

## **Analysing the Institutional Constraints in the Decentralized Natural Resource Conservation Mission of Kerala.**

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### **Abstract**

Most of the governments in the world opted decentralized natural resource conservation as a practical technique to ensure sustainability and local participation in the conservation practices of various natural resources. As an active member of international environment conservation movements, India also adopted decentralization of natural resource conservation as a national policy and made necessary amendments in its Constitution to make central, state and local administrative units responsible and accountable to it. Although, such legal and policy frameworks have been made for the decentralized natural resource conservation, in many state units of India it is often being subverted by institutional and political elements. Thus, it delays or undermines the national mission of decentralized natural resource conservation. Therefore, continues studies and assessments on the practices in this sector are beneficial for follow-up activities and reforms for the conservation of natural resource system. That is why this study is based on Kerala as a state with the strongest decentralized governance and high utilization of natural resources in India.

**Key Terms:** Decentralization, Sectoral Reforms, Local Self Governments, Institutional Constraints, Natural Resource Conservation.

### **Introduction**

Globally, most of the countries adopted the decentralized natural resource conservation as an effective and sustainable method of natural resource governance based on equity and justice for all stakeholders including vulnerable user communities. The right implementation of decentralized natural resource conservation reforms follows the comprehensive revision of existing legal and institutional system of the nation from central to local level. In addition, decentralized natural resource conservation mission requires institutional, legal and fiscal

empowerment of central, state and local governing units of the country. Because, natural resources are not only essential source for livelihoods of indigenous people but also a major source of income for governments at various levels in the forms of tax, fee, asset, etc.

Most of the governments in the world opted decentralized natural resource conservation as a practical technique to ensure sustainability and local participation in the conservation practices of various natural resources. As an active member of international environment conservation movements, India also adopted decentralization of natural resource conservation as a national policy and made necessary amendments in its Constitution to make central, state and local administrative units responsible and accountable to it. Although, such legal and policy frameworks have been made for the decentralized natural resource conservation, in many state units of India it is often being subverted by institutional and political elements. Thus, it delays or undermines the national mission of decentralized natural resource conservation. Therefore, continuous studies and assessments on the practices in this sector are beneficial for follow-up activities and reforms for the conservation of natural resource system.

### **Decentralization of Natural Resource Conservation**

Decentralization of natural resource conservation advertises the institutional operations of legislation and execution of policies, acts and norms regarding the collaboration of central and local authorities, indigenous user communities and civil society institutions in the natural resource conservation mission. Recently, most of the nations in global level, adopted the decentralized approach as an effective method in natural resource conservation. Because, it is universally believed that the decentralized approach can ensure empowerment, accountability, transparency, subsidiarity and sustainability in the institutional operations for natural resource conservation. In addition, it is the best mechanism to ensure equity and justice in the sharing of pros and cons among all stakeholders in natural resource conservation. Above all, global experiences shown that decentralized natural resource conservation can only be effective in areas where the crucial pre conditions of national/constitutional policy framework on decentralization, strong environmental at the appropriate level of resource governance and strong and stable institutions at local/base level have been properly established.

Although, few efforts for decentralization were made in India during the drafting of the constitution in 1950, decisive constitutional steps for decentralized natural resource conservation

was taken in 1990s, by endorsing global perspectives as well. India has persuaded decentralized measures at three different levels for natural resource conservation. The first step of decentralization is administrative in nature, in which, it establishes a collaboration between line departments of governments and used communities associated with any specific natural resource. There are many examples of such approaches in the fields of forest and water conservation in the country. The second level of decentralization is more political in nature, it introduced state originated liberal power decentralization of natural resource conservation and governance to local self-government institutions. It is one of the major outputs of 73rd amendment of Indian Constitution which constitutionalized the three tiered Panchayat Raj institutions in India. The third level of decentralized natural resource conservation is a bottom-up model, in which indigenous user groups constitutes their own community-based movements with some traditional and indigenous techniques of natural resource conservation at local level.

About the role of governments in the institutional reform of decentralised natural resource governance, Politt and Summa (1997, p.15) viewed that the scope, practice and speed of decentralisation absolutely depends on the political features of existing government in the state. The cultural norms deepened in the governmental practices in the state too will be an influential factor in the execution of decentralization as an administrative reform (Sozen and Shaw, 2002, p.475). Because, the long-established centralized system of administration has shaped favourable cultural attitude and customs in the structure and procedures of government. In India, the 11<sup>th</sup> schedule of Indian Constitution which introduced by constitutional amendment in 1992, authorised the local self-government units to deal with the natural resources like land, woodland, water and related practices like agriculture, fisheries, social forestry, irrigation etc. Moreover, this amendment constitutionally enabled the state governments to amend its own Acts and sectoral laws to make the devolution effective for decentralized natural resource conservation. Therefore, for over two decades, India has had a fully decentralized system of administration in law and practice to meet its responsibilities and missions including decentralized natural resource conservation.

