

Common Property Discourse and Forest Management in the Indian Himalayas:

A Critical Assessment by Arun Agrawal

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Introduction

In the last decade the literature on common property has grown swiftly, finding stimulus in increasing concerns regarding resource degradation and depletion, and drawing upon developments in game theory, ethnographic writings, and critical social analyses. This paper, in looking at some of the major themes in the writings on the commons, seeks to assess critically some of the achievements of these writings. The second task the paper seeks to accomplish is to relate new directions in the research on common property with pressing themes in the use and management of resources, especially forests, in the Indian Himalayas. In developing this relationship, the paper advances the argument that some of the weaknesses of the literature on the commons are shared by those on resource management in the Indian Himalayas. But at the same time a number of empirical conditions obtain in the Indian Himalayas that would make the investigation of these themes in this region highly profitable from a theoretical standpoint. The continuing outpouring of research from within the common property paradigm, as well as the vitality of research on mountain ecologies ensures that a review seeking to bring together these two bodies of literature can only be attempting to reach a moving target. Yet, the very enormity of the literature on the subject indicates that it is, perhaps, time to take stock. Some recent criticisms of the common property discourse make such a critical review even more germane.

The trickling literature on common property turned into a flood, beginning from in the mid-80s, especially after the publication in 1986 of the Proceedings of the Conference on Common Property Resources, organized under the auspices of the National Research Council in 1985. Prior to this meeting, studies of the commons were primarily the province of economic historians and resource economists, many of whom were concerned primarily to trace the historical outlines of the disappearance of the commons, or underlined the inefficiency of common management of resources. The scholars who came together at the meeting organized by the National Academy in 1985 were instrumental in the formation of the International Association for the Study of Common Property in 1989, and in altering some of the earlier perceptions about the commons. Punctuated by important recent works, several of them edited collections (Berkes, 1989; Bromley, 1992; McCay and Acheson, 1987; NRC, 1986; ~~Netting, 1981,~~

Ostrom, 1990; Peters, 1994; Pinkerton 1989; Stevenson, 1991; Wade, 1987), the literature on common property can lay claim to a quite significant achievement: showing that local communities can manage resources effectively, sometimes more effectively than governments or private owners. Drawing upon theoretical insights from writings on property rights and collective action, often using rigorous modelling and analytical tools to inform us especially about resource use in developing countries, the scholars of common property have successfully provoked interest in alternative regimes of resource use among scholars and policy-makers alike. Together with writings about indigenous knowledge and peoples, the common property literature has facilitated eroding the perception that rural communities are traditional and inefficient users of resources (Brokensha, Warren and Werner, 1980; Gupta, 1992; Warren, Slikkerveer and Brokensha, 1991). To mention these achievements of the common property literature is not to gloss over some of its weaknesses. Indeed, it is only by understanding the omissions and occlusions in our perceptions that it would become possible to suggest directions for further research.

The paper, then, is organized in the following manner. The first section discusses some of the significant elements in the intellectual and methodological pedigree of the literature on the commons. We find that concern with dwindling renewable resources, and a shared disbelief that local communities are the primary culprits in declining resource bases drives a significant proportion of the commons literature. The second section examines the major conclusions and achievements of this literature. The third section shifts the focus, paying critical attention to some weaknesses. These weaknesses, I suggest, result from a rather exclusive focus on the community and, as such, can be explained by the particular objectives of the researchers of the commons. It does not, however, constitute a crippling weakness that cannot be addressed. Resource use and management in the Indian Himalaya, especially in relation to forests, is the subject of the fourth section. In this section, I also discuss how the terrain of forest management in the Indian Himalaya presents a splendid opportunity to carry out research that can help address some of the weaknesses in the literature on the commons. The conclusion briefly recapitulates the tasks this paper carries out.

1. Intellectual and Methodological Precursors

Current writings on the commons are a collaborative enterprise¹ in which cultural anthropologists, students of comparative politics, resource economists and economic historians, and social historians have played a highly significant role. The pedigree of the commons literature can be traced to three sets of writings. One of the three is best thought of as having a substantive thrust, the other two are distinguished by their methodological orientation. The first, to which scholars of the

commons have, in large part responded critically, forms what I call 'The paradigm of inefficient custom.' In this view the commons belong to an era long past, and were based on traditional practices that could only be explained in terms of the stagnant logic embodied in, 'we've always done things this way'. According to this framework, common property regimes, rare in the modern world, are a remnant of earlier ways of doing things. Over time they inevitably are replaced by modern forms of organization of economic and associational life. The subtext in this view bore the implication that using resources under communal forms of management was inefficient, based on an atavistic rationality — a sort of primitive communism. As such, their disappearance was not only natural, it was also desirable. Several of these elements were brought together and articulated in Garrett Hardin's flawed analysis of the 'tragedy of the commons' (1968) which found wide popular acceptance, and more recently has been more or less repudiated by serious social science scholars. Traces of this view might still be found persisting, however, in some scholarly writings, and to a greater degree, in popular literature.

The substantive *raison d'être* for the literature on the commons, no doubt, can be seen as the reaction to the widely held belief that communal ownership of resources is traditional and (therefore) can only be inefficient. But the literature on commons also possesses some additional substantive ambition. At least two related objectives are obvious: 1) identify conditions under which collective action to build commons institutions and successfully use resources can take place in relatively small groups of people; and 2) explore and delineate the importance of different forms of property rights, more generally institutions, on multiple types of renewable resources (forests, fisheries, irrigation and drinking water and pastures). The two objectives together can be viewed as the ambition to understand the causes and effects of institutional arrangements in the context of resource use.

To move successfully toward answering the host of questions that these two goals raise, scholars of commons have usually pursued case studies and compiled ethnographic descriptions of an immense number of communities from around the world. In orienting their studies they have used two somewhat different methodological and theoretical perspectives, both of which, nonetheless, share significant similarities. One of these uses assumptions and techniques of analysis from what may broadly be called rational choice approach, more specifically, new institutional, property rights, and transaction costs frameworks. The other approach, which I provisionally term socio-cultural, in comparison possesses a more descriptive orientation, relies far more on ethnographic field methods, and ascribes historical and socio-cultural factors greater explanatory power.

