan R. Macey, "Property Rights, Innovation, and Constitutional Structure" in Paul et.al. ed. *Property Rights* (Cambridge: Cambridge University Press, 1994)

<sup>7</sup> See James Madison, "Essays on Property" in *The writings of James Madison*, ed. G. Hunt, (New York: G.P. Putnam's Sons, 1996) Vol.6, PP. 101-103



something which has an inherent capacity to be held and controlled as an economic asset is property. In other words, property is a 'anything that has an exchange value'<sup>8</sup>. In fact, the liberal tradition has hailed the institution of property as fundamental to liberty. It has been considered as a pre-condition for civil society. As William Penn summarised the Magna Carta thus: "First, it asserts Englishmen to be free, i.e. 'liberty' 'Secondly, that they have free-holds, i.e. 'property'<sup>9</sup>.

Since the 17<sup>th</sup> century, liberals have not only understood liberty and property to be fundamental, but to be somehow intimately related or inter-woven. In fact, it is John Locke's famous defense of private property through his 'Labour theory of value' and 'natural right to property' that gave fillip to the idea of 'property', and more especially 'private property'.

### **Property Rights and the Concept of Ownership:**

Most importantly, the concept of property is inexorably linked to the concept of 'rights and duties. In fact, property's existence in an object entails rights and duties for property holders and non-holders alike. Property implies rights and duties for both participants and non-participants in resource extraction; hence, the absence of rights and duties means that the institution of property does not exist. Thus, the idea of 'rights' is fundamental to the institution of property.

Whereas rights are relationships between persons, property rights are specially relationships between persons regarding use of a thing – whether corporeal or incorporeal. Various rights, duties, liberties, powers, immunities, and liabilities combine to define a person's ownership rights in a thing and how another person is morally or legally required to act with regard to the thing<sup>10</sup>. The existence and observance of these rights, duties, and other relationships distinguishes property from non-property, as well as one type of property from another. Hence one can take of their *property* (i.e., their rights in the object) when there is a definite right and duty

---

<sup>8</sup> J.R. Macey, op.cit, p. 183.

<sup>9</sup> Quoted in Michail Kammen, *Spheres of Liberty: Changing Perceptions of Liberty in American Culture* (Madison: University of Wisconsin Press, 1986) p.25.

<sup>10</sup> The rights, duties, liberties, powers, and immunities that define the degree of ownership are the right to possess; the right to use, the right to manage, the right to income (through forgoing personal use and allowing others to use a thing); the powers to alienate, consume, modify, or destroy a thing; an immunity from expropriation, the power to bequeath; the rights regarding the terms of ownership; the duty to forbear from using the thing in ways harmful to others, etc. (Honore, 1961; Becker 1977)

relationship among all parties concerned both users and non-users<sup>11</sup>. Along with this, various natural resource systems are categorized into different property rights regimes. Property rights regimes have two components: Property rights, which are bundles of entitlements defining owners (or users) rights and duties in the use of a particular resource; and property rules, which are the rules under which those rights and duties are exercised. The collection of entitlements plus the rules under which they are used make up a regime of property rights which embody people's expectations about their claims to resources. Thus, property rights regimes are a sub-set of a society's institutions. They differ by the nature of ownership, the rights and duties of owners (or users), the rules of use and locus of control. Moreover, ownership and property rights are dynamic concepts, which change over time due to changes in the social structure, economic system and political process. Both physical factors as well as socio-political forces are crucial to create and maintain rights over natural resources<sup>12</sup>.

### **Emergence of Rights in Property:**

While the basic contours of what constitutes property and ownership rights are well established, at least in principle, the question of how such rights initially are created and allocated has been the subject of far more vigorous debate, even among economists. For example, a number of economists take the view that property rights are defined as the permissible use of resources, goods, and services either privately or collectively<sup>13</sup>. In this formulation both property and rights in property are regarded simply as social constructs that exist because of the society or state's acquiescence in their creation. One of the most prominent adherents to this perspective is Justice Richard Posner; who takes the position that individuals lack natural rights to anything and all rights are socially constructed. According to this view, economic rights in general, and property rights in particular, are "luxuries enabled by social organizations" such as the state<sup>14</sup>. By contrast, a natural-law perspective on rights emphasizes the permanent nature of the concept of reason, and posits that man is

---

<sup>11</sup> G.G. Stevenson, *Common Property Economics – A General theory and land use applications* (Cambridge, Cambridge University Press, 1991) pp. 48-52.

<sup>12</sup> B.R Upreti, *Management of Social and Natural Resource Conflict in Nepal – Realities and Alternatives* (Delhi: Adriot Publishers, 2002).

<sup>13</sup> Richard B. McKenzie, *Economics* (Boston : Houghton Mifflin Co., 1986), Ch. 4, p.76.

<sup>14</sup> Richard A. Posner, "Hegel and Employment at Will: A comment," in *Cardozo Law Review*, Vol.10, Nos.5-6 (March/April, 1989), Part-II, pp. 1625-36.

governed by universal rules of reason that transcends the actions of any particular sovereign<sup>15</sup>. The idea of natural rights refers to those rights that human beings possess by virtue of their status as human beings. Thus, every individual is entitled to the right to property on the basis of his/her being a human being. Accordingly, though right to property is a natural right, it cannot be an absolute right. Probably there are no absolute/inalienable rights, because the state, which enjoys a virtual monopoly of force, can successfully deprive people of practically exercising their rights.

### **Vesting Property Rights: From Open Access to Common Property**

Property rights are fundamental to the ownership, use and management of natural resources. Most natural resource conflicts and environmental problems can be seen as problems of incomplete, inconsistent, or un-enforced property rights regimes. Property rights regimes comprise *property rights*, the bundles of entitlement regarding resource. Using property rules and rules of management and control. They exist in a variety of combinations of ownership, locus of control, and the rights and duties of owners and users. (Here the two categories – ‘owners’ and ‘users’ are referred to as these may be the same set of individuals on occasions, and may also be a different set of individuals on same other occasions. There are some resources systems/bases where no explicit ‘ownership’ would exist, whereas a set of users must exist). Also important is the consistency of property rights with social goals of equity and justice, efficiency and sustainability, and the enforceability of resource use rules. No single type of regime can be prescribed as a remedy for problems of resource conflicts and environmental degradation. Certain components of property rights regimes are critical to their function and viability, including the mechanism by which they link the human and ecological systems, the mechanisms by which resources in different social and political regimes are coordinated, and the factor of poverty or prosperity. Policy addressing resource conflicts and environmental problems must focus on general principles of property rights regimes and on the context in which they are located. In fact, the nature of rights in property constitutes a significant part of the institutional structure of any society or community. It defines how people relate to resources and use them. Analysts refer to a continuum of property rights, with the dominant form of ownership and user rights over the resource systems changing from point to point within the continuum. Four

---

<sup>15</sup> J.R. Macey, *Property Rights and Constitutional Structures*.

important kinds of property arrangements in existence within this continuum are: private, common, state and open access. Except for the 'open access' arrangement, the other property regimes exhibit clearly defined ownership or user rights. They also reflect the social goals for resource use. However, no right in property can ever be absolute and undeterred. Even the most rigid private property institution is restricted by the dictates of what constitutes legal use. Along with this, liberal view of ownership rights (property rights) consists of four components: right of use, right of exclusion, right of transfer and right to compensation. Here these issues are highlighted through the help of a typology of property rights regimes, but before that the concept of the 'tragedy of the commons' is being analyzed.

### **The 'Tragedy'-not of Commons, but of Open-Access:**

Since the publication of Garret Hardin's influential essay in *science* (1968), the expression "the tragedy of commons" has become a household name among economists, and other concerned with environmental and natural resource problems. It is this piece of essay which caught the attention of intellectual researchers, scientists, environmentalists, policy makers and administrators through out the world and significantly influenced the orientation and direction of environmental and resource economics. In a sense, it brought the "commons" back to the center stage/focus in the arena of scholarly debates, researches and policy formulations, by condemning the 'commons' for all kinds of resource depletion and environmental problems. On the other hand, it propelled researchers, which in turn highlighted the importance of common property resource systems for the survival and sustenance of a vast majority of people through out the globe. The "tragedy of the Commons" as conceived by Hardin develops in this way:

*Picture pasture open to all.... The rational herdsman concludes that the only sensible course for him to pursue is to add another animal to his herd... the conclusion reached by each and every rational herdsman sharing a commons. There in is the tragedy. Each man is locked into a system that compels him to increase his herd without limit- in a world that is limited. Ruin is the destination toward which all men rush, each pursuing his own best interest in a society that believes in the freedom of the commons. Freedom of the commons brings ruin to all.*

The concept has come to symbolize the degradation or over- exploitation of natural resources in the context of having multiple users. It is said, where resource is

limited but resource use is unlimited as many users are present and demand in excess, over-exploitation, depletion and ruin occurs. It is said, “ everybody’s property is no body’s property,” as each user rushes to harvest the resource before the next person does. Abuse of the resource occurs because each user, while striving for private gains, can spread some of the costs of his or her use to other users. Hardin's essay suggested that resources held in common are by nature subject to abuse, for individual rationality dictates that each person use common resources as intensively as possible, since anything saved or conserved might fall a competitor tomorrow. Hardin visualized this dismal picture in an imaginary medieval English grazing commons.

However, Hardin was not the first to notice this “ tragedy of the commons” Aristotle long ago observed that ‘ what is common to the greatest number has the least care bestowed upon it. Everyone thinks of his own, hardly at all for the common interest’ (*Politics*, Book II, Ch.3). Hobbes’s parable of man in the ‘state of nature’ is a prototype of the ‘ tragedy of the commons’ as men seek their own good and end up fighting one another. In 1833, William Foster Lloyd, a mathematician had sketched such a “ tragedy” in a little known pamphlet on population control<sup>16</sup>. More than a decade before Hardin's essay, H.Scott Gordon (1954) clearly expounded a similar logic in another classic: "The Economic Theory of the common- Property Research: The Fishery. “ Gordon described the same dynamics as Hardin, "There appears then, to be some truth in the conservative dictum that every body’s property is no body’s property.”

Hardin’s parable “ freedom in the commons brings ruin to all “ was taken quite literally, and accorded by some the status of a scientific law. This is, in fact, a powerful metaphor for the consequences of the lack of property rights on the commons although it is not an apt characterization of what really happens in many commons cases. And accordingly many standard analyses in modern resource economics conclude that where a number of users have access to a resource system held in common, the total of the resource units withdrawn from the resource base will be greater than the optimal economic level of withdrawal.

---

<sup>16</sup> W.F. Llyod, *Two Lectures On the Checks to Population*(Oxford:OUP,1833) reprinted partly in G.Hardin(ed.), *Population, Evolution, and Birth control*, II ed.(Sanfransisco:W.H. Freeman & co.,1969) p.28

Similarly, others have rephrased this dilemma as a problem of externalities: People are unlikely to restrain their own behaviour when the immediate benefit of their actions are their own, but the cost are passed on to society as a whole<sup>17</sup>. Even scholars have gone so far as to recommend that “Hardin’s” tragedy of the commons” should be required reading for all students..... and , if I had my way , for all human beings’<sup>18</sup>

### **State Control**

By referring to natural settings as “tragedies of commons”, “collective-action problems”, “prisoners’ dilemmas” etc., the observer frequently wishes to invoke an image of helpless individuals caught in an inexorable process of destroying their own resources. An article in *The Economist* (10<sup>th</sup>. December 1988) goes so far to assert that fisheries can be managed successfully only if it is recognized that “left to their own ways, fishermen will over exploit stocks,” and to avoid disaster, “manager must have effective hegemony over them.” Garrett Hardin (1978) presumed that the only alternatives to the commons dilemma were ‘a private enterprise system’ or ‘socialism’. In his words, “if ruin is to be avoided in a crowded world, people must be responsive to a coercive force .....a ‘Leviathan,’ to use Hobbes’s term”.

The presumption that an external Leviathan is necessary to avoid tragedies of the common leads to recommendations for central government control of all natural resources. Heilborner (1974) suggested that “iron governments”, perhaps military governments would be necessary to achieve control over ecological problems. In an analysis of water resource management problem in developing countries, Caruthers and Stoner (1981) argued that without public control, overgrazing and soil erosion of communal pastures, or less fish at higher average cost would result. They concluded that “common property resources require public control if economic efficiency is to result form their development”. The policy advice to centralize the control and regulation of natural resources, i.e., grazing lands, forests, fisheries etc. has been followed extensively, particularly in the Third World Countries including India.

---

<sup>17</sup> See R.W. Judd, *Common Lands, Common People: The Origins of Conservation in NorthernNewEngland* (London: Harvard University Press, 1997)

<sup>18</sup> J.A. Moore (1985) reporting on education project for the American Society of Zoologists

## **Privatization:**

Some policy analysts have used equally strong terms in calling for the imposition of private property rights whenever resources are held in common . “ Both The economic analysis of common property resources and Hardin’s treatment of the tragedy’ led Robert J. Smith (1981) to suggest that” the only way to avoid the tragedy of the commons’ is to end the common property system by creating a system of private property rights” He stressed that it is ‘ by treating a resource as a common property that we become locked in its inexorable destruction.’ Similarly, Claude Welch asserted that privatization was the essential solution for all common-pool problems. It was argued that only under sole ownership would people have incentives into the future. Private ownership would protect the resource users from the “ prisoner’s dilemma” trap of over use which results from not knowing what fellow users will do. Underlying this argument was the assumptions that only two types of ownership were possible for natural resources: Private or open access. Hence, both the advocates of centralization and privatization accept as a central tenant that institutional change/ solution must come from outside and be imposed on the resource system and its holders/users.

Though Hardin’s survival “ tragedy of the commons” is a powerful metaphor highlighting the dynamics of resource use and stressing the as importance of property rights, this/ it can and has been criticized for loose terminology and historical inaccuracy. He has been faulted for ignoring the more nuanced social meaning of ‘common’ property in any given situation. This allegory obscures some important distinction in the physical and social characteristics of the resource system, and the institutional arrangement for its management and use respectively.

In fact, property- private or common- is a social construct,” thoroughly embedded in historically specific social contexts whose meaning vary”<sup>19</sup>. Daniel Bromley, among others, argues that Hardin failed to make a crucial distinction between open access- Unrestricted use of “ free-goods” – and co-operative management of common resources, In some historical instances, community management offered better prospects for resource use and conservation than did private or state property. Unfortunately in many non-western and third World societies where these management

---

<sup>19</sup> B.R Upreti, *Management of Social and Natural Resource Conflict in Nepal – Realities and Alternatives* (Delhi: Adriot Publishers, 2002).

and stewardship systems were prevalent, colonial powers disrupted traditional/historical and customary village authority, and when colonialism gave way, village common lands fell prey to open access- the veritable "force-for- all" that Hardin conflated/ confused with common ownership<sup>20</sup>.

