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## [Patriarchies in the Forests in India: Communities in Peril](#)

*The inter-dependencies in and among communities with their life spaces and practices -rather than the masculinist discourses of conquest and capture, of fencing and 'divisions'-, sheds light to the conservation practices of forest communities. And within these interdependencies lie the stories of women.*

The history of land conflicts in the forest areas in India is invariably bound to the imposition of the British Empire's colonial rule over these forests as territories to capture for their own commercial uses. **India's contemporary forest policies are derived from these colonial rulers and their priorities.** Several measures were introduced by the Department of Forests and Environment in the 1980s with the aim of decentralizing forest governance and overcome the legacy of autocratic governance (1). However, evidences largely point to the authoritarian control and techno-scientific and bureaucratic management of the forests by this Department, to the peril of the communities who live with their forests.

**These policies of control are juxtaposed against forest communities' cultural heritages, which manage their everyday lives in rhythmical relation to the ecological living.** The *Adivasis*, as the traditional forest dwellers of India are called, were classified as "Scheduled Tribes" and were accorded special status through a constitutional enactment after independence. With a de facto control over their land and having evolved appropriate methods of cultivation with minimal ecological imprint, such as their shifting cultivation systems of "*nevad*" in Madhya Pradesh, "*valra*" in South Rajasthan or "*podu*" in Andhra Pradesh, they are known to have "worshipped their land and raised their children on its bounty" (2). **Gradually, state interventions and the heavy footprint of the Forest Department have however eroded these systems.** The state now renders more appropriate to sanction these practices often on the basis of insignificant crimes supposedly perpetrated by *Adivasis* or forest dwellers, despite them being the custodians of the forest.

### ***Women experiencing the changes around forest ownership, relationships and practices***

My research in Western India, in Southern Rajasthan, reveals that women have played a central role in the conservation of forests as much as they have depended on the forests for their livelihoods needs since centuries. All too often however, the colonial narrative dominates the script of forest management. Little reference is made to the inter-dependencies between communities to claim spaces and live in varied environments with their respective cultures of civilizations. **Viewed within this perspective of interdependencies rather than a colonial and growth-oriented linear chronology perspective (3), one can understand the management and conservation practices of forest communities.** Forest communities, as knowledge bearers, identify sacred and symbolic meaning for life-sustaining-resources within their livelihood and living practices; as gatherers and managers of herds and flocks, who practiced shifting agriculture while foraging for food and herbs within the forests.

**And within these interdependencies lie the stories of women.** Their lives and roles in conservation and protection are visible as they patrol the forests and penalize those who break

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collectively agreed norms for protection and regeneration, such as rotation and fencing. The rhythms and culture of their practices are embedded in the relationship nurtured with these regions over generations, with women as the flag-bearers of this relationship and knowledge system, given their everyday living practices and rituals.

Yet, women are seldom accorded formal acknowledgment of these roles, even in traditional governance structures, given their patriarchal structures of decision-making across the central regions of India. (4)

Across the country, the Forest Department and its functionaries continue to largely claim the forests as their territory, and to impose their authority through the imposition of the Forest Conservation Act and subsequent legislations, especially in regions designated as reserved or protected forest.

**Concepts of territory and boundaries, drawn from masculinist discourses of conquest and capture, of fencing and 'divisions', dominate in order to create administrative spatial barriers imposed upon an ecological continuum that was the forest.**

**Through the use of institutional patriarchies, the Forest Department has entrusted to itself the role of judging supposed violation of forest rules.** In this way, the Department continues to penalize and render criminal the forest dwellers for acts of 'encroachment' or by making communities responsible for the destruction of forests and adopting aggressive acts of 'eviction'. The roots of the conflicts lie in the gap between formally recognized land ownership and customarily held and managed land, also leading to land grab by outsiders and environmental degradation (5) The trend of introducing private property regimes into former commons has increased not only the perception of self as othered, but also the communities' risk of poverty, poor health, and human rights abuses. Thereby also rendering insecure the tenure rights within patriarchally constructed legal frameworks acceptable to the government.

