



Devolution and decentralization of forest management in Asia and the Pacific

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Meaningful devolution relocates not only administrative functions, but also the power to make decisions and set objectives.

Decentralization and devolution are dominant themes in the contemporary discussion of forest policy throughout Asia and the Pacific, as throughout the world, and many countries have now created legislation or policies for implementing these two processes in one way or another. Nevertheless, between the policy and rhetoric and the implementation there are obvious gaps, and there is little conceptual clarity about the meaning of decentralization and devolution. The International Seminar on Decentralization and Devolution of Forest Management in Asia and the Pacific, held in Davao, the Philippines, from 30 November to 4 December 1998, aimed to explore experiences and issues surrounding the implementation of decentralization and devolution approaches in the region. This article reflects on some of the key themes and issues that emerged from the seminar.

DIFFERENTIATING DECENTRALIZATION AND DEVOLUTION

There are differing definitions of decentralization and devolution, and the two terms are often even treated as equivalent. It is useful, however, to distinguish between them. Decentralization can be defined as the relocation of administrative functions away from a central location, and devolution as the relocation of power away from a central location. In this sense, power can be equated with the capacity or authority to contribute to decision-making. While decentralization and devolution may occur at the same time, it is quite possible to decentralize administrative functions without devolving the power to make meaningful decisions.

In practice, the genuine devolution of power over forest resources has been occurring only to a very limited extent, even where decentralization and devolution are major themes of policy.

Types of decentralization and devolution can also be differentiated by the direction in which functions or powers are shifted:

- from a central bureaucracy to regional or local offices of the bureaucracy;
- to local political structures (i.e. local government);
- to local communities or natural users (i.e. groups established by local social processes, not by administrative fiat).

The first type largely represents decentralization only. This discussion focuses mostly on the second and third types, which involve both decentralization and devolution.

WHO SETS THE OBJECTIVES? DEVOLUTION OF POWER OVER RESOURCES

A dominant trend in the experience of decentralization and devolution in the region has been the tendency to pass the responsibility for protecting forest resources to local communities, without conferring the rights to use those resources in a major way for their own benefits. Even where local use is allowed, it is usually highly circumscribed and generally limited to minor or non-wood forest products. For example, a tribal community in the Philippines was given the responsibility to protect a watershed area, but no rights to use the resources within it. Ancestral domain legislation is intended to recognize traditional connections to resources as a basis for formal tenure but, in this case, formal tenure gives responsibilities without rights. Another very clear example is the case of protected areas in India (see article by Badola, p. 12), where people are given the responsibility to protect resources but are not given access to them.

A related problem is the decentralization of responsibility without devolution of the power to make independent decisions or to take action outside parameters set by governments or forest authorities. Key forest management objectives in the region are nearly always set by governments or bureaucracies, and the decision-making authority of local communities tends to be limited to decisions that meet these objectives.

The pattern of devolution of responsibility without power, commonly seen in cases of decentralization and devolution to communities, is also evident in decentralization and devolution to local government units in the Philippines. Local government units are given the responsibility to implement programmes but are not given an opportunity to define the programmes - nor are they given adequate resources to meet their new responsibilities.

In real devolution, those to whom responsibilities are devolved should be allowed to make a real input in the setting of objectives, rather than being expected to meet objectives set by others. "Real input" does not necessarily entail completely devolved decision-making, but it does imply some genuine possibility of affecting outcomes, as well as a willingness on the part of those devolving authority to modify their objectives.

This discussion raises some serious questions about devolution. Why, given all the official policies and rhetoric concerned with decentralization and devolution, are governments and forest authorities apparently willing to devolve only responsibility? Are governments and authorities trying to maintain control over valuable resources while cutting management costs? Or do forest authorities simply not trust communities to make the right decisions? To what extent are forest management objectives negotiable? To what extent should they be negotiable?

SHOULD FORESTS BE HANDED OVER TO COMMUNITIES FOR MANAGEMENT?

There is much disagreement as to whether forest resources should be handed over to communities at all. One line of thinking holds that devolution to communities is not only desirable, but necessary; another holds that it is totally undesirable. Between these extremes lie other less absolute viewpoints.

The main argument in favour of devolution is essentially pragmatic: conventional forest management (i.e. through forest departments) has not worked well in the region. Continuing high deforestation rates have been viewed as evidence that the current system is not working. Devolution is expected to offer more effective management. In addition, it is often argued that devolution is desirable on grounds of equity or social justice.

One of the key arguments against devolution is based on the belief embraced by some foresters that communities do not have the ability to manage forests. A variant of this idea is the argument that communities do not have the will to manage forests. This concern may be partly legitimate in particular cases and may indicate a need for some controls (and for capacity building at the community level), but it is not valid as an argument against community control of forests. Such a viewpoint indicates an obvious lack of trust and confidence in communities.

