

Do Civil Society Organizations Promote Equity in Community Forestry? A Reflection from Nepal's Experiences

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Abstract

Equity issues in Nepal's community forestry are dynamic, with many dimensions and occurring at different levels. These issues are deepened in Nepalese society as a result of historically and culturally constructed unequal power relations based on caste, class, gender and regional settlement. Civil society organizations (CSOs), with an aim to create a more just society, attempt to influence these historical and cultural contexts by promoting political and economic equity in community forestry. CSOs institute processes of positive discrimination and benefit-sharing to the poor and marginalized by promoting deliberative practices, particularly the innovative and reflective approach as used in participatory action and learning processes. At the national level, CSOs facilitate discourses to deepen the understanding of complex issues, such as equity, among the diverse range of community forestry stakeholders. However, they also need to critically reflect on their limitations. Moreover, a complimentary rather than antagonistic role in relation to state authorities could help to improve their relationships with government. This will create an environment conducive to joint formulation of policy with state authorities and support stakeholders to overcome the complex and deeply rooted issues of equity in community forestry.

1. Introduction

In contributing to the Millennium Development Goals, the tenth five-year plan in Nepal attempts to expedite poverty alleviation by giving priority to high economic growth, good governance and social justice (Map 1). In this context, strategies are directed towards achieving set goals through participatory development processes. The plan emphasizes the need for the effective role of women in the national economic and social development and mainstreaming the downtrodden

and ethnic minorities in the development process. It further emphasizes the need to clearly define the role of government, local bodies, the private sector and civil society organizations (CSOs). In this light, the community forestry program has been implemented with the highest priority for the last 26 years. To date, 14,021 Community Forest User Groups (CFUGs) have been managing a total of 1,173,567 hectares (ha) of forest through which 35% of the country's population have been deriving benefits (Department of Forest 2005). About 35% of the total development budget allocated to the Ministry of Forest and Soil Conservation (MoFSC) has been spent on the program.



Map 1: Nepal

Nepalese society has historically been very socially, economically and culturally diverse. This heterogeneity has created deep inequities within the society that are manifested in unequal power relations defined by caste, class, gender and regional settlement (Bista 1991). Hindu culture and fatalism, part of the basic Nepalese cultural system, are highly connected with various forms of social inequity and dependency. Rich people and those of a so-called higher caste have a hierarchical attitude and a

feeling of superiority towards the poor and people of other ethnic groups. Poor and ethnic minorities have historically been excluded from mainstream state politics and bureaucratic positions and are denied proportional representation by the government (Bista 1991). Nepalese society is traditionally patriarchal and thus the social systems and state policies have tended to favor men and exclude women in most formal and informal collective decision making processes. Moreover, religious and geographical differences in rights and allocation of resources also prevail in the modern Nepalese society, which directly hinders development efforts and contributes to further inequity in the society.

The failure of the state's bureaucratic mechanisms to promote sustainable and equitable forest resource management in Nepal has prompted a search for community-based forest management alternatives (Agrawal and Gibson 1999). Community forestry is one form of community-based alternatives, and has been widely applied in Nepal. Advocates of community-based management argue that community forestry offers the best prospect for the inclusion of the poor and marginalized in Nepalese society along with a method of promoting sustainable management of the nation's forest. However, inequity in community forestry in Nepal continues to exist in multi-dimensional forms and at different scales and intensities (Hobley 1996, Malla 2001, Agarwal 2000 and 2001, Malla *et al.* 2002, Ojha *et al.* 2002, Paudel and Ojha 2002, Timsina 2002, 2003, Banjade 2003, ODG/NORMS 2003, Bhattarai and Ojha 2001 in Timsina and Ojha 2003). These inequities are the result of the existence of ad hoc, top-down and inappropriate decision-making processes in both the communities and facilitating institutions. Thus, there is an urgent need to promote equity and the inclusion of the poor, marginalized and excluded in the community. One means of doing this is by democratizing and institutionalizing systematic, bottom-up decision-making systems in both communities and the supporting institutions.

Many argue that CSOs have the task of fostering popular participation (Bhatnagar and Williams 1992, OECD in Clark 1995). Their responsibilities should include articulating the needs of the weak, working in remote areas, changing the attitudes and practices of local officials and nurturing the productive capacity of the most vulnerable groups of society. Moreover, in modern societies they are associated with the democratic values of participation and accountability, which help facilitate public discourses (Chandhoke 1995). They may run parallel activities with the state, but they also can play roles opposite the state, representing weaker members of the society and organizing them to become more influential in decision-making and resource allocation. Their methods entail moving from a supply side approach concentrating on project delivery, to an emphasis on the demand side, helping communities articulate their concerns and participate in development processes (Clark 1995).

