

Chapter 5

“Social Security is One of the Main Functions of Local Institutions of Shifting Cultivators”

The Importance of Strong Local Level Institutions and Customary Tenurial Arrangements

Strong local-level institutions are a key asset in the development of shifting cultivating societies. The strength and adequacy of institutions varies widely across the region. A common characteristic is that they are based on locally accepted cultural values and are functional within each community, including in the management of natural resources. Beliefs, cultural practices, festivities, and calendars all play an important role in shifting cultivation. Institutions are often thought of simply as formal organisations. However, in sociological terms, institutions comprise shared norms, values, traditions, beliefs, religion, rules, regulations, laws, civil society organisations, and government agencies. It is all of these that form the ‘rules of the game’ in a society (North 1990).

To be successful and sustainable, shifting cultivation farming requires community-based management at a landscape scale. Thus local regulatory institutions are of vital importance for sustainable management, not only in the past but also in the future. When the social, cultural, and religious fabric on which these institutions depend disintegrates, natural resource management inevitably comes under pressure.

Customary institutions are the basis of the cultural integrity of most shifting cultivating communities in the eastern Himalayas, as is the shifting cultivation practice itself. They provide farmers with the social capital they require for their livelihood, through labour sharing, land access security and the sense of belonging to a community. Any people who lose their culture face serious problems and this has implications for social security of the region as a whole. The good governance provided by customary local level authorities is another valuable advantage of the local institutions existing in shifting cultivation communities. This chapter presents some examples of institutions.

How Do Shifting Cultivators Manage and Enhance Local Institutions and Customary Rules?

Customary village authorities

The ‘Hangvu’ (Box 14) in Manipur, India, is a customary village authority similar to many in shifting cultivation communities. The often exotic appearance of local

Box 14: The Hangvu is a Strong Traditional Institution

Among the Tangkhuls in Ukhrul (Manipur, India) local governance, particularly with regard to the use and management of natural resources, is firmly entrenched in a traditional institution called Hangvu. This institution is composed of the chieftain and a council of clan elders. They decide on all matters relating to local governance, including land use, access, and control of land resources. The traditional social fabric is still very strong in this community.

The land tenure system among the Tangkhuls follows a mix of private ownership and community ownership. The Hangvu plays a critical role in ensuring equitable access of all households to the shifting cultivation patches, as shifting cultivation is practised on the community land – i.e. under the ‘ownership’ or custody of the chieftain, but with access to all members. The tenure system follows the broad framework seen elsewhere among upland communities. The settlements and any plots under permanent cultivation on the outskirts of the village (i.e., terraces, plantations and home gardens) are privately owned and inherited through a customary patrilineal system, while shifting cultivation lands are under communal tenure.

leaders may lead outsiders to think they are merely the custodians of traditional culture (Figure 29), but the actual role of these bodies is village-level governance. These village authorities manage community lands and resources, do the yearly planning and allocation of plots for shifting cultivation, provide council regarding customary rules and regulations, and often have political power in the community.

The advantage that these customary institutions have as opposed to introduced institutions is that they have the knowledge and political power required to manage the shifting cultivation as well as provide a governance to the communities that is in line with the existing culture and requirements. Most of them have been functioning for a long time, and do not face the problems of new groups and village level councils. On the other hand, they may not be well adjusted to function within a larger, modern nation state. Therefore, national governments have the tendency to establish parallel village level councils, which are given authority and finances through the national system, rather than empowering the existing institutions.

Indigenous knowledge, skills, practices and customs

Indigenous knowledge is the basis for local-level decision making in shifting cultivation. It covers a host of activities, including agriculture, land use planning, biodiversity, water management, food preparation, health care, and education. The cultural norms, values, beliefs, and rituals also form an inseparable part of this knowledge.