My objective, in dividing the methodological orientation of the writings on the commons as belonging to one of these two approaches is not to suggest that studies of commons do not indulge in

boundary crossings. Many influential studies have consciously utilized elements from both these approaches (Ostrom, 1990; Ostrom, Gardner and Walker, 1994).² Nonetheless, a case can be made that those authors who imbue socio-cultural factors with greater explanatory power often eschew rational choice as being either too reductionist or simply 'redundant'. For them the belief in a self-oriented subject, pursuing clearly defined objectives to satisfy well-ordered preferences, violates empirically observed behavior as well as the postulate that individuals are products of their circumstances rather than being abstractly definable monads. Those who use rational choice oriented assumptions and analytics, in contrast, point to the simplicity of their methods and the elegance of their argumentation, appeal to the principle of Occam's Razor, and indicate the difficulty of deriving generalizable inferences from other methods.³

The first trickle of writings, in what I call the rational choice perspective on the commons, had already appeared in the 1950s. Alchian's analysis of the emergence of organizational forms used evolutionary theory to suggest that more efficient organizations will, over time, displace those that are less efficient (1950). This initial insight was picked up in much of later work belonging to new institutional economics helping confirm the belief that common property, because traditional, is less efficient. Gordon's work on open access resources showed how their economic rents could be dissipated by individuals competing with each other (1955).⁴ He analyzed fisheries but used a general enough model that could be extended to other resource types. His use of the phrase 'common-property' to denote an open access regime, however, was used later by Demsetz (1967), and, in part, influenced Hardin's mistaken analysis of pastures (1968).

Early works on commons, then, laid the foundations for more recent research, but often led in directions that currently are believed to have been incorrect. Beginning from the early 1980s, the orientation of scholars working on the commons began to change. Dahlman (1980) and McCloskey (1990) wrote on the open field system to show the efficiency of open fields for pasture and scattering for agricultural production.⁵ These systems of cultivation disappeared with industrialization, but the reasons for their disappearance are a complex combination of factors, including political strategies used by sheep-owners to promote enclosures, rather than their inefficiency. Similarly, the distinction between common property and open access resources is now well recognized. Recent work on the commons often relies extensively on game theory and rational choice analyses and focuses on the relationship between individual preferences, structures of incentives and gains that individuals or groups face, and the aggregation of individual preferences into social outcomes. Much of this work has demonstrated the complex relationship between tenure and resource use, in the process showing how hasty and naive it

would be to posit any simplistic relationship between outcome characteristics such as efficiency, equity, or sustainability; resources of different types; and property forms such as private, public, or common.⁶ Yet, a number of concrete achievements have also been the product of these analyses that are often highly abstract and which rely on quite restrictive assumptions about individuals, states of the world, and incentive structures (see next section).

Writings sharing a more socio-cultural and descriptive orientation, have been available from anthropologists since even before the 1950s. Earlier works often usually appeared as ethnographies that described entire peoples and their livelihoods, including the extent to which cooperative strategies formed part of the repertoire of survival (Mead, [1937] 1961). While more recent writings do not necessarily rely on explicitly stated assumptions or analytic strategies to inform us about common property systems (Buck, 1989; Little, 1985; McCay and Acheson, 1987; Mitchell, 1976), they have provided detailed accounts of how various rural communities around the world use commonly shared renewable resources. While these writings had earlier been criticized for not taking sufficient account of history in detailing the lives of their subjects, more recent work has begun to recognize the dynamic and changing nature of customary tenurial systems, changes such systems might undergo even without external contact, and their relationship with higher levels of authority within the political systems in which they might be located.⁷

2. Findings and Accomplishments

The literature on common property has had both a strong theoretical core and practical orientation. Perhaps the most crucial contribution of commons scholars has been to point to management of common pool resources by communities and collectivities as a viable alternative to private or state management of the same resources. Whereas earlier writings, after lamenting the loss of natural resources and environmental degradation, pointed to the state or the market as the natural alternatives, depending on the ideological persuasion of the analyst (Hardin, 1978; de Alessi, 1980; Heilbroner, 1974; and Ophuls 1973), commons theorists have identified a third alternative, one that has forced governments around the world to view local communities as possible partners in resource use and management.

The thrust of the arguments made by scholars of commons have proceeded along two main directions. First, by pursuing their empirical investigations on the basis of clear and enduring theoretical puzzles, they have ensured that their research would have a wider import. Much of the commons research, thus, is based on issues generated by the problem of collective action. Ultimately, solutions to the problem of collective action can be seen as critical not just to environmental issues, but to the entire

gamut of social science research. Social movements and revolutions, voting and other forms of political participation, collusion and cheating, formation of institutions and their maintenance, cooperation and conflict, all of these in their multiple forms either assume or problematize collective action. By investigating the conditions under which users of renewable resources will cooperate toward efficient management or fail to agree, the literature on common property has created the grounds on which its findings can resonate with broader concerns in the social sciences.

Second, by locating themselves in the literatures on property rights, collective action, and new institutionalism theorists of commons have ensured that their contributions would relate to other relevant theoretical investigations. Their use of game theory to explore such simple structuring situations as represented by the Prisoners' Dilemma, Chicken, Assurance, and coordination games has allowed them to connect their research with those investigating international relations, institution formation and collective action more generally.⁸

The literature on the commons has also contributed significantly to discussions of property. Some of the points they have highlighted relate to the delineation of property as a relation among persons with respect to things rather than being a thing itself, the emphasis on multiple forms of property, especially differences in indigenous tenurial systems, the insight that property implies a collection of enforceable claims rather than being a single indivisible claim, and the claim that no property form can be efficient across historical and social contexts.⁹ While many of these assertions are fast becoming part of conventional wisdom within academic writing, their acceptance in policy-making and popular arenas is still somewhat limited.