With the introduction of the rights based approach in development projects, the contribution of CSOs has become increasingly important to address complex global problems such as poverty and environmental degradation, as well as local issues such as equity, governance and conflict management. In addition, they can contribute to the good governance debate by facilitating discussions between

marginalized groups and prominent citizens in national development planning, including community forestry processes (Bhatnagar and Williams 1992). However, their contribution in the development sector and the process of social change largely depends on their relationship with state authorities (Clark 1995). It seems that the state's treatment of them is mixed in nature, anywhere from hostile to benevolent, which has been noticed by community forestry practitioners in Nepal (Hadenious and Uggla 1996).

In this paper I will demonstrate how CSOs facilitate equity in decision-making and benefit sharing at the CFUG level. Further, I will explain how they facilitate discourses of equity at the national level. Primarily, I draw information from my own field research and experiences. In addition, I bring information from various published and unpublished writings such as policy briefs, technical notes, articles and project documents. The paper proceeds as follows: section 2 provides the analytical framework of the paper; section 3 presents background information on equity and CSOs in the context of policies and practices in Nepal's community forestry; section 4 discusses examples and lessons learned from equity promotions that have been facilitated at the CFUG and national levels; section 5 discusses the potential and challenges for CSOs to promote equity in economic and political aspects; finally, section 6 concludes the paper with some important insights on the contribution of CSOs to creating more just community forestry in Nepal.

2. Conceptual Framework

The term inequity refers to differences in access to natural resource that are not only unnecessary and avoidable but also are considered unfair and unjust (Whitehead 2000). Opinions about what is fair and just vary according to spatial and temporal dimensions of culture and the value systems of societies, but the widely used common criterion is the degree of choice involved that one can enjoy. Where people have little or no access to decision making processes regarding the management of forest resources, the access to resources is more likely to be considered unfair and unjust. Since equity is subjective, dynamic and relative in nature and contested in community forestry discourses, defining it is a very difficult task (Malla and Fisher 1987). I have tried to limit this paper to Whitehead's definition of equity (2000): *ideally everyone should have a fair opportunity to participate in decision making processes and thus access resources with their full potential*. More pragmatically, this definition includes that no one should be disadvantaged from achieving this potential, if it can be avoided. While critically focusing on the prevailing inequity in Nepalese society, community forestry needs to create opportunities for positive discrimination for the marginalized and poor such as providing exclusive opportunities to decide on the management of, and their access to, the community forest resources. This will bring the existing disparities in resource access by different sections of the local community (i.e. inequity) down to the lowest level possible.

Based on this definition of equity, development policy attempting to increase equity should not focus on eliminating all differences so that everyone enjoys an equal resource access and equal opportunities in decision-making processes. Rather, the focus should be to reduce or eliminate aspects of access and decision-making that are considered to be both avoidable and unfair in a democratic society. Different groups of stakeholders and actors may arrive at a point where the distribution of access is equitable in a specific context as prescribed by local discourse. Facilitating such discourses through formal institutional processes at various levels promotes critical reflection on resource equity, as well as socio-cultural values and practices. Facilitating these discourses may require special efforts. CSOs are more reflective, flexible and committed social groups who are well positioned to facilitate this delicate dialogue.

CSOs are non-profit organizations, encompassing non-government organizations, community-based organizations and user federations. These establishments are generally considered a space for multiple groups to compete for access to decision-making power (Brinkerhoff and Kulibaba in McIlwaine 1998). They are also potential locations of power outside of the state (VonDoepp in McIlwaine 1998). Liberals view CSOs as autonomous in the sphere of freedom and liberty while the neo-Marxists view them as a site of oppression and power inequalities (McIlwaine 1998). Though the nature of CSOs is considered partly from the liberal perspective, they are not considered a panacea. In this paper, they are considered as organized civil groups that act independently and freely within a broad and flexible policy framework to raise the voices of the oppressed and marginalized and strengthen the economic and social welfare of society. They promote equity at the CFUG level by institutionalizing deliberative governance and at the national level by facilitating discursive politics.

3. CSOs and Equity in Nepal's Community Forestry

The current community forestry policy of Nepal is broadly guided by the Master Plan for Forestry Sector (HMG/N 1989). One of the objectives of the MPFS is to promote equity in communities, while adapting to local variations in traditional forest management systems. The MPFS aims to ensure the access of all users to the forest resources, meeting their basic needs. Additionally, it aims to promote participation of forest users in decision-making and benefit sharing, indicating a goal of political and economic equity at the community level, and to promote the sustainable use of forest resources to ensure inter-generational equity. On the basis of MPFS, the government has further developed different strategies to achieve these objectives: first, to hand over all accessible forest area to the communities with higher priority as they are willing and able to manage them; second, to involve women and poor in the management of forests; third, to entitle CFUGs to enjoy the revenue generated from

the community forestry; and finally, to change the role of forest bureaucracy from controlling functions to facilitating, advising and providing services.