Each shifting cultivation society has technical knowledge based on careful observation and use of its natural resources. Not only is this knowledge location-specific, it also binds communities to their locality. There are mechanisms through which indigenous knowledge provides the basis for group decision-making. These mechanisms also help to generate and disseminate new knowledge and



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Figure 29: Local leadership is about governance and natural resource management, not just about conserving culture

technologies, when current problems and how to cope with them are discussed. Community members have the knowledge that is specific to their role and duty in their society; it differs according to gender, age group, and other social aspects. Examples of indigenous knowledge on a range of topics have been presented in the previous chapters. Here, we present examples of ways that people make use of this knowledge in the development of shifting cultivation.

The ‘knowledge map’ that community leaders use for land use planning can be depicted in part in a participatory 3-dimensional model (Figure 30). The extent and level of detail shown in the example in Figure 30 are a testimony to the richness and value of the traditional knowledge that is available for the management of community natural resources. It further shows that farmers take the entire landscape into account for integrated management, including shifting cultivation blocks (cultivated and fallows), reserved forests, settlements, water bodies, and areas identified for orchards. This contrasts with the common idea that shifting



V.T. Darlong

Figure 30: The 'knowledge map' of community leaders, becomes clear when depicted on a 3-dimensional model

cultivators only care about their current plot, leaving the rest to waste. There is no 'open access', but rather a common property regulatory system based on extensive knowledge of the locality.

Roy (1996) describes community decision-making on natural resources in the Chittagong Hill Tracts, where the community has the responsibility for resource conservation within its jurisdiction. "When any common lands show signs of soil exhaustion and deterioration, thereby indicating the need for a regenerative period, a decision is taken by the community as a whole to leave this area untouched for a determinate period. In this way, fallows, areas for sungrass, and bamboo forest are temporarily declared closed, in order to accommodate a period of recuperation of essential soil nutrients." (Roy 1996)

Women often play a larger part than men in gene pool conservation as a result of their specific gender roles. Women have a detailed knowledge of, and strong preferences for, specific crop traits. They are often the main participants in traditional seed supply systems (see also Box 8 in Chapter 3).

Collective action and community interests

Sharing and exchange of labour is very common in upland communities, and especially in shifting cultivation communities where labour availability is often the main factor that limits production (Box 15). Although each family has its own plots, groups of families tend to work together on all the plots one by one. Many such

Box 15: Labour Sharing in Tseri

In Bhutan, farmers practise the tseri form of shifting cultivation on private rather than communal land. But community mobilisation is considered a prerequisite for cultivation, due to the high demand on labour. The farmers decide together on the best time to slash a plot and share their labour. If several households have adjoining plots, they will pool the area and treat it as one for clearing, planting, and weeding. Synchronising activities further helps in pest and disease control, as the crop will ripen at the same time on all plots.

occasions, especially the harvest, mark important festive events, which makes work enjoyable. It is the duty of the host family to provide food and drink to the group.

There are several benefits to this communal labour practice, including reduction in drudgery and increase in productivity. Farmers can exchange experiences and look at each other's innovations as they work. Furthermore, exchanging work can fill gaps in labour or skills. For example, if the man of a family dies, his wife cannot take over all his tasks because of the gender division of labour. She can, however, do women's work for the community and get men's work in return.

An example of an innovative way to work together for community benefit comes from a village in Nawalparasi, Nepal. In this village, part of the shifting cultivation land is set aside and cultivated communally. The produce from this area is used by the community to fund the community school, including teachers' salaries.

Communities that manage resources as common property often have customary institutions in place to enhance the sense of common ownership and interdependence among community members. A common problem in current day shifting cultivation areas is that farmers increasingly lack a sense of ownership and responsibility for the land they are using, as the power of customary institutions is waning and neither they nor national governments are able to provide tenure security. Farmers are unsure whether they will be able to come back to the same plot during the next cycle and so they invest less in its maintenance. In this context, community institutions are especially relevant, but in recent times they have started to show signs of disintegration and the land-based resources they control are also degrading.

