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# Changing Policies and the Persistence of Patron-Client Relations in Nepal

## Stakeholders' Responses to Changes in Forest Policies

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### **Introduction**

In 1978, following two decades in which all forest resources were nationalized, the government of Nepal introduced a policy for community forestry that promised to hand over most accessible forests to communities for protection and management.<sup>1</sup> Some recent assessments of the impact of community forestry policy implementation have shown mixed results.<sup>2</sup> They all indicate that while the physical condition of most community forests has improved in some areas, the improvement is very uneven across the country. Moreover, community members have not yet benefited from any of these forests. In fact, in some areas, some households, especially the poorer ones, have been affected negatively by the community forestry policy.<sup>3</sup> Community forestry policy, then, has not yet lived up to its expectations.

The limited and, in some places, negative impact of community forestry policy in Nepal can be explained by looking at the relationships among stakeholders—different individuals, groups of people, and organizations and institutions—who have interests in forest resources. In recent years, there has been an increased recognition of the existence of differing and often conflicting views on the ways in which forests should be used and managed and the need and ways for accommodating such multiple views.<sup>4</sup> Worsley et al. describe how people in a given society are always divided into various strata, which are not only distinct from each other but also interconnected through such relationships as inferiority and superiority, usually of many kinds: political, economic, social, and religious. Often such stratification serves as a basis for regulating access to “scarce goods,” not just material objects of consumption, but rather all things valued and sought after in society, including the distribution and receipt of “immaterial benefits” such as prestige. People work and spend in order to acquire necessities of life, which include using wealth to gain

power over others and respect from others.<sup>5</sup> Not all individuals and/or groups have equal access to resources—hence power and prestige—in society. They therefore have conflicts of interest. Despite this, societies are held together and continue to function, partly because these different individuals and interest groups achieve their own economic, social, and political goals through various forms of ties and relationships, including patron-client relations.<sup>6</sup>

In Nepal, a number of people have described the patron-client relationships arising from unequal class, caste, and status of people, and the ways in which the *chakri*, or sycophancy, which was institutionalized during the Rana regime (1846–1951), has influenced the decision-making process to date.<sup>7</sup> Their analysis, however, concentrate largely on the behavior of the central bureaucracy in Kathmandu. Little is understood how the powerful stakeholders in the center maintain their influence and contribute to the process of relation building in villages. There is also the tendency to view government as a neutral entity, and not to question its policy action. However, the people in government often formulate policy without much consultation with other interest groups, but they also work in favor of some specific individuals and interest groups, especially those who conform to their policy actions.<sup>8</sup>

Policy change over the last four decades has altered the nature of these alliances somewhat, with an increasing emphasis on forest protection among these more powerful stakeholders. Nor have the alliances always been easy to hold together, as when officials from the central government clash with donors over the extent to which state resources should be privatized. Yet in general, local elites and government officials continue to work together to limit the access of poor forest users to the forest resources they need, often with tacit support from donors and nongovernmental organizations (NGOs). The result has been an uneven greening of Nepal's land, with continued hardship for most forest users. Efforts to empower poor and politically weak forest users must challenge these alliances if they are to be effective.

A number of themes circulate throughout Nepal's forest policy. First, the current policy and its practice is the reflection of the past policy and practice, and any policy analysis needs to take this history into account. Second, the management of forests, especially community forests, involves various individuals, groups, and organizations, both within and outside the community. Third, the government itself is a stakeholder, not a neutral mediator of other interests.<sup>9</sup> Government officials have their own economic, political, and social goals, and they seek to pursue them in conflict or collaboration with other stakeholders. Fourth, most policy analyses concentrate on the expressed objectives or interests of stakeholders, especially those written in government policy and programs. However, it is often the underlying objectives of the various stakeholders (including the government) that, although hardly expressed in formal reports and policy documents, drive their actions. Finally, stakeholders pursue their interests by forming alliances with one another. Any action to bring a change in the existing forest policy and its practice is bound to affect the existing relationships between different stakeholders and the kinds of alliances that can be formed. Understanding how stakeholders reform their alliances to pursue their interests is key to understanding the impacts of any policy.

## Background

Nepal is among the poorest countries in the world with per capita income of less than \$200 and some 40 percent of the 19 million people living in absolute poverty. The economy is dominated by the agricultural sector, which contributes some 50 percent of GDP and some 90 percent of employment. Agriculture is largely subsistence-oriented, dominated by small farmers with less than one hectare on average, although in places with access to motor roads, markets, and irrigation facilities, agricultural activities are commercialized. Non-agricultural cash earning activities are beginning to play an important part in the household economy of some of these areas.