Commons theorists, in investigating the impact of different institutional structures on resource management have contributed critically to underline the importance of formal and informal institutions as an influence on human behavior. To do so, they have drawn and built upon the works of other property rights theorists and institutionalists such as Robert Bates (1989), Yoram Barzel (1989), Jack Knight (1992), Gary Libecap (1990), Douglass North (1990) to an extent where even making the distinction between these theorists and those of the commons might be difficult. But the combined researches of these theorists have made the following conclusions obvious. First, institutions exert an enormous influence over human actions. Because the above theorists have conceptualized institutions deliberately in an abstract manner, as sets of enforceable rules that facilitate and constrain human action, their conclusions about property rights, a subset of institutions, possess rather general qualities. Property rights institutions, conceptualized as sets of rules that define access, use, exclusion, management, monitoring, sanctioning, and arbitration behavior of users with respect to specific resources, are not only

highly significant in governing patterns of use, but are also the principal policy mechanism to reorient human actions in regards to these same resources (See also Alchian and Demsetz, 1973; de Alessi, 1980, and Furubotn and Pejovich, 1974).

Second, institutions come into being as consequences of actions of humans, and allow specific individuals and groups to reap advantages from altered social circumstances rather than to allow societies as a whole to capture efficiency gains. In this connection, the work by Jack Knight (1990) and Robert Bates (1983, 1989) to highlight the influence of politics, and Douglass North's distinction between institutions and organizations (1990) is critical. Earlier property rights theorists had suggested, using a highly functional evolutionary logic, that over time the more inefficient institutions are eliminated, therefore, the institutions that survive are efficient (Alchian, 1950; Barzel 1990; Demsetz 1967; Friedman 1953; North and Thomas, 1973). Now, scholars recognize the fact that institutions are not only instrumental in facilitating production but are also critical allocative, therefore, political entities, that institutions change as a result of attempts by specific social actors, that changes are unlikely to be attempted without the likelihood of gains to these actors, and, therefore, the emergence of new institutions is a highly political affair. Whether new institutions that emerge will also be efficient for a society depends on the extent to which the interests of groups attempting institutional change match those of a society.

In terms of empirical research, by producing impressive documentation from around the world on the capacity of communities to manage resources, commons scholars have contributed to a groundswell of altered policy-orientation toward local communities. Studies of successful community management of coastal fisheries, forests, pastures, irrigation, and ground water¹⁰ are now available from around the world. These studies, in conjunction with other writings on people's participation and indigenous knowledge have encouraged many governments around the world to attempt resource co-management programs which would legally assign local communities some share in control over and benefits from resources such as wildlife, forests, pastures, irrigation, and rural infrastructures. Clearly, in many of these cases local communities possess only very limited authority, and gain rather small amounts. But this is still a substantial change over the situation a decade ago when resource degradation was often viewed as a direct consequence of the destructive and erosive activities of local communities and small peasants. Increasing the stakes of communities in the management of common pool resources is seen by governments today as an effective policy instrument to manage resources.

Commons scholars have also attempted to intervene in the charged debate on overpopulation and resource degradation by arguing that institutions always mediate the effects of macro-structural and

demographic factors on resource use patterns. As such, the manner and extent of the influence of large demographic and economic changes will always be mediated through local level institutions. Without attention to the precise ways in which local institutions modulate larger changes one cannot hope to arrive at useful inferences about the impact of population, market and other economic forces on resource condition.

These modifications in perceptions about the role of institutions have been founded upon solid theoretical and empirical research. This research recognizes the role of incentives and interests in shaping human behavior. As it treats individuals as decision-makers, it recognizes Marx's admonition that their decisions take place in conditions that are not of their own choosing, but that humans possess the capacity to sometimes alter their circumstances. Thus a number of writings have undertaken important theoretical development to focus on the commons dilemmas that confront communities of users (Cheung, 1970; Ciriacy-Wantrup and Bishop, 1975; Dasgupta and Heal, 1979; Hardin, 1982; Oakerson, 1992; Ostrom, 1986, 1990; Runge, 1981, 1984). These writings have helped clarify the nature of resources that are used jointly, the ways in which technological or institutional aspects of use can influence resource characteristics, and how the structure of the situations in which resources are utilized affects use and management decisions, and use patterns.

3. Weaknesses in the Commons Literature

Despite their significant achievements, theories of commons suffer from several shortcomings. Some problems can be addressed within the current framework of research, perhaps with minor adjustments in the strategies of research, greater attention to theoretical rigor, or an expansion of the scope of analysis. Others are less likely to be resolved so simply. In attempting to understand some of the weaknesses of the literature on the commons, one can explore two types of criticisms, each stemming from very different theoretical positions and preoccupied with similarly different epistemological concerns. The first accepts the basic assumptions and questions that commons theorists use to proceed with their analyses: How can one best understand different types of institutional arrangements? What are the physical and social characteristics of resources that influence their use and management? Is it possible to discern systematic regularities in resource use and property regimes that make some forms of property superior to others in governing resource use within given spatio-temporal configurations? What is the relationship between institutions and social forces? These questions, in turn, take certain assumptions about individuals and their social context for granted. Individuals know their interests and these interests define their goals; they carry out a cost-benefit calculus to arrive at strategies aimed to

achieve their goals; efficiency, equity, or sustainability are worthwhile individual and social goals; or, social analysis can often reveal best possible alternatives. Within the theoretical framework that the scholars of commons use, the political economic and institutional one, it is still possible to point to a range of occlusions and omissions in the research on commons.

