From Rights on Paper to Rights in Practice: Are CSO Roles Inevitable?

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Rights-based approaches promoted by recent decentralization forestry reforms worldwide aims to mobilize communities to exercise their rights to resources while also making them responsible for their long-term well-being. In India, Community Forest Resource (CFR) rights recognized under the Forest Rights Act, 2006 give statutory rights to communities to use, access and manage their resources, while enjoining them to ensure sustainability, equity, and livelihood enhancement of the community. The question is what does it take for communities to actually do so, and specifically do civil society organizations (CSOs) have a role to play in this post-claims world? In this study, we explore the activities of CSOs that are working on FRA implementation in central India. The CSOs interact with the communities by engaging them in various training and capacity building processes to mobilize them for exercising their rights. Our empirical observation reveals that in addition to working with communities, these CSOs simultaneously interact with the market and bureaucratic (administrative, and forest department) systems to ensure enforcement and if the need arises, also defend community rights. CSOs engage in interactions with these actors on behalf of the community, and it is through these interactions that CSOs create conducive conditions for the community to effectively assert and exercise their rights. On the basis of our results, we demonstrate that this experience of CSOs’ engagement in FRA implementation can be used on a pilot basis to understand what might be needed to enable communities in exercising their rights. The bundle of rights granted by CFR rights is also accompanied by a bundle of responsibilities that make community accountable for resource sustainability and their well-being. We discuss limits to responsibilization and argue that it is unfair to expect the communities to be completely responsibilized. We establish that the adoption of decentralization forest policies does not necessarily reduce the burden of state and should not be used by the state as an excuse to absolve their responsibilities. Instead, it further increases the state’s responsibility to ensure such reforms are backed by a proper mechanism to ensure that rights outlined on paper are adequately translated in practice.