Based on altitude and climate, Nepal can be divided into three broad agro-ecological regions—the *tarai*, the hills, and the high mountains. The *tarai*, along the southern border with India, is an extension of the Ganges plain and covers approximately 14 percent of the total land area of Nepal (141,000 km<sup>2</sup>). The altitude ranges from 60 to 300 meters above sea level. The woody vegetation is predominantly evergreen hardwood, and rice is the main crop cultivated throughout the region.

Hills, ranging from 300 to 4,000 meters in altitude, make up some 60 percent of the total land surface, and are home to diverse climatic conditions, woody vegetation types, and agricultural practices. Because of poor infrastructure and inadequate supplies of inorganic fertilizers, hill farming depends largely on livestock and forests for inputs to maintain the fertility of land. Maize, millet, and rice are the principal crops grown in the region.

High mountains along the northern border with Tibet (2,500–8,000 m) occupy roughly 24 percent of the country's land area. Although a small proportion of land supports sparse woody vegetation, the area is mostly covered with snow, and animal husbandry is the main source of income.

The most recent forest survey, using aerial photos taken in 1979, estimated 38 percent of the country's land to be under forests, with at least 10 percent of the land in the form of shrublands and grasslands.<sup>10</sup> The management of forests in Nepal is influenced by a high demand for forest products. Nepal has a large and rapidly growing population, some 90 percent of which lives in rural areas and depends heavily on forests for firewood, fodder, timber, and medicinal plants.<sup>11</sup> Wood is the major, and in most cases, the only source of energy available to the rural people.<sup>12</sup> A significant amount of fodder for livestock—so vital for the local farming systems—is derived from forests.<sup>13</sup> The high demand for these and other forest products gives rise to the urgent need to establish effective approaches and measures for the conservation and utilization of forest resources in the country.

Political leaders have used a variety of policies to try to influence the country's land use practices, including forest use, over the last half century. For example, prior to the 1950s, the tendency was to encourage conversion of forest areas into agriculture, in order to make the land productive and increase the tax base for the government. The new government that came to power in 1951 decided to nationalize all the country's forests and put the resource under the control of the Forest Department. Since 1978, the government has implemented a community forestry

policy that places the responsibility for forest management with the rural communities. At the same time, it has also set aside a number of national parks and forest reserves (11 percent of the total land, or about 30 percent of the total forest area) and created a separate Department of Wildlife and National Parks to manage them.<sup>14</sup>

With limited forest resources and high dependence on forest products, these policy changes are of great interest to forest stakeholders in Nepal. How different stakeholders and interest groups viewed these different policies, and how they responded to shifts in policy emphasis are critical to the understanding of today's forest management issues in Nepal.

### Changing Forest Policies and the Persistence of Patron-Client Relations

For the purpose of the analysis, Nepal's recent forest policy history is divided into four specific time periods: prior to 1950, when a feudal system governed the country and forests were controlled largely by local elites; from the 1950s to the mid-1970s, when system of political parties developed, replaced in by a partyless system of panchayat politics, and all the country's forests were nationalized and placed in the control of the Forest Department; from the mid-1970s to the 1980s, when a community forestry policy was introduced and implemented with the partyless panchayat system in place; and from 1990 to the present, when community forestry operates under a multi-party system of politics with several civil society organizations (NGOs) emerging in the country to take up some governance and management responsibilities.

#### Prior to the 1950s<sup>15</sup>

According to L. F. Stiller, prior to 1743, what is now Nepal was a fragmented group of petty states, whose policies attempted to bring all land under state ownership and to ensure that it did not remain unproductive.<sup>16</sup> The rulers pressured peasant farmers to convert as much forestland as possible to agriculture and asked them to pay a certain proportion—generally up to one-half—of the produce of the land cultivated as rent or taxes. While the stated objective for such action was to increase the tax base and to use the income for the welfare of the people, petty states also sought to rule the people by controlling their means of livelihood.

Control was exerted in part through officials and nobles linked to the rulers, and in part through local functionaries. The rulers granted lands as *jagir* and *birta* to officials and nobles who served the state. No tax was paid on such land. While *jagir* land could be kept only as long as the concerned persons served the state, the *birta* grants had no precise time limitation and could be inherited and retained by the families until they were confiscated by the state. This helped foster the development of an elite that could control access to large tracts of land, including forestlands, setting the stage for peasant tenancy later in the period. It is also an early example of the type of alliances formed between elites and rulers to control lands and people.

At the same time, many village chiefs became local functionaries of the state. Their role was to collect taxes from peasant farmers and control local land use, including the protection of local forests. The peasant farmers were allowed to collect forest products from local forests, but in later years, especially in the eighteenth and nineteenth centuries the peasant farmers had to offer gifts, commonly referred to as *theki*, or free labor on the functionaries' land in exchange.<sup>17</sup> Thus the pattern of peasant dependence was continued through the state reforms of the Shah kings and the Rana regime, though the origin of the patrons changed.