Criticisms flowing from the second approach neither accept the above assumptions as the most appropriate, nor, consequently, the questions as the most relevant ones. Influenced by themes in the works of recent feminist theorists, literary critics, subaltern school historians, and especially, the corpus of Foucault's writings,¹¹ they question the notion of an autonomous subject, problematize the construction of development, progress, and modernization as inevitable and desirable, focus on ways in which populations within local communities resist and subvert the goals of development practitioners, and assert the need to examine the interstitial and pervasive influences of power in the discursive strategies that stand for development and conservation (Goldman, 1995). This radical questioning can be found as well in works that treat development as a discursive practice (Escobar, 1995; Ferguson, [1990] 1994), focus on concepts such as the state as the product of discursive practices (Mitchell [1988] 1991, 1991) or look at the literature on conservation as being unavoidably implicated in relations of power. Most of these criticisms of the mainstream literature on the environment, development, and the commons, however, accept the existence of the problems to which these literatures form a response. Massive and widespread poverty and exploitation, unacceptable rates of ecological deterioration and the role of humans in ecological degradation; and the undermining of the strength of various marginal populations and the global to particularistic nature of responsible factors. It is the mode of analysis and its assumptions, and the programmatic answers to which the analysis leads, to which critics of environmental, developmental and commons discourses are opposed.

If one accepts the basic epistemological and ontological presumptions of the commons literature, four main lines of critique can be developed. The most telling of these are, perhaps, based on precisely those aspects of the commons discourse that account for its achievements in the advocacy of communal management of resources: The focus on the community, and the use of rigorous methodological tools. Their focus on communities, and the consideration of the larger context only to the extent outside forces may undermine the community's ability to manage resources has prevented commons scholars from investigating, to any significant degree, the complex of relationship of communities to macro political and social phenomena such as the state and social movements, and politics and differentiation within communities.

In the writings on commons, outside forces appear primarily as agents of change. Usually the change they prompt is deleterious. Whether it is markets or state policies, they tend to be viewed as disruptive forces that unsettle the balance communities might have precariously achieved in using their resources on the basis of long historical experience. This view of the commons regimes has two unfortunate consequences. One, it fails to acknowledge the possibility that in many instances the balance that communities might achieve in using their resources might be a product of interactions with the state, a result of enabling policies pursued by the state in earlier periods. Even market exchanges might play an important and constructive role in the constitution and creation of viable resource use patterns.¹² If communities are ultimately located within the networks of power and exchange relations constituted at least in part by the policies pursued by a state and the economic forces generated by marketplaces and market exchanges, then state policies, and markets might be quite significant influences in what appears to simply be successful community resource management. The analytical lesson is apparent. The role of markets and states, even perhaps when they seem absent, needs greater attention in analyses of successful communal resource management rather than being a factor only when local communities are unable to manage their resources. A related point would be to focus more critically on the relations of communities with markets and states rather than seeing these social phenomena as independent, or somehow in a contradictory relation with each other (but see Peluso, 1992).

While markets and states form part of the descriptive and analytical terrain in works of commons theorists, social movements, protests, agrarian unrest, and similar broad social phenomena seldom articulate with their communities. Yet, in many areas of the world from which studies of the commons are available, the presence of these social phenomena is pervasive. Even the theoretical tools that commons theorists have used to analyze community action and management--game theory, the framework of collective action, and institutional analysis--are conducive to the study of these larger protest movements. The studies of commons and social movements, however, seem to proceed according to independent logics where neither the objects of analysis nor the phenomena being investigated seem related to each other in a meaningful manner.

Seeing change as primarily a consequence of external forces implies a second unfortunate narrowing of focus. It leads scholars of commons to appreciate only to a limited extent the independently dynamic nature of the communities that they study.¹³ What Dirks et al. remark about cultural systems, might with some modification and a great deal of truth, apply to the way commons scholars have depicted the communities they study, "The virtual absence of historical investigation in anthropology, until recently, has meant that cultural systems have, indeed, appeared timeless, at least until ruptured by

"culture contact"¹ (1994: 3). As the work of a number of theorists suggests, communities and their patterns of interactions can be quite stable, but in many cases the apparent stability is an artifact of what Hobsbawm and Ranger have called 'the invention of tradition'(1983).

Perhaps it is because commons scholars focus primarily on the effectiveness of communities in managing resources that issues of dissent and differentiation within the community receive rather limited attention. It is, of course, true that the analytical structure of investigation, and the theoretical foundations of the commons literature do not preclude attention to internal differences within the community.¹⁴ Further, issues of heterogeneity among users are often the subject of theoretical investigation among scholars of commons: Yet, an unintended consequence of focusing on the achievements of communities in managing resources successfully has been to highlight commonly managed resources as having a pleasingly equitable nature. Jodha's influential studies of the commons in the South Asian context, thus, depict common property as channelling proportionately greater benefits to poor residents of the village (1986, 1992). Somanathan's study of the forest councils in the Kumaon shows them as being highly effective in benefitting village communities as a whole (1990).¹⁵ It must, however, be admitted that some recent scholars have begun to take internal differentiation within communities seriously and presented interesting analyses of the differing interests and actions of social groups within what is often seen as a 'community' (see Agrawal, 1994, Gibson and Stuart, 1995; Moore, Forthcoming, Neumann, 1995; Peluso, 1995; Rangan, 1995; and Rocheleau and Ross, 1995)

Despite some attention to political struggles and issues of equity within the community, one of the most significant oversights in this regard is the failure of the commons scholars to pay adequate attention to the influence of gender on resource use and management. Since livelihood tasks are differentiated by gender in many subsistence oriented societies, it is reasonable to ask how gender roles in these societies influence the utilization and control over common resources. For the most part, however, the mainstream of commons scholars has only paid scant attention to gender in their analyses. An immense literature on gender in development and resource management is, thus, simply crying out for attention from the scholars of the commons.

