

Reconciliation

Lessons from marine ecology



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The Scheduled Tribes (Recognition of Forest Rights) Bill, 2005 has evoked heated controversy. In short, the bill seeks to provide land to a landless section among tribals. Wildlife conservationists who believe that critical forest habitat will be destroyed oppose this. Like its colonial predecessor, the government of India protects species' habitats by declaring them as national parks and sanctuaries from which people are excluded entirely. This is a stark contrast to the management of marine resources.

Much more densely inhabited than most forests, the coasts have been used by numerous fishing communities. In the late 1970s, modern fishing methods threatened the livelihoods of these communities and coastal ecosystems: mechanised craft and gear, principally trawlers with bottom trawling methods, severely impacted fishing stocks. By the early 1980s, many coastal states had responded by introducing legislation. For example, the Orissa Marine Fisheries Regulation Act, 1982 (OMFRA) prohibits all trawlers from fishing within 5 kilometre (km) of the shore. Laws such as OMFRA only proscribe activities; they do not exclude people from any area. Trawl fisherfolk can, in principle, still take their country craft out and fish in nearshore areas.

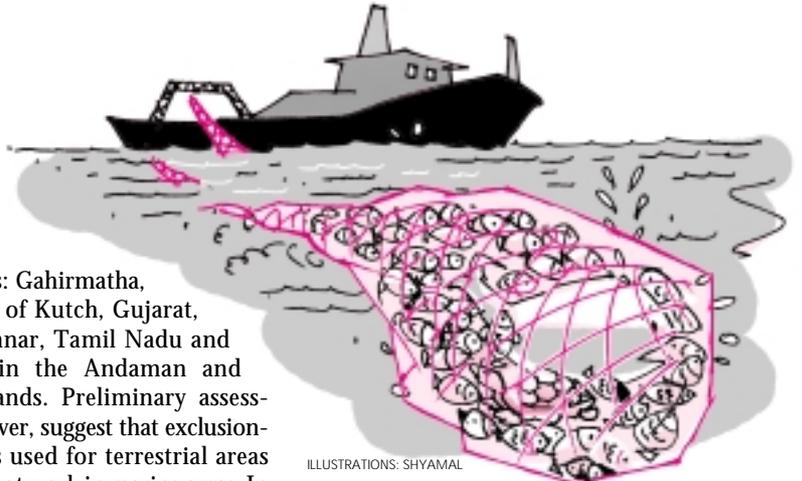
Marine conservation is widely believed to have lagged behind terrestrial conservation. In fact, not enough enforcement, funding and attention is provided to marine biodiversity. Only recent accounts of whale sharks, sea turtles and cetaceans have highlighted the plight of endangered marine vertebrates. In response, terrestrial style conservation has been introduced to five

marine areas: Gahirmatha, Orissa, Gulf of Kutch, Gujarat, Gulf of Mannar, Tamil Nadu and two parks in the Andaman and Nicobar Islands. Preliminary assessments, however, suggest that exclusionary methods used for terrestrial areas may simply not work in marine areas. In fact, one can even suggest that the marine paradigm of merely proscribing activities might work in many terrestrial areas. The standard argument against this method is that it requires strict enforcement. But case studies show otherwise. Trawlers adhere to fishing limits in parts of Tamil Nadu and Kerala because the traditional fishing communities here are vigilant, organised and informed. No amount of state vigilance could have enforced these regulations.

Empowerment: the key

Better education and empowerment of communities have made fishing regulations work in South India. In contrast is the case of olive ridley conservation in Orissa. For the last few years, conservationists have been trying in vain to prevent these turtles from being trapped in trawl fishing nets. National and international efforts to introduce the turtle excluder device have failed, due to the non-cooperation of the trawl fishing community. Conservationists believe that enforcing OMFRA, which bans all mechanised fishing within 5 km of the coast, would help, especially since research has shown that most major turtle congregations occur within 5-6 km of the shore. But why hasn't the OMFRA been enforced 20 years after it was enacted? While the apathy of the Orissa fisheries department could be a part of the problem, perhaps the failure has more to do with the lack of interest or involvement of Orissa's traditional fishing communities.

The OMFRA could have succeeded if it was enforced to protect people's rights rather than those of a single enigmatic species. The turtles would have been protected, albeit inadvertently, if the law had been enforced for the reasons it was



ILLUSTRATIONS: SHYAMAL

originally instituted: managing fisheries. Today, conservationists and fisherfolk have rallied under the banner of the Orissa Marine Resources Conservation Consortium. This alliance is possible because our fisheries laws only exclude certain activities rather than people. Not only can this form the basis for marine conservation in future, but can also help improve terrestrial conservation.

In 2003, the ecologist Michael Rosenzweig contended that only a small fraction of the world's land area can be protected as parks or sanctuaries. So, the biodiversity loss from the remaining area would still be very high, due to the nature of the species-area relationship. Rosenzweig argued that we must reconcile people with biodiversity. The path to long-term biodiversity conservation lies in this learning.

The current methods of wildlife conservation in India barely acknowledge this. But the state is slowly recognising the role of civil society in conservation: the inclusion of community reserves in the latest amendment of the Wildlife Protection Act, 1972 indicates this. Of course, state control over such reserves and a homogeneous formulation of community reserves in a country with diverse habitats, communities, cultures and needs has been strongly criticised. But it's a start, nevertheless.

Let's assure the protectionists that extending the marine paradigm to terrestrial areas does not mean opening up all national parks. In fact, it suggests that the strongest support for modern 'sacred groves' could come from people who are dependent on these groves. ■

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