The Shah kings (1743–1845) unified Nepal by expanding and strengthening the army. To do so, they granted an extensive area of land as *jagir* to motivate soldiers to invade neighboring states. The Rana regime (1846–1950) established the hereditary prime ministership. They gradually confined the land grant policy to their own family members and some key officials. By 1950, one-third of the country's agricultural and forestlands had been granted to private individuals, and of that some three-fourths belonged to the Ranas.<sup>18</sup>

Many rural farmers ended up as tenants of these *birta* holders and local functionaries, paying rents to them, instead of to the state. Landlord control was extended further through the development of *kut* (contract) systems. In *kut* systems, the right to till land went to the highest bidder, leaving less and less of farm production for the peasant, further disadvantaging the peasant farmers. In addition, where the peasants once retained one-half of whatever was produced on the farm, regardless of good or bad harvests, under the *kut* system, they had to pay rent even if crops failed. When peasants failed to pay the rent, they were required to pay their debt by working for the landlords. A significant proportion of the peasant farmers and their families were eventually forced to work as bondage labor (slaves) in the houses of local government functionaries and large *birta* owners.<sup>19</sup>

By the turn of the nineteenth century, the patron-client relationships had established deep roots in the country. At the national level, the rulers, nobles, and senior government officials supported each other. The ruler granted land as *birta* and *jagir* to nobles and soldiers who in turn helped the rulers to stay in power. At the village level, the local functionaries depended on rulers and nobles for their positions, providing in return the valuable services of collecting taxes and controlling land and forest use. At the bottom of this system, peasant farmers provided labor required to produce surplus for local and national patrons, in exchange for access to lands and forests. Rulers, nobles, and functionaries had little incentive to change this system, as they each benefited from their alliances with one another. Peasants, who benefited little from this system, hardly had time to organize themselves and press for change.

#### From 1950s to Mid-1970s<sup>20</sup>

Soon after the Rana regime ended in 1951, the new government abolished the *birta* land tenure system, initiated nationwide development programs (building roads, schools, hospitals, industries) and opened Nepal to the outside world. The National Planning Commission and the concerned ministries used a "planned approach" to develop and execute these programs.<sup>21</sup> The concept of decentralization was embed-

ded in the basic guiding principles, reflected in such initiatives as the “Tribhuvan Village Development Programme” of 1952 and the “back-to-the-village campaign” following the introduction of the panchayat system in 1961. A large number of political and administrative institutions were created at various levels in order to involve more people in the planned development process.<sup>22</sup>

In the forest sector, the government nationalized the country’s forest resource, vesting control over the resource in the Forest Department. It then released a new Forest Act in 1961 defining forest offenses and a new policing role for the department. The government also expanded its role in forest production and marketing. It initiated several forest-based industries, mainly in the lowland *tarai*, with support from various donor agencies.<sup>23</sup> The Forest Department was responsible for harvesting forests and supplying raw materials to these industries. The government was also heavily involved in exporting logs and other semi-processed forest products to the neighboring states of India. Although the Forest Act had a provision for community forestry, it was never implemented during this period.<sup>24</sup>

How did these changes in government policy affect the relations among stakeholders, specifically the alliances and patron-client networks discussed above? At first look, there appears to be a break in the alliance between local elites, in the form of *birta* holders and local functionaries turned landlords, and the central government. After all, the stated objective of the policy to nationalize the country’s forests was to release the land from the control of the few *birta* holders and to use the income for the welfare of the nation.<sup>25</sup> In fact, the new government had strong political and economic interests in taking control over forests away from the *birta* holders, to discredit the previous regime and to expand its own exploitation of the forest to generate revenue to support its development programs. The people in the new government were aware of the way in which the Ranas had been earning fortunes through the export of logs, especially from the *tarai* forests in the south to the bordering states of India, where they were used for railway sleepers. This is reflected in the Forest Department’s activities, which were largely concentrated in the exploitation of the forest of the *tarai* throughout this period.

The arrival of additional stakeholders, specifically the Forest Department and donor agencies, also promised a rearrangement of stakeholder relations. The Forest Department was now empowered to take control of forest management, something that *birta* owners and local functionaries had done before. The donor agencies also came with a stated philosophy that seemed to promise change. Donors were interested in fostering industrial growth in “underdeveloped” nations.<sup>26</sup> The role of the forest resource was to support the growth of industries and generate revenue for the state.<sup>27</sup> To this end, donors supported the government’s nationalization of forest resources and provided financial and technical support to establish forest-based industries in the *tarai*. Where would the former *birta* owners and local functionaries turned elites fit in such a scheme?