However, the government has not put adequate efforts to translate these policy statements into practice all over the country and thus it is becoming less likely to achieve the policy goals. There is evidence that many local communities, particularly in the *Terai*¹ region, are not able to secure rights of access to their community forests due to reluctance from government officials to handing over those forests (Bhattarai², this volume). Furthermore, the government has imposed a tax on the income of the *Terai's* CFUGs, which is gained by selling timber of *Sal* (*Shorea robusta*) and *Khair* (*Acacia catechu*) to outside communities and traders. Such a tax has not been imposed on the community forests of the hill region.

Government is not able to provide adequate services to CFUGs to help ensure access for the poor and marginalized to decision-making forums, forest resources and community funds. The elites in rural communities are very influential in decision-making and are consequently generating more benefits out of community forestry than the poor and marginalized. Many restrictions have been placed on the needy and poor on entering the forest by the elite dominated executive committees. Some researchers and analysts therefore see community forestry as a political issue being hijacked by the Department of Forests and donor agencies at the national level and by powerful, rural elites at the community level. This has resulted in consolidation of power in the processes of planning and implementing programs (Ojha *et al.* 2002, Timsina 2002, Malla 2001).

Methodological practices being used in community forestry are also being questioned, as these do not usually include the poor and marginalized in the decision-making process (Cleaver 2001). The Participatory Rural Appraisal approach, for example, has been criticized because the tools are often being used without proper understanding of the existing power relationship of the communities, further reinforcing existing exclusions and inequity (Cooke and Kothari 2001).

As second-generation issues in community forestry such as equity, good governance, conflict management and social justice have begun to appear, there is increased demand for new sets of skills and institutions to effectively facilitate the community forestry processes. At the same time, the establishment of a multi-party, democratic political system in the country is creating an environment conducive to the establishment of CSOs. Their contributions to the democratic practices, social change, politics and development have been recognized, and as a result, more CSOs have been emerging. Building on local indigenous knowledge and practices, they have been working effectively in local and national contexts to articulate people's interests, helping them to organize and enhance their capacity to access livelihood

¹ *Terai* refers to the plain area of the southern part of the country, which extends from east to west and comprises 17% of country's land, including the most productive forests.

² Member Secretary, FECOFUN.

services and assets. In this spirit, the Forest Regulation of 1995³ has explicitly encouraged them to emerge and provide necessary services to CFUGs. In addition, the newly prepared non-governmental service providers' guidelines in 2003 have also clearly spelled out their roles.

However, their role is particularly contested in the forestry sector, as the state has been the policy maker, owner, manager and facilitator of forest management processes. Their contributions are sought as the scope of work has expanded gradually from conservation to the empowerment of poor, marginalized and oppressed. However, there are few CSOs exclusively working in community forestry (Timsina *et al.* 2004b). With emergence of the Federation of Community Forest Users of Nepal (FECOFUN⁴) and other critical forestry non-government organizations (NGOs), a strong civil force in the forestry sector has emerged, which has influenced the policies and practices in favor of citizens (Timsina *et al.* 2004b). However, they have little formal recognition in the policy and strategic arenas.

4. Facilitating Equity at the Community Level

There is an assumption that though members of CFUGs have diversified interests and capacities, they share similar socio-cultural, political and historical contexts and are interdependent. Thus, there is not only the possibility of unequal power relations but also scope for interaction, collaboration, innovation and synergy among members. However, social equity can be achieved with collaboration among users only when the dialogue among them is authentic, rather than rhetorical or ritualistic for which each must accurately, sincerely and legitimately represent the interest for which he or she claims to speak (Isaacs 1999, Innes and Booher 2003). Equitable communication could not be achieved while placing groups of unequal power relations together (Edmunds and Wollenberg 2002). A systematic action and reflection process called the participatory action and learning (PAL) process has been implemented to institutionalize deliberative governance so as to facilitate more

³ It is clearly mentioned that it is within the authority of CFUGs to obtain necessary assistance from the CSOs (rule number 38).

⁴ FECOFUN is a network established with the aim to conduct policy advocacy to ensure the equitable sharing of forest resources and foster dynamism in the forest management. Currently they work all over the country and more than 14,000 CFUGs are affiliated with them.

equitable and sustainable community forestry development processes in three CFUGs⁵; namely Baishakheshwori, Gagan Khola and Sundari (Box 1).

Box 1: Brief Background of the CFUGs

Baishakheshwori CFUG is located in the Dolakha district of the central mid-hill region of Nepal. 102 ha. of community forest has been legally handed over, which comprises 126 user households, of whom a majority is of the Sherpa ethnic group. At present, there are 13 members in the CFUG committee, including five women.

Gagan Khola CFUG is located in the Siraha district of the eastern *Terai* region of Nepal. 75 ha of community forest was officially handed over, which comprises 165 user households with a variety of ethnic and caste⁶ groups.

Sundari CFUG is located in Nawalparasi district of the midwestern *Terai* region of Nepal. A total of approximately 1400 households are the users of a 390 ha community forest. The users comprise different castes such as *Brahmin*, *Chhetri*, *Gurung*, *Tharu* and *dalit*⁷. With the exception of the Tharus, all the people have migrated from the hills and Burma (currently Myanmar) in the last 40 years.