Fire management is typically a community-based institutional affair, in which collective action is important (Figure 31). Its success relies on constant community vigilance and participation, and a combination of inter-village communication and agreements, customary rules and regulations on burning, and punishments in case of negligence. In Nagaland, the community as a whole is involved in selecting the date, demarcating the area for burning, digging fire lines, and controlled burning. They also function as firewatchers and guards with strict rules, roles, and responsibilities. Similarly, in Kachin state in Myanmar, even though shifting cultivation fields are under individual tenure, cooperation takes place in fire management and wild fire control. It includes vigilance for accidental fires as well as other measures.



V.T. Darlong

Figure 31: Community-built firelines have a visible effect on landscape management

Customary tenurial arrangements ensure equitable access to resources

Customary authorities tend to distribute land according to the availability of labour in each family. In addition, they ensure that every household has access to production resources, including new and landless families (Box 16). Both of these are effective measures to optimise labour as well as land use. An additional benefit is that they enhance equity and avoid problems of landlessness, and as such are fundamental to poverty alleviation and address disparities among farmers.

A case from Bhutan shows that equitable distribution can involve other resources, not just land. “There is no restriction imposed by the owner if another household collects any minor forest products, such as mushrooms, edible fruits, fodder, edible roots, or others from the fallow land. However, felling of sizeable trees, collection of stones, and tethering of cattle for seasonal grazing by other villagers must be consented to by the land owners.” (Wangchuk and Tashi 2004)

Box 16: Access to Land

“Shifting cultivation, unlike any other practice, ensures universal access to land resources. Further, institutional arrangements are such that plot size is rationalised with labour availability, and hence optimises labour. If shifting cultivation is replaced by settled agricultural land use, the adverse impact on access to resources would result in the poor and under-privileged becoming landless, hence ‘tomorrows’ poor’ would increase!” (Dr. Dhruvad Choudhury, personal communication)

What Are the Opportunities and Constraints for Local Institutions to Function in the Current Situation?

Social security is one of the main functions of local institutions of shifting cultivators, and is of benefit to the society at large. Customary local institutions contribute to social security, because they provide good governance that is under community control, matches traditional customs, and maintains cultural integrity. As explained above, when they provide equitable access to land resources, they prevent social marginalisation.

Cultural integrity is only minimally about festivals and costumes. Much more, it is about the common cultural norms of a society that are the basis of community organisation and social capital, and that enable labour sharing and tenurial security. Cultural integrity is especially important to shifting cultivators, because they have a social and cultural identity that is distinct from that of the dominant or mainstream society. This makes them vulnerable to becoming disadvantaged in the development process.

Vulnerability of customary institutions within the wider economic and political environment

Shifting cultivators have to deal with increased dependency on external market and political forces for which they and their institutions are little prepared. Since there is no policy support for this, their vulnerability increases. While traditional bodies are usually capable of organising people and controlling the resources within their community, they are often less able to deal with outside forces. They need to adjust to modern demands, while at the same time measures need to be taken to strengthen the inherent rights and values that they enshrine. Often this will require greater codification of the rights and decision-making processes that were practised in the past. The following highlights some specific aspects of this problem.

Local institutions are not set up to deal with outside markets, or to manage local enterprises. There is vulnerability towards traders and middlemen when negotiating prices and in preventing unauthorised collection of high value products. Similarly, illegal timber smugglers can easily corrupt such institutions, so that they are unable to protect their timber resources. There is good potential for community-based forest management, but this often involves the formation of new groups, rather than building the capacity of traditional institutions.

Institutions can also become vulnerable to inequities such as capture by elites, because new social, economic, and political systems disturb traditional balances. Similarly, capture by elites of common-property land resources reflects the failure of current day institutions to protect farmers' traditional rights. There is a wide variety of examples; among them the establishment of orchards and other permanent cropping on communal land by absentee landlords. Another is the disproportionate number of cattle that rich farmers bring under the communal grazing scheme, while not providing labour. On the other hand, the strict division of rights and responsibilities according to gender conflicts with modern notions of gender equity.