Patron-client relations between local functionaries and peasants also seemed in jeopardy after the announcement of the government’s new policies. Desperate to get out of the grips of local functionaries/elites, peasant farmers welcomed the government’s decision to nationalize forests. Although the action did not necessarily guarantee free access to forests, peasants had good reasons to be hopeful. First, it

appeared that the local forest would be no longer under the control of local functionaries/elites, which meant no more obligations (gifts, free labour, etc.) in exchange for forest use. Second, for the peasant farmers, the Forest Department was removed, and thus not a day-to-day concern. The peasant farmers interpreted this as a system that allowed almost free access to forests. Indeed, there were even reports of some peasant farmers becoming involved in clearing forests for agriculture following the nationalization.<sup>28</sup>

Yet the picture is not so simple. At the time of forest nationalization in 1957, the country had less than a dozen trained foresters.<sup>29</sup> Because almost no infrastructure (roads, communication networks, etc.) existed, in no way could these few foresters effectively manage the country's forests. Although more trained foresters later joined the department, the number was always short of what was needed for effective control and management. The Forest Department staff never expressed their inability to manage the country's forests as doing so would have meant losing their government jobs, which are highly regarded in Nepali society. Their only recourse was to seek the cooperation of local leaders to help protect forests.

Interestingly, these local leaders and representatives were often landlords and their relatives—the very people who had served previously as local government functionaries. This is reflected by the fact that many village leaders relate forests to their forefathers' *birta* land even today.<sup>30</sup> After forest nationalization, local functionaries lost control over forests and over peasant farmers. Some responded by cutting trees on their land as quickly as they could, in the hopes of forcing the government to reverse the policy.<sup>31</sup> Others saw opportunities for maintaining their power and prestige by working with the government, including the new Forest Department. They sought key positions in the new political system from which to organize an alliance with the central government. Since many had been wealthy moneylenders to local peasants, it was not too difficult for them to be elected as local representatives. From this position, they were able to reassert control over peasant use of lands and forests, much as they had before through their alliance with the *birta* holders.

Peasant access to the forest also did not improve much in this period. As stated, local elites turned local leaders began working with the Forest Department to control forest access. Peasants might have been able to develop their own alliances with the Forest Department, but the use of coercive actions, fines, and penalties, and even graft and bribery by government foresters was widespread during the Forest Department's early years of expansion.<sup>32</sup> Thus, strained relationships developed, similar to those that the peasant farmers had with local functionaries prior to the 1950s.<sup>33</sup> When conflicts arose, the local landlords turned representatives took the side of forestry staff to win their confidence and maintain the alliance with them.

Some peasant farmers, especially those with larger landholdings, started to grow trees on their own private farmlands to secure the regular supply of forest and tree products to meet their domestic needs and to maintain the farming system. However, peasant farmers with small landholdings and tenant farmers who were unable to grow trees on the land they tilled had to rely on the large landholders (in most cases the local elites/representatives) for forest products. The peasant farmers were often required to work for the large landholders in return.

The old set of alliances and patron-client networks reemerged in slightly different form in the period from 1950 to the mid-1970s. The Forest Department staff replaced the *birta* owners (nobles and senior officials) in terms of their behavior and relations with the government and local leaders/elites, now turned local political leaders. The forestry staff delegates some responsibilities for forest protection and management to the local leaders, offering the latter opportunities to control forest resources and peasant access to the forest. In exchange, local leaders provide some of the control and management that the forestry staff needs to retain their jobs. The two groups avoid direct confrontations with one another as the local leaders have enough trees on their own land to satisfy their domestic needs and need not collect forest products from forests managed by the government. Farmers with small landholdings and tenants, however, must seek forest resources either from government forests, where access is controlled by an alliance of foresters and local leaders, or from large landholders, where access is controlled by the landholder. Thus, patron-client relations at the local level, in which peasants can only gain access to the forest with the permission of local elites, and in exchange for labor or goods, re-established themselves in spite of the sweeping policy changes of this period.

#### From Mid-1970s to 1980s<sup>34</sup>

In the 1970s, the government started to place a considerable emphasis on rural development and the protection of environment. In rural development, the government oriented its policies more towards fulfilling the “basic needs,” taking a holistic approach through Integrated Rural Development Projects.<sup>35</sup> It shifted its geographical focus for development activities from urban centers and more accessible areas of the *tarai* to the neglected hills and mountain areas.<sup>36</sup> The government also saw the need to seek wider public participation in the development process, especially in determining local people’s needs and managing the planned development programs and activities at the village level.<sup>37</sup> Consequently, in 1982, it passed a Decentralisation Act, formally devolving decision-making authority to political units in the districts and villages.