The differences between various class, castes and gender are obvious in all CFUGs. Most poor people have no access to forest resources and decision-making processes. A poor, old man from Sundari CFUG claimed “we are not getting anything from the forest and only the rich and elite are enjoying the benefits.” The people consider a position in the CFUG committee as a symbol of high social status and crave to get it, so only the rich and powerful can hold it. A group of dalits in Gagan Khola CFUG said “we are not eligible to be in the high status positions such as Chairperson, Secretary and Treasurer and only the rich people can hold them.” A group of people in Baishakheshwori CFUG said “there is always hold of a particular group of people in the CFUG committee.”



⁵ The case studies of Sundari and Baishakheshwori CFUGs are taken from the project entitled Developing Methodology for Sustainable Management of Medicinal Plants in India and Nepal (2003-2006) which have been jointly implemented by ForestAction, Nepal; Foundation for Revitalization of Local Health Tradition (FRLHT), India and Environmental Change Institute of the University of Oxford, UK and funded by Forestry Research Programme (FRP) of Department for International Development (DfID), UK.

The case study of Gagan Khola is taken from the project entitled Strengthening Advocacy and Local Government Accountability (2002-2003) which has been jointly implemented by ForestAction, Nepal; Forum for Protection of Public Interest (Pro-public), Nepal; Informal Sectors Service Centre (INSEC), Nepal and funded by USAID through The Asia Foundation (TAF).

⁶ Caste is a system of social stratification in Hindu society based primarily on occupations.

⁷ *Dalit* denotes a group of castes, which has been considered as untouchable according to the Hindu religion and has long been suppressed in the Hindu society.

When facilitated well, the PAL process is an inclusive and interactive model, which facilitates the critical understanding of the community forestry process collectively and also allows an intervention to take place in a holistic way, challenging the power relationships and thus positively affecting equity. It provides the space to local people for unconstrained dialogues that bring the poor and marginalized to the forefront and facilitates the meaningful negotiation needed to achieve equity outcomes through regular and critically reflective interactions among different sub-groups within the CFUGs. PAL can be used to focus on second-generation issues, including improving governance and empowering the poor and marginalized. It accomplishes this by creating an environment conducive to bringing diverse perspectives, interests, knowledge and information from within and beyond the community into the discussion. How the PAL process functions, through workshops and discussions, and produces positive changes, is documented elsewhere (refer to Malla *et al.* 2001a & 2001b, Banjade *et al.* 2004, and Timsina *et al.* 2004 for details). The joint teams to conduct PAL processes have generally possessed good facilitation skills and comprised external facilitators, researchers and community members. A high degree of commitment, well-focused attitudes, hard work, sincerity and sensitivity were encouraged to facilitate the process. As an active member of the facilitation team on the behalf of ForestAction, I have reflected on the actions of research teams and communities and identified the following outcomes of the PAL process:

Outcome of the PAL process in the 3 CFUGs:

- *Identification of poor:* On the basis of criteria developed collectively, poor households have been identified so as to provide them with special support.
- *Differential membership fee:* The membership fee for the poor has been significantly reduced to an affordable rate and exempted for the poorest.
- *Differential rates of forest products:* The CFUGs reduced (in some cases exempted) the rate of forest products for the poor.
- *Special support for identified poor:* The Baishakheshwori CFUG has allocated forestland and provided technical support to cultivate NTFPs; financial support to cultivate cereal crops; financial and technical support for raising goats; employment as forest guards and wage laborers; and scholarships for the children of the poorest. Gagan Khola CFUG has allocated forestland and provided technical support to cultivate aromatic grasses and a revolving fund for savings and credit facilities. Sundari CFUG has built houses for the homeless (Figure 1); provided financial and technical support for raising goats, and allocated forestland to cultivate NTFPs.

- *Inclusive policy space for women, poor and marginalized:* The CFUGs have made provisions for the representation of the poor, women, *dalit* and people from all the toles⁸ in the CFUG committee with the aim that voices of all categories people will be heard in decision making.
- *Simplified rules for obtaining forest products:* The CFUGs have simplified rules and procedures for obtaining forest products from the forest so as to ensure the poor can easily follow them.
- *Diversified objectives of the forest management:* All three CFUGs have incorporated the management of NTFPs in their forest operational plan⁹ with the realization that these are the resources contributing the most to the poor users' livelihoods.



A poor family's house in Sundari CFUG



Sundari CFUG built the family a new house

Figure 1: House Built in Sundari CFUG

⁸ A tole is a small cluster of settlements or hamlets usually found in the rural villages.

⁹ Forest operational plans are the forest-working plans of the CFUG. It is mandatory for the community to prepare one before having the community forest handed over to the CFUG. CFUGs need to follow the plan once it is approved. However, they can amend it if they feel necessary.