Kerala was one of the first Indian states to implement decentralization quickly and accurately, especially with the People's Planning Campaign implemented in 1996. It is the prestigious project of Kerala government, which institutionalized the community based and bottom-up

model of planning and development direct participation of indigenous people. One of the core objectives of this methodology is the progressive restoration of land-water-biomass balance and betterment of livelihood measures through sustainable natural resource governance. In order to realize this objective, Kerala is being implemented many natural resource conservation practices such as afforestation, water and said conservation and biomass development schemes at local level. However, in practice, most of the decentralized natural resource conservation efforts are often stuck somewhere in the institutional complexities and contradictions of Kerala without achieving the intended objective. In this context, this study is an effort to identify the institutional constraints in the decentralized natural resource conservation mission of Kerala.

### **Institutional Constraints in the Decentralized Natural Resource Conservation Efforts of Kerala**

Although, a number of legal and policy reforms have been introduced for the decentralization of natural resource conservation, in Kerala it is often a highly complicated task with some institutional and political disputes. This is causing delays or subversion of Kerala's decentralized natural resource conservation mission to achieve its objectives. In this way India's declared policy of decentralized natural resource conservation, which is universally recognised from global to local level, is being undermined in many areas of Kerala. In this context, this study seeks to analyse the institutional actors and factors that are constraining the decentralized natural resource conservation mission in Kerala.

The institutional elements of decentralized natural resource conservation mission depend highly on the specific community of political and legal powers in the state political system, which mainly consists politicians and bureaucrats. Their activities often restricting actual decentralization of required institutional resources to local government units and user communities. Thus, political and institutional actors subverting their own role in the decentralized natural resource conservation mission for their political and economic motives. The institutional constraint in existing natural resource conservation practices is the combination of political, economic and administrative factors. Among them, the contradictory institutional and policy reforms regarding decentralization of natural resource conservation is very crucial. Primarily, the Union government of India has been introduced several exclusive legislations and programmes for the environment conservation and sectoral decentralization for natural resource

conservationsimultaneously It decentralized its federal administrative machinery, naturally, which also having its own statutory roles in natural resource conservation. The sectoral initiatives for decentralized natural resource conservation primarily practice at base level and it has their own jurisdictions. As these sectoral agents dealing with specific decentralized natural resource conservation, most of them working with financial and infrastructural assistance of pre-existingstate governments' departments with same responsibilities. It creates the situation of competition or clash between the sectoral initiatives and government's general administrative mechanism due to differences in theregulations with them for natural resource conservation. This institutional unrest in the two-folddecentralization approach of the government often subvertingvarious initiatives in the mission of decentralized natural resource conservation.

Kerala is a state with strong local self-government system capable of implementing decentralized and independent measures on various administrative responsibilities including natural resource conservation. But, the multi-layered institutional unrest inbuilt with the two-fold decentralization model of natural resource conservation doubled due to the disagreements among pre-existinglocalself-government system and newly assigned sectoral agents/initiatives for decentralized natural resource conservation in Kerala. Suchdisagreements wereactive between them not only about the institutional role of both parties and other stakeholders in the common goal of natural resource conservation but also the techniques and methods to be used for it. There were similar breakdowns and professional unrest between the different sector and natural resource conservation agencies regarding the conservation of various natural resources functioning within the same regional limit. Absence of complementarity and mutual cooperation in the operations of such institutions still subverting their common mission of natural resource conservation. We can see several examples of such institutional clashes on resource conservation taking place regularly between the forest conservation department and local self-governments in the forest border areas of Kerala.Many of the limited natural resources are being plunderedfor economic gainsby exploiting such institutional uncertainties in this sector.

In Kerala,many sectoral initiatives fordecentralized natural resource conservation are being setup for the same activities of various natural resource conservationalready under the local self-governmentswhich constituted democratically. Such sectoral initiatives which formed unilaterally from the heights actually undermining the democratisation by local self-government

units in this sector and it leads to unfavourable situation where the interest of weaker stakeholders/user communities will be hijacked in the clash of interest on natural resource utilization. Here, decentralized governance results in the empowerment of powerful and the progressive weakening of the vulnerable sections of the society. This often causes indigenous vulnerable people to lose faith in the meritorious intensions of natural resource conservation. Sometimes, such institutional lapses in the decentralized natural resource conservation arrangements in Kerala formulating new targets for political & economic gains of pressure groups.