Similarly, In a significant work- "Governing the Commons" (1990), Elinor Ostrom rejects the inevitable 'tragedy' and asserts that individuals and groups have the capacity to extricate themselves from various 'dilemmas'. She provides many examples of existing 'common' where people have evolved institutional mechanisms for using and managing the resources (system) 'Ostrom argues that institutions are rarely either private or public- "the market" or the state". Many successful common-pool resource institutions are rich mixtures of "private-like" and "public-like" institutions defying classification in a sterile dichotomy.

Hence, the question is, how, despite Hardin's dire predictions of an inevitable tragedy so many commons survive and function. The existing Swiss Alpine grazing commons, the fisheries and irrigation systems managed by communities in India (south India) and so many other examples speaks the opposite of Hardin's argument. Though Hardin's powerful metaphor suggests the characteristic consequences of the lack of property rights on a resource system, it is, in fact, not an apt characterization of what really happens in many commons cases. Much of the commons literature instead suggest a "bucket brigade" metaphor<sup>21</sup>. Given a management problem of a resource system held in common, the group of people will often organize themselves in a way that is similar to the function of a 'bucket brigade' to put out the fire in a rural community.

Thus, the above analysis suggests that Hardin's 'commons' and the really existing commons are two different systems. Indeed, these two categories of resource systems should not be used synonymously. Two factors distinguish them, the main one is limitation of entry. The inputs to Hardin's commons may increase until economic exhaustion of the resource occurs. In the common property systems that have survived,

---

<sup>20</sup> See Daniel Bromley, *Making the Commons Work : Theory, Practice, and Policy* (San Francisco : ICS Press, 1992).

<sup>21</sup> C. Folkes and F. Berkes, *Mechanisms that Link Property Rights to Ecological Systems*, in research programme Property Rights and the Performance of Natural Resource Systems (Stockholme: Beijer International Institute of Ecological Economics, 2001) pp. 18-19



people have devised the principles of limiting both use and number of users. The second distinction is that with limited entry often comes coordinated management. There is no coordinated management in Hardin's "commons" because no identifiable group has been demarcated as the users and manages. Where limited entry has been the practice, the group of included users has the ability and motivation to cooperate and systematize use. Here, Stevenson suggests that the class of resources that has been labeled "common property" should more accurately be divided into two subsets. The subset that experiences overuse should be labeled "open access resources", for it is unlimited access, that causes the tragedy. The subset that has succeeded by limiting access and employing joint management is the common property, for only when access has been limited can one talk of "property".

Thus, the condemnation of potentially viable resource system, true common property, has been due to a problem of semantics or lack of conceptual clarity. The problem is that Hardin (1968) and other advocates of his line (Demsetz 1967, Cheung 1970, Alchian 1973, Anderson and Hill 1977, Libecap 1981 etc.) have wrongly applied "common property" tag to any natural resource used in common, whether it was an open access resource or limited access, managed one. Because the theory in which a tragedy results really applies to open access resources, one can right fully talk of the "tragedy of open access"<sup>22</sup>. However, due to the conceptual confusion the belief has grown that any multiple-user system will lead to over-exploitation and degradation. It became clear that open access and common property regimes are generally confounded with one another. And consequently this leads to the condemnation of common property as inferior to private and state property. Ironically, this belief has been used as the reasoning for advocating privatization of all resources held in common. Therefore, it is pertinent to distinguish the four types of resource use systems from each other.

---

<sup>22</sup> *ibid*, P. 3 ; also see J.K. Boyce, *The Political Economy Of The Environment* (U.K. : Edward Elgar Publishing Ltd. , 2002)

## Types of Resource Use Systems/Property Rights:

Various natural resource systems are differentiated on the basis of ownership, the rights and duties of the owners (or users), the rules of use, and the locus of control. Primarily property rights regimes are ordered loosely along a spectrum of ownership. Below the table 2.1 presents a simple taxonomy of our types of resource (or property right) systems with the associated rights and duties.

*Table 2.1: Types of Property Rights Regimes with Owners, Rights, and Duties*

Regime Type	Owner	Owner Rights	Owner Duties
Private Property	Individual	Socially acceptable uses; control of access	Avoidance of socially unacceptable uses
Common property	Collective	Exclusion of non-owners	Maintenance; constrain rates of use
State Property	Citizens (state)	Determine rules	Maintain social objectives
Open access (non-property)	None	Capture	None

[source: Susan Hanna et. al., 'Property Rights and Environmental Resources' in S. Hanna and M. Munasinghe(eds.) *Property Rights and The Environment:: Social and Ecological Issues*(wasington, D.C., The Beiger International Institute of Ecological Economics,1995) p.29 ]

### a). Open Access Resources:

An open access resource is referred to as *res nullius*, meaning that there is no ownership assigned to it, and the resource is open to all. This is a depletable and fugitive resource system, characterized by rivalry in exploitation, it is subject to use by any person who has the capability and desire to enter into harvest or extraction of it; and its extraction results in symmetric or asymmetric negative externalities. Under a regime of open access, claims to resources are realized at the point of capture, and users have no specified duty of maintaining the resource or constraining the use. It is important to note that the open access resource use system cannot be classified as a

property rights regime. This is because the idea of 'property' can not be attached to it as there is no limitation to entry, no identifiable owners or managers, and thus, no recognized rights. The rivalry in expropriation of an open access resource indicates that one agent's extraction of the resource precludes another agents possession. If one agent catches a fish, another cannot possess the same fish. But for some ubiquitous open access resources, such as the air, the relevance of this rivalry does not matter much until rates of use are high. Only when the resource is scarce and competition between users is stiff, then it becomes a matter of economic and environmental concern. The rate and pattern of use also reduces resource supply to zero and even, exterminate the latter's capability to reproduce. Similarly there are no enforceable property rights over the *in situ* resource. The open access resource is not even a pure public good as no explicit authority is exercised over it and there is rivalry in extraction. Open access also leads to under investment in common improvements to the resource base because of a divergence between the party who incurs the cost and those who reap the benefits. Moreover, open access often leads to not one tragedy, but two: the abuse of environmental resources, and the 'stealing of the commons' by the powerful and wealthy interest at the expense of others.

#### **b) State Property:**

This is referred to as *res publicae*. Theoretically, citizens of a political unit own this. Legally it is controlled and managed by the public authorities. The state and its agencies (legislative, executive, judiciary) frame rules and regulations for its use. The public authorities are assigned with the responsibility to control and manage such resources. Similarly the state agency has the corresponding duty to ensure that such public goods or property promote social objectives. Usually the public roads, schools, railways, reserved forests, state secretariat etc. are referred to as state or public property. Infact since the enactment of first Indian forest act 1965 and land acquisition act in 1878, all the natural resources within the national or state boundaries which did not come under private ownership have been declared as state property (of course, the property hold by trust, a temple or mosque have been left from its ambit). Though no individual citizen can be said to have any ownership right, citizens have the right to use the resource citizens have the right to use the resource within the established rules.

### c) Private Property:

Private property, *res private*, assigns ownership to named individual guaranteeing to those owners control of access and the right to a bundle of socially and legally acceptable uses. It requires the owners that they avoid specified uses which are deemed socially unacceptable, such as fouling the water streams, dumping waste to create health hazard for others etc. under private property, property rights in the *in situ* resource (the right to extract it, the right to possess it, the right to alienate it, the right to exclusion and son on) are vested in one real or legal person. In this frame work the individual person may engage in voluntary actions to obtain and transfer property rights. With a full ownership in a private property regime, the possessor has the complete power the control the access and use of a resource, and has the capacity to hold the resource for private use or to alienate on destroy the resource.

Strengthening the idea of private property, in fact, goes back to the 'original acquisition model' of John Locke in the 17<sup>th</sup> century England. The Enclosure movement, capitalism and industrialism, successively, emboldened the institution of private property. In the liberal tradition, the institution of private property has been hailed as fundamental to liberty and citizenship. Accordingly many constitutions have provisions for protecting and furthering private property. Private property has also been considered as an essential ingredient for the fulfillment and advancement of individual personality. Moreover, private property is proposed to serve in part, to check the state's or government's morally proper reach and power. However, the socialist tradition, starting with Marx and Engles in the in the communist manifesto, called strongly for the abolition of all forms of private property rights in the natural resources, and for a similar abolition of all rights of inheritance<sup>23</sup>. Similarly Rousseau condemned private property as being the source of all social evils<sup>24</sup>.

---

<sup>23</sup> Karl Marx and Frederich Engles, *The Communist Manifesto*, In Karl Marx : Selected Writings (ed.) David Mc Lellan (Oxford : OUP, 1977)

<sup>24</sup> J.J. Rousseau, *Discourses On The Origin And Foundations Of Inequality Among Men* (1755) in Roger D. Masters (ed.) *The first and second Discourses* (New York : St. Martin' Press, 1964)

#### **d) Common Property (Resources) Regime:**

Susan J. Buck in *The Global Commons: An introduction* (Washington D.C. Island press, 1998) prefers the term *common pool resources* to *common property resources or regimes* for the purpose of analysis. To her, there is a subtle but important distinction between common property resources and common pool resources. In the above-mentioned work, she does not use the term common property resources, although it is frequently found in the commons literature. "Since property is a variable bundle of rights, to speak of a common property resource regime has little analytical significance." It does not identify a particular arrangement of property rights, though it pretends to. On the other hand, common pool resources have no such disadvantages as a technical term. It is simply descriptive; denoting subtractable resource that are available to an identifiable group of users under an unspecified property regime." Here, this study does not go along with her prescription, though it is somewhat compelling.

Common property, *res communes*, is a natural resource system owned or controlled by an identifiable group of people, which has the right to exclude non-owners and the duty to maintain the property through constraints placed on use. Common property regimes are implemented for common pool resources, those which are difficult to divide or bend. In fact, common property is a form of resource management in which a well – delineated group of users participate in extraction or use of jointly held resource according to explicitly or implicitly understood rules (customs) about who may take how much of the resource. Thus, contrary to the general perception, common property arrangements exhibit certain kind of rules and regulations limiting access and use of the resource system. In a sense, common property is a 'private property for a group' with organizational rules circumscribing the nature of rights and responsibilities existing within the group with respect to them.

In fact, the term 'common property' had not been a happy choice. In the past the semantic problem has led to exaggeration of the 'notion of tragedy.' With both extensive and intensive resource in this field, gradually it has become clear that common properties are not 'open access' resources. They are well regulated both by the rightful owners and the concerned authorities .

Historically, the commons has not represented a system of open access exploitation. As Clawsan points out : property owned in common, whether land or other kinds, has not by any means always been freely open to any use, nor is property owned in common today in many parts of the world open to any user. Social controls of many kinds have existed, and do exist, to limit and govern the use of property owned in common. Such social controls often regulate the intensity of use. Property owned in common has not invariably been use in an exploitative way.

Similarly Sengupta points out that common property has 'excludability' just as private property thought the same is determined in terms of groups, not individual. To him the transfer of responsibility to the community creates common property. Further he says, "... that common property arises from the interface of technical and social features and its extent varies with technological and social change"<sup>25</sup>.

Glenn G. Stevenson presents a 'formal definition' of common property with a set of "necessary and sufficient" conditions for common property. Accordingly, common property is a form of resource ownership with the following characteristics <sup>26</sup> :

1. *Bounded Resource Condition*: The resource limit has bounds that are well defined by physical, biological, and social parameters. Though the resource is physical or biological, it should be demarcated and defined in terms of the social institution of common property.
2. *Well-delineated group of users condition*: There is a well delineated group of users, who are distinct from persons excluded from resource use. This, of course, contrasts to open access, where everyone is a potential user.
3. *Multiple users condition*: It indicates that common property is utilized by two or more people. Multiple included users participation in resource extraction. The use and control of resource by a single individual is associated primarily with private property.

---

<sup>25</sup> Nirmal Sengupta, *Managing Common Property : Irrigation In India And The Phillippines*. (New Delhi : Sage Publications, 1991) PP. 18-19.

<sup>26</sup> G.G. Stevenson, *Common Property Economics*, PP. 39-46.

4. *Well-understood rules condition*: Explicit or implicit well-understood rules exist among users regarding their rights and their duties to one another about resource extraction. The most important of these rules is some method to control who may take how much of the resource.

5. *Joint, Non-exclusive entitlement condition*: Users share joint, non-exclusive entitlement to the *in situ* or fugitive resource prior to its use or capture. Under private property, the *in situ* resource can be said to belong to a particular real or legal person, who have full right of possessing each and every unit of the resource. But, under common property, the resource *in situ* can not be associated with a particular user as its owner. Here, user may have secure expectations about possessing certain amount of the resource, but not about possessing particular physical units.

6. *Competitive users condition*: First, though multiple users compete for the resource, a common property framework envisages a model of cooperation rather than corporation. Competing users came together, to cooperate rather than to become corporate. Secondly, in a competing condition, users' extraction of the resource (if up above the limit) have the potential to generate negative externalities for other users.

7. *Rights holders condition* : In a commons framework, a well-delineated group of right holders exists, which may or may not co-inside with the group of users. The rights holders may rent their resource use rights to the actual users. Of course, this is not transected along the private property line.

#### **An Excluded Condition : Co-equal Rights**

Ciriacy-Wantrup and Bishop (1975), pioneers in common property theory, indicate that participants in a common property system have "co equal" rights to use. In practical terms, this means that users share fluctuations in availability of the resource proportionally according to each user's basic right to use or historical pattern of use. It does not mean that users have rights to equal amount of the resource. Ciriacy-Wantrup rejected the appropriation doctrine of western water law and included co-equal rights as a necessary condition for common property (Bishop 1983). However, Stevenson, along with Robin Cauton, does not include coequal use egalitarian allocation

rule as a necessary condition for defining common property<sup>27</sup>. Of course, many other researches on common property have underlined the importance of 'equity' for a common property arrangement

Moreover, drawing from existing scholarship on the commons. E. Ostrom and A. Agrawal focus on four to five types of property rights that are most relevant for the use of common-pool resources: access, withdrawal, management, exclusion and alienation. Access is the right to enter a defined physical area of a resource system. Withdrawal is the right to obtain resource units or products of a resource system (e.g. cutting, firewood, harvesting mushrooms, diverting water). Management is the right to regulate internal use patterns and transform the resource by making improvements (e.g. planting seedlings, thinning trees). Exclusion is the right to determine who will have the right of withdrawal and how that right may be transformed. Alienation is the right to sell or lease withdrawal, management and exclusion rights. Most of these rights operate at a collective-choice level. However, empirical studies have repeatedly found that most of the property systems those are called common property regimes involve participants who are proprietors and have four of the above rights but do not possess the right to sell their management and exclusion rights, even though they most frequently have the right to bequeath it to members of their family.