Besides these tangible outcomes, the CFUGs have become sensitized towards the adoption of social justice and good governance principles and have institutionalized the PAL process. These cases demonstrate that these groups are interested in promoting equity, not only by treating all users equally, but also by providing more political and economic advantages to the poor and marginalized. Economically, they have decided to provide forest products either through lower rates, waived or reduced membership fees, free membership, and provided the community's resources (funds and lands) exclusively to the poor and marginalized. Politically, they have decided to involve the poor and marginalized in decision-making bodies, such as CFUG committees, and have also decided to listen to the voices of the poor and all users by deciding to conduct PAL processes in the future. These decisions are the outcomes of the series of deliberative interactions of the sub-groups in the community.

It is important to look at the details of the PAL process to understand the strategy of addressing equity. Before going to the field to facilitate the process, the issue of equity is reviewed by the team of facilitators, with respect to theory and practice, and is later discussed with the communities and finalized in the specific local community forestry context. The research team and the community attempted to ensure a clear understanding of equity as a purely socio-political issue deeply rooted in Nepal's cultural context. The PAL process, with its institutional and managerial measures, can promote equity by critically reflecting on the practices and values of the communities. Moreover, the process can be instrumental in addressing the prevailing social inequity and vital to changing the context of it by critically informing the broader socio-cultural practices and values.

The PAL process should ultimately be implemented by CFUGs following some initial support. In order to accomplish this goal, strategic features of the process are made more understandable, simpler, adaptable and cost-effective in the local context. Some of the features of the process derived from the experiences are: critical inquiry for reflection; collective planning for future courses of action; sensitization for empowerment; coaching for capacity building; adoption of inclusive participatory processes; social analysis of the issues; dynamic facilitation; appreciation of the existence of differences in capacity, interest and perspectives; and institutionalization of the process. A series of discussions with various focus groups have been held to sensitize and empower them and triangulate their perspectives on issues. The analysis of such perspectives in a broader socio-cultural picture gives an understanding of the political position of those sub-groups in the community. This helped us to analyze the level of access those sub-groups have to decision-making and benefit sharing.

Since the PAL process builds on a participatory 'learning by doing' approach, adequate exercises in terms of preparation, action and reflection have to be done in a systematic fashion (Malla *et al.* 2001a and 2001b). Facilitating institutions need to overcome a number of cultural and political forces resisting change. Groups of middle class people from the Gagan Khola and Sundari CFUGs, for example, opposed the exclusive provision for the poor and marginalized claiming that all the people in the village are poor in one way or other. They further cited that there is insufficient

support to the poor and marginalized in the Forest Act of 1993 and Forest Regulation of 1995. A political approach and strategy is required to tackle these resistances. Creating equity in these situations requires dynamism in the process itself in which facilitators need to play a number of roles: firstly a *coaching role* as sensitization, knowledge and empowerment are needed for facilitating change; secondly a *process facilitation role* while marginalized sections are becoming empowered and taking the lead role in the discussions; thirdly an *advocacy role* to push the agenda of marginalized sections while the powerful and elite attempt to dominate them; and fourthly, a *negotiating role* as conflicts erupt among sub-groups.

Careful planning and action, adequate reflection as well as flexibility in facilitating the process are needed to effectively perform these roles. Moreover, the facilitating teams and institutions need to have a high degree of patience, commitment, flexibility and skill to work in a truly participatory approach. These institutional qualities can be more easily promoted in CSOs than government as they are intrinsically able to change their working approach, organizational structure and incentive structure with less formality than other institutions. Additionally, they are demonstrating their capacity to institutionalize innovative methodologies and non-conventional approaches for addressing complex issues like equity. However, the effectiveness of the process should be monitored collaboratively to understand how this is impacting people's livelihoods and their resource base. In addition, applying the PAL process on a greater scale through policy still needs to be addressed.

4.1. Facilitating Discourses on Equity at the National Level

Since the community forestry program formally began in Nepal with the preparation of the Master Plan for Forestry Sector in 1989, forestry officials have been involved in the hasty formation of CFUGs without adequate community mobilization. This is possibly because of a limited understanding and appreciation of community mobilization and because their performance evaluations are positively influenced when they record a high number of forests handed over to CFUGs (DFO, pers. comm. 1993). At the same time, some CSOs have been involved in the formation of CFUGs with a higher degree of community mobilization. In most cases, CFUGs facilitated by CSOs have been performing comparatively better than CFUGs facilitated by forestry officials, which can be attributed to better community mobilization at the time of formation (Bhola Bhattarai, pers. comm. 2005). The causes of differences in institutional capacity of CFUGs have been debated at local, district and national levels. CSOs have significantly contributed in the debate to help government officials realize the importance of community mobilization. To systematize the CFUG formation process, the government prepared a community forestry directive in 1994.