In contrast to the two periods just discussed, the government began to express an overwhelming concern for forest resource conservation and for the need to meet rural communities’ requirements for forest products. In the late 1970s, it introduced community forestry rules and regulations with provisions to hand over forests to local communities for protection, management, and sustainable use.<sup>38</sup> Through community forestry, it also intended to encourage rural communities to grow trees on their private farmlands by providing free seedlings. At the same time, the government set aside a number of forest areas for reserves and national parks and created a separate Department of Wildlife and National Parks and a Department of Soil and Water Conservation. In the early 1980s, the felling (even on private land) of some selected tree species such as *Shorea robusta*, *Acacia catechue*, and *Michelia champaca* was banned. The stated objective for these actions by the government was to protect the environment, preserve wildlife and biodiversity, meet the basic needs of rural people, support agricultural production, and thereby contribute to the process of rural and national development.



Outside donor agencies became increasingly influential starting in the 1970s, and joined the government in emphasizing rural development and environmental protection. Motivated by a range of factors, including ideological competition between the West and the former USSR, a commitment to channeling aid to the poorest countries, and the search for new places to market their technologies, products, and people, donor agencies greatly expanded their activities in Nepal. Because of the general increase in environmental awareness in western countries, donor agencies increasingly favored environmental projects. The increased publicity of the deforestation in the Himalayas also acted as a stimulus for donor aid to Nepal.<sup>39</sup> Some donor agencies started to put pressure on the national government to set aside forest reserves and agreed to provide funds and other necessary support needed to protect the reserves. Almost all of the forestry development and conservation activities in the country are funded by foreign donor agencies.<sup>40</sup>

The interest of the central government and donor agencies in decentralization, rural development, and environmental protection presented the other forest stakeholders with several new opportunities to pursue their interests. Peasants might have welcomed decentralization if it meant greater accountability of public officials to peasant communities. The increased interest in, and funding for, rural development might also have given peasants hopes for improving their situations. Improved rural infrastructure and credit, for example, might have given them new market opportunities, reducing their dependence on subsistence livelihoods that required access to lands and forests controlled by local elites. Even the emphasis on environmental protection, though it promised further restrictions on forest use, might have been accepted if it had focused on limiting the forest clearing activities by the largest landholders.

In some parts of the hills region, at least in areas where the community forestry field programs were reasonably well planned and implemented, some positive contributions to rural development and environmental protection were evident.<sup>41</sup> In some villages where the rural communities controlled local forests, the condition of forests improved dramatically: wild animals returned, and the supply of forest products far exceeded the communities' demands for subsistence needs.<sup>42</sup> Some communities started to express interest in selling the excess products to the nearby market and to use the income for their village development. It is here that communities once again confronted the alliances among the Forest Department, the government, donors, and local elites.

Yet despite the promise of decentralization, rural development, and environmental protection for peasants, the unstated interests of governments and donors led them to favor alliances with local elites, generally at the expense of peasants. Environmental protection focused on restricting peasant access to forest resources, often through the creation of parks and other legally protected areas, but also through limitations on the kinds of forest use permitted in community forestry projects. Specifically, the government's approach to community forestry emphasized forest protection and limited utilization, restricting use to subsistence needs for fodder, firewood, timber, etc. Peasant farmers, however, were interested in forestry programs that consider more than just subsistence needs. Indeed, in some parts of the rural area, because of the rapid socioeconomic changes (building of roads

and schools and expanding market activities), peasant farmers faced many new demands, including the need for greater cash income, and were finding it increasingly hard to meet these new demands with income from subsistence agriculture alone: “We are interested in programmes that not only meet our subsistence needs of fodder and firewood, but also assist us in generating cash income so that we can cope with changes and meet our new demands; so that we can send our children to schools, buy their books, note books and pens and pay school fee; so that we can buy some other essential items that are now needed to manage lives and households and which we can not produce on our lands.”<sup>43</sup>

Why did the government pursue protection in this manner? If parks were created in regions where government had little commercial interest, such as in the hills, and communities were restricted to only subsistence use of their forests, the government could satisfy donor demands for environmental protection without disrupting the lucrative harvesting activities of the Forest Department. The government also benefited from expanded tourist revenue and donor aid associated with the parks. The fact that the government decided to ban the felling of trees meant reduced revenue from the Forest Sector. Indeed, the overall contribution of the Forest Sector to the national income reduced from 14.6 percent in 1956–61 to 3.6 percent in 1975–80.<sup>44</sup> On the other hand, foreign aid money received by the government increased during this period and reached its peak in the 1980s, and a substantial portion of that being the grant money.<sup>45</sup> Donors, meanwhile, were able to meet the demands of their governments for increased spending on environmental protection and community development without risking a confrontation with Nepal’s Forest Department over who would control commercially valuable forest products. Donors thus maintained close relations with the Nepal government, which was a strategic objective throughout the 1970s and 1980s.<sup>46</sup>

The Forest Department protected its economic interests by continuing to harvest timber and other valuable forest resources in the name of rural development. Much of the department’s harvesting took place in the *tarai*, where there are more commercially valuable forest resources. Most of this work was carried out by the department’s own Timber Corporation of Nepal. The development of community forestry in the commercially valuable *tarai* forests was severely restricted. For example, the only Tarai Community Forestry Project in the region was closed down soon after it was implemented.<sup>47</sup> In fact, the government used armed guards to maintain its firm control over the *tarai* forests.