### **Common Property and Public Goods :**

Understanding common property also requires a grasp of the distinction between common property and public goods. They are similar in that both are held by a group. Also, the joint entitlement condition enables both the owners of commons and users of public goods to a similarly shared claim on the benefits. The essential distinction between a public good and common property lies in a public goods being a type of good or services, while common property is a resource management method. Similarly, the condition of excludability and rivalry, both provide contrasts between public good and common property. A public good is characterized by non-rivalry where exclusion from benefits cannot be enforced<sup>28</sup>. This does not characterise a

---

<sup>27</sup> Op. cit, pp. 45-46

<sup>28</sup> This is no to say that non-rivalry in consumption and non-excludability from benefits are strictly technical characteristics that define a public good. Exclusion from benefits may be enforced for almost any good if high cost are incurred. Thus, whether a good is supplied as a public good depends on institutional choice involving cost calculation and social or welfare objectives



common property regime. Moreover, joint non-exclusive entitlement implies that owners of a common property resource possess a potential benefit, contingent upon capture or efforts to use the resource. In contrast, beneficiaries of a pure public good, such as national park or highways, enjoy actual benefits even though the good remains under joint, non-exclusive possession by the state

### **Common Property and Global Commons :**

*Commons* are resource domains in which common pool resources are found. They may be small and local or large and global. By referring the term commons to the global arena, the Brundtland Commission speaks of a *global commons*<sup>29</sup>. For them, potentially, the commons includes all the planet resources, since these are common to all people and do not belong to nation-states. However, the idea of commons is thought of from the perspective of what nation states currently do to manage the global commons, i.e. deep sea, Antarctica, the space. Here the importance of international cooperation is stressed and the danger of national self-interest is cautioned against. Thus, the very larger resource domains that do not fall within the jurisdiction of any one country are termed as international or global commons<sup>30</sup>. *International commons* are resource domains shared by several nations, such as the Mediterranean Sea<sup>31</sup>. *Global commons* are resource domains to which all nations have legal access, such as the outer space, Antarctica. The distinction between the two is important, especially because international commons are exclusionary while global commons are not<sup>32</sup>.

However, the usual meaning of the term 'commons' is quite different from the meaning the Brundtland commission assigns to it. The commons are usually managed by people – not nation states – at a local and not at a global level. (Ostrom). Basically, the commons, referred to in this study, are resource bases, which are jointly held and used by local or traditional communities for their survival needs and wealth distribution.

---

<sup>29</sup> See Pratap Chatrjee and Matthias Finger, *The Earth Brokers: Power, Politics And World Development* (London : Routledge, 1994) PP. 25-27

<sup>30</sup> Marvin Soroos, "Conflicts In The Use And Management Of International Commons," In *Perspectives of Environmental Conflict and international Relations*, (ed.) Jyrki Kakonen (London : Pinter, 1992), P. 31

<sup>31</sup> See Peter Hass, *Saving the Mediterranean : The Politics Of International Environmental Cooperation* (New York : Columbia University Press, 1990)

<sup>32</sup> See Susan J. Buck, *The Global Commons : An Introduction* (Washington D.C. : Island Press, 1998)

## Some More Expansion on the Idea

The emergence of common property institutions as forms of social organisations may have number of causal factors. Some times, the physical characteristics of the natural resources dictate a common property solution. The existence of environmental resources as commonly shared entities such as fishery, ground water aquifer, woodlot has often resulted towards in a shift towards a common property arrangement. At other times, the social circumstances drive such a solutions. Runge (1981) has pointed out that some traditions have long depended upon group use of natural resources. Because of the society's experience which group control over resource base, the people may accept a common property solution more readily than a private or public one. Thus, property right regimes connect particular social systems to a particular ecological system, with its unique biophysical structure<sup>33</sup>.

Elinor Ostrom forcefully argues, "what one can observe in the world is that neither the state nor the market is uniformly successful in enabling individuals to sustain long term, productive use of natural resource systems. Further, communities have relied upon institutions resembling neither the state nor the market to govern some resource systems within reasonable degrees of success over a long period of time"<sup>34</sup>.

Moreover, common property resources provide sustainance , security, and independence, yet typically doesn't produce commodities (- a paradox in many westerners view). Unlike most things in modern industrial society, it is neither private nor public, neither commercial farm nor communist collective, neither business farm nor state utility, neither jealously guarded private plot nor national or city park<sup>35</sup>. In the resource systems of *usufruct* or *riparian* model, common rights can be defined as the right not to the land or the fishery, but the right to what the soil or the fishery brings forth over a particular period of time. So, in such cases the relevant group does not regard itself as of owning, rather as the stewards of the resource pool<sup>36</sup>. Similarly, the productivity of the commons are determined by market oriented growth economics, but

---

<sup>33</sup> Susan Hanna, et. all., *Property rights and Environmental Resources*. P. 20

<sup>34</sup>Elinor Ostrom, *Governing the Commons*, P. 29

<sup>35</sup>The Ecologist, *Whose Common Future? Reclaiming the Commons* (London : Earthscan Publications Limited, 1993), PP. 7-8

<sup>36</sup> Ostrom, *ibid.*, PP. 8-9

rather constantly adjusted and limited by the specific commons regime itself and by the basic needs of the dependent community.

Thus, the design of property right regimes must reflect the larger societal goals and objectives for economic performance, equity, and ecological maintenance. These objectives, both implicit and explicit, are shaped by cultural traditions, socio-political discourse, and economic dynamics. Objectives for long-term resource use must be specified within the property right regimes so that expectations of resource users and the society at large remain consistent. As understanding of common property regimes and state or private property regimes has increased, it has become clear that in some contexts collective, decentralized regimes are more appropriate structures for resource use and environmental management than private or state solutions.

## *CHAPTER - III*

# **COMMON PROPERTY RESOURCES IN INDIA AND THE THIRD WORLD: SOME SIGNIFICANT ISSUES**

The environment in the Third World is a livelihood issue. This truth has been virtually established in the various studies on the environment-development issues. As political ecologists suggest, the environmental crisis relates to the question of livelihood, which in turn, is linked in a very specific manner to the unequal wealth or resource distribution and power relations. As we move on to discuss the subject of environment and more particularly the phenomenon of common property (pool) resources in the third world and in India, we encounter many significant issues. These are varied and complex too; and may include issues such as - enclosure, call for privatization, poverty, livelihood, sustainability, equity, traditional resource management practices, popular resistance, issues of gender, of democratic decentralization and empowerment etc.

## **Capitalism, Colonialism and the 'tragedy of enclosure':**

Before moving on for a discussion on the process of enclosure and commodification of the commons in the Third World, one has to understand the process of enclosure in Europe. This is because, it was Europe which witnessed the beginning of a systematic enclosure process that later spread to other parts of the world along with the expansion of capitalism and colonialism.

Although enclosure of commons has taken place at many isolated moments throughout world history, it was in Europe, and more particularly in Britain between the 15<sup>th</sup> and the 19<sup>th</sup> centuries that the phenomenon became identifiable as a historical process. The culmination of the enclosure process in Britain and other European countries during this period is often cited as an example of wealth transfers from the poorer to the richer classes as commons were converted into private property. One epigram of unknown authorship from that period symbolising the essence of enclosure reads as :

*The law locks the man and women  
who steal the goose from off the commons.  
But leaves the greater villian loose  
who steals the common from the goose.*

Enclosure in Europe can be distinguished from the earlier forms of expropriation and enclosure in that it did not merely involve a transfer of power from the commons to an expropriating elite, but also signalled a more profound change in the social order in two related aspects. Firstly, enclosure, by redefining land as 'property', gave it a status of a commodity, tradable within a rapidly expanding market system, and as a corollary, since the majority of people were denied access to the land and were forced to become wage labourers, 'labour' also became a tradable commodity. Secondly, enclosure in Britain has consistently been justified by its perpetrators and apologists as "improvements". Between the 15<sup>th</sup> and 17<sup>th</sup> centuries, thousands of peasants were evicted from their holdings, while many more saw the commons that were the basis of their independence, fenced off for sheep. Other commoners, who found that their small plots of arable land were harder to maintain when deprived of the common pasture for cattle and other uses, were forced to sell off. The principal 'externality' of this enclosure process was the creation of a massive proletariat of dispossessed labourers, who could no longer able feed themselves.<sup>1</sup> In fact, the period, which saw the beginning of the first major wave of enclosure, saw the emergence of capitalist world economy.

This marked the beginning of a worldwide process of privatisation and commodification of water resources, forests and land. It fundamentally restructured the way people perceived themselves, each other, and the natural resources. This enclosure movement helped create conditions for the emergence of integrated national economies, and it became international in scope as the social and environmental externalities of enclosure were transferred to colonies. Moreover, enclosure is integral to the survival and growth of capitalism because capitalism depends both on the institution of private property and continued expansion of investment, markets, and profits. The relentless, insatiable appetite of capitalism fuels the drive to incorporate

---

<sup>1</sup> For details, see the Ecologist, *Whose Common Future?* (London: Earthscan Publishers, 1993), and W. Cobbett, *Selections from Cobbett's Political Registers, 1813*, vol. IV, cited in J. Collings, *Land Reform* (London: Longman Green Co, 1908).

more raw materials, processes, and markets. Thus, enclosure is a part of the incorporation process that occurs as the capitalist world economy expands its borders or as the capitalist penetration deepens. Today, the process of enclosure continues, although there are changes in its scope and nature. It is now a transnational project that includes the commodification and enclosure of intellectual property.<sup>2</sup>

### **Colonialism and Enclosure:**

Similarly, the rise of colonialism had been associated with the imposition of enclosure process in the captured territories. This, the colonialist did by a standard practice of declaring all 'uncultivated' or 'unmeasured' (*benap*) land to be the property of the colonial administration. At a stroke, local communities were denied any legal claim to the land/resources they had traditionally set aside as 'commons' (e.g. fallow land, forests, grazing land, water bodies) upon which they relied for hunting, food gathering, fishing, herding etc. Once appropriated, the commons were typically leased out to commercial (monoculture) plantation, logging, mining etc. In India, the British administration designated vast tracts of forests as 'reserve forests' via the Indian Forest Acts of 1878, 1927 etc. and denied local people's historical rights and ignored the symbiotic relationship between the forest dwellers and the forest. This sparked off protests throughout India. Hence, British rule in South Asia has rightly been criticized for forest policies that led to the widespread replacement of diverse forests by mono-species plantations, the loss of livelihood rights by forest dependent people, and a considerable reduction in forest cover.

Ironically, even after independence, this process of enclosure continued, as devastating as anything that had gone before, as the political leadership of the newly independent nation set in motion the process (or slogans) of 'development' and 'nation building'<sup>3</sup>. And, as the newly constituted government employed the full panoply of powers established under the colonial rule to further dismantle the commons, millions lost their homeland, sources of livelihood to make way for dams, big industries, mines, military zones, waste dumps, reserve forests, motor ways etc.

---

<sup>2</sup> See, for details Marian A.L. Miller, "Tragedy for the Commons: The Enclosure and Commodification of Knowledge", in S. Stevis and V.J. Assetto (ed.) *The International Political Economy of the Environment - Critical Perspectives* (London: Lynne Rienner Publishers, 2001), pp.111-113

<sup>3</sup> one can come across many studies highlighting this phenomenon. prominent among them are by Guha, Gadgil, Shiva, Sundar, Sing, Poffenberger etc.

Indeed, research by political ecologists has been instrumental in pointing out that the Third World's environmental crisis reflects mainly a '*tragedy of enclosure*' rather than a tragedy of the commons.<sup>4</sup> In this process, the state, often acting in conjunction with business and multilateral agencies, denied grassroots actors access to common resources hitherto managed by them through local institutions such as CPRs. In effect, CPRs are taken over by the state for large scale commercial exploitation, either by its own agencies or by allied business interests, using its legal & political powers. The usually exploitative development programmes in the post-colonial era have benefited and promoted powerful actors, leaving behind a lot of misery for the marginalized masses.

### **Implications of Enclosure for the Rural Poor:**

The enclosure of the commons was typically associated with the dissolution of many of those grassroots arrangements, notably the CPRs that had hitherto managed the local commons. As control over local environmental resources shifted from grassroots actors to the state and other actors external to the community (e.g. national or multinational firms) the need for these community institutions largely disappeared and, with it, the utility of local cooperation in aid of long term environment and resource management.

To be sure, all these local institutions did not disappear altogether, and rather the seeming 'passivity' of the local public in the face of outside management and control has been belied by fierce conflicts over access to these resources. However, a corollary of 'development' has been, undoubtedly, the weakening, if not the elimination altogether of the commons and grassroots environmental management in much of the Third World.

Similarly, the enclosure of the commons served to further marginalize the poor as their access to environmental resources essential for their livelihood was restricted or denied. In addition, these poor people often forced to work on ecologically fragile or marginal lands elsewhere in order to survive. The concurrent decline of CPRs would mean that there were few, if any, avenues open for the pursuit of alternative livelihoods

---

<sup>4</sup> The Ecologist, *Whose Common Future? Reclaiming the Commons* (London: Earthscan Publications Ltd., 1993)



for the poor. Seasonal or large-scale out-migration is the obvious result of this process/tragedy.

Unending marginalization has been the defining trait of this process as we witness poor grassroots actors being displaced from newly created reserve forests, national parks or other development projects. For example, the construction of large dams has resulted in the displacement of hundreds of thousands of poor farmers, hunter-gatherers, or shifting cultivators, as their homes have been submerged to create huge reservoirs. The Sardar Sarovar Project (SSP) over Narmada River will benefit business as well as urban dwellers and big agriculturists, but will involve the planned displacement of over 200,000 mainly poor people living on the path of planned development.

From among this broad category of poor grassroots actors, women and indigenous minorities have been worst affected in this process of marginalisation. Poor women in the rural sector depend heavily on the commons for the provision of fuel, fodder, food etc. Because of such dependency, the combined effects of the enclosure of the commons and associated environmental degradation have especially hard hit poor women. In many cases, the working day of the poor women has increased dramatically as they have had to walk farther and farther to collect badly needed resources such as water and fuel wood.<sup>5</sup> The marginalization of poor women has also increased within the household and local community as their ability to earn a separate income is reduced. The reduction in the quantity and quality of water and fuel wood supply can adversely affect the dietary provisions and health conditions of poor women. Similarly, this enclosure and environmental degradation has contributed to a catastrophic marginalization of indigenous groups.