Recognition of the multiple ways in which communities managing resources are linked with and depend upon market forces, other social actors and phenomena, and political actors comprising the state, would tend to blur the boundaries between communities and other social aggregations. This might, in part, explain why commons scholars have tended not to investigate relations of communities with external groups. But it has also meant that the literature on the commons has continued to remain fascinated with a small number of different forms of property rights institutions — most commonly,

private, communal and public, but at times including open access, corporations, and cooperatives as other possible forms of property.¹⁶ In seeing forms of property as being comprised by a small number of *categories*, scholars of common property tend to inadvertently restrict the potential of their own institutional analysis.¹⁷

In addition, a methodological criticism can also be advanced.¹⁸ Scholars of commons generally focus on single communities when conducting empirical work. But their conclusions with respect to these communities become harder to generalize without comparative work across resource types, historical periods, and spatial locations, or without taking the effects of these variations into account. There are very few studies of the commons that have attempted systematically to draw conclusions on the basis of variations across cases. One of the reasons Ostrom's *Governing the Commons* has found an appreciative readership is precisely that she attempts, using cases differing on a number of dimensions, to make inferences about when community management of resources might be successful.¹⁹

The above criticisms, it can persuasively be argued, do not apply to all writings within what I have framed as the 'commons literature'. Several of the questions above have been voiced by theorists of the commons themselves. Further, because there are disciplinary, theoretical and methodological differences among them the above criticisms should be treated more as statements of general tendencies rather than literally applicable to all of the work on the commons. A second set of criticisms, however, apply far more to the range of research on the commons. Recent developments in social theory, especially in the shape of contributions from Foucault, various deconstructionists, feminist writers, Bourdieu, and scholars of the 'subaltern groups' have created the grounds to raise some trenchant and sweeping critiques of what common property theorists have said (and ignored). Some of these criticisms are from initial positions that are sufficiently different from those of the commons theorists that reconciliation might be difficult, if not impossible. Research responding to others would, I believe, substantially strengthen the analytical power of the common property literature.

Perhaps the most striking note of critique has been struck through the observation that commons theorists, especially those who use rational-choice assumptions, have paid relatively little attention to issues of power and resistance in their research, and have, thereby, failed to examine the effects of some of their basic assumptions regarding the desirability of development, modernization, and efficiency. By not examining the internally differentiated nature of the communities they study, commons scholars, it may be suggested, have assumed that all members of these communities are similarly receptive to ideas of development and efficient resource management, progress and modernization. But the processes of development and modernization or the attempts to make the commons more efficient can end up

benefitting primarily those who are already privileged, and increasing state capacities to control and intervene in local affairs. By focusing on how common resources can be more efficiently managed, scholars of commons become enmeshed in the same logic of greater productivity that advocates of privatization talk about (Goldman, 1995). This critique of the commons borrows extensively from Foucault's arguments about biopower and biopolitics, effectively deployed by such authors as Mitchell ([1988] 1991) to critique colonization and modernization in Egypt, Escobar (1995) to problematize development; and Ferguson ([1990] 1994) to question development projects initiated by agencies like the World Bank.

Foucault's arguments about "biopower" pointed to technologies that developed in Europe in the 18th century to permit increasing control over the economic processes whereby populations of human beings could be adjusted to available resources ([1978] 1990: 138ff). Viewing biopower as the ensemble of regulatory disciplines and techniques for 'subjugation of bodies and the control of populations' (ibid: p. 140), Foucault points to the emergence of demography and the evaluation of the relationship between resources and inhabitants as critical to the ability to control populations. While the state, according to Foucault, might have been important in ensuring the maintenance of production relations, but the techniques of bio-power operated at every level of the social body and 'brought life and its mechanisms into the realm of explicit calculations and made knowledge-power an agent of transformation of human life' (ibid: 143).

While Foucault made his points in the context of developments in 18th and 19th century Europe, recent writers on development and common property have sought to extend the import of his argument to development strategies by pointing to the ways in which development and efficient management of resources is also reliant on the same technologies of biopower which Foucault had highlighted: demographic statistics, resource use patterns, evaluation of relations between resources and populations (carrying capacity), and so forth. Commons scholars, because they are substantially invested in the same broad enterprise of investigating how resources can be more efficiently managed, can be viewed as being subject to the critique that Foucault advances.

The observation that commons scholars are unreflexive about how their research valorizes the objectives of modernization, efficiency, and progress and in the process runs the danger of ignoring political processes of differentiation and polarization within communities can become compelling only with greater attention to evidence. While Escobar and Ferguson have shown how development experts and officials often ignore "failures" and the impact of such failures on increased capacities of governments, the same critique cannot easily be levelled against commons scholars whose very research

focus is aimed at valorizing communities at the expense of governments and market institutions alike. To the extent that strengthening communities, and community control of resources works against standard themes in modernization regarding centralization of state power, privatization of resources, increasing influence of markets, the literature on the commons actively undermines discourses of modernization and teleological assumptions regarding progress.

It can, however, be admitted as I have mentioned above, that commons scholars need to pay greater attention to the ways in which power, domination and resistance unfold within communities. Appreciating that within communities there exist groups and actors endowed with asymmetrical access to power and resources is to take note of the enormous literature than in recent years has focused on resistance, domination, and the subaltern. These writings, sparked by the works of the "Subaltern Studies historians" and the works of James Scott (1985) and Michael Adas (1981) in South-east Asia began to gain scholarly attention at about the same time as the work on common property.²⁰ Despite the common focus of both these groups of scholars--members of communities and groups that are in some sense marginal—and the obvious relevance of the work on resistance and domination to the enterprise of the commons scholars, their different theoretical preoccupations have prevented much exchange of ideas.

But a greater focus on these aspects of power within communities can help strengthen greatly the power of writings on commons property. On the one hand, such a shift in focus would facilitate a better understanding of how power and status are related to access and use of resources; on the other, it would complement the exclusive focus of common property theorists on institutions and rules with a greater attention to power and politics. If existing institutions are the expression of past political equations, attention to current political equations within communities can gain us a better understanding of how existing institutions are being contested, and what the shape of future institutions might be. Institutional arrangements for allocating resources are best viewed as an expression of what the ideal status quo would be like. Actual human behavior, even in the context of well-enforced institutional rules, is unlikely to conform precisely to institutional contours. Perfect enforcement is far too costly to ever be achieved. When resources devoted to enforcement of institutions are limited, resource use patterns are far more likely to diverge from what rules specify. Attention to power and micro-politics within communities, then, would be critical in understanding how resources are used and managed (Agrawal, 1994, 1995).