The idea that forests cannot be handed over because communities cannot be trusted to manage them properly is, in any case, based on a simplistic understanding of tenure - an assumption that complete control must be vested in either the forest departments or the communities. Actually, nowhere in the world is there a form of legal tenure that involves absolute control, so there need not be great concern about a loss of control through handing over forest ownership to communities (see article by Lindsay, p. 28). In all societies, ownership has always been subject to some form of regulation. Even in the extreme form of private ownership in the United States, the government still maintains some rights and controls, so people are constrained from some actions even on their own private land.

Partly underlying the concern about giving up control of forests seems to be a real concern on the part of some foresters about giving up the valuable understanding, tools and techniques of forestry science. If foresters do not control forests, then what will their role be?

It seems feasible that foresters will gain by genuine devolution, because what they will lose is their regulating role, which is sometimes considered a distraction from their focus on forestry science. Devolution can represent an opportunity for rethinking how forestry can work to support local management.

It is interesting that some of the opposition to handing over of forests has been expressed by people associated with joint forest management or similar programmes. This indicates a commitment to decentralization in the form of devolution of responsibility and some form of participation, but an explicit rejection of devolved decision-making or power sharing. These views are honestly held, but show that the policy dialogue about devolution remains very diffuse and that the assumptions of various people advocating devolution are often inconsistent and fail to distinguish devolution from decentralization.

A TYPOLOGY OF APPROACHES TO DECENTRALIZATION AND DEVOLUTION

While there is no clear consensus as to whether devolution is desirable, it is possible to classify most cases of decentralization and devolution into three basic types of approach.

In the first type, governments seek public participation in potentially large-scale programmes, with centrally set objectives. This seems to be the pattern in most cases. The Indian model of joint forest management certainly fits here; it involves communities in forestry activities (including protection and plantation) on Forest Department land. While some benefits may be provided in return for participation, the objectives are set by the Forest Department and decisions are made on the basis of Forest Department objectives. In other words, communities participate in government programmes, receiving responsibility and some benefits but little or no authority. This type is largely decentralization only.

The second type involves the decentralization of forest management roles from central to local government, but not to local communities. The transfer of responsibility to local government units is a major theme of policy development in the Philippines. Even in this context, the discrepancy between responsibility and power is an issue. In one example, a provincial governor had to "pull power down" from the central government in order to implement the programme. This type is a decentralization approach, in some instances with a degree of

devolution.

The third approach involves the handing over of a significant amount of control to local communities. This approach - comprising decentralization and devolution - is widely discussed as an ideal, but there are very few working examples. The broadest application seems to be represented by community forestry in Nepal, where community use rights to national forest land can be formally recognized according to negotiated and approved management agreements. The legislation and policy allow for significant local use and a fair degree of devolution of decision-making. In practice, many (but not all) management agreements are conservative in terms of the harvesting levels allowed for forest products. The application of community forestry in the Terai, where forests remain commercially valuable, has been very limited.

ENABLING MEANINGFUL DEVOLUTION

Meaningful devolution requires both that local-level managers (be they local government units or local communities) have the capacity to manage forests and that those with the current authority to make management decisions be prepared to transfer that authority. It would be naïve to think that all people with control over resources wield their power only for the common good. No doubt, some people wish to maintain their power over resources for their own benefit. On the other hand, many (probably most) resource managers are reluctant to devolve authority because they genuinely fear the outcome of uninformed management. A major prerequisite for meaningful decentralization and devolution is to build levels of trust in local management. Trust is a prominent issue. Organizational or social arrangements that increase people's trust in each other are a major form of social capital, which is a resource that enables partnerships to work. It is essential to develop ways to increase the trust between foresters and communities as well as within communities; this will involve building local capacities and providing examples of effective local management to demonstrate improved capacities.

It is also essential for arrangements to include safeguards (checks and balances). However, forest departments must not simply be left to set the rules, police them and judge community performance. They must also be answerable to the communities, perhaps through third parties, special tribunals or some other mechanism.

The importance of monitoring the performance of community-level forest managers is often remarked. It is important for at least two reasons: first, because it is related to providing checks and balances; and second, because monitoring can identify successful community-level managers and contribute, through the provision of good examples, to the building of trust and confidence.

However, testing a community's capacity to implement a management plan designed by someone else is not a valid measure of the community's management capacity. In other words, it is difficult to assess community management capacity meaningfully if there is no real community input into decision-making. Monitoring the success of community-based forest management can only be meaningful when there is already a level of genuine devolution of authority.

It is also unfair to apply tougher tests to community-based activities than to conventional forest management (A. Banerjee, personal communication). If a community is judged to have managed its forests poorly, it is important to remember the high annual deforestation rate that prevails under the current management system.

CONCLUSIONS

Examination of the key issues surrounding the decentralization and devolution of forest

management in Asia and the Pacific clearly reveals a single linking theme: it is not enough simply to diversify the responsibility for implementing centrally defined objectives; rather, decentralization and devolution policy and implementation must progress to genuinely devolved (and usually pluralistic) forms of decision-making and objective setting. Otherwise, decentralization and devolution will contribute relatively little to sustainable forest management or human development.