The violence and exploitative processes experienced by women seem like a metaphor to the departure from the ways communities have known of living and being in their forest based societies. While *Adivasi* societies were not free from violence and from the footprint of patriarchies, there was a recognition of women as holders of these societies as well as social means to address social ills against women as they arose. However, with the passage of decades, **patriarchy has deepened its inroads through market means of private property regimes into forest lands and through the perception of women as secondary.**

Most explicitly, the masculine presence of the state in the forests has been in the form of a security apparatus that aims to combat what the state labels as 'left wing extremism' as well as human rights and research activists. It is common knowledge that the forest governance systems are highly flawed, with large tracts of barren land being labelled as forests and vice versa. Reduced land available for communities, distress migration due to development induced displacement and increasing incidence of violence in forest areas are driven by the ambiguities in implementation of laws which often times are crafted to serve the manipulations of the market actors and the authoritarian state. Within this vortex, **women are mostly exposed with everyday struggles to the rage of local forest rangers.** As they protect their forests, they also protect the same forests that the forest mafias wish to claim for their plunder while at the same time, they resist the diversion of forests that the state may allocate for its commercial interests, as has occurred in the Hasdeo region of Chattisgarh or the Talabira region of Odisha (6). These commons terrains that have been the source of sustenance and heritage as shared and sacred spaces are now terrains for communities to claim, resist diversions and have little opportunity to manage, as the Forest Department and mainstream Conservationists dismiss and deride their wisdoms in order to "protect" the forests from those who in fact have guarded, protected

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and coexisted with these same forests!

### ***Negotiating the Forest Rights Act (FRA)***

The FRA was proposed as a means to address the 'historical injustice' towards *Adivasi* and recognizes community forest rights and individual forest rights. The movements and individuals, who came together under the umbrella of the Campaign for Survival and Dignity (CSD) to propose and push for enactment of this Law, were primarily focussed upon the protection of community forests. Their arguments derived from the intuitive wisdom of the *Adivasi* way of life and not from a gendered position (in fact the author was subjected to the ire of the leaders of the movement who rejected gender concerns and explicitly rejected gender positions as international developmental opportunism). The inclusion of women as a joint holder was an issue that was "quietly slipped in with no significant resistance, since women are part of the society and need recognition for their roles", as Sarin, a leading member of CSD acknowledged at a 2017 MAKAM Meeting which looks for the recognition and rights of women farmers in India.

The focus in the implementation of the Act however came to be overwhelmingly about claiming individual property rights, influenced by the mainstream view of patriarchal societies and driven by NGO and civil society efforts as progressive liberals sought to implement the FRA Act effectively in a "rights framework". (7) Therefore recognition of claims in the names of individuals became the key issue, and registering women's names as joint holders became the gender priority. Driven to ensure the implementation of the Act, **a persistent overwhelming private proletarian regime has compelled *Adivasi* communities to swim into the private property tides**. It is only with the adoption of the FRA 2006 that tribal societies have begun to include women in ownership of land through FRA claims, although several societies had adopted such patriarchal norms of registration of private properties much earlier.

The provisions within the Act for representation in decision-making bodies has also led to the inclusion of women in the Forest Rights Committees, yet, there is continued resistance to their active participation in traditional decision-making forums and to transfer the joint claim record to the Revenue Record of rights (8), to the negation of the provisions of the FRA 2006. Attempts are also ongoing to obfuscate the separations of the JFM from the Forest Rights Committees and giving recognition as the JFMC under the FRA in contravention of the provisions of the law. From a democratic governance perspective, women have realized that this is important to resist as the FRA is a legal enactment and must override, but the financial incentives convince people to give false promises of benefits to continue to allow the JFM to prevail. The fact that JFMCs are currently being endowed with large repositories of cash endowments from the CAF Act (9) resources makes it difficult to turn down or reject the JFM. Thus **the JFM programme, introduced as a progressive scheme in an otherwise authoritarian bureaucratic regime, to promote progressive governance strategies of 'participatory forestry' through steps such as women's representation in leadership, remains largely controlled by the authoritarian Forest Department to undermine the Forest Rights Act**, and to ensure the continuance of the control of the Forest Department over community forest resources.