There is a lack of synergy between customary institutions and the state. In many places, governments have created local government bodies and given them many of the roles and responsibilities of customary authorities. Traditional authorities have lost significance and strength, since governments prefer to source both funds and authority through these new bodies. At the same time, the introduced authorities lack many of the capacities and benefits of the customary institutions. There is little or no collaboration between the customary and the new authorities, especially at district and higher levels, thereby increasing bureaucracy and conflict for communities. The alternative would be to strengthen, formalise, and capacitate customary institutions to take up new tasks, but as yet cases of this are few. The case described in Box 17, shows how the replacement of customary institutions with official government regulations can have a negative impact on natural resource management.

Box 17: Traditional Community-based Fire Management among the Mizo Shifting Cultivators of Mizoram in North East India

Community-based fire management practices exist in each ethnic community in North East India. The Mizos from Mizoram have developed effective and well-organised community-based fire management practices around shifting cultivation. While the traditional fire management tools and techniques are simple, the strategies rely on timely community response and participation. The foundation of this practice is the village council, a system of village community governance.

Constrained by the dilemma of a society in transition and influenced by various factors, the effectiveness of the Mizos' fire management practices appears to have weakened in recent years. The shift from community-based to government-initiated programmes highlights the erosion of 'tlawmngaihna' – a community spirit that puts the common good above personal gains. Rather than seeking to replace such management practices, the government should enhance the effectiveness of the traditional systems, supplement community efforts and encourage maximum community involvement (Darlong 2002).

Common property regimes

Formalising and otherwise dealing with common property regimes within the national legal framework remains an issue in all five countries included in the study. In many places, the proper management of shifting cultivation depends on a common property regime for both land and forest resources, but legally the only option is between private and government property. The lack of legal validity of common property regimes makes them vulnerable to distortion, elite capture, and mismanagement in the face of outside economic and political forces. In turn, this causes degradation of resources and loss of social security for farmers.

In many parts of North East India, shifting cultivation land is legally registered as government forest land, though shifting cultivators have varying degrees of rights and privileges to use it for shifting cultivation. The lack of tenurial security is a continuous source of conflict between local communities, land registration authorities, and the forest department. Wherever privately registered land is under

shifting cultivation (in Bhutan, and in one case in Nepal), forest management has improved as compared to when the land was registered as government land. In North East India and Bangladesh, however, private registration of land that used to be common property severely disrupts the functioning of common property regimes. It threatens the remaining shifting cultivation land, and often undermines the equitable access to resources, increasing the risk of development of a class of landless poor in the uplands.

The process of sedentarisation of farming also upsets existing common property tenure relations. In some North East Indian states, absentee landlords grow orchards on common property shifting cultivation land. Afterwards, the de facto land rights change, because land becomes the property of the orchard owner for as long as the fruit trees are there. In Nepal and Myanmar, richer and more powerful community members encroach in forest areas, claiming they are shifting cultivators who have traditional rights. Soon after, however, they start using the land for permanent cultivation of cash crops.

Another related issue is the access of shifting cultivators to credit. This is a problem because they cannot use land under common property as collateral. Nowadays, there are examples of banks that will take the guarantee of a customary authority to issue a loan to a member of a community, and there are also cases of communal loans, but these are few.

Threats to indigenous knowledge and opportunities to build on it

In shifting cultivation, indigenous knowledge and cultural values are strongly interlinked with the management and conservation of natural resources, especially biodiversity. In recent times, however, indigenous knowledge and cultures have come under increasing pressure as a result of various threats, leading to reduced cultural integrity and degraded natural resources. The main constraints to the conservation of indigenous knowledge are described in the following, together with some suggestions on how to build on indigenous knowledge in the research and development process.

One major constraint to the conservation of indigenous knowledge is that knowledge, skills, and practices are adapted to local circumstances, and knowledge is location specific and unique to certain communities. When circumstances change, farmers themselves have less and less use for their traditional knowledge. It also becomes more difficult to pass knowledge on to the next generation as school enrolment is increasing and farmers themselves spend more time on non-farm employment and sometimes migrate out. Many of the skills require physical strength, heavy labour, and constant practise, which are not possible to combine with a school curriculum.