#### **Privatization and the 'tragedy':**

The privatization of the common property resources is the logical policy extreme of the 'tragedy of the commons' allegory. According to Hardin (1968) the costs of exploiting pasture are 'externalities' and the logic that follows is that the resources will never be rationally used unless those who benefit individually have also to pay the costs of their actions. Private property achieves just such an end by 'internalising' the 'externalities' of non-exclusive resource exploitation to overcome the 'free rider'

---

<sup>5</sup> See V. Shiva, *Staying Alive: Women, Ecology and Survival in India*, New Delhi: Kali for Women, 1988

problem. The persuasiveness of Hardin's argument has led many to advocate privatization of the common property resources.

Lane and Moorehead (1994) argued that the conversion of the commons into private property does not necessarily guarantee resource conservation, and this attempt has been resulted in some of its most tangible failures. They reached this conclusion after studying the privatization process of the tribal grazing land in Botswana.<sup>6</sup> Ostrom, Bromley, Jodha, Blaikie, and Cernea etc have expressed similar views in many studies.

#### **Adverse Effects of Privatization:**

Privatization of common property resources as advocated by the supporters of the '*tragedy of the commons*' approach resulted in adverse consequences over the resource and resource users. Various studies suggested that privatization of commons led to disastrous consequences, which can be broadly categorized as 'environmental effects' and 'social effects'.

**i) Environmental effects:** The common property resources, particularly land held by customary tenure, are frequently privatised and legally backed by the notion of private property. This leaves less common land which tends to become overused, and a vicious circle of increasingly desperate and intensive land use occurs simply because there is no other source of vital resources. The privatization of land which forces marginalised people to use the commons more intensively contributes to the shrinking potential of the commons themselves. Even in the privatized common resources, the individuals will adopt intensive cultivation to maximize the revenue without any conservation practices due to the pressure of the market economy.<sup>7</sup> Thus, in both the cases, there is an adverse effect on the resource system.

**ii) Social effects:** The privatization of the commons in the third world often results in social marginalisation and exclusion. The powerful persons in the society are able to get control of the commons through the privatisation mechanism. Most often the government yields to the powerful lobbies and pressure and legalises their possessions.

---

<sup>6</sup> See Lane and Moorehead, 'New Directions in Rangeland and Resource Tenure Policy' in I.Scoons(ed.) *Living with Uncertainty* (London: I T Publications, 1994)

<sup>7</sup> See Blaikie, *The Political Economy of Soil Erosion in Developing Countries* (Harlow: Longman, 1985) p.130

The poor and less advantaged suffer in the process losing access to the otherwise vital communal resources. This analysis has been confined by number of studies. According to N.S.Jodha who studied the degradation of common property resources in Rajasthan, the changes in the CPR have had adverse redistributive consequences. The poor, who had advantages under the CPR system, are likely to lose in comparison to the rich and landed farmers. With privatisation, the well to do farmers would increase their livestock population and benefit from it, while with the loss of commons, the poor tend to work as mere labourers. Jodha added that studies indicate that CPR are used mainly by the rural poor, and the impact of inequality in the private property arrangement is partly reduced due to the presence of the commons. Decline in common land both in quantitative and qualitative terms, means greater loss to the rural poor. Jodha further added that as the data indicates, bulk of the privatized common land has not reached the landless, but have gone to those who already own the land.<sup>8</sup>

The above discussion illustrates that the privatisation of the CPRs neither provides 'equity' nor guarantees efficiency, either in terms of livelihoods, or the sustainable management of natural resource resources. Thus, policies of privatisation can have debilitating effects on communal tenure systems, without providing effective or equitable alternative regimes. Moreover, Bandyopadhyaya (1990) has demonstrated that in certain communities in India, common property resources are better safeguarded than private arrangements. The short time preferences of the private owners, and their ability to abandon degraded resource system, once maximum resources had been extracted, mean that they do not have the same incentives for resource preservation that exist in communities who have inhabited a locality for generations, and whose descendants will continue to inhabit it for generations to come. John Kurien found the same phenomenon in his study of common fishing ground: For the fisher workers, their future lies in the sea and its common resources. For, capitalists given their short term perspective, and under the given conditions of investment, the ratio of profits from indiscriminate harvesting of the commons to the profits from regulated and

---

<sup>8</sup> N.S. Jodha, Common Property Resources and the Rural Poor in Dry Regions of India, *EPW*, 21 (27) 1983

sustainable harvesting are large. For them it actually pays to bring ruin to the commons.<sup>9</sup>

The current coincidence of interest in sustainable development emerges from developmentalists' increasing recognition of the importance of preserving natural resources if development is to continue; and conservationists growing acceptance that, without development, preservation is not possible. In addition, those concerned with local empowerment or indigenous people's rights, have recognised that, because the environment is often a very local issue the concept of sustainability has useful connotations for them as well.

This implies that it is usually in the interest of the poor grassroots actors to manage environmental resources in a sustainable manner, not so much because these actors necessarily have a greater 'respect' for the environment, but rather because their livelihoods depend on the maintenance of these resources.<sup>10</sup> As Redclift notes: To most poor in rural areas, for whom daily contact with the environment is taken for granted, it is difficult, if not impossible to separate the management of production from the management of environment, and both form part of the livelihood strategy of a household or group.<sup>11</sup>

Hence, people who rely very immediately on natural resources for their livelihood, if they have been successful in establishing a sustainable mode of production, have typically developed methods to ensure the conservation of their ecological systems. Such indigenously developed resource management practices are commonly referred to as traditional, although the length of time they have been operable ranges from a few years to millennia, and although they are not static, but are constantly evolving. In general, these methods are more explicit and more formalized in situations where resources are very scarce, such as in arid lands, although implicit rules governing resource use exist as well in situations of relative abundance. On the community level, resource management systems have generally been more evident

---

<sup>9</sup> See John Kurien, "Ruining the Commons And Response of the Commoners: Coastal Overfishing and Fisher Workers' Actions in Kerala state, India" in D.Ghai and J.M. Vivian (ed.) *Grassroots Environmental Action: People's Participation in Sustainable Development*, An UNRISD Publication (London: Routledge, 1992).

<sup>10</sup> See R.L. Briyant and S. Baily, *Third World Political Ecology* (London: Routledge, 1997).

<sup>11</sup> Redclift, 1992:36.

among the dis-advantaged and rural dwellers than among urban and rich/urban rich. In spite of the inherent limitations of many such systems, and the external and internal pressures to which they are subject, traditional resource management systems have remained not only viable, but also active in many parts of the world. Where they exist today, these systems involve elaborate social, technological and economic mechanisms to safeguard resources.

There are numerous instances where religious significance or sacredness is being attached to certain plants or animals which are thereby protected. An example of much sacred grooves is where the religious beliefs held by the Bishnoi community have prohibited killing animals or cutting green trees since the fifteenth century. Today, Bishnoi land is said to be a green and flourishing area in the midst of the surrounding Rajasthan desert. There are many similar examples of centuries old environmental reserves. Moreover, there are customs prohibiting the exploitation of particularly useful species, such as the *Pepple* tree in Asia or the *Baobab* tree in Africa, or allowing the harvesting of animals or plants only during certain seasons or otherwise under conditions which minimize damage to their re-productive potential.<sup>12</sup>

Social controls have also been developed in many communities to regulate resources use and to ensure that the environment is managed sustainably. The intricate mechanisms governing pastoralists' grazing patterns, and the intimate environmental knowledge upon which such mechanisms are based have been well documented. Herds are moved according to land use rules which prevent either the most productive or the most drought resistant lands from being overgrazed. Social convention governs the use of water in the communal irrigation management systems, which have existed for centuries in several parts of Asia. Similarly, means of restricting use rights over marine, agriculture and forest resources have enabled communities in various parts of the world to sustain their resources base.

Moreover, there are many situations in which resource use regulations only became evident to outside observers when over exploitation threatens to degrade the resource base. For instance, in many pacific island communities, marine resources are seemingly harvested under open-access conditions; however when resource extraction

---

<sup>12</sup> See Gadgil and Vartak, Sacred Grooves of India: A Plea for Continued Conservation, *Journal of Bombay Natural History Society*, 72, 1975, pp. 314-330

exceeds certain limits, marine tenure traditions begin to exert their force, and social sanctions limit over-exploitation.

Another institutional mechanism maintaining the sustainability of traditional resource use in the development, refinement and transmission of environmental knowledge in rural communities. Although often dismissed as '*intuitive*' or '*primitive*;' or 'inefficient' ingenious knowledge has in fact been distilled over centuries and in many occasions the best guide to sustainable resource management. The instance of Kayapo community of Amazonian Basin can be highlighted to make this point. In fact, such detailed indigenous environmental knowledge is the rule rather than exception in Third World societies.

The question of traditional resource management should not be examined only in terms of its efficiency in market economics. In many cases, traditional ways of interacting with the environment provide a fundamental basis for a community's well-being, and thus becomes a human rights issue. When cultural and social identity is inextricably bound up in traditional forms of resource use, and when such communities desire to maintain this identity, resource management policy decisions should not be made on the basis of which system will provide a maximum economic yield.

However, it is also important not to idealize or romanticize all indigenous practices or communal traditions. Many traditional societies are really repressive, while even seemingly participatory traditional resource management systems can be inequitable, and common property can in reality, exclude large number of people from enjoying the full benefits of its holdings. The exclusion of women from the decision-making and/or the benefits of such system is perhaps the most readily observable example of inequality, although similar exclusions based on class, caste etc. are also very common. Similarly, these traditional management institutions and practices are facing new challenges from the changes in production process, market economy, technological changes, urbanization, socio-political changes.

### **Magnitude of CPRs in India:**

Common property resources in India, broadly includes village pastures, community forests, waste lands, common threshing grounds, waste dumping places, watershed grounds, waste dumping places, watershed, village ponds, tanks, rivers/rivulets and river beds etc. These are the resources accessible to the whole community of a village and to which no individual has exclusive property rights.<sup>13</sup> Similarly, a wide variety of essential items which are used by rural households from the village commons for personal use and sale: food, fuel, fodder, fibre, small timber, manure, bamboo, medicinal herbs, oils, materials for house-building and handicrafts resin, gum, honey, spices, and so on can be included in the list of CPR's.<sup>14</sup> And CPRs availability in India has been categorized into 3 main types: (a) in the arid and semi-arid regions there are about 20 h a, of CPR land per village which is typically heavily degraded and under open access usage; (b) in the hills, CPR can comprise 60 to 80 percent of the total land area, mainly in the form of forests; and (c) in the forest belt across central India, CPRs consist of minor forest products and some timber.<sup>15</sup> Of course, this geographical description does not include other major areas of commons such as the coastal commons and water bodies.

According to one estimate, the CPRs land area for the country comes about to 21.5 percent of the total geographical area.<sup>16</sup> However, its magnitude varies from 9 per cent to 28 percent of geographical area in different districts of the country based on selected village level survey.<sup>17</sup>

### **Significance of CPRs in India:**

The significance of CPRs consists in their potential to meet the basic needs of the rural India. The extensive common property has provided the resource base for the non-cash, non-market economy. A whole range of necessary resources has been freely

---

<sup>13</sup> N.S. Jodha, Common Property Resources and the Rural Poor in Dry Regions of India, *E.P.W.*, 21(27), 1986.

<sup>14</sup> Anil Agarwal, *Gender, Environment and Poverty in Rural India: Regional Variations and Temporal Shifts*, 1971--1991, UNRISD Discussion Paper 62, Geneva, 1995.

<sup>15</sup> J. Arnold & W. Stewart, *Common Property Resources Management in India* (Oxford: Oxford Forestry Institute, 1991).

<sup>16</sup> K. Chopra et. al., *Participatory Development : People and Common Property Resources* (New Delhi: Sage Publications, 1990).

<sup>17</sup> N.S. Jodha, 1986.

available to the people. Thus, commonly available wood, shrubs and cow-dung has been utilized for cooking and heating; mud, bamboo and palm leaves for housing; wild grass and shrubs as animal fodder; and a variety of fruits and fishes as food. There has been, thus, a minimal cost for the basic energy, food and housing needs. Even today, most rural Indians depend upon CPRs for their energy and housing needs, and to some extent for their food requirements. The dependency on CPRs is the greatest in tribal areas, somewhat less in rural areas, and least in urban areas. The inhabitants of tribal and rural areas, however, from the majority of the Indian populace.<sup>18</sup>

Similarly, in a comprehensive study of CPRs (covering 82 villages from 7 states in the dry regions), N.S. Jodha highlighted the crucial importance of the commons, especially for the rural poor.<sup>19</sup> One estimate by Beck and Ghosh<sup>20</sup> shows, CPRs currently add some US\$ 5 To 10 billion a year to the incomes of poor rural households in India, or about 12 percent to household income of poor rural households. This is about two and a half times total World Bank lending to India in fiscal 1996, about twice Foreign Direct Investments (FDI) in India in 1996, and more than twice the amount of Official Development Assistance (ODA) in the same year. CPRs, therefore, are significant in India, particularly for the rural poor.

#### **Decline of CPRs and Other Challenges:**

Despite environmental imperatives supporting the need for CPRs and quantifiable evidence on their contributions to rural economy, since early 1950s CPRs are on the decline in every part of India. N.S. Jodha's study<sup>21</sup> covering 82 villages from 7 states in the dry regions suggest that CPR area has declined by 31 to 55 percent in the study villages of different states during the early 1950s to early 1980s. Similarly, a study of 25 villages in Gujarat showed that there was a decline in both quantity and quality of CPRs, mainly due to encroachments as well as through legal privatization.<sup>22</sup> In fact, many villages (in Karnataka) are now left without *gomals* or *gochars* or village

---

<sup>18</sup>C.Sing, *Common Property Resources: India's Forest, Forest Dwellers, and The Law*, 1986.

<sup>19</sup> Jodha, *opcit*

<sup>20</sup> See Beck & Gosh, *Common Property Resources and the Poor: Findings from the West Bengal*, *E.P.W.*, Jan 15, 2000.

<sup>21</sup> Jodha, 1986.

<sup>22</sup> See S. Iyengar, *Common Property Land Resources in Gujrat: Some Findings about their Size, Status, and Use*, *E.P.W.*, June 2, 1989; also see *Review of Agriculture*, A 67-78.



pastures and only a few are left with adequate size of pastures.<sup>23</sup> And a village with no *gomal* tries to graze its cattle either in the state forest or in the gomals of neighbouring villages, which becomes a source of conflict.

Various scholars, including Blaikie, Brara, Chopra, Damodar, Nadkarni, Dabibhai etc. have also noted the decline of CPRs in India. Reduced areas of CPRs causing overcrowding and over-exploitation has led to physical degradation and reduced productivity of CPRs. Such decline is also due to slackening or discontinuation of traditional CPRs management practices. Jodha's studies showed that more than 90 percent of villages currently do not enforce wage regulations not collect any levy or taxes for investment in CPRs as they had in the past.