But it is not just the need to explicate better the relationship between property and politics that would be served by greater attention to processes of domination and resistance in the course of common resource use within communities. The question possesses significant inherent theoretical and practical merit as subaltern scholars and writers on everyday protest have argued. Attention to the strategies

followed by subaltern actors in relation to resource use would be critical in beginning to understand how attempts at control and regulation are always challenged by those who are subjected to control. Issues of agency, the mutually productive relationship between domination and resistance, or the creation of hegemonic institutional arrangements cannot be understood without attention to micro-politics. Such a focus would also go a long way towards addressing the criticism that scholars of common property have, hitherto, ignored how rural residents can shape attempts by outside agents such as the state or aid agencies to intervene in their lives and modify existing patterns of resource use.

In this context, the micro-foundational focus of common property scholars on human agents can find productive complementarity with those who insist on the transformative capacities of subordinated groups. If intentions and independent actions are critical in reformulating and renegotiating the terrain of resource management imposed by the state (or as it obtains historically), the attempt by commons scholars to understand the strategies whereby village residents craft new institutions to manage local resources may prove to be instrumental in creating new insights about the attempts by these same villagers to reorient development and state interventions.

4. The Indian Himalayan Context

As scholars have realized that the Himalayan mountains, despite majesty and grandeur, may be ecologically fragile owing to geological, biophysical, as well as human causes, the focus of writings on the Himalaya has shifted to examining how environmental changes in the region can be influenced. One of the most significant set of writings has tended to assess the role of local populations in forest use, conservation, and exploitation. This section focuses primarily on community forest use and management in the Uttar Pradesh Hills in India (*Uttarakhand*), but uses existing research on other parts of the Himalaya to situate this region in a comparative perspective.

Recent work on the Himalaya underlines nothing as much as fact that our knowledge about the Himalaya is limited and uncertain. Scholars such as Bajracharya (1983), Carson (1985), Ives and Messerli (1989), Gilmour (1985), Hamilton (1987), Hofer, (1993) Mahat et al. (1986, 1987), Thompson et.al., (1986) and others have contested the various aspects of the "Theory of Himalayan Environmental Degradation," and pointed to woefully inadequate and contradictory empirical data sources about biophysical and socio-economic processes in the mountains and the relationships among these processes. Their arguments cast doubt on assertions that blame subsistence activities of small-holders for environmental degradation, and question the relationship between deforestation and surface erosion in the upper regions of the Himalayan mountains, and flooding and sediment deposition in the lower

reaches of the Himalayan rivers. In the wake of this comprehensive interrogation of accepted dogmas about forest management in the mountains, several new issues that have emerged for research relate in a complementary fashion with the discourse of common property.

The most important of these, perhaps, is the significant reorientation of research on forest use in the Himalaya to take into account the interests and activities of the local populations. While ethnographers had earlier worked extensively to present studies of local systems of resource management (Berreman, 1972; Von Furer-Haimendorf, 19??), an explicit focus on communities and user group forestry has emerged in the past decade reflecting the perception that without extensive involvement and stress on empowerment of Himalayan villagers, successful forest management is likely to remain a chimera.²¹ The long history of local forest management in the Indian Middle Himalaya and the active involvement of villagers in forest use and management owing to the critical role of forests in subsistence (Agrawal, forthcoming; Ballabh and Singh, 1988; Guha, 1989; Somanathan, 1991), provides the basic precondition for using insights from the common property discourse to research forest management in the mountains--thousands of semi-autonomous village forest councils (*van panchayats*) help manage large areas of forests collectively for the village community in Kumaon and Garhwal.

Research on these van panchayats have explored some of the basic thrusts of the common property literature already. Agrawal (1994a, 1995a), Ballabh and Singh (1988), and Somanathan (1991), thus, have investigated the extent to which the panchayats, and communal management more generally, might be efficient in helping villagers manage forest resources. But research on community forest management in the hills can also investigate some of the other research problems raised within the commons literature more fruitfully. because hill villagers possess substantial rights to alter rules for managing the use of their forests, historical studies of their evolving institutional structures can help illuminate how internal dynamics of village communities lead to significant shifts in patterns of resource use. Further, statistical and comparative studies of the forest panchayats can help address criticisms that suggest that the commons literature has tended to focus primarily on single cases. Indeed, the emergence of a large literature on local management of forests in the Lesser and Middle Himalaya in Pakistan, Nepal, and India can allow us to carry out detailed and rigorous comparative studies of local collective management of forests as well.²²

Relatively recent changes in government policies on forest management in the mountains, certainly in India (Sanwal, 1989), but also in Nepal, Bhutan, and Pakistan, create the possibility of comparative research that would examine the effect of macro-level institutional changes on micro-level institutions, forest use practices, and forest conditions. In the context of the Uttar Pradesh Hills, the

forest department and panchayat regulations have altered substantially in recent years, and valuable resources for research are available in the form of data on such policy changes, their impact on village forest councils as reflected in records of council meetings maintained at the village level, annual reports on the van panchayats and their productivity, and reports on the activities of the forest department and the state of the forests it manages.

Investigations of the relationship between micro-level community institutions and macro level state initiatives will help address a persistent criticism of the commons literature--that it has tended to remain focused on the community at the cost of a better understanding of the ways in which the community is located in a network of social relations which the state shapes to a great extent. But the Kumaon and Garhwal region also constitute an important arena for commons scholars to examine another aspect of the relations between broader social forces and institutional arrangements. Research on ecological movements in the Uttarakhand, (Berreman, 1989; Guha, 1989; Jain, 1984; Rangan, 1993; Shiva and Bandopadhyay, 1989; Weber 1989), and the movement for the separate province of Uttarakhand, demonstrate the pervasive ubiquity of social movements in the region. The context of the Uttarakhand, thus, presents a tremendous opportunity to examine the relationship between community institutions and social movements by focusing on how participation in the local forest councils might influence the trajectory of movements within the region. Such research can significantly advance our knowledge about how institutions and social movements connect with each other to facilitate continuing collective action.