Many CSOs, including NGOs, community-based organizations, clubs and federations have been supporting CFUGs. They have facilitated the mobilization of community resources; development of CFUG constitutions and forest operational plans; the development of local level enterprises and infrastructure; improved internal governance; and development of methodologies for sustainable management of

forests and pro-poor approaches. Furthermore, CSOs have actively been advocating for political space for themselves and CFUG representatives at the national level to contribute to policy formulation processes. They have also supported government initiatives by providing feedback on the development of policies and programs.

CSOs have been playing a significant role in creating and strengthening institutional structures and democratizing their organizational processes. Examples of such institutional networks are community forestry user networks, community forestry learning groups, multi-stakeholder forums, and community forestry supporters' network at many different levels. They also have begun to establish good working relationships with key people in government institutions to foster the exchange of knowledge, contribute in the policy making process and at the same time help them to understand the complexity of socio-political and cultural issues, including equity. More recently, they have been bringing the issue of equity into public discussions in different ways, forms and levels (Box 2).

These initiatives have been not only instrumental in enhancing critical understanding of equity but also become a great milestone to address equity issues. These initiatives have made tremendous progress in promoting new ways of thinking and action by linking cutting edge innovations in theory and practice and developing functional knowledge networks of local, national and international actors for promoting social justice and equity in community forestry (ForestAction 2004). Nurturing the insights of reflective and deliberative practices, CSOs look to develop and disseminate pragmatic innovations, which prove to be useful for addressing social justice and equity issues. They have demonstrated their distinctive strengths, commitment and enthusiasm to work with the rural poor for social transformation.

Moreover, CSOs are increasingly viewed as an indispensable part of democratic societies as it is believed they advocate for voices of the oppressed and marginalized, and for the welfare and the economic progress for the people. They respect local initiatives as they build on local capacities, knowledge, resources and socio-cultural practices. They have demonstrated capacity to create local knowledge through experience. In addition, they adapt and modify scientific knowledge in local contexts. Local people's knowledge is created and adapted through a dynamic process that integrates scientific information with practical considerations and outcomes. They are quite flexible as their knowledge is constantly modified with the new information and experiences that are encountered while decisions are made and action is taken (Portela 1994). In addition, some CSOs, particularly NGOs and private sector organizations, are flexible enough that over time they can adapt to new issues because of their less hierarchical organizational structures, quick decision-making systems and non-conventional yet professional response to issues. This further adds value to their work, and their projects are becoming more successful than work done by conventional bureaucracy of the government.

Box 2: Examples of CSO Initiatives to Facilitate Discourses on Equity

Case 1. Discourses of facilitation and critical awareness

ForestAction, a leading forestry sector NGO, has facilitated discourses to raise the critical understanding on equity issues since its establishment in 2000 (ForestAction 2004). They have organized seminars and workshops at the district and national levels to broaden and deepen understanding on key community forestry issues; produced and widely disseminated written materials in the Nepali and English languages to share the ideas with both national and international professional communities. They are also producing posters, cartoons and visuals to provoke discussions on the equity issues at community and national levels. Moreover, they have been actively involved in topical discussions in radio and television programs.

Case 2. Advocacy actions and capacity building

FECOFUN has organized a number of campaigns, speeches and demonstrations and lobbied with wider political forces and stakeholders to exert pressure on the government to prepare and implement policies promoting equity since its establishment in 1995. Some of the issues being discussed include: exempting the tax currently imposed on community forestry in the *Terai*; resisting collaborative forest management policy prepared by government alone; formulating a pro-poor community forestry policy and handing over community forest to the people in the *Terai*. Moreover, the role of FECOFUN has been instrumental in challenging the state authorities' efforts to approach community forestry with a more technical approach and undermine political and social issues such as the roles, rights and responsibilities of communities in forest management (Chhetry *et al.* 2005).

Furthermore, FECOFUN, along with other NGOs and government agencies, has been heavily involved in capacity building in the CFUGs, creating awareness about the rights and the responsibilities of local people towards forest resource management by producing newsletters and radio programs, community forestry support programs and trainings.

Case 3. Gender sensitive organizational structure and program

FECOFUN has a constitutional provision to elect at least 50% women in its executive committees at all levels (village to national), and a requirement that they be included in key positions. They have also developed indicators to monitor equity (of women, the poor, ethnic minorities and marginalized groups) in its organizational structures and decision-making processes. It has facilitated the same in CFUGs in many districts.

The gender, poverty and social equity (GPSE) learning group, for example, has emerged and includes the participation of a wide range of development actors, predominately CSOs, in Nepal. CSOs have been providing support to the GPSE at the Ministry of Forest and Soil Conservation (MoFSC) to develop monitoring indicators for the forestry sector that are specific to issues the GPSE is primarily concerned with.

Case 4. Policy facilitation

The Asia Network for Sustainable Agriculture and Bio-resources (ANSAB) worked with other CSOs and significantly contributed to the formulation of the NTFP

policy in 2004, which many stakeholders in the Nepalese forestry sector have appreciated. Many other CSOs have been actively providing their feedback and suggestions in the policy formulation processes as and when opportunity arises.