One involuntary type of migration is the re-settlement of shifting cultivators, as happens in certain places for security reasons. Although this facilitates the delivery of government services to rural communities, there are many cases in which farmers have later decided to return to their original location. Reasons may be the cultural attachment to ancestral lands, (non-)relevance of traditional knowledge,

and lack of familiarity with the qualities of the new location. In one case in Tripura, the houses in a new village were built very close together, leaving no space for home gardens and making farmers travel much farther to their fields (Figure 32).

Another constraint is that scientists and extensionists do not acknowledge the value of farmers' knowledge for research and development, where scientific knowledge dominates the discourse. The traditional ecological knowledge recorded from many shifting cultivation communities is often limited to ethno-botanic studies, resulting in lists of species, their uses, and occurrence. However, indigenous knowledge is much broader than this. Farmers can also have a positive influence on decision-making related to their community, on their resources, and on the research agenda.

One reason why researchers and extension workers often do not readily appreciate farmers' knowledge or agricultural practices is that farmers themselves are not able to explain their actions scientifically, even though when properly researched most of the practices are found to make scientific sense. Rather, farmers might say it is how their ancestors used to do it, or that it pleases or angers the gods (Figure 33). For communities, creating customs and taboos is a much more effective way of teaching people how to farm and behave, than is setting up science-based education.

There is a different set of constraints related to the conservation of cultural values, many of which are beyond the scope of this document. What is clear is that the variety of cultures contributes to the biodiversity, both agricultural and wild, of shifting cultivation. There is a unique diversity of human cultural and ethnic groups in the eastern Himalayas, but these groups tend to be marginalised by mainstream society. If these communities vanish, we will also lose the agrobiodiversity and indigenous knowledge of which they are the custodians (Ramakrishnan et al. 1998).

There is a clear need for communities to maintain their cultural heritage; both for social security and for the way they manage their resources. Cultural values ensure that people conserve what is sacred – as long as communities adhere to them. The question is, however, whether it is possible to re-create such values in practice once they are lost.

Policy Points

Some points that could or should be taken into consideration when developing policy are summarised in the following.

- **Existing customary organisations should be strengthened and capacitated.**

They should be able to deal with markets and political forces, and there should be better synergy with the state. They should be able to enforce existing principles of and mechanisms for equity and social security, and be supported to meet with additional modern demands. Existing good governance should be recognised and given official authority and funds for local development. Rather than forming new groups and new layers of administration, governments should appreciate what is already there, and avoid forming parallel local governments.



E. Kerkhoff

Figure 32: Re-settled shifting cultivators in Tripura



U Tint Lwin

Fig. 33: Interviewing farmers in Shweminphone, Southern Shan State, Myanmar

- **Local knowledge and cultural systems should be formalised and revitalised.**

Besides research and documentation, incentives and opportunities need to be created for farmers to maintain their traditional knowledge and apply it in new circumstances. Indigenous knowledge has value not only for the culture in which it evolves, but also for scientists and planners striving to improve conditions in rural localities. Especially in the case of shifting cultivation, with its many particularities, indigenous knowledge is an important source of solutions for local problems, for which science does not yet have solutions. In general, indigenous knowledge helps farmers to assess the appropriateness of science-based innovations, and provides local technologies that can be validated scientifically (Figure 34).

- **Common property regimes need strengthening and legal fortification to enhance tenurial security.**

With appropriate policy measures and strong local level institutions, tenure can be secured without privatisation of property; however, this depends on changes in current policy and on the strength of local bodies in governance. On the other hand, not all land needs to be common property. There is a lot of middle ground between the opposing poles of common property and private property. Many villages, for example, recognise private ownership of the most intensively cultivated lands – providing the security of tenure necessary for farmers to invest heavily in land improvements – but still have pools of communal land available to anyone who wishes to cultivate it.



S. Chakraborty

Figure 34: Using traditional knowledge to find solutions for development