



Beyond "participation": indigenous peoples, biological diversity conservation and protected area management

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Attempts to involve local communities in protected area management usually fail when initiated and directed by outsiders. This article focuses on some of The fundamental issues related to indigenous peoples and natural resource conservation.

Western concepts of humankind's place in nature underlie the premises of wilderness conservation and present obstacles to indigenous residents. Imposed conservationist visions have led to forced relocation, impoverishment, human rights abuse and a breakdown of traditional systems of resource management. Conservation organizations are adopting new policies for working with indigenous peoples but, at the same time, top-down conservation and global environmental management by large development agencies threaten to reverse this progress. Conservationists need to develop new means of accountability to ensure that indigenous peoples' needs and rights are respected.

Classical conservation

The roots of conservation lie very deep in historical views of humankind's place in nature. However, whereas in recent years there has been an increasing acceptance of the value of indigenous knowledge systems as providing effective means of regulating human interaction with the environment, there has been much less scrutiny of the degree to which "scientific" notions of nature conservation have been shaped by Western cultural traditions and political economies.

In fact, Western concepts of conservation are based on a very ancient conceptual separation between humankind and nature, between civilization and wilderness. Wilderness was thought of as the abode of savages and evil spirits, and was to be tamed or else set aside for seasonal and symbolic conquest, for example by princely hunters engaged in sport. According to the logic of scientific conservation, which emerged within these cultural traditions, the preservation of nature is best achieved by further separating humankind from nature and thus creating wilderness (Colchester. 1994).

It is a concept alien to many indigenous peoples. For example. Ruby Dunstan of the NI 'aka' pamux people of the Stein Valley in Alberta, Canada - people who have been fighting to prevent the logging of their ancestral lands - has remarked: "I never thought of the Stein Valley as a wilderness. My Dad used to say 'that's our pantry'. We knew about all the plants and animals, when to pick, when to hunt. We knew because we were taught every day. It's like we

were pruning every day.... But some of the white environmentalists seemed to think if something was declared a wilderness, no-one was allowed inside because it was so fragile. So they have put a fence around it, or maybe around themselves" (Usher, unpublished manuscript).

Conservationists' views of nature have thus had serious consequences for indigenous peoples. Indeed, the world's first national park, established at Yellowstone in 1872, involved the expulsion of the resident Shoshone Indians. The expulsions led to violent conflicts between the park's authorities and the Shoshone: as many as 300 people were killed in clashes in 1877. Nine years later, the administration of the park was turned over to the United States Army (Kemf, 1993). The notion that national parks are areas that exclude humankind was subsequently given a basis in law. According to the 1964 United States Wilderness Act, wilderness is a place "where man himself is a visitor who does not remain" (Gomez Pompa and Kaus, 1992).

The national park concept spread throughout the world and, with it, the premise that, to be conserved, nature must be protected from human "interference". By the 1970s, this vision of protected area management had come to dominate the conservation movement, especially as it was applied in the developing countries. According to the World

Conservation Union (IUCN), a national park was to be narrowly defined as a large area:

- where one or several ecosystems are not materially altered by human exploitation and occupation, where plant and animal species, geomorphological sites and habitats are of special scientific, educative and recreative interest or which contains a natural landscape of great beauty;
- where the highest competent authority of the country has taken steps to prevent or eliminate as soon as possible exploitation or occupation of the whole area and to enforce effectively the aspect of ecological, geomorphological or aesthetic features that have led to its establishment (West, 1991).

Bernard Grzimek, who campaigned to conserve wildlife in the Serengeti plains by excluding the indigenous Masai cattle herders argued that "a national park must remain a primordial wilderness to be effective. No men, not even native ones, should live inside its borders" (Adams and McShane, 1992).

Problems for people

Western notions of wilderness preservation are not only in conflict with many indigenous peoples' views of nature, they also deny reality. In Latin America, 86 percent of protected areas are, in fact, inhabited (Kemf, 1993; Amend and Amend, 1992). In India, 69 percent of protected areas are inhabited (Kothari, Saloni Suri and Neena Singh, 1995). Worldwide, according to the IUCN, the figure is about 70 percent (Dixon and Sherman, 1991). A great majority of these inhabitants are indigenous. For example, some 80 percent of the protected areas of South America have indigenous peoples living inside them. In Central America, the figure is 85 percent (Alcorn, 1994).

Under international law (for example, International Labour Organisation Conventions 107 and 169), indigenous peoples have clearly recognized rights: to the communal ownership of their ancestral lands; to the management of the natural resources on their territories; to the exercise of their customary laws; and to represent themselves through their own institutions. They may not be removed from their lands except under very exceptional circumstances, in which case they should be compensated with land for land lost. More recent developments are moving to recognize even further rights: to self-determination, ownership and control of their territories

and of their traditional knowledge systems (see Box, p. 35).