Case 5. Field level innovations

ForestAction has been actively involving in developing innovative practices and methodologies at the community to national levels to facilitate the community forestry processes in a more just way. The PAL process described in the previous section is one example of developing the pro-poor focused NTFP management guidelines and NTFP based enterprise. They also facilitate other action research processes to assist CFUGs in becoming more adaptive to the ever changing and complex environment.

In the Sarlahi district, FECOFUN, with support from NGOs, has developed an innovative approach to develop community forestry in the *Terai* with the consent of the distant users of the southern part of the district. This entailed creating a provision in the forest operational plan that distant users will also receive forest products according to their basic needs.

ANSAB has been developing and promoting community-based natural resource enterprises in different part of the country.

The critical awareness on equity issues among community forestry stakeholders has been raised significantly. This was evident at the Fourth Community Forestry National Workshop as a large number of papers related to equity issues were presented (Department of Forests 2004). The workshop participants have strongly recommended improvements to address equity in policy and practices. These recommendations are concerned with positive discriminations towards women, poor and marginalized groups in terms of political and economic spaces, and specifically include: at least 25% of the CFUG funding be allocated to pro-poor activities; legal provisions for allocating community forestland to the poorest; a capacity building program for the poorest to have more power, to allow more access to decision making processes; and promoting pro-poor research, training and participatory monitoring and evaluation.

Since the second-generation issues in community forestry have been acknowledged, there is a tremendous need for support from the diverse disciplines of social sciences, law, management and statistics to address these issues properly. As the bureaucratic structure of the Department of Forest employs only forest technicians who do not possess such professional knowledge and skills, there is an acute need for professional services from the other institutions. Since the CSOs specifically address societal issues by concentrating their efforts on developing knowledge, skills and professional expertise in specific fields, they provide these professional services in a cost effective way, as they do not require the huge permanent structures that are needed for a functional bureaucracy. Their contributions in facilitating discourses on second-generation issues of community forestry have been appreciated by various local, national and international stakeholders. In this connection, the Ministry of Forest and Soil Conservation (MoFSC) has prepared

non-governmental service providers' guidelines in 2003 to secure services from the CSOs and other supporting agencies. However, CSOs' contributions and potential have not been adequately appreciated and realized and thus policy forums have not been sufficiently provided.

As CSOs respond to the prevailing issues in a local community, they become more popular among the communities, particularly the poor and marginalized. The trust that is built allows them to reach wider audiences in remote areas as well as internationally. Despite the difficulties caused by the ongoing political conflict in the country, they have been facilitating a number of initiatives and projects related to empowering the poor and marginalized by enhancing their access and control over resource management, decision-making and the knowledge base.

5. Are Civil Society Organizations a Panacea?

Due to their intrinsic characteristics and behavior, many CSOs lack a critical self-examination of their activities. There is not a clearly spelled out accountability structure for them. On the basis of their contributions to political solutions for some contemporary development concerns, they may conclude that they are a panacea. In contrast, there are some non-political CSOs that may not focus on addressing politically and culturally rooted problems, and therefore do not contribute to the broader social change process. Moreover, the “associational culture” developed among them may not only exclude the voices of the poor, marginalized and oppressed but also promote “quiet encroachment” upon them (Bayat in McIlwaine 1998). For example, the forest hand-over issue of the potential and proposed CFUGs in the *Terai* could not be organizationally included in the advocacy agenda of FECOFUN since it has the provision of membership that only those CFUGs which are already registered in the District Forest Office can be represented. Additionally, much of their efforts have not been able to pass beyond the divide between the state and community elite to address the issue of forest access for the poor and marginalized (Timsina and Sharma 2003). The question of how the poor, marginalized and oppressed can effectively take part in the community forestry deliberations, and how and to what extent the elite-dominated CSOs have been able to represent them, has not been properly addressed (Timsina *et al.* 2004b). However, inclusion of these types of issues within the rubric of CSOs is possible (Becker in McIlwaine 1998).

Since most CSOs build on local capacities, they may carry the local semi-feudal characteristics of the communities into the organizational working structures. It cannot be assumed that locally evolved laws and customs are always democratic and equitable. By being over-optimistic about their impartiality and capacity, they may contribute to the reinforcement of prevailing social and economic inequality (Benda-Beckmann *et al.* 1998).

Many CSOs do not allow external agencies and experts to monitor and evaluate their activities; they create a cocoon for their work, conducting the planning,

implementation, monitoring and evaluation in isolation from mainstream development. Furthermore, some of them do not value the work of other CSOs appropriately and maintain a competitive perspective, which leads them to a diminished capacity to understand issues, deliver services and influence policy. Some CSOs, particularly NGOs, have limited capacity to work on issues at a wider geographical level due to limited financial and human resources and their organizational structure. Thus their work may not always represent the issue on a wider scale. Some institutions, even if they have relatively high resources, focus their activities in limited geographical areas (often on road sides, accessible areas, district head-quarters and in towns) and restrict actions to what is accepted within the discipline. In contrast, some CSOs such as FECOFUN have been working on a large geographical scale, but are unable to manage their huge organizational affairs effectively, largely due to limited financial and capable human resources. However, it is important to note that some CSOs acknowledge these issues and work to overcome them.