As far as the situation in the Indian Himalaya forming a significant opportunity to investigate internal differences within communities is concerned, two points might be in order. First, a number of authors have pointed to relatively low hierarchical and class differences in Garhwal and Kumaun (Guha, 1989; Pant, 1935; Sanwal, 1976). This might seem to imply that the opportunity to study class and caste differentiation in the Indian Himalaya is limited. This, however, should not be taken to mean that asymmetries and resources and power play a more limited role in the hills. If Foucault's writings have made one lesson clear, it is that all human relations are situated within a web that is critically affected by power and politics. As Foucault asserts, 'A society without power relations can only be an abstraction' (1983: 222-3). While the forces shaping the ways in which individuals and groups relate to each other vary depending on history and context, there is no escaping the grip of power. What attenuated caste and class differences in the hills would imply is not the absence of power, but simply that its influence may assume more subtle forms.

Examples might make the point clearer. Where caste and class explicitly enter social status, and a community is highly polarized along these dimensions, power might be exercised more in the sense of brute force.²³ Where these differences are less obvious, the exercise of power might take place through far more subtle means—seemingly equitable strategies that, nonetheless are biased against those who are socially or economically disadvantaged. Auctions of products from the commons to the highest bidder, or high levels of monetary fines as punishment for breaking institutional rules related to commons are two possible examples. The first rule would inevitably lead to richer residents of the village cornering the bulk of benefits from the commons since the poorer members of the community are unlikely to be able to bid even close to the value of the benefits from the entire commons (Agrawal, 1994a). The second rule would punish those individuals disproportionately who possess limited private resources, therefore, are forced to resort to harvesting from the commons more often.

Second, despite the fact that power is not polarized along some obvious dimensions in the hill society, the presence of thousands of van panchayats in Uttarakhand presents an highly variegated institutional landscape of power whose investigation could help uncover the relationships between societal power and how it congeals along nodes constituted by institutional arrangements. In this sense, the very multiplicity of institutions would assist the investigations of power and politics, as long as one keeps in mind Foucault's admonition that 'the analysis of power relations within a society cannot be reduced to the study of a series of institutions, not even to the study of all those institutions which would merit the name "political"' (1983: 224).

In this context, the relationship between gender roles and power would form an illuminating area of analysis. While gender roles are quite different in the hill subsistence and production economy, and one can expect these differences to significantly affect forest use and management, few studies have focused explicitly on women's activities regarding harvesting, use and management of forests. The increasing attention to women's work in the hills, therefore, can contribute to fill one of the important lacunae in the scholarship on the commons—the importance of gender in common property management (See Agarwal, 1986, 1994; Byers and Sainju, 1994; Hewitt, 1989; Saksena et al., 1995).

While the above points of tangency and complementarity between the literature on forest management in the Indian Himalaya and the common property discourse are readily visible, some other criticisms would be harder to address. Specifically, those criticisms of the common property literature that seek to problematize its focus on how communal institutions can become more effective, and its acceptance of the need for development (but in ways that are acceptable to local populations) run at cross-purposes with the founding logic of this discourse. To some extent, it can be argued that in paying

attention to equity within the community, and the need to build communities as resilient repositories of knowledge and strength to manage renewable natural resources, scholars of commons are not solely concerned with issues of efficient resource management. But, one might also suggest, a focus on efficient use of resources, tempered by concerns of equity and community, is not an unbearable thought to have to bear!

Conclusion

This paper has reviewed the literature on common property by examining its origins, major themes, and some of its weaknesses. In addition, one of the main purposes of the exercise has been to examine the extent to which the context of forest management in the Indian Himalaya posits interesting research issues that may help address some of the weaknesses in the commons discourse. My review suggests that the region constitutes a fertile source of potentially new insights regarding internal differentiation within communities, the relationship between the state and other sites of political authority, the interactions between power and institutions, and how social movements might be related to institutions of resource management. At the same time, there are some types of criticisms of the commons discourse that would be difficult, if not impossible to address, from within the assumptions that are central to the common property literature.

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Endnotes

1. I call this enterprise collaborative not because scholars working on the commons have devoted special effort to creating collective research projects. Rather, some commons concerns and strategies render their labors collaborative. They have produced several collected sets of papers which form an extremely significant part of the commons literature. Second, under the aegis of the International Association for the Study of Common Property, a large proportion of the research on the commons has been shared among the scholars of the commons. Third, their writings have often shared set of assumptions and tended to arrive at similar conclusions. The common assumptions include the belief that local users of resources often cooperate with each other and create (or are subject to) community institutions that help them manage resources. Their conclusions often point to the capacity of these resource users to manage resources in ways that are highly efficient or equitable. These similarities may be insufficient to cast commons scholars as being engaged in a collaborative enterprise: it is significant, however, that their similarities are shared across quite important disciplinary divisions.

2.Indeed, it would not stretch imagination too far to suggest as a general proposition that even rigorous and reductive theoretical accounts rely on rhetorical strategies, and rhetoric, for persuasion, could not do without appeal to facts and theoretical beliefs.

3. Within the group of writers who work on common property systems, however, these differences are less a reason for explicit contestation, more the grounds for their preferred strategies of research. The differences that I have briefly sketched, therefore, rely on conversations that may have taken place elsewhere in the social sciences, and may have unfolded among scholars of the commons only to a modest extent.

4. See also H. Scott Gordon's work on an abstract model of fisheries (1954).

5. See Agrawal (Forthcoming, 1996) for a comparative static analysis of relative efficacy of community, private, and state institutions in helping manage forest resources in the Indian Himalayas.

6. For work from a more empirical stance that similarly demonstrates the complexity of tenure among land based resources, see Fortmann and Riddell (1985), Singh (1986).

7. While Tsing's book (1993) can be called one on common property only by a stretch of the imagination, it innovatively captures many aspects of the asymmetric relationships between a developmentalist and coercive state, and marginalized communities. See Peluso's (1992) *Rich Forests, Poor People* on the relationships between the state and local communities in the context of the historical changes in forestry practices in Java.

8. Ostrom's work on micro-level common property resource management has resonated closely with the work of theorists of international relations such as Robert Keohane, Duncan Snidal, and Oran Young. See the papers by these authors in the special issue of the *Journal of Theoretical Politics*, October 1994.