The decline in the area, productivity and upkeep of the CPRs has been a common phenomenon in most part of the developing countries, where these resources continue to be crucial for a vast majority of people. The recent literature on the subject attributes this problem to population pressure, market forces, public/government interventions, technological changes etc.<sup>24</sup>

However, the main cause of decline in CPRs is the privatization process. Under various welfare programmes CPR lands have been distributed to people for private use. CPR lands have also been illegally appropriated, often with subsequent legalization. According to N.S. Jodha<sup>25</sup>, the state's assault on CPR, specific opportunities created by market forces, land hunger accentuated by population growth, collapse of traditional forms of rural co-operation, and re-orientation of farming system de-emphasizing the role of bio-mass inputs, are the key factors that have led to the marginalization of CPRs. These and many other factors such as marketization, privatization, liberalization have led to a gradual but systematic exclusion of the poor from CPRs. Given the importance of CPRs to the poor, both the decline of CRRs and poor people's systematic

---

<sup>23</sup> M.V. Nandkarni, Use and Management of Common Lands Towards an Environmentally Sound Policy, *Karnataka State Environment Report IV*, 1990

<sup>24</sup> For details see Runge 1981, Bromley & Cernea 1989, Jodha 1986/90

<sup>25</sup> See N.S. Jodha, CPR and the Environmental Context: Role of Bio-physical Vs. Social Stress, *E.P.W.*, December 23, 1995.

exclusion from these resource bases is likely to have a devastating impact on poor people's livelihoods.<sup>26</sup>

Though on the one hand we have this gloomy picture on the 'commons' front, on the other, we can witness an array of encouraging developments where the common masses, the rural poor or the 'ecological communities' are struggling to rediscover, to rejuvenate, and to reclaim these commons -- their hope of life. Thus, we encounter a wide-ranging people's movements for asserting people's rights.

---

<sup>26</sup> Even many new forms of 'community management' are contributing towards exclusion of poorer groups from access to natural resources. Various studies by scholars like Beck, Nesmith, Rangan confirm this fact.

*CHAPTER - IV*

# **PEOPLE'S MOVEMENTS AND RECLAIMING THE COMMONS: A BRIEF ACCOUNT FROM INDIA**

The twenty-first century characterizes a progressive phenomenon in the continuing struggles of people towards broadening the horizon of freedom and enlarging the content of rights. The many progressive social movements which are otherwise termed as people's movements can be seen as enduring and broadening the legacy of the twentieth-century's two main currents of people's struggles -- the anti-colonial struggles for self-determination and the socialist revolutions of the united masses of workers and peasants.<sup>1</sup> The strong and enduring message of the various people's movements -- women's movement, tribal and anti-caste movement, human rights movement, and ecological movement etc. - is that human destiny must move forward for fuller freedom, greater equality, and comprehensive rights and justice, and greater democratization.

This chapter which analyses these issues, contains two sections. The first section deliberates upon some theoretical understanding of the social or people's movements, and more particularly of those characterised as ecological struggles. The second and concluding section, gives a brief account of many people's movements or ecological struggles in India that are asserting (local) people's claims over the commons (common property resources).

## **SECTION-I**

### **Social or People's Movements: Some Theoretical Insights**

As social or people's movements are the defining characteristic of this century and the theme of the study, this section would delineate upon some theoretical understanding.

---

<sup>1</sup>See Manoranjan Mohanty et. al (ed.), "*People's Rights and Social Movements and The State in the Third World* (New Delhi: Sage Publication, 1998).

## **Defining Social Movement:**

There is no precise definition of the term 'social movement' accepted by scholars of all hue and colours. Like many other terms such as 'democracy', 'justice', 'equality', the term 'movement' is differently used by different scholars, social activists and political leaders. The term social movement became popular in the socio-political and intellectual domain of Europe in the early 19<sup>th</sup> century. During this period of social upheaval, political leaders and authors, concerned with the emancipation of the exploited classes and hoping to change the existing socio-economic structure, used the term variously. This was a different story. However, since the early 1950s, various scholars have attempted to extend a 'working' definition of the concept of social movements.

Ghanshyam Saha, in the book "Social Movements and the State"<sup>2</sup> brings forth a working concept of social movement given by Paul Wilkinson: Social movements are thus clearly different from historical movements, tendencies or trends. However, these tendencies and trends etc may be of crucial importance in explaining social movement. A social movement must evince a minimal degree of organization, though this may range from a loose, informal or partial level of organization to the highly institutionalized and bureaucratized movement .... A social movement's commitment to change and the *raison d'etre* of its organization are founded upon the conscious volition, normative commitment to the movement's aims or beliefs, and active participation on the part of the followers or members. This particular characterization of social movement in terms of volition and normative commitment is endorsed by a near consensus among leading scholars in this field.

This working concept does not offer a precise definition, and is too broad to include both collective-action through legal means within the boundaries of political institutions and extra-institutional collective- action. According to Ghanshyam Saha the notion of 'minimum degree of organization' is problematic as it fails to explain precisely what the 'minimum degree' is. Similarly, it confuses whether the social movement begins with setting up an organization having committed members, or does the organization evolve in the course of time as the movement develops. Such a

---

<sup>2</sup>See, Ghanshyam Saha, 'Introduction' in G. Saha (ed.), *Social Movement and the State- Readings in Indian government and Politics* (New Delhi: Sage Publications, 2002).

definition may exclude protests and agitations that may not have organization to begin with.. Notwithstanding the difficulties Wilkinson's working concept is a heuristic device, which gives a broad definitional outline.

### **Emergence of Social Movements:**

The genesis or emergence of social movements has been the subject of much debate. M.S.A. Rao<sup>3</sup> in his edited work '*Social Movements in India*' (1978) presents three main theories, which attempt to explain the structural conditions and motivational forces that give rise to a movement. These are theories of relative deprivation, strain and revitalization.

The relative deprivation school is represented by - on the one hand, Marx and Aberle and on the other, Merton and Runciman. Merton and Runciman in *The American Soldier* used the concept of relative deprivation as the basis of studies on social mobility in relation to specific reference groups. Aberle defined *relative deprivation* as a negative discrepancy between legitimate expectations and actuality, and considered this as the basis of social movements. However, it alone won't generate a movement.

Smelser (1962) developed the *strain theory* of collective behaviour. Strain is considered as the impairment of the relations among parts of the system and the consequent malfunctioning of the system. Both strain [in the norms, values, expectations] and generalized belief determine the emergence of collective action through precipitating factors.

While the notion of relative deprivation and strain suggest negative conditions/elements in the emergence of social movements, Wallace's *revitalization theory* (1956) provides positive and deliberate elements. To him, social movements develop out of a deliberate, organized, conscious effort by the members of a society to construct a more satisfying culture. Wallace presents the dynamics of revitalization movements in four successive phases: the period of (a) cultural stability,(b) increased individual stress,(c) cultural distortion and consequent disillusionment, and (d) revitalization.

---

<sup>3</sup> See M.S.A. Rao ed., *Social Movements and Social Transformation* (New Delhi: Manohar Publications, 1987).

Thus, though social movements develop a positive programme of action they tend to be double-edged. On the one hand, they express dissatisfaction, dissent and protest against the existing conditions, and on the other, they offer a positive programme of action to remedy the situation. However, it should be noted that many psychic and individual deprivations remain personal, arbitrary and even frivolous, and thus, do not account for social movements. It is necessary to define deprivation in terms of collectivities and in the context of differential allocation of rights and privileges in different spheres of socio-economic and political-cultural life.<sup>4</sup>

In this context, Subash Sharma in an essay '*Ecological movement in the Third World*:'<sup>5</sup> gives an account of the theory of multi-dimensional critical dis-empowerment. He discusses various types of disempowerment : economic, social, environmental, political, and psycho-spiritual disempowerment. His argument is that people protest because of multi-dimensional disempowerment ; when it reaches a critical stage, some leadership takes up the issues concerned. Masses are most likely to participate when their 'critical life issues' are involved. For him, to characterise a (ecological) movement simply as 'cultural' (as post modernists do), or as 'political' (as Marxist do), or as 'nature-oriented' (as ecocentrists do) is too simplistic and mechanical categorisation. Further, these structural conditions of disempowerment may be necessary, but not sufficient for the genesis of a movement. A conscious human effort or collective action is very much required for it. When people's conditions deteriorate to the extent of 'dehumanization' - say, when relative deprivation becomes absolute - and people reach the climax stage of 'critical disempowerment', they either tend to 'escape from the reality' (out migration or passive/fatalistic acceptance) or 'confront the reality' in various ways of resistance to the exploitative system. This confronting the reality or resistance comes from the community itself, through some individuals with imagination and courage (who later form a community-based organization) or from outside through some animator/catalyst (often from a local voluntary organization or outside NGO, urban intelligentsia etc.]. However, the lifeline of a movement is its activists drawn from the local community itself.

---

<sup>4</sup>Op.cit., p. 246.

<sup>5</sup>For Details, see Subash Sharma (2001) *Ecological Movements in the Third World: A Critical Disempowerment Perspective*, *Journal of Rural Development* Vol. 20 (3) pp. 373-423.

## **Components of Social Movements:**

Objectives, ideology, programmes, leadership, and organization are important components of social movements. They are interdependent, and influence each other. The objective may vary from narrow particular local issues to broad aims for social transformation. The formation of ideology is an important aspect. It codifies and organizes beliefs, outlook and values, defines aspirations and interests and directs responses to specific socio-political situations. Thus, it legitimizes 'collective action' that translates into social movements.<sup>6</sup> Various strategies and programmes are evolved to mobilize the people. They sustain the movement for a longer period. Leadership which initiates or emerges in the course of the growth of the movement plays a crucial role in articulating the ideology and objectives, evolving strategies and programmes and maintaining the spirit of the participants<sup>7</sup>. And movements, may vary from very unstructured to well organized mobilization<sup>8</sup>. However, neither of these components are *apriori* and static. They evolve and get changed in the course of the movement.

## **Phases of a Social Movements (Mobilization):**

Since a social movement is a dynamic process of organised collective protest -- not a once for ever phenomenon, it is quite obvious that it would have different degree, range and depth which together can be analysed into different phases. Different movements, may have different numbers and sequences of phases. But usually it has three sub-processes or phases.<sup>9</sup>

- i) *Modest mobilization or collective self-assertion* -- where a movement is concerned with a moderate change in the system to meet the immediate needs of protestors;
- ii) *Conscientisation or collective self-empowerment* -- here a movement raises some radical questions and problems of daily life, rejects the multiple dominance.

---

<sup>6</sup> Rao, 1987 p. 247.

<sup>7</sup> Shah, 2002, p. 17

<sup>8</sup> See Ranjit Guha, *Elementary Aspects of Peasant Insurgency in Colonial India* (New Delhi: Oxford University Press, 1983) p.10.

<sup>9</sup> S. Sharma, 2001, p. 378.



- iii) *Critical autonomy or self-determination* – when a movement raises fundamental questions of structural changes in economic, political and social systems in order to have an autonomous life space in the civil society by reducing the hegemony of the state or other institution structures.

This study concerns itself with non or extra- institutional collective actions and not with institutionalized actions. Collective actions, which follow the path acquiescence for social and economic changes are not treated as ‘Social movements’. In fact, social movements refer to the direct actions of a group of people for a specific cause or causes. These non-institutionalized collective action or social movement takes several forms such as protest, agitation, strike, *stiyagraha*, *hartal*, *gherao*, riot, etc.<sup>10</sup>

### **Changes in Understanding Social Movements:**

Some of the earlier scholarly endeavours (Marxist formulations) discounted the importance of social movements because of the ‘multilineal character’ and ‘all-pervasive hierarchy’ of Indian Society by Badrinath 1977, Moore 1967; Pratap 1977. They did not see any possibility of social movement, as to them, the oppressed masses in India are docile and fatalistic. Some scholars like Mooris- Jones 1964 explained these social movements as the result of conflict between ‘tradition’ (traditional values, attitude) and modernity (modern institutions). Hauntington 1968; Johnson 1966 even viewed these development as ‘Political instability and disorder and attributed their emergence to the gap between people’s aspirations and inability of the political institutions. In the 1960 and 70s, scholars like Kothari (60), Bayley (12), Desai (65) etc. confined their discussion to the direct actions which were against the government or the state. Their discussion did not go beyond the state-centred political domain.<sup>11</sup>

However there has been a significant change in the perception, outlook of the scholars, intellectuals on these issues. The social movements (in the form of resistance, protests) have received increasing scholarly attention in the last two decades. Now it is recognized that the role of the state in ‘social transformation’ has been undermined due to various reasons including massive corruption,

---

<sup>10</sup> G. Shah, 2002, p. 18

<sup>11</sup> *opcit*, pp. 24-25

criminalization, and alienation of masses from party and electoral politics. Hence, people have started asserting their rights through various struggles extending beyond the traditional domain of the state or "the political". 'There is discontent and despair, but there is a growing awareness of rights.... When ever a mechanism of mobilisation has become available, this consciousness has found expression. At the bottom/grassroots, it is consciousness against the dominant paradigm of society that sustains deliberate indifference to the plight of the impoverished and destitutes who are being driven to the threshold of starvation. Rajni Kothari argues that these social movements are "really to be seen as part of an attempt at redefining politics at a time of massive attempts to narrow its range, different from electoral and legislative politics, which has relegated large sections of the people outside the process of power. He feels that mass mobilization or people's movements at the grassroots land is both 'necessary and desirable.'<sup>12</sup>

#### **From Social to Peoples Movement:**

In this study, the term 'people's movements' shall be (is) used in place of 'social movement'. Though there is no such major difference between the two and its merely an issue of semantics; yet using the term 'people's movement' is deliberate. This conveys two things: It is politically a more "potent concept" than 'social movement'. And social movement as a term has become extremely 'vague', suggesting any trend of mass mobilization on a specific issue. On the other hand, people's movement ( and its translation in many Indian languages as '*Jan Andolan*' or "*Janwadi Andolan, Jan Sangharsh*) inspires people's imagination to strive for greater freedom and equality. Similarly, it includes class movements within its scope and at the same time covers the many movements for people's rights- the movements of *dalits*, *adivasis*, local subsistence communities, women, environmental movements and so on<sup>13</sup>. These peoples movements raise new questions about domination and exploitation, and work towards greater democratization of society and polity. These progressive developments are reflective of the emergence of "creative society" in

---

<sup>12</sup> See, for details, Rajni Kothari's, *State Against Democracy*' (Delhi: Ajanta Publications, 1988, 89); *The rise of People's Movement, Social Action*, Vol.40., 3, July-Sept, 1990; and in G. Saha (ed.) *Social Movements and the State*, (New Delhi: Sage Publications, 2002)

<sup>13</sup> Mohanty, pp. 17-18.

contemporary times.<sup>14</sup> The positive elements of this trend stem mainly from the release of creative energies of the people at the meso/grassroots level, as they struggle to survive and respond to the multifaceted crises in their lives.<sup>15</sup> As the poor and vulnerable groups in India deepen their understanding of their reality, their subjugation and exploitation, we witness an increasing number of collective protests against the many forms of injustice. In fact, these people's movements not only express dissent, they are also providing the basis for a new pluralistic paradigm of development and participatory democracy. There is a qualitative difference between the new people's struggles and earlier liberation movements against colonialism, the trade union movements, and the peasant movements for land reform. The point of departure is the discrediting of the conventional paradigm of national liberation, socialism, and economic development itself.<sup>16</sup> These people's movements show that larger and larger numbers of people are no longer willing to accept passively, the exploitative or repressive regimes and state structures, or a development framework that excludes them. In fact, the expansion of social or people's movements during the past few decades has 'brought the people back' into the wideranging discourses on development and democracy.