In addition, some challenges exist due to the inconsistency of policies and practices of government institutions. Government institutions have been bypassing capable CSOs who have been critical of policy processes, instead favoring government-oriented CSOs for policy development. This allows the government institutions to politically demonstrate that they have consulted CSOs, but to retain discretionary power for decision-making. This was clearly demonstrated when the MoFSC prepared policy for the Collaborative Forest Management Plan in the *Terai*, which resulted in decreased equity between *Terai* and hill farmers, and no CSOs were permitted to voice their opinions. Moreover, there is still a general tendency of government officials to discount the capacity of CSOs to contribute in the development and social change processes and label them as 'project-oriented' or 'dollar cultivators'. This may be partly true because CSOs efforts are fragmented in nature as projects are guided by donors. This has created the question of sustainability, integrity and accountability of CSOs. Despite their constant interaction with a wide network of professionals, activists and institutions both locally and globally, their joint and integrated efforts have not adequately been realized in practice.

6. Conclusions

CSOs are promoting equity in community forestry by facilitating discussions among decision-making stakeholders at different levels. There exists the potential to create and institutionalize positive discrimination for the poor and marginalized in resource access and including them in decision-making processes. However, a demonstrated political orientation, commitment, careful planning and skilful facilitation are essential.

Though the members and sub-groups of a community are heterogeneous in terms of need, interest, capacity and power, they share similar socio-cultural, biophysical, political and historical contexts. Their reciprocal relationship not only

causes unequal power relations but also creates an incentive for them to collaborate and create better livelihoods. Due to deeply rooted unequal power relationships in Nepali society, there is the possibility of unfair participation from the poor, marginalized and oppressed in decision-making processes. Thus, there is a need for politically oriented facilitation to empower the poor, marginalized and oppressed, which can be institutionalized by promoting deliberative governance at the CFUG level. Addressing equity at this level enables all community members to be involved in formulation and amendment of rules and implementation of activities. However, care should be taken to emphasize adaptive learning processes through conscientious action and monitoring. PAL processes institutionalized at the CFUG level have demonstrated their effective contribution to the social change processes.

Equity has been increasingly acknowledged as subjective, dynamic and relative in nature, and stakeholders have experienced difficulty in building a shared understanding of it. While some community forestry actors, particularly government authorities, look at it in an apolitical way, some actors, particularly CSOs, see it as a very political issue. To foster a deeper and broader understanding of the issue and create useful, strategic policy recommendations, deliberate discourses among stakeholders are essential at the national level. Further, these discourses provide opportunities to stakeholders who normally have little or no access to policy and decision-making processes, and the policies that result from this dialogue are more likely to be considered fair and just. Discussions on the issue may broaden the scope of understanding on a wider level and thus explore the potentials for contribution in the social change process.

The features of CSOs place them in a better position to take the initiative to promote critical political discussions by creating and institutionalizing methodologies to address equity from local to national levels. In this endeavor, they have been helping sensitize all stakeholders, including government institutions, to look at the interface of social and biophysical aspects of forest resource management by bringing social issues such as equity, conflict management and governance into public debate. In addition, they have played vital roles in the development and management of knowledge networks, with the goal of promoting democratic practices. Moreover, they have been facilitating debate about the inherent diversity and differentiation among stakeholders in community forestry. These debates focus on examining how dominant groups are structurally more advantaged to exercise power and to create more legitimate claims of knowledge (Chhetry *et al.* 2005). They are developing innovative, locally suitable practices to promote equity and social justice at various levels. Ample spaces for them to contribute to policy formulation and implementation processes are instrumental to institutionalize more just and dynamic institutions, processes and policies.

While CSOs have advantages to facilitate many development interventions and social changes, they also face both internal and external challenges. Often CSOs are treated as service providers by state authorities rather than as civil forces that speak for the poor, marginalized and oppressed. They are often uncritical in their role and

contribution to broader societal change. These factors may limit their ability to work for the benefit of the target groups. However, those which function transparently and demonstrate consistency in speech and action and have a wide and reputable network to access power, knowledge and resources are more trustworthy and reliable. Thus to enhance their contribution, they should build on their strengths and promote better relationships with state authorities, the public and donors. A complimentary rather than comparative basis may be useful to strengthen their relationship with the state (Stephen 1998). The better relationship gives CSOs greater leverage to influence discourses and thus, the policies. CSOs' engagement in discourses and policy processes exert pressure on legitimate power holders to be more responsive and accountable to citizens (Timsina *et al.* 2004b). They may be visualized as civil spaces, to progress which may forward the agendas of poor, marginalized and oppressed in the development and social change discourses at various levels (McIlwaine 1998). However, regular critical reflections by CSOs on their activities are essential.

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