These rights have been persistently overlooked and violated by government-developed and -implemented conservation programmes. Land rights are routinely ignored or denied. Forced resettlement has been widespread and continues, causing severe hardship, social dislocation and cultural disruption (Colchester, 1994). In India alone, protected areas have already displaced some 600 000 tribal people and forest dwellers and affected many more. Yet, the Ministry of Environment and Forests plans to establish a further 650 wildlife sanctuaries and 150 national parks in the next few years, displacing as many people again (PRIA, 1993).

Many other communities that have not actually been relocated have had their rights of access to resources curtailed or limited. The suspension of human activities has sometimes caused unintended environmental problems, for example when the removal of domestic browsing and grazing animals has led to habitat changes, thereby threatening the survival of wild species (Adams and McShane, 1992; Monbiot, 1994; Kothari, Saloni Suri and Neena Singh, 1995).

Moreover, forced relocation or the concentration of human populations outside protected areas may lead to overintensive pressure on the environment, while undermining social institutions and customary resource management systems that once regulated land use. Parks can become islands surrounded by devastated or degraded habitats and, deprived of effective protection by resident peoples, may eventually succumb to outside pressures from both extractive industries and impoverished communities (Adams and McShane, 1992; Alcorn 1993; Roy and Jackson, 1993).

The politics of parks

Conservationists have been reluctant to admit the political nature of their interventions - that what they are in fact assisting is the imposition of state controls over indigenous political structures. Since conservation is so often based on a policy that is introduced either by outsiders to a region or by foreigners to a country, it seeks legitimacy and authority through government (Reid and Miller, 1989). Conservationists seek to effect real changes on the ground by changing the legal status of land and obliging local people to change their economic activities by imposing the authority of the state.

For example, the law establishing the National Integrated Protected Area System in the Philippines, while it claims to have the "preservation of ancestral domain and customary rights within protected areas as a management objective", aims to put protected areas under "close management, control and study" so that "experts" can decide where, when and how much natural resources local communities can extract (DENR, 1992). The result of this kind of manipulation is the erosion of local decision-making systems and the substitution of indigenous institutions with the bureaucratic state (Ferguson, 1994; Hitchcock and Holm, 1993).

The classical conservation approach thus tends to reinforce existing divisions between local people and government, thereby increasing alienation and conflict rather than resolving them. The environmental consequences can be serious as local opposition to imposed protected areas is expressed through "incendiarism" and a profligate use of resources which local people no longer feel are theirs to care for (Gadgil, 1992; Sherpa, 1993). Resentments created by such interventions have also spawned violent conflict with the state authorities and created fertile ground for revolutionary insurgencies (Furer-Haimendorf, 1986; Roy and Jackson, 1993).

The conventional approach to conservation, which alienates lands to the state, builds on the assumption that: "each nation-state, including those which have only recently emerged from colonialism, has the capacity, the internal legitimacy, and the will to manage all resources

falling within its territorial boundaries. The implication is that the nation-state should be able to control behaviour of all users of all resources located within the state's (self)declared jurisdiction, whatever the origin of the state's claim, whatever the nature of competition for those resources, and whatever the nature or origins of resistance to the state's resource control" (Peluso, 1992).

The state may go on to legitimize serious human rights abuses against those who resist state control in the name of an internationally sanctioned conservation ethic (Peluso, 1992). It is doubtful if such a hard-line approach to nature conservation achieves its objectives in the long term. Usually, Peluso argues, the result is to intensify social and political conflict "which causes environmental degradation and ultimately fails to achieve the goals of international conservation interests. Nevertheless, the state may not 'lose'. Even if conservation goals are not achieved, the state may succeed in strengthening its capacity to govern via the use of force" (Peluso, 1992).

United Nations Draft Declaration on the Rights of Indigenous Peoples

Work on the development of the United Nations Draft Declaration on the Rights of Indigenous Peoples was started in 1982 in the United Nations Working Group on Indigenous Populations.

After 13 years of work, the Working Group on Indigenous Populations, at its 1994 session, approved a draft and referred it to the Sub-Commission on the Prevention of Discrimination and Protection of Minorities. At its 51st session in the spring of 1995, the Sub-Commission approved the Draft Declaration and referred it to the United Nations Commission on Human Rights where it is now under consideration.

The UN Commission on Human Rights, at its 51st session in 1995, approved the creation of an Intersessional Working Group to consider the Draft Declaration on the Rights of Indigenous Peoples. The

Intersessional Working Group held its first meeting in November 1995, in Geneva, Switzerland, for two weeks. The next session is scheduled for November 1996.