The people's movements may arise spontaneously or be initiated and supported by sensitive external facilitations. Sometimes they have a charismatic leader. They may be protest and/or damage limiting responses; or they may be positive development actions. In some instances, these two types of activity link to build new coalitions. Some movement may be co-opted or even smashed by the systems. These are emerging out of peculiar contradictions within the society and polity. They may be autonomous with their specific conditions and objectives, but they can also be inter connected and forge a broad unity of purpose and strategy. The formation of National Alliance of People's Movement (NAPM) is indicative of this emerging scenario. The new movement and experiments where the level of people's awareness and assertion is high, evidence is accumulating not of hierarchical social formulations, but of a horizontal integration of people and groups associated with the

---

<sup>14</sup> Op.cit., p.65; To Mohanty, 'Creative Society' is an analytical concept that captures the nature of social upsurge in the post colonial world.

<sup>15</sup> See P. Wignaraja 'Rethinking Development and Democracy' in P. Wignaraja (ed.) *New Social Movements in the South-Empowering the people* (New Delhi: Vistar Publication, 1993) p. 5.

<sup>16</sup> Ibid. p.7.

new values. People are no longer tolerating polarization and inequity and are seeking means to satisfy human needs in a humane way. The people's movements are rooted in their own reality and demonstrate how the people themselves have emerged as the chief actors through participatory process.<sup>17</sup>

### **Strengthening the Idea of Rights:**

Whatever may be the conditions, causes, programmes, strategies, objectives of these people's movements, one thing is sure that these struggles of democratic transformation are redefining and expanding upon the meaning and scope of rights. The many struggles for People's rights- (this idea of 'people's rights' has been used to stress the comprehensive character of rights) expose the multidimensionality of oppression and seek multidimensional freedom. Rights have been conceptualized not as only claims recognized by the state or law, but as political affirmations of the human being or a group, pursued in and through struggles. This is not to say that rights need no sanction of the state. It is to assert that even if they do not have the state sanction they are rights because they are accepted by the current stage of human civilization as basic conditions deserved for every human being. Infact, the struggles for rights seek state recognition but pursue them in society and culture to further realise them in practice. Rights of human beings or human rights are no longer understood merely as claims to enjoy civil liberties; but as political, economic, cultural, social and environmental conditions that make possible the realization of the creative potentials of individuals, groups and communities. We have, thus, moved away from a narrow conception of rights to a much wider meaning defined in terms of democratic rights and people's rights.<sup>18</sup>

## **SECTION-II**

### **Reclaiming the Commons: A Brief Account of People's Movements in India**

The eruption of people's resistance through the rubric of environmental movements to the threats of subsistence security, environmental degradation, and the appropriation of local resources and the commons by vested interests has become a

---

<sup>17</sup>ibid, p. 20.

<sup>18</sup> See. M. Mohanty, "The Changing Definition of Rights in India" in Sujata Patel et.al. (ed.) *Thinking Social Science in India Essays in Honour of Alice Thorner*, (New Delhi: Sage Publications, 2002).

distinct phenomenon in the socio-ecological landscape of the third world societies including India. In most of these countries, the government and private businesses had taken over common property resources. People's rights to these resources were also greatly abridged along with the responsibility of managing them, thus alienating these communities from their traditional resources and resource use mechanisms. After Independence, India's citizens have been led to believe that representative democracy is the best way to make their concerns felt and have their needs met. People have now realized that this is more an illusion than anything else, especially when somebody is one of the less privileged of the country's citizens. Hence, local communities everywhere are beginning to strive for control over resources and over their lives.<sup>19</sup>

Often making use of what James Scott calls the "*weapons of the weak*",<sup>20</sup> groups, communities at the grassroots are resorting to '*everyday forms of resistance*' to successfully resist the web of enclosure and reclaiming a political and cultural space for the commons. The search is to rejuvenate what works, to combine traditional and new approaches and to develop strategies that meets local needs. So the debate is not much over such technocratic issues as how to conserve soil or what species of tree to plant, but rather over how to create or defend open, democratic community institutions that ensure people's control over their own lives.<sup>21</sup>

Today along with many well-known movements there are several micro-struggles at the meso-level or "*million mutinies*" across the length and breadth of the country, where communities and groups have been engaged, most often against grave odds, to secure control over productive natural resources and to defend their ways of living and their subsistence economies, predominantly based on the natural systems within which they live. These struggles have been against oppressive and iniquitous access and control over land, forests, springs, lakes, catchments and coasts, against destructive development, and for greater justice and democratic control over resources and over decisions that affect their lives. In India today, we are witness to a

---

<sup>19</sup> See Neema Pathak and Ashish Kothari, Empowering Communities, Conserving Nature, *Humanscape*, October, 2000, p. 6.

<sup>20</sup> See James. C. Scott, *Weapons of the Weak: Everyday forms of Peasant Resistance*, (Kuala Lumpur: University of Malaya, 1985).

<sup>21</sup> See the Ecologist; *Whose Common Future? Reclaiming the Commons* (London : Earthscan Publications Ltd., 1993).

great number of such people's movements that/those are resisting the enclosure of the commons, and defending and reclaiming the life sources.

*Chipko* is only one of thousands of movements that have challenged the enclosure of commons. Widespread mobilizations against hydropower projects that are displacing thousands of people, communities and flooding their forests and farmlands have sprung up all over the country. In September 1989, a rally of some 60,000 people against "destructive development" was held at *Harsud* in the Narmada Valley, the site of one of India's largest hydropower projects. The slogan of the march was "*Our villages, our Rule*". Mass marches of protestors have led, in some places, to cancellation of proposed dams or recognition of historical rights, in some place, have resulted in police firing and deaths.<sup>22</sup> These are not mere protests or resistance, rather than they project/underline an alternative, democratic vision of human progress.

The followings are a brief account that illustrate the manifestations of this progressive trend. Though many of these struggles have been pictuerised as ecological struggles or environmental movements, they are, in fact, people's movements for reclaiming the commons and asserting local people's rights over natural resource bases. This study carries forward this view.

### **Chipko Andolan:**

*Embrace the Trees and  
Save them from being felled;  
The property of our hills,  
Save them from being-looted.*

This poem, originally composed in Hindi by Ghanshyam Raturi, is symbolic of the essence of the *Chipko* movement. While the concept of saving trees from felling by embracing them is old in Indian culture, as was the case of *Bishnois*, in the context of movement for forest rights in Uttarakhand, this poem is the earliest source of the now famous name 'Chipko'.<sup>23</sup> The *Chipko* andolan in Garhwal

---

<sup>22</sup> opcit, p. 176.

<sup>23</sup> See V. Shiva et. al. *Ecology and the Politics of Survival-Conflicts Over Natural Resources in India* (New Delhi: Sage Publications, 1991) p.106

district of the Himalayan region has become a classic example of people's struggle for its multifaceted, long term implications. Started in early 1970s, it continued for more than two decades assuming different forms and adding new content in the hill people's struggle against the establishment, challenge to the dominant paradigm of development and in the process empowering the once government fearing *Girijans* and women. Initially started as a struggle to save the Garhwal forests from commercial exploitation by contractors in league with the forest functionaries, the Chipko movement raised the demand of the management of the forests and other local resources by the local community.

From Sunderlal Bahuguna's emphasis on the conservation of nature to Chandi Prasad Bhatt's emphasis on the management of local resources by the *Girijans* or local people themselves and then it gradually evolved as the demand by activists of Uttarakhand Sangharsh Vahini (USV) for ownership of natural resources by the local people and their use for local purpose. Unlike the West, where the middle class dominated the environmental movement and defined eco-politics, in India the Chipko initiated the women, *girijans*, and the poor in to it. It was these marginalised groups or communities, who participated in the movement and developed it as a major ecological movement.<sup>24</sup> The Chipko inspired people's movement in other areas and itself became an epic in the history of grassroots ecological struggles in India. During its long course, it formed a new language of public communication and new patterns of eco-political mobilization in which women emerged as the key actors. Chipko succeeded in bringing a ban on commercial felling of green forests and ensured some amount of rights of locals over the resource base.<sup>25</sup>

#### **Kashipur Tribal Revolt against UAIL:**

*Kashipur*, an unobscured place in the Indian map, has been in the news recently due to the reported hunger deaths. Even in the mid 1980s to 1990 when about 500 people died of starvation, the news struck headlines and became a subject of public hue and cry, forcing the then Prime Minister Mr. Rajiv Gandhi visiting the

---

<sup>24</sup> See Pravin Seth, *Environmentalism- Politics, Ecology and Development* (New Delhi: Rawat Publications, 1997), pp. 272-273.

<sup>25</sup> There are numerous Studies on Chipko by activists and scholars including Bahuguna, Bhat, Shiva, Gadgil, Guha, H. Seth, S. Kothari etc.

area. Apart from this phenomenon of hunger, Kashipur a densely forested tribal block of Rayagade district of Orissa, has been at the centre of national attention since last 7-8 years. The chief reason of its importance now, has been the rich deposit of rare Buxite mines for which one after another private sectors, corporates and MNCs are vying with each other to establish Alumina plants against which there has been strong and consistent public resistance.

Since 1993 there had been proposals to set up an multinational alumina company, (*Utkal Alumina International Ltd.*) UAIL- a joint venture of Indal (Birla Group), ALCAN (USA) and Hydro Aluminium (Norway) at Debaguda (Kuchiepadar) with Bauxite mines at nearby Baphilimali Hill. After knowing about the proposed industry, people could realize its outcome- in their displacement, curtailing and denuding of their common resource base and livelihood resources. Hence, they petitioned with the then chief minister of Orissa Mr. Biju Pattanayak, but his false assurance didn't help them. Even the succeeding Congress Government did not come to the rescue of the tribals. Hence they were forced to organise massive protests against this proposed project. On February 1996 a huge public rally was organized under the banner of '*Prakrutika Surakhya Parishad*'. This was addressed by Medha Patkar, Manmohan Choudhury, a *Sarvodaya* leader, and other local leaders of this mobilization. Many similar protests and rallies were organized by the local people. The local politicians, the government machinery and private companies together, tried to thwart the people's movement. In December 2000, at Maikanch 3 tribal protesters were killed in police firing. However, due to vibrant people's struggle, the corporate houses failed to encroach into and appropriate the common livelihood resources of the tribal poor.<sup>26</sup>

### **Struggles Against Big Dams: The Narmada Story**

Once classified as '*temples*' of modern India, large multi-purpose dams and river valley schemes have today become the focus of widespread agitation. The Tehri and Pang dams in the north, the Koshi, Gandhak, Koel-Karo, Indrabati in the East; the SSP on the Narmada Valley central India; Bedthi, Bhopalpatnam and

---

<sup>26</sup> The information about this movement has been collected from a presentation by Profulla Samantra, the Orissa Unit President of Loksakti Abhiyan and editor of '*Swabhiman*', a news magazine published from Berhampur, Orissa, at India international Centre, 29 September-October 1, 2000.



Ichampalli in the West; the Tungabhadra and Malaprabha in the South; all are facing resistance. Each of these schemes has raised issues of dislocation, displacement of local people in catchment areas, destruction of natural resources (i.e. forests, arable land and wildlife), and inadequate compensation and rehabilitation of those ousted from their homes.<sup>27</sup> Here, the Narmada struggle as 'a long march for livelihoods' is briefly discussed.

In many aspects, the people's movements in the Narmada Valley under the banner of *Narmada Bachao Andolan* (NBA), representing a significant proportion of those affected by this Sardar Sarovar Project (SSP) on the Narmada river has emerged as one of the most popular struggles in the post independent India. The SSP, a mega Narmada Valley Development Project plans to build 30 "major", 135 "medium" and 3,000 "minor" dams on a single river. This would displace over one million people, besides threatening the cultural and social values, lives of the locals.<sup>28</sup>

While there have been sporadic protests since 1979, as a major sustained mobilization since 1986, This struggle (NBA) has grown into a popular movement that opposes the SSP as well as other large dams. The landless, the marginal peasants, the tribals who have to bear the cost of development have been opposing it. This movement has raised some basic questions: Can there be a barter between the survival needs of a majority and more facilities and greater comfort for some? Is the social identity of a people negotiable? Though the NBA under the leadership of Medha Patkar could not be able to stop the increase in the dam's height, as the Supreme Court verdict<sup>29</sup> belied their hope, still this has posed enduring questions on the issue of development-displacement and highlighted the issue people's right to livelihood and right to their habitat.

---

<sup>27</sup>See Harsh Sethi, "Survival and Democracy: Ecological Struggles in India" in P. Wignaraja (ed.), *New Social Movements in the South-Empowering the People* (New Delhi: Vistar Publications, 1993) P.132

<sup>28</sup> for details, see, Subodh Wagle, "The Long March for livelihoods: Struggle Against the Narmada Dam in India", in J.Byrne et.al (ed.) *Environmental Justice- Discourses in International Political Economy* (USA: Transaction Publishers, 2002), p.73

<sup>29</sup> Supreme Court of India. 2000, Civil Original Jurisdiction Writ Petition (c) No. 319 of 1994, *Narmada Bachao Andolan, Petitioner vs Union of India and others, Respondent. Judgement.* New Delhi, October 18.

## **Movements of Traditional Fisherfolk :**

India has a long coastline. For centuries millions of traditional fisher- folk have earned their livelihood from these sources. In the 1980s, a powerful movement grew, particularly on the western coast, opposing the opening up of the traditional fishing places of small fisher folk to mechanized trawlers. This generated a widespread and intense conflict between the trawler industry and traditional fisher folk . For the traditional fishermen, the issue is not merely of unequal competition, or of destruction of the resources on which their livelihood depends. They were concerned with the over-fishing by mechanized trawlers leading to a decimation of young fish, breeding and spawning zones.