Recent legislation for so-called "compensatory afforestation" deepens this irony, divesting the indigenous traditional dwellers forests into numerous purposes on the one hand, and of occupying land elsewhere to "compensate" for that which was diverted. Diversion of forests continues to be a strategy for increasing the growth of the state by providing mineral resource access and for releasing land to the project of development. Although the Forest Rights Act makes provisions for consent to be mandatory from impacted communities, **the processes of consent is either circumvented or**

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**thwarted altogether.** Women have repeatedly emphasized how such alienation and dispossession cause a deep fracture in their ways of life as ecological communities, a point that forest officials have often dismissed as a fiction of a past long gone.

The 1988 National Forest Policy acknowledged “the tendency to look upon forests as revenue earning resource” and the New Draft views forests as a means to enhance income potential and for their emphasis on timber and productivity. The 1988 National Forest Policy spoke of “Creating a massive people's movement with the involvement of women,” with the “principal aim of ensur(ing) environmental stability and maintenance of ecological balance...” and that “The derivation of direct economic benefit must be subordinated to this principal aim”. These objectives have however been overwhelmed by the practices for economic gain and are increasingly diluted with a minimalist and instrumentalized engagement with women, primarily as labour for the actions that the Forest Department undertakes.

In sharp contrast, women describe forests as their abode, living space, livelihoods resource, lifeline for sustainability and maintenance of an ecological existence, a safe space. Hence, **the conservation and management of these forests represent a lifeline and cultural tradition that is practiced almost intuitively and based on centuries of inherited wisdoms.** At a recent press meeting organized by MAKAAAM, (a women farmers rights forum) seeking to strengthen women's claims to forests, the women from Mandla Madhya Pradesh highlighted this relationship and spoke about the rich biodiversities that have nurtured their needs. They listed 24 species that provided uncultivated, medicinal plants, and non-timber forest produce that provided them income, apart from the fodder and fuelwood from dried wood that they gathered from the forests. More recently, however, the forests have become spaces of fear and scarcity since women keep foraging resources even as they are pursued, criminalized and penalized by an increasingly vigilant Forest Department.

This has changed the social relationships with the forests as well as the intra community relationships as Adivasi or tribal communities are influenced by religious and cultural practices of mainstream patriarchal societies and simultaneously drawn into the web of Property regimes. The future is in peril for these communities and their forests as they transit towards confrontation with regimes that have scant respect for their ways of living and knowing while having deep interest in the commodities to be derived from their lands.

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(1) The Joint Forest Management Scheme aimed for peoples' participation in social forestry and afforestation

(2) Baviskar EPW 1994 pp 2945

(3) Skaria Studies in History, Sage pub 1998 pp194

(4) Patriarchy is a social system in which men hold primary power and predominate in roles of political leadership, moral authority, social privilege and control of property rights. Patriarchal ideals act to explain and justify this dominance and attribute it to inherent “natural” differences between men and women. See <https://wrm.org.uy/articles-from-the-wrm-bulletin/section1/india-women-commons-and-patriarchy/>

(5) [ILDC](#)

(6) Read

<https://www.newsclick.in/Chhattisgarh-NCL-Mine-Operated-by-Adani-Group-Faces-Roadblocks-Owing-to-Tribal-Resistance>

Mining has emerged as a significant hurdle to recognition of rights of community, along with areas

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where sanctuaries are to come up. [Nandini Sunder documents](#) the most notorious example is of Ghatbarra village in Chhattisgarh which was granted community forest rights in 2013 in the Hasdeo Arand forests (over 820 hectares out of the 2300 hectares claimed) but found its title abruptly cancelled in 2016

(7) See for example WRM Bulletin, [Traps, dilemmas and contradictions of the rights discourse in the forests](#), 2017

(8) The forest claims need to be recorded into the revenue records or the Record of Rights in order for the process to be considered fully completed and binding

(9) CAF Refers to the Compensatory Afforestation Fund or commonly known as the CAMPA Act, an enactment recently passed in 2016 by GOI whereby the State sets up an authority to receive funds from industries against compensation for afforestation “crediting thereto the monies received from the user agencies towards compensatory afforestation, additional compensatory afforestation, penal compensatory afforestation, net present value and all other amounts recovered from such agencies under the Forest (Conservation) Act, 1980”. For a reading of this enactment [go to briefing note here](#).