If and when it is approved by the UN Commission on Human Rights, the Draft Declaration will be referred to the Economic and Social Council (ECOSOC) and, from there, be presented to the General Assembly of the United Nations. Once adopted by the General Assembly, it will establish international standards for the rights of indigenous peoples worldwide.

Early attempts at joint management

Conservationists have not been blind to these problems and a search for more enlightened approaches which will accommodate local people's needs and interests has been under way for some time. In 1975, the IUCN passed a resolution to "maintain and encourage traditional methods of living" and "devise means by which indigenous people may bring their lands into conservation areas without relinquishing their ownership, use or tenure rights". The same resolution also recommended against displacement and stated "nor should such reserves anywhere be proclaimed without adequate consultation". In 1982, the IUCN passed a further resolution which affirmed the rights of traditional societies to "social, economic, cultural and spiritual self-determination" and "to participate in decisions affecting the land and natural resources on which they depend". While avoiding a recognition of indigenous peoples' rights to own and control their territories, the resolution advocated the implementation of joint management arrangements between societies which have traditionally managed resources and protected area authorities".

Accordingly, there has been a proliferation of experiments with conflict management, biosphere reserves, buffer zones, ecodevelopment and benefit sharing. The aim has been to ensure that local communities have both an economic and a political stake in controlled management. The experiences have been very varied. However, a review carried by the IUCN came to disappointing conclusions. Most of these "participatory" projects, it found, have been

initiated and directed by outsiders, have been of short duration and have focused on ambitious but untried technologies to secure increased economic benefits for local people. These ecodevelopment projects, notwithstanding their characterization as participatory, have "frequently pursued objectives which were inconsistent with the aspirations of the very people they were trying to help" (Sayer, 1991). They have suffered from paying too little attention to social and political constraints, both of the local communities and the national conservation agencies. The best buffer zone projects, the review found, "have not been short-term aid projects but initiatives taken by local community groups or resource managers who have made creative attempts to solve the day-to-day problems which they faced" (Sayer, 1991).

Another review, carried out for the World Bank, of 23 protected areas where there had been attempts to reconcile development and conservation objectives concluded that it was questionable whether the projects had reduced pressure on the parks or reserves they were aiming to protect. The study also showed that attempts to involve local people in the process of change and development were largely rhetorical and most treated local people as "passive beneficiaries" (Wells and Brandon, 1992; West and Brechin, 1991). Conservation agencies have been very reluctant to recognize the rights of indigenous peoples to control decision-making. Even where, as in Australia, aboriginal land rights have been recognized, there has been a tendency to treat indigenous peoples as junior partners in management (Weaver, 1991; Cordell, 1993a; 1993b).

Emerging standards

A number of clear lessons have begun to emerge from these experiences. Successful conservation initiatives in indigenous areas require a recognition of indigenous peoples' rights to own and control their territories; to their involvement in planning from inception; the recognition of indigenous representative institutions; the evolution of mechanisms to ensure the involvement of marginal sectors in ways that do not undermine traditional decision-making; for unambiguous contracts to establish mutual obligations; and for cross-cultural training to sensitize all those involved (Craven and Craven, 1990; Hannah, 1992; Morrison, 1993; Davey, 1993; Kemf, 1993; Colchester, 1994). The support of government institutions which can respect these principles is needed to resource such initiatives and help protect areas against external pressures (Alcorn, 1993; Kothari, Saloni Suri and Neena Singh, 1995).

It has been suggested that none of the IUCN's existing protected area categories encompasses such principles and that a new category is therefore needed.

Moreover, very few countries have national legislation which permits the exercise of such rights within protected areas. Changes are needed at all levels if these new principles of protected area management are to become effective.

In response to increasing expressions of concern by indigenous peoples' organizations about conservation's impositions, the World Wide Fund for Nature-International (WWFI) recently drafted a new policy on indigenous peoples. The policy starts from an acceptance of indigenous rights as expressed in existing and emerging international law, including their rights to self-determination, ownership and control of their territories, self-identification and intellectual property. According to the draft policy, the WWFI will look for "partnership" with indigenous peoples where they express a commitment to the conservation of biological diversity and accept the need to limit human activities to achieve sustainable use. The practical dilemma that remains is how to restrict activities so that they do observe such limits (while still enabling local people to meet subsistence needs), since all effective management requires procedures to enforce agreed regulations (Hannah, 1992). The challenge is, therefore, to find means by which the indigenous peoples' institutions can agree to, or develop for themselves, such controls and secure effective commons management regimes where they already exist (Sherpa, 1993).