Local elected leaders and elites appreciated the idea of community forestry and expressed their support for the associated policies. These leaders frequently pressed the District Forest Officers and Forest Rangers to speed up the process of forest handover.<sup>48</sup> These leaders, however, were mostly active in exerting pressure for forest handover and support for forest protection but rarely insisted on opening up forests for use. As large landholders, they had sufficient trees on their private land to meet their needs and did not need to use community forests for forest products. They were also sensitive to the forest protection ethics of Forest Department and realized that to talk of expanding use would only jeopardize their relationship with the forestry officials. Just as importantly, they saw opportunities for themselves as leaders of forest user groups to seek donor funds, manage group accounts, hire and

fire workers for forest protection and regeneration, participate in Forest Department seminars and study tours, and continue to exert control over peasant access to the forest. Forest Department officials were content to work with these local elites, as they did not make demands for commercial use of forests and could be counted on to protect the forests in such a way as to keep the government and donors happy.

Despite the promise of decentralization, environmental protection and rural development, as embodied in community forestry policies, the situation of most peasant farmers did not improve much during the 1970s and 1980s. For them, the community forestry policy reflected the typical attitude of government towards the rural poor, as well as the inability of its Forest Department staff to manage the country's forest resource, rather than a new concern for rural communities' forestry needs:

The government wants to plant trees on grazing and other bare lands and protect the remaining forests. Because the government's Forest Department cannot do this on its own, they want to 'use' us to plant and protect forests. But once the forest is grown the government will take it back. If the government really cared for rural communities then why are we not allowed to collect forest products? The government has put guards and army men to protect the forest from us, do you think it cares for rural people? The government does not realise that the very people whom it has employed to protect forest from us are themselves cutting trees and killing wild animals.<sup>49</sup>

There has been a better policy environment for the peasant farmers, compared to the previous periods, because of the increased willingness of the national government and donor agencies to provide funds for community forestry and other rural development programs (albeit to serve their own underlying interests). However, the improvement was confined to somewhat better access to subsistence products from the forest, and this primarily in the hills of Nepal. Generally, peasant farmers were unable to take full advantage of the new policies to meet their own economic and political goals, in part because they were preoccupied with earning livelihoods, in part because other stakeholders were unwilling to form alliance with them. Instead, government, the Forest Department, donors, and local elites formed alliances with one another, furthering their respective economic and political goals at the expense of peasant access to the forest. As a result, many of the poorest peasants in Nepal continued to depend on the patronage of local elites for the forest products they needed.

### From 1990–Present

In 1990, following the people's movement and the disbanding of the panchayat system, the political system based on parties was restored in the country. Since then civil societies organisations, especially NGOs, have emerged at the national and local levels. Many NGOs are actively involved in presenting issues of grassroots and national concerns to the government and general public. Some have focused on debates regarding the country's natural resources, including forests, should be used

and managed. Some have even started to advocate for local communities' use rights in forests, especially the rights of those living in and around protected areas, and to initiate community forestry in the *tarai* region. Political reform and the emergence of civil society organizations added new dimensions to the debate on ways in which how the country's forest resources should be managed and used, and opened the possibility for the formation of new alliances among the different forest stakeholders.

So too did changes in the donor community. The end of superpower competition in the region meant that donors did not feel the same pressure to please the government and could take a more critical stand towards its policies and the implementation of those policies. Of course, increased environmental concerns, especially with respect to global warming and biodiversity loss, have led many donor agencies to put greater focus on the management of national parks and other protected areas, rather than on rural development. Some key field projects (especially Nepal Australia Community Resource Management Project, Nepal Swiss Community Forestry Project, and the UK Government Supported Livelihood and Forestry Programme) have continued to concentrate on community forestry activities, however, and have become increasingly concerned about reports that community forestry has had little positive impact on the lives of rural community members, especially the poorer households.<sup>50</sup> These field projects have begun working with some of the most dynamic NGOs, taking advantage of their knowledge of community problems and needs, to promote community forestry as a means to rural development for the poorest peasant farmers.

During this period, the government maintained the community forestry policy and recognized the use rights of local communities to the forests, both within and outside the protected areas. It also passed the new Forest Act in 1993 and issued bylaws to implement the act, which is more in line with the democratic principles, with control and authority for community forest management vested in the local community. Just as importantly, a growing number of government foresters began expressing the view, shared by many of the newly formed NGOs, that community forestry should promote rural development for poor farmers and not be focused on environmental protection alone.<sup>51</sup> Such views threatened the existing alliance between Forest Department officials and local elites, based as it was on limiting peasant access to forests, preserving the benefits of forest harvesting for department officials and the government, and creating opportunities for patronage for local elites.