The struggle of traditional fisher folk, primarily under the leadership of *National Fishermen's Union* demanded a complete ban on trawling in shallow waters, regulation of big fishing companies who threaten their livelihood. They also raised the issue of both technology and social organization and control. The struggle also touched upon issues relating to forming cooperatives of fisher folk, ensuring easier credit and market access, appropriate technology etc.<sup>30</sup>

### **Chilika Bachao Andolan:**

*Chilika*, Asia's largest *brakish* water lagoon, is not only the home to a rich and diverse eco-system but also a home as well as an earning source of 192 fisher folk villages. Fishing has been the traditional occupation in the Chilika region for centuries. Fishermen have their right to fishing in Chilika since *Afgan* rule. The right was protected even during the British period. Chilika has a rare and inspiring history of fish producers, cooperatives and village level democracy since early times.<sup>31</sup> However, since mid 1980s, the development of 'prawn culture' saw Chilika transformed into a virtual '*goldmine*'. Commercial invaders , politicians, bureaucrats, local business interests and big business (i. e. The Tata) entered the scene in successive phases.

---

<sup>30</sup> For details, refer to Thomas Kocherry, 'Mechanization and Kerala's fisherfolks', *The Fight for Survival* (New Delhi: Centre for Science and Environment; 1988); and Koshy Mathew (ed.) *Voices of Storm*, National Fishermen's Forum, 1988.

<sup>31</sup> Pravin Seth, 1997, p. 250

When the poor fisherman confronted by the loss of livelihood, they tried to resist the encroachment of the lake by the outsiders (i.e. "Prawn Samrats" as called by fisher folk). Awareness began to spread among local people with active campaigning by a group of students from Utkal University, Bhubaneswar under banner "Meet the Students". It was then joined by environmentalists and political workers to grow into *Chilika Bachao Andolan* (CBA). Similarly, the fisherman under *Chilika Matsyajihhee Mahasangha* (CMM) protested against the prawn culture and demanded capture rights to be awarded to them in the form of long term settlement. The CMM also resorted to quasi-militant approach in its demand of *gheri* demolition and fishing rights to fishermen.<sup>32</sup> The direct action of fisher folk and apathy and insensitive approach of the government led to the tragic firing incident at *Soran* village on 29<sup>th</sup> May 1999 causing the death of 4 protesters. However, finally the traditional fisher folk won their battle by forcing the government to recognize and concede many of their demands.<sup>33</sup>

Apart from the above mentioned people's movements, there are several other movements across India's socio-political-ecological landscape. There are movements against land alienation and exploitation (in Bichhri, Rajasthan, or along Tunga bhadra in Karnataka); against the disruption of complex Socio-ecological systems (Baliapala in Orissa). All over the country, there are movements for self-rule (in Mendha lekha, Maharashtra); for the defence of commons (Common Lands Movements, Karnataka); for control over lives, livelihoods and institutions of governance (BhoomiSeva or Shramik Sangathana, Maharashtra; Adivasis Mukti Sangathana in Madhy Pradesh, Samata in Andhra Pradesh). These struggles are not only numerous, but diverse as well. What is crucial is that no distinction is made between the defence of livelihood systems and social and economic injustice. The ecological, the economic, the social, the political and the cultural are deeply intertwined.<sup>34</sup>

All these people's movements are politically significant. They seek a fundamental transformation of existing socio-economic structures, including the very pattern of political process and economic development, though they are focused on

---

<sup>32</sup> see Chinmoy Biswal, *In Deep Waters- A Sociological Study of the conflict Over Chilika* ( A dissertation), (New Delhi: Dept. of Sociology, D.S.E, 2000).

<sup>33</sup> *Parjyabekshak* (Oriya), 31<sup>st</sup> May, 199; *The New Indian Express*, 31<sup>st</sup> May 1999; *States Man*, 1<sup>st</sup> June 1999.

<sup>34</sup> See Smith Kothari, A Million Mutinies now: Lesser-known environmental Movements in India, *Humanscape*, October, 2000.

rights and control over productive natural resources. In fact, the ongoing struggles seek nothing less than a redefinition of what constitutes the political.<sup>35</sup> Though these movements are fraught with dilemmas and challenges, they provide us a crucial window into the range of aspirations and alternatives that communities and groups at the base of our society feel and act upon. They are providing the thrust towards greater decentralization and democratization.

---

<sup>35</sup> *ibid*, p.6

## CONCLUSION

Conflicts over natural resources, though not new, have become a growing phenomenon as the competing claims by the subsistence needs of the vast majority of the masses and the industrial market economy over the natural resource base is sharpening. Earlier analyses of the problems of environmental degradation and resource depletion had focussed on the issues of 'population explosion', the scarcity of environmental resources, the 'free-rider problem the 'tragedy' of the commons, the 'externalities' problem, wrong-pricing etc. Such paradigmatic orthodoxy provided the legitimacy to several reactionary socio-political and environmental agendas. But, since last two decades or so, a paradigm shift has been occurring and these issues are looked into through an eco-political perspective. Infact, the eruption of many people's movements in the rubric of ecological struggles has highlighted the many contradictions in the 'long march of development'. This has induced the scholars, researchers, academics, policy makers appreciate the complexities of such issues in relation to poverty, un-equal resource allocation, in-sustainable consumption pattern, iniquitous globalization etc. In this present study, there is an attempt to view them with through a progressive and liberating out look.

The eco-political perspective (of course, anthropocentric), being conscious of the limitations of bureaucratic-technocratic-managerial approach, highlights the socio-political and ecological dimensions of natural resource related conflicts. This perspective helps to understand that, though population pressure and limitations of resource pool are factors of such conflicts, they are not the sufficient conditions for their exacerbation. If, the highly unequal consumption pattern is analysed vis-à-vis the statistics on population growth and limited resource pool, then an entirely different picture emerges. Infact, the widespread social conflicts and mass resentments on the backdrop of continuing poverty and deprivation, increasing disparity and rampant hunger expose the contradictions of the development agenda since independence. While, the question of access to and control of natural resources (especially, the commons) is an important one as most (rural) Indians' survival depends on it, colonial India saw the enactment of laws restricting the rights of people (local communities) and which has been further strengthened even after independence.

Further, despite the relatively long experience with democracy, the pattern of resource allocation has served the interests of industry, urban and rich, big farmers, contractors, politicians etc ignoring the basic needs of the 'teeming millions'. Indeed, the bulk of development policies, justified in the name of national interest have diminished poor people's ability to control and gainfully use natural resources. Similarly an understanding of the complex relationship between poverty and ecological crisis has exposed the iniquitous and unsustainable consumption pattern of the 'globalized rich', and how it badly affects the subsistence needs of the poor 'ecosystem' people. Moreover, state or market intervention, by ignoring traditional and historical rights of existing users and excluding them from decision-making, has promoted profligate resource use and thus, induced conflicts over it. Infact, since 1990s, the overall thrust of capitalist development, in the framework of liberalization and globalization, has dramatically moved towards violently destroying the subsistence economics of the poor and marginal by either direct seizure of their resources or by polluting their environments.<sup>1</sup>

The close relationship between the grassroots people and the environment has evolved anew kind of environmentalism ("environmentalism of the poor") in India, which is progressive and much beyond, the western environmentalism and the current global environmental politics. This environmental thinking has emerged along with the grassroots popular movements to influence the development and environmental policies in support of natural resources dependent subsistence communities. Thus, environmentalism in India, like other Third World societies, has evolved as an integral part of local level activism for broad social justice.

As the issue of common property resources is an important aspect of this study, the researcher has tried to present a relatively detailed analysis of various kinds of property rights and other related concepts. Indeed, most natural resource conflicts and environmental problems could be seen as problems of incomplete, inconsistent and un-enforced property right regimes. It has also been proved that Hardin's parable- the 'tragedy of the commons' is a misnomer; rather it should have been termed as a 'tragedy of open-access'. In reality, common property is a natural resource system managed and controlled by an identifiable group of people, who have the right to

---

<sup>1</sup> Rohan D'Souza, "Capitalism's Ecological Crisis", *Seminar* 516, August 2002, P. 62

exclude non-contributors and the duty to maintain the resource base through constraints on use. They exhibit certain kinds of rules and regulations (may be explicit or implicit, social and customary) regarding the access and use of the resource system. These local commons are also different from public goods and the 'global commons'. Infact, the documentation of the widespread existence of common property resource systems based on the *usufruct* or *riparian* model rejects the notion of an inevitable 'tragedy' of the commons. It has also become clear that in some contexts collective, decentralized regimes of the commons are more appropriate for resource use and environmental management than private or/and state solutions.

Further, it has been proved that there is no inevitable 'tragedy' on the commons, rather it is the 'tragedy of enclosure', which was systematically started in Europe in the 15<sup>th</sup> century and spread to the Third World societies along with the expansion of capitalism and colonialism. Infact, the rise of colonialism had been associated with the imposition of enclosure process in the 'captured territories' and which denied local communities any legal claim to the resources they had historically set aside as 'commons'. The enclosure process reflected in subsequent 'statization' and privatization has been strengthened even after independence. This has resulted in the dismantling of many of the grassroots arrangements (i.e. CPR), marginalization, and exclusion of the rural poor, shrinking of their survival base, large scale displacement etc. Moreover, it has been illustrated that statization or privatization of the CPRs neither provides 'equity' nor guarantees efficiency, either in terms of livelihoods or the sustainable management of natural resource. Here, the importance of traditional resource management systems practiced by various communities for the commons has been underlined. However, one would be cautioned against romanticizing or idealizing indigenous practices or communal traditions.

Though the magnitude of CPRs has declined in quality and quantity over the years, they still continue to provide essential livelihood sources to the (rural) poor. The village pasture, community forests, 'waste lands', common threshing grounds, water shade, village ponds, rivulets etc. provide essential support system to the very lives of the masses at the grassroots. A wide variety of essential items such as food, fuel, fodder, fiber, small timber, manure, medicinal herbs, house building materials, honey, spices etc. are collected by rural households from the village commons. Many studies

have highlighted the crucial significance of the commons for the rural poor. Hence, their decline due to the several factors-privatization, industrial expansion, infrastructure build-ups, intrusion of market forces etc.-has been a major concern for the (rural) poor, tribals, and other subsistence communities. As these threats and challenges to the commons has fuelled many natural resource based social conflicts, we are witness to the emergence of popular resistance movements.

In further discussions, it has been argued that the many progressive social or people's movements have worked towards broadening the horizon of freedom and strengthening the idea of rights. Infact, they have underlined the increasing socio-political awareness among the grassroots actors regarding their rights and justice, particularly survival rights and ecological justice. As the masses are disillusioned from the present democratic governance and unequal development practices, they resort to non-institutional politics in the form of 'people's movements (*Janwadi Andolans* or *Jana Sangharsh*) to assert their basic rights. These movements, both the prominent ones and those relatively less visible, have essentially turned on questions concerning the immiserization of marginalised communities through the alienation of their livelihood source. These peoples' movements not only express dissent, they are also providing the basis for a new pluralistic paradigm of development and participatory democracy.<sup>2</sup>

Another important dimension of this trend is that in rural India, women have been at the forefront in creating and running the (Protest) organizations to protect local livelihoods. The critical role of women in Chipko, Narmada Bacho Andolan etc. has been extensively noted. This 'feminization of grassroots movements' illustrates an important point: while the grassroots organizations usually develop to assert local control over environmental resources, they may also aim to represent or assert women's claims for social justice both inside and outside the local community.<sup>3</sup>

These popular movements have served as an effective medium whereby the masses can voice, their (political) opposition with courage and confidence to the

---

<sup>2</sup> However, some scholars like Harapriya Rangan do not subscribe to this view. In one essay "From Chipko to Uttaranchal", in R. Peet and M. Watts, eds. *Liberation Ecologies: Environment, development, social movements* (London: Routledge, 1996) pp. 205-225, Rangan argues that 'social protests (or people's movements) in post-independent India are centrally concerned with access to development, and forcing the state to assume greater responsibility in addressing problems of uneven regional development and social equity. To her, the idea development is not so much subverted by these protest movements.

<sup>3</sup> See R. L. Bryant and S. Baily, *Third World Political Ecology*, (London: Routledge, 1997) PP. 182-83.



practices of traditionally powerful and dominant interests. There is certainly evidence of political victories by such mobilizations in India. Whether it be the anti-dam struggle of Narmada Bachao Andolan or the anti-mining struggle of Kashipur, various studies suggest that the ability of people's movements to promote local empowerment and livelihood interest is growing. Similarly, these have become stronger and develop links to actors external to the community and with such other groups or movements both across the country and the globe. This has enabled them to turn the tables on local 'bosses' and other agents of oppression and exploitation. However, the growing prominence of grassroots people's movement has not eliminated the exploitation and prosecution of the weak by the strong everywhere as yet. Still, there are some factors that suggest a more cautious assessment of the role of these movements to transform the eco-political landscape of India.

Any attempt to evaluate the success or failures of such movements is fraught with difficulties given the heterogeneity of such mobilizations in terms of actors, interests, size, purposes, mode, organizational ability etc. However, at a general level, one can observe a linkage between the increasing grassroots movements and local empowerment in terms of promoting local livelihood interest and environmental conservation. As these movements are locally organized and run by, and on behalf of grassroots actors, they reflect an element of legitimacy and effectiveness in highlighting and promoting the livelihood concerns and local empowerment of poor farmers, pastoralists and other ecosystem people.

Although, these myriad initiatives may be construed, in the broad sense, as being political in nature, they have been almost wholly undertaken by groups falling outside the sphere of formal party politics. Across the ideological spectrum of party politics in India—from the Bharatiya Janta Party on the right to the Communist Party of India (Marxist) on the left, the established parties have turned a blind eye to the continuing impoverishment of India's natural base, and the threats this poses to the lives and livelihoods of the vulnerable populations.<sup>4</sup> In this context, it has been left, primarily to social action groups not owing allegiance to any political party -what Rajni Kothari has termed 'non-party' political formations'- to focus public attention on the linkages between poverty and ecological crisis, between the iniquitous development agenda and

---

<sup>4</sup> For details, see M. Gadgil and R. Guha, *Ecology and Equity: The Use and Abuse of Nature in Contemporary India* (New Delhi: Penguin Books, 1995)

rural impoverishment etc. through the process of struggle, the spreading of consciousness and constructive work, these groups have come to develop an incisive critique of the dominant 'development and prevailing 'democracy'.