Many indigenous peoples agree on the need for such limits and observe that, as their economies change and are changed by both external and internal influences, they need to develop novel institutions and regulations on resource use, profit sharing and rights allocations (Ventocilla, Herrera and Nuñez 1995). For example, the Inuit of the North Slope of Alaska, having negotiated successfully with the

International Whaling Commission (IWC) for the right to a limited number of annual "strikes" on bowhead whales, have established their own regulatory body, the Alaskan Eskimo Whaling Commission (AEWC), which each season allocates these rights to whaling captains from the various communities. The AEWC employs conservation biologists as technical advisers to assist this process and help it negotiate with the IWC for a scientifically justifiable number of strikes each year. Ecologists, social scientists, educationalists, lawyers and development advisers may all have relevant knowledge to contribute to indigenous communities seeking to achieve similar goals. Their role, however, should be to act as advisers to indigenous managers rather than as directors of indigenous ventures (Colchester, 1982; Pimbert and Pretty, 1995).

New impositions, new challenges

The realization by a portion of the conservationist community of the need to redefine relationships with indigenous peoples comes at a crucial moment, for other conservationists are at the same time advocating the need to increase the profitability of biological diversity through ecotourism, timber extraction, non-timber forest product sales and bioprospecting (Wells, 1993; Poore, 1989; Plotkin and Famolare, 1992; Counsell and Rice, 1992; Panayotou and Ashton, 1992; Scoones, Melnyk and Pretty, 1992; WWF, 1993). These pressures threaten to deny priority to indigenous land rights and overwhelm indigenous control (Gray, 1991; Corry, 1993).

Top-down conservation is also being reinforced by the emergence of new international agencies concerned with global environmental management. The Convention on Biological Diversity, for example, has been criticized for its emphasis on state sovereignty at the expense of community rights (TWN, 1993). Moreover, the Global Environmental Facility (GEF), the current financing and implementing agency for the convention, is limited by its constitution to financing only the "incremental costs of global benefits", not national benefits, arising out of conservation projects. By definition, indigenous peoples' initiatives can only be financed by the GEF if they are considered not to be national interests, placing indigenous peoples in an invidious position in their negotiations with governments and developers (Colchester, 1994).

The increase in global financing of protected area planning is leading to a rapid extension of protected areas established over indigenous territories. Unfortunately, most of these efforts pay inadequate attention to indigenous rights. In Venezuela, for example, a World Bank-funded national parks project has been developed without staff even applying the Bank's own indigenous peoples policy (World Bank, 1992). In Uganda, in 1992, 30 000 forest dwellers/peasant settlers were expelled at gunpoint under a project funded by the World Bank, the European Community, DANIDA and NORAD to create a wildlife corridor between the Kibale Forest Reserve and the Queen Elizabeth National Park, leading to mass impoverishment, burning, looting, the killing of livestock and other serious human rights violations including deaths (Feeney, 1993).

In India, Laos, the Philippines and Thailand, recent GEF-funded protected area projects have been criticized for their lack of participation, the denial of indigenous peoples' land rights, the imposition of restrictive laws and forced resettlement (Colchester, 1994; Kothari, Saloni Suri and Neena Singh, 1995; NFN, 1995). Increasingly, the Asian Development Bank and the World Bank are providing loans, repayable in foreign exchange, to developing countries to

enhance their national parks systems, thereby increasing pressure on protected areas to yield profits through ecotourism and exposing the indigenous peoples to "uninvited guests" (Persoon and Hueveling van Beek, in press).

If development agencies are to take their commitment to conservation seriously, to respond to these pressures effectively and ensure that the needs and rights of indigenous peoples are respected, new decision-making processes will be required. The need is to go beyond nominal processes of consultation and participation and adopt processes which ensure that indigenous people have a decisive voice in formulating policies about resource use in the areas in which they live and on which they depend. Achieving this requires making conservation agencies and state bureaucracies accountable to local communities and providing accessible and open means for the redress of grievances when these arise.

What this means in practical terms is that the international agencies should work from the premise that the indigenous peoples are the legitimate owners of the areas in question and ensure before all else that their customary rights are legally secured. Moreover, once these rights have been clearly recognized and before introducing new regulating restricting resource use and occupancy, the agencies and partner national governments should enter into binding agreements with the indigenous peoples' representative institutions which clearly set out mutually agreed obligations. In this way real partnership between the indigenous peoples and outside agencies can be assured, providing the basis for long-term solutions acceptable to the indigenous peoples, who can negotiate from a position of strength and security rather than dependency and uncertainty. There are enough practical examples of community-based management systems around the world to suggest that these may be environmentally sustainable (Agrawal and Narain, 1990; Fay, 1989; Craven and Craven, 1990; Colchester, 1992; IIED, 1994). What is less clear is whether the intergovernmental and multilateral agencies can find the political space to adopt such an approach wholeheartedly.

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