However, these new voices within the Forestry Department were not necessarily the most influential. For example, it took more than two years for the Forest Department to approve a proposal to initiate forest user group-based sawmills, and was allowed under the condition that no such proposal would be considered in the future.<sup>52</sup> Old views on the need to limit peasant access to forests were still widespread. A comment from one senior government forest is typical: "Today community forestry in Nepal is not the same as it was in the late 1970s and early 1980s when I was actively involved in its promotion in the field. I was, and am still, more concerned for the greening of the hills region. To me not only is the concept of 'forest user groups' new, but also that the growing view to allow such groups to use

forests for purposes beyond subsistence needs is alarming. Opening up the recovered forests for commercial utilisation by rural communities may well lead to the rapid exploitation of the resource, hence back to the previous situation.”<sup>53</sup>

As in the 1950s, the 1990s have been characterized by political instability at both national and local levels. In the last ten years or so, there have been eight governments, all formed by two major political parties (Nepali Congress and United Marxist-Leninist), often in coalition with other smaller parties. Consequently, the people in the government have mostly been engaged in lobbying with other political parties and foreign donor agencies for support, rather than developing strategies for nation building.

The problem has extended to the forest sector, as government officials have failed to come up with forestry programs that could make community forestry policies, including those outlined in the new Forest Act, effective. As a result, the Forest Department staff, specifically those who oppose any loss of department control over forests, generally have been able to avoid pressure for reform. They have continued to work with local elites to limit peasant access to forests, preserving for themselves the authority over the resource, and maintaining opportunities for patronage for local elites.

With many government officials taking a conservative position on community forestry, their relationships deteriorated with those donors and NGOs demanding a change in how community forestry was being implemented. The Forest Department staff increasingly refused to cooperate with these donors and NGOs. In response, some NGOs, such as Women Acting Together for Change (WATCH), began building alliances with local village representatives and forest user committees to put pressure on the Forest Department. When some field projects expressed the potential for initiating networking among the forest user groups, the NGOs saw this as another opportunity to tackle the Forest Department's resistance. They identified politically motivated forest user groups (FUG) chairpersons and helped them form a Federation of Community Forest Users Nepal (FECOFUN) in 1994. The stated objective of FECOFUN is to network among forest user groups and mobilize members to demand changes in the policy and practice of community forestry.<sup>54</sup> Not long after, WATCH and some other NGOs also formed a task force, the Terai Community Forestry Action Team (TECOFAT), to put pressure on the government and Forest Department to initiate community forestry programs in the *tarai* region.

Given the existing alliances between government foresters and local elites, one might have expected the latter group to oppose the work of the NGOs and FECOFUN. This was not the case, however, as these local representatives/elites saw an opportunity to further their political goals. Many have taken advantage of their influence to secure positions in FECOFUN and use the organization as a platform from which to lobby the government. Indeed, most FECOFUN executives at the national, regional, and district levels spend most of their time building relations with the political parties of their own ideologies, rather than consulting its forest user group members and developing strategies for networking. Many of the FECOFUN executives have been nominated by different political parties in the district and local elections.

Although the executives have had reasonable success in presenting the FECOFUN as an organization to represent the concerns of the poorer forest users and to win the confidence of some national NGOs and field projects, they are far from making a significant impact on the practice of community forestry. This is partly because the FECOFUN is still a new organization. A more important reason, however, is that FECOFUN has little support from the majority of the forest user group members. The main problem is that the concept of FECOFUN was conceived and initiated by a few NGOs and field projects, and was imposed on the forest user groups. There was not enough effort to facilitating the process and let it emerge from user groups themselves. The majority of peasant farmers are unaware of the formation of FECOFUN, let alone its roles and functions. When the process of establishing a community forestry in a village is started (e.g., defining forest users, forest boundaries, negotiation for the use and protection of forests, and writing operational plans), most formal interactions take place between the elite representatives of the forest user groups and Forest Department field staff. FECOFUN is rarely included in these activities, nor are they included in the agenda of the subsequent meetings and assemblies of the individual forest user groups. Many user group members are unaware that their group's chairperson or vice chairperson sits as an executive for FECOFUN at the district and subdistrict levels. Fewer still understand the role of their group in FECOFUN. The alliance among donors, NGOs and peasant farmers has thus failed to meet expectations. Though tangible gains have been made from the efforts of these groups in some communities, in many others, local elites have taken control of community forestry institutions, including FECOFUN, and are using them to pursue their own political and material interests.