Some experiences in Kerala indicate that the institutional/bureaucratic visions and interests imprinting their own agendas on the ongoing practices of decentralized natural resources conservation. Selective targeting of natural resources and mode of practicing of natural resource conservation are some of the examples of such agendas. As we know, decentralized natural resource conservation practices adopt specific treatments on various natural resources like land, woodland, water, etc. Hence, the targeting of natural resource is highly effected or regulated by social and economic forces or trends in the state. It is in this context that the reliability and integrity of institutional interventions in the selection of natural resource to be conserved immediately and the mode of conservation come under suspicion. There have been number of studies in Kerala that reveal the hidden interest of economic forces behind the institutional procedures and interventions in the prioritization of natural resource to be conserved and methods of conservation. Such institutional lapses are very visible and common in Kerala regarding the determination of eco sensitive regions in relation with the conservation of land, woodland, water, etc. Therefore, most of the decentralized natural resource conservation regulations and practices in Kerala are done at the social cost of vulnerable sections like tribes, peasants, fishermen, etc. The aforementioned tendencies lead to suspicion and alienation of such vulnerable indigenous communities towards various natural resource conservation initiatives.

The regional administrative limits of local self-government institutions in Kerala are not suitable to back up the decentralized natural resource conservation initiatives. In states like Kerala which has high population density, the territorial area of most local self-government units is very limited. However, the natural resource system of Kerala, which is a geographically diverse state,

extends beyond the jurisdiction of each of local government institutions here. In addition, in the political context of Kerala, the political executives who run the local government institutions here are naturally from different political parties fighting each other. Here, the challenge of decentralized natural resource conservation is the fact that the integrated intervention of such institutions is essential if the conservation practices of natural resources across the range of different local government institutions is to be effective. Moreover, in the local government units based natural resource conservation, the different political executives of each local self-government units may have their own priorities about the resources to be conserved and conservation technique to be followed. This leads to different status and utilization patterns in adjacent regions for the same resource and the social unrest among public related to it. As a result of discrepancy between the limits of various natural resource system and respective local self-government institutions, the effected indigenous people often turn their back on the natural resource conservation.

As part of making the decentralized natural resource conservation economically viable, some states, including Kerala, are making this sector private investment friendly to ensure private partnership in diverse forms. In addition, the complexity and incompetence of government interventions in this sector increased the likelihood of such private party interventions. As part of such liberal institutional policies regarding natural resource conservation, many public natural resource systems in rural parts of Kerala which were not used or maintained are being taken over by the private investment groups in the name of resource conservation or sustainable management. Moreover, the local vulnerable people in those areas who have long depended on such common natural resources are gradually being denied their customary rights and access on it. Such mode of privatization at the cost of natural resource conservation is taking place not only in land or woodland sector but also widely in maritime sector, where the local fisherman struggling with mechanized fishing of private companies to satisfy their essential needs (Meynen, 1989). So, such market friendly steps of authorities for economic viability are actually turning local people against the local initiatives for natural resource conservation.

Lastly, the existing organisational layering in this sector is another factor that makes decentralized natural resource conservation mission in Kerala difficult. New sectoral initiatives for decentralized natural resource conservation are not substituting the existing machinery with

that role but are just layered on the top of old machineries. Therefore, the newly introduced sectoral initiatives for natural resource conservation take long time to be effective if the infrastructural resources and experiences of the existing system are not shared with them. Because, central and state governments that introduce such decentralized schemes with high consumption of time and energy but at the same time do not allocate the necessary financial, legal and skill resources with them. So, such immature sectoral initiatives may take more time to reconcile with the already taken steps of existing institutional system towards natural resource conservation. So, we cannot demand the result of decentralized natural resource conservation initiatives to be realized as soon as they are developed. Whereas, the aforementioned ambiguities and contradictions regarding institutional actors and factors still undermining the decentralized natural resource conservation mission in Kerala.

### **Conclusion**

The structural inequalities in the decentralized natural resource conservation initiatives restricting the institutionally, economically and politically vulnerable sections and user communities from raising their interest and claims regarding the resource utilization. It is this inequality that hinders the active participation of such indigenous people in natural resource conservation activities in many ecologically sensitive regions of Kerala.

Some inconsistent policy reforms in government regarding decentralized administration and decentralized natural resource conservation resulted in contradictory effects as institutional constraints in the natural resource conservation practices. Especially, the ambiguities on the institutional role and responsibilities of sectoral agencies, local self-governments and other government departments in the natural resource conservation mission led to the class and competition among such institutional stakeholders. So, this sector demands more complementarity and mutual cooperation in its various environmental regulations and institutional operations for natural resource conservation.

Briefly, in order to achieve the intended result of decentralized natural resource conservation mission, it is necessary to make some fundamental changes in its institutional arrangements and attitudes. But these can hardly be achieved without consistent environmental regulations, well equipped local self-governments and user communities capable of responsibly representing the



diverse indigenous resource interest, especially those of politically and economically excluded sections in Kerala.

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