9. See Bromley (1992), Feeny (1992), McKean (1996), Naughton-Treves and Sanderson (1995), and Ostrom (1992a).

10. The empirical and case literature on commons is far too large to receive even a representative mention in this paper. Some of the best sources for this literature are the volumes of collected papers edited by Berkes (1989), Bromley (1992), McCay and Acheson (1987), NRC (1986), Pinkerton (1989) and Western and Wright (1994). The journal *Human Ecology* has been an effective vehicle for research on common property over the last decade and a half. For relatively recent works on irrigation see Ostrom (1992) and Tang (1992); for fisheries, see Schlager (1990); for ground water, see Blomquist (1992); for rural infrastructure, see Ostrom, Schroeder and Wynne (1993); for forestry, see Ascher (1995) and Brower (1987); and for pastures, see Galaty and Bonte (1991), Galaty and Johnson (1990), and Peters (1994).

11. See the exchange of views among Seyla Benhabib, Judith Butler, Drucilla Cornell and Nancy Fraser (1995), the volume edited by Butler and Scott (1992), and Fraser (1989) for provocative insights from feminist theorists on the notion of the subject. Fish (1989), Gates (1986) and Said (1979) for some of the themes upon which current deconstructions of the commons and development discourse are based. An introduction to Subaltern Studies is perhaps best pursued through the volume edited by Guha and Spivak (1988). See also the recent discussion in *American Historical Review* (Cooper, 1994; Mallon, 1995; Prakash, 1994), and Sivaramakrishnan (1995). For a critical introduction to Foucault, see especially the essays on governmentality and discourse in Burchell et al. (1991), the review of Foucault's work edited by Hoy (1986), and the assessment of Foucault by Dreyfus and Rabinow (1982), especially Foucault's essay in the volume on the subject and power.

12. Markets are often credited with enlarging the possibilities for sale of products harvested from commonly managed resources. One can at least imagine, however, that they may also facilitate constraints upon harvesting common resources: availability of kerosene can reduce the need for locally produced fuelwood or charcoal; markets

in foodgrains might reduce the pressure on agricultural land and consequently manure and leaf litter from forests; availability of cheap meat from domesticated animals can lead to a decline in the capture and killing of wild animals. The reverse, it must be admitted, may quite often be the norm.

13. In thinking about how local communities can alter the rules of the games that guide their interactions, however, Ostrom's work has attempted, even within a game theoretic paradigm, to address the issue of change initiated within a community (1990: 15-8; 1996).

14. In Oakerson's framework, which is perhaps the most widely used single tool to frame case studies on the commons (having been used both in the edited volume by NRC (1986) as well as Bromley's 1992 volume), inequalities are associated far more closely with outcomes, than with decision-making arrangements or patterns of interactions. The model, clearly, does not preclude a consideration of inequalities, but nor does it pay special attention to them.

15. Presentation of community resource management as being equitable by commons scholars has, perhaps, inadvertently been aided by the studies belonging to a moral economy perspective where communities, owing to norms of generalized reciprocity, attempt that all members get at least a minimum level of subsistence. For a discussion of the 'moral economy' see Scott (1976) and Thompson (1971). See also Polanyi's discussion of premarket and market economies (1957).

16. Bromley, thus, even as he argues for a more nuanced understanding of property regimes, tends to suggest that the relevant comparison is among private, state, and common property (1992: 4).

17. The focus on state, market and community also can potentially lead to a blurring of the analytical distinction between especially actors and rules, but sometimes also resource characteristics. A number of theorists of the commons have emphasized the need to consider actors, rules, and resource characteristics as separate analytic categories, but the very term, 'common property resources', as commons scholars recognize, refers simultaneously to a regime of rules, and a type of resource. Since the term "common management" is really a metaphorical synonym for an immense range of patterns of use and control, and types of outcomes, it might make sense to use the term more in its metaphorical rather than in an analytical sense. The same can be argued in the cases of private and state (public) management of resources.

18. A second possible criticism that I do not discuss is as old as the hoary debate between formalists and substantivists. Attempts by commons scholars to use formal methods of analysis can be criticized on the grounds that such strategies are highly reductionist and do not take into account contextual variables that might be highly relevant in influencing resource management outcomes, or in and of themselves. While the criticism might well apply to specific pieces of research, it does not apply to the literature on the commons as a whole since many of its practitioners are anthropologists and other scholars who are specifically concerned to present a wealth of materials on the context in which communities use their resources.

19. Wade's study of common management of pasture and irrigation in South Indian villages forms another instance of comparative case work but within a single area (1988). For the most part, commons scholars have used edited volumes containing essays on multiple cases and resource types. The strategy, however, is not always successful in yielding new general insights.

20. See also the edited volume on resistance by Colburn (1989).

21. Indeed, some research already suggests that villagers, in the face of increasing scarcity, are likely to take matters in their own hands and plant trees without much external stimulus (Carter, 1992; Carter and Gilmour, 1989; Griffin, 1988; Hofer, 1993; Virgo and Subba, 1994). Such research that examines the conditions under which villagers

would plant new trees is extremely important to define the limits of deterioration of the quality of publicly used forest lands.

22. See Cernea (1981, 1985), Dani et al. (1987), and Dove and Rao (1986) for some studies of local forest management from Pakistan. For Nepal, see Chhetri and Pandey (1992) and the set of papers by Brower, Metz, Exo, and Zurick, edited by Messerschmidt (1990) in *Mountain Research and Development*. An annotated bibliography on common forest management from Messerschmidt (1993) is a useful source as well. The review by Arnold and Stewart (1991) ties together some of the important themes in the pre-1990 work on common property in India.

23. See Luke's thoughtful review of three different views of power (1974). The volume he edited in 1986 provides a useful collection of writings on power by some of the most respected social theorists. Any contemporary attempts to think power, especially the more diffused and subtle manifestations of power, must consider Foucault's interventions. See, for example, interviews with Foucault, edited by Gordon (1980).