Now, it can be said that the impetus for change, if not coming from the electoral part of India's democracy, will come from those elements of Indian democracy, which empowers its people with the right to free speech, the right to form associations, the right to protest and the right to go to court etc. In fact, it is India's people-the mass citizenry at the grassroots- that will have to literally browbeat the country's elected representatives into action. Herein, the issue is to find out ways in which the ones worst affected by a decision are able to take action to bring changes. This sustainability would be, therefore, not about technology or ecology but about a political framework based on democratic values, which can give people, the local communities rights over local commons- their livelihood resources. Similarly, decision making within the community must be as participatory, open and democratic as possible. It is this message that the people's movements need to articulate with greater force and conviction to ensure that their voice further democratizes the society and polity of India and empowers the masses.

# BIBLIOGRAPHY

## SECONDARY SOURCES

### BOOKS:

- Agarawal, Arun and Krishna, Siva Ram, 1998. *Social Nature: Representation and Rules in India*, New Delhi: Oxford University Press.
- Anderson, Terry L. and Leal, Donald R., 2001. *Free Market Environmentalism*, New York: Palgrave Publication.
- Baviskar, Amita, 1995. *In the Belly of the River: Tribal Conflicts over Development in the Narmada Valley* New Delhi: Oxford University Press.
- Bryant, R.L., and Baily, S., 1997. *Third World Political Ecology*, London: Routledge Publication.
- Byrne, John, et.al., 2002. *Environmental Justice: Discourses In International Political Economy*, USA: Transaction Publishers.
- Carson, Rachel, 1991. *Silent Spring*, London: Penguin Books.
- Chattarjee, Pratap and Matthias, Finger, 1994. *The Earth Borkers: Power, Politics and World Development*, London: Routledge Publication.
- Chopra, Kanchan and Gulati, S.C., 2001. *Migration, Common Property Resources and Environmental Degradation: Interlinkages in India's Arid and Semi-arid Regions*, New Delhi: Sage Publication.
- Clane, T.W., *The Policy Process: 2002, A Practical Guide for Natural Resource Professionals*, London: Yale University Press,

- Daly, Herman E. and Townsend, Kenneth N., eds., 1993. *Valuing The Earth : Economics, Ecology, Ethics*, Cambridge: The MIT Press.
- Divan, S. and Rosencranz, A., 2001. *Environmental Law and Policy in India: Cases, Materials and Statutes*, New Delhi:Oxford University Press.
- Gadgil, Madhav and Guha, Ramachandra, 1995. *Ecology and Equity: The Use and Abuse of Nature in Contemporary India*, New Delhi: Penguin Books India (P) Ltd.
- Ghai, Dharam and Vivian, Jessica M., eds., 1992. *Grassroots Environmental Action: People's Participation in Sustainable, Development*, London: Routledge Publication.
- Gosling, David.L., 2001. *Religion and Ecology in India and Southeast Asia*, New York: Routledge Publication.
- Gupta, A., 1998. *Ecology and Development in the Third World (2<sup>nd</sup> ed.)*, New York: Routledge.
- J. Buck, Susan, 1998. *The Global commons: An Introduction*. Washington, D.C.: Island Press.
- James, George A., (ed.), 1999. *Ethical Perspectives on Environmental Issues in India*, New Delhi: A.P.H. Publishing Corporation.
- Judd, Richard William, 1997. *Common Lands, Common People: The Origins of Conservation in Northern New England*, London: Harvard University Press.
- Kalland, A. And Person, G. eds., 1998. *Environmental Movements In Asia*, Kula Lumpur: Nordic Institute of Asian Studies.
- Krishna, Sumi, 1996. *Environmental Politics: Peoples Lives and Development Choices*, New Delhi: Sage Publication.

- Kula, E., 1994. *Economics of Natural Resources: The Environment and policies*, New York: Chapman and Hall Publication.
- Mohanty, Manoranjan and Mukharjee, P.N., eds., 1998. *Peoples Right, Social Movements and the State in the State in the Third World*, New Delhi: Sage Publication.
- Neeson, J.M., 1993. *Commoners! Common Rights Enclosure and Social Change in England: 1700-1820*, U.K.: Cambridge University Press.
- Ostrom, Elinor, 1991. *Governing the Commons: The Evaluation of Institutions for Collective Action*, USA: Cambridge University Press.
- Patel, Sujata, et.al., 2002. *Thinking Social Science In India*, New Delhi: Sage Publication.
- Paul, Ellen Frankel, et.al., 1994. *Property Rights*, Cambridge: Cambridge Univeristy Press.
- Peet, Richard and Watts, Michael, eds., 1996. *Liberation Ecologies: Environment, Development, Social Movements*, London: Routledge.
- Rao, M.S.A., 1987. *Social Movements*, New Delhi: Manohar Publication.
- Rao, P.K., 2000. *Sustainable Development: Economics And Policy*, Massachusetts: Blackwell Publishers.
- Roy Choudhary, Arundhati, 2001. *Common Porperty Resource Management Gender, Equity and Participation – A case study of the Fish Workers of Kerala*, New Delhi: Indian Social Institute.
- Sachs, Wolfgang, ed., 1997. *The Development Dictionary: A Guide to Knowledge as Power*, New Delhi: orient Longman.
- Sachs, Wolfgang, ed., 1996. *Global Ecology:A New Arena of Political Conflicts*, London: Routledge.

- Saha, Ghanshyam, ed., 2002. *Social Movements And The State*, New Delhi: Sage Publication.
- Sengupta, Nirmal., 1991. *Managing Common Property : Irrigation In India And The Phillippines*, New Delhi : Sage Publications.
- Sharma, M., 2001. *Landscapes and Lives: Environmental Dispatches on Rural India*, New Delhi: Oxford University Press.
- Sheth, Parvin, 1997. *Environmentalism: Politics, Ecology And Development*, New Delhi: Rawat Publication.
- Shiva, Vandana, et.al., 1993. *Ecology And The Politics of Survival: Conflicts Over Natural Resources in India*, New Delhi: Sage Publication.
- Shiva, Vandana, et.al., 1997. *The Enclosure And Recovery of The Commons: Biodiversity, Indegenous Knowledge and Intellectual property Rights*, New Delhi: Research Foundation for Science, Technology and Ecology.
- Shiva, Vandana, 2002. *Water Wars: Privatization, Pollution and Profit*, New Delhi: India Research Press.
- Singh, Amita, 2000. *The Politics of Environment Administration*, New Delhi: Galgotia Publication.
- Singh, Chattrapati, 1986. *Common Poverty and Common Porperty: India's Forests, Forest Dwellers and The Law*, New Delhi: Oxford University Press.
- Stevis, S. and Assetto, Valerie J., eds., 2002. *The International Political Economy of the Environment: Critical Perspectives*, London: Lynne Rienner Publication.
- Stvenson, Glenn. G., 1991. *Common Property Economics: A General theory And Landuse Application*, U.K.: Cambridge University Press.

Swanson, Timothy M., ed., 1995. *The Economics and Ecology of Biodiversity Decline: the Forces Chiling global Change*, U.K.: Cambridge University Press.

The Ecologist, 1993. *Whose Common Future? Reclaiming the Commons*, London: Earthscan Publication.

Trivedi, P.R. And Sudarshan, K.N., 1994. *Environmentand Natural Resources Conservation*, New Delhi: Common Wealth Publishers.

Wignaraja, Poona, ed., 1993. *New Social Movements in the South: Empowering The People*, New Delhi: Vistar Publication,

#### **ARTICLES:**

Agarwal, Arun and Ostrom, Elinor, "Collective Action, Property Rights, and Decentralization in Resource Use in India and Nepal", *Politics and Society (New Delhi)*, Vol. 29, No. 4, December 2001, pp. 485-514.

Agarwal, Bina, "Environmental Action, Gender Equity and Women's Participation", *Development and Change (Oxford)*, Vol.28, 1997, pp. 1-44.

Annamalai, V., "The Role Of Panchayati Raj Institutions in Natural Resource Management: A Study of Two Village Panchayat in Tamil Nadu", *Journal of Rural Development (Hyderabad)*, Vol. 19, No., 3, July-September, 2000, pp. 475-9.

Annamali, V., "Mobilisation Of Resources by Gram Panchayat through Common Property Resources in Haryana", *Journal Of Rural Development (Hyderabad)*, Vol. 19 (1), 2000, pp. 119-30.

Bandyopadhyay, Jayanta, "Between Local and Global Responsibilities", *Seminar (New Delhi)*, No. 516, August 2002, pp.21-5.

- Bardhan, Pranab, "Symposium on Management of Local Commons"  
*Journal of Economic Perspectives*, Vol. 7, No. 4, Fall 1994, pp.87-92.
- Beck, Tony and Ghosh, Madan. G., "Common Property Resources and the Poor: Findings from West Bengal", *Economic and Political Weekly (Mumbai)*, January, 2000, pp. 147-53.
- Bhalla, Ajit and Lapeyre, Frederic, "Social Exclusion: towards an Analytical and Operational Framework", *Development and Change (Oxford)*, Vol. 28, 1997, pp. 413-33.
- Bijoy, C.R., and Raman, K. Ravi, "Muthanga: The Real Story- Adivasi Movement to Recover Land", *Economic and Political Weekly (Mumbai)*, May, 2003, pp. 1975-1982.
- Blair, Harry W., "Democracy, Equity and Common Property Resource Management in this Indian Subcontinent" *Development and Change (Oxford)*, Vol. 27(2), 1996, pp. 475-99.
- Bob, Sam, "Tragedy of Commons", *Journal of Rural Development (Hyderabad)*, Vol. 17, No.1, January-March, 1998, pp. 26-35.
- Chatterjee, Partha, "Community in the East", *Economic and Political Weekly (Mumbai)*, February, 1998, pp. 277-282.
- Claridge, Cl., Frank. B.R. and Mott, J.J., "The Environment, Development And Women: What Is The Connection?", *Journal of Rural Development (Hyderabad)*, Vol. 18 (1), 1999, pp. 1-27.
- D'Souza, Rohan, "Capitalism's Ecological Crisis", *Seminar (New Delhi)*, No. 516, August 2002, pp.59-64.
- Dadibhavi, R.V., "Management of Common Property Resources- A Review and Some Policy Issues", *Journal of Rural Development (Hyderabad)*, Vol. 19 (2), April-June, 2000, pp.199-217.



- Datar, Chhaya and Prakash, Aseem, "Engendering Community Rights: A Case for Women's Access to Water and Wasteland", *Indian Journal of gender Studies (New Delhi)*. Vol. 8, No. 2, 2001, pp. 223-45.
- George, Jacob and Rajula Devi, A.K., "Development Process, Institutional Arrangements and Management Patterns in Common Property Resources" *Journal of Rural Development (Hyderabad)*, Vol.19, No.3, July- September, 2000,
- Kocherry, Thomas, "Fisheries, Aquaculture, Destruction of Coasts and Natural Rights to Coasts", *Gender Studies*, July-December, 2001, pp.1-9.
- Krishna, Sumi, "Gender, Tribe and Community Control of Natural Resource in North-East India", *Indian Journal of Gender Studies (New Delhi)*, Vol. 8, No. 2, 2001, pp.307-21.
- Krishna, Sumi, "Introduction: Towards a 'Genderscape of Community Rights in Natural Resource Management", *Indian Journal of Gender Studies (New Delhi)*, Vol.8, No. 2, 2001, pp. 151-73.
- Mahapatra, Richard, et.al., "Forest War", *Down to Earth (New Delhi)*, Vol. 10, No.15, December 31,2001, pp.28-37.
- Mahapatra, Richard, et.al., "Orphans of The River", *Down to Earth (New Delhi)*, Vol.10, No. 18, February, 2002, pp. 28-37.
- Mosse, David, "The symbolic Making of a common Property Resource: History, Ecology and Locality in a Tank-irrigated Landscape in South India", *Development and Change (New Delhi)*, Vol.28, 1997, pp. 467-504.
- Murray Li, Tania, "Images of Community: Discourse and Stragegy in Property Relations", *Development and Change (Oxford)*, Vol. 27, 1996, pp. 507-27.

- Narain, Sunita, "Devolution has to happen. It will (Editorial)", *Down to Earth (New Delhi)*, Vol. 11. No. 17, January 31, 2003, p.5.
- Narayan, Pradeep, "Empowerment through Participation: How Effective Is This Approach?", *Economic and Political Weekly (Mumbai)*, June, 2003, pp. 2484-2486.
- Nathan, Dev and Kelkar Govind, "Civilisational Change: Markets and Privatisation Among Indigenous People", *Economic and Political Weekly (Mumbai)*, May 17, 2003, pp.1955-1968.
- Panda, Ranjan, "Little Respite: Riopplee in chilika Water", *Down to Earth (New Delhi)*, Vol. 10, No. 17, January 31, 2002. pp.20-1.
- Pathak, Neema and Kothari, Ashish, "Empowering Communities Conserving Nature", *Humanscape (Mumbai)*, February 2000, p. 6-8.
- Pattnaik, A.k., "Bluelagoon Once More", *The Hindu Survey Of The Environment (Chennai)*, 2003, pp.147-53.
- Rangan, Harpriya, "Property vs. Control: The State and Forest Management in the Indian Himalaya", *Development and Change (Oxford)*, Vol. 28, 1997, pp. 71-94.
- Runge, Carlisle Ford, "Common Property and Collective Action in Economic Development", *World Development*, Vol. 14, 1993. Pp. 623-35.
- Saint, Kishore, "Rethinking Participation", *Seminar (New Delhi)*, No. 516, August, 2002, pp. 53-58.
- Seabright, Paul, "Managing Local commons: Theoretical Issues in Incentive Design", *Journal of Economic Perspectives*, Vol.7, No. 4, Fall 1993, p. 113-4.

Sharma, Subash, "Ecological Movement in the Third World: A Critical Dis-empowerment Perspective", *Journal of Rural Development (Hyderabad)*, Vol.20 (3), 2001, pp.373-423.

Singh, Neera M., "Women and Community Forests in Orissa: Rights and Management", *Indian Journal of Gender Studies (New Delhi)*, Vol.8, No.2.2001, pp.257-70.

Subramanian, Ajantha, "Community, Place and Citizenship", *Seminar (New Delhi)*, No. 516, August, 2003, pp. 35-9.

**JOURNALS, MAGAZINES AND REPORTS:**

Development and Change

Down To Earth

Economic and Political Weekly

Gender studies

Humanscape

Indian Journal Of Gender Studies

Jal Swaraj

Journal of Economic Perspectives

Journal of Rural Development

Kurukhestra

Polity and Society

Seminar

Survey of Environment

UNDP Human Development Report 1998

UNDP Human Development Report 1999

World Development