The relations between the government and donor agencies have persisted, although they are not as strong as in the previous period, as donors are freer to be critical of the government following the end of the cold war. The Forest Department continues to work closely with local representatives/elites, who have retained significant control over community forestry institutions such as the forest user groups and FECOFUN. At the same time, an alliance among field projects, NGOs, and FECOFUN executives has developed to put pressure on the government and especially the Forest Department. Unfortunately, local elites exert significant control over FECOFUN, such that the alliance does not provide as much help as it could to peasant farmers. In many areas, local elites define the issues of concern to communities, control project funds, and ultimately determine peasant access to the forest, though increasingly through the decisions of FECOFUN and forest user group committees.

## Conclusion

Summarizing the discussions so far, despite a number of important policy changes over the years, a set of alliances and patron-client relations have generally persisted throughout the history of Nepal. These relations have allowed local elites to act as gatekeepers for peasant access to forests, and to capture many of the benefits associated with forest protection and management. While the persistence of these relations,

and their negative effect on peasant farmers, there are several other points that can be drawn from the history of community forestry policy and practice in Nepal.

#### Forests: A Source of Wealth, Power, Prestige, and a Means of Livelihood

Forests are a symbol of wealth, power, and prestige in society, as well as a means of livelihood and a resource. Successive government used the forest to stay in power and to use the forest to generate income to support the government administration. Local government functionaries and the Forest Department officials treated the forest as a means to secure power and prestige. For them, protecting the forest meant keeping their government job, and with it the power and prestige associated with controlling access to resources vital to peasant livelihoods. Finally, local elites, later local representatives to the government, have long understood the power associated with controlling land and forests. Since Nepal's period of unification (1743–1846), these elites have tried to capture as much good quality land and forest as possible. In doing so, they have made dependants of peasant farmers, who exchanged crop shares, labor, and political support for access to the forests.

As land has been the main (often the only) means of livelihoods and as most agricultural and forest lands have been in control of the local landlords/elites, the peasant farmers had no choice but to continue to depend on these local landlords for their livelihoods.

#### Shifting Control over Forests and Changes in Power Relations

The government has tried to corner most forest income for itself, even at the expense of other stakeholders' interests. This has forced other stakeholders to manipulate the government's stated policy to protect their own interests. When the level of policy manipulation reaches the point where the government's own interests are affected, the government changes policy, shifting control over forests from one stakeholder to another with whom its interest is better secured. For example, prior to the 1950s, Nepal's rulers placed forests under the control of local functionaries, who took responsibility for managing forests and assured that taxes were paid. In the 1950s, under pressure to limit the power of these local elites, the government nationalized the forests and vested control of them in the Forest Department. The department then assured that the government received a large share of forest revenues, while taking on the difficult task of limiting peasant demands on the forest. Then in the 1970s, the government took the control over the resource away from the Forest Department staff and placed it with the local communities. As we have seen, this does not mean that the government has given up its interests in the forests. The Forest Department still controls forests in the areas with the most valuable timber, such as the *tarai*. Moreover, by forming alliances with local political representatives as leaders of forest user groups and FECOFUN, the government assures that it maintains some control even in areas where community forestry has been established.

The shift in the locus of control over forests has, in turn, resulted in changes in the existing power relations between stakeholders. For example, prior to the 1950s, the

peasant relationships with the state government gradually became weak as more lands came under the control of the *birta* and *jagir* owners, as well as local government functionaries. The local government functionaries and *birta* owners gradually became more powerful than the government/ruler in the rural areas. The government responded with the *Birta* Abolition Act and Forest Nationalisation Act in the 1950s. These acts reduced the power of local elites in favour of the newly created Forest Department, though local elites remained important actors in managing and protecting forest resources.

Similarly, the Forest Department staff's authority over the use of forests was in turn reduced when the government introduced community forestry in the 1970s. The Forest Department staff, which were the most powerful stakeholders from the 1950s to the mid 1970s, were no longer as powerful with the advent of community forestry. NGOs picked up some of the power and influence lost by the Forest Department, as did donors who were in a position to oppose government policy following the end of the cold war.

#### Adjustments, Compromises, Alliances, and Persistence of Patron-Client Relations

Shifting levels of power among stakeholder led most to try to form alliances with each other to secure their own positions. Following the issuance of *Birta* Abolition and Forest Nationalisation Acts in the 1950s, the local government functionaries turned local landlords and Forest Department staff were put in a situation whereby neither could protect its interests without the other. They formed an alliance that kept foresters' jobs secure while preserving the role of local elites in regulating forest access. Similarly, the introduction of community forestry policy in the 1970s persuaded some Forest Department staff to make alliances with the field projects supported by outside donor agencies, in order to gain access to the benefits associated with foreign-funded projects. After 1990, the national government–donor agency alliance, which reached its peak in the 1980s, began giving way to new alliances between donor agencies and NGOs. Similarly, strong relations between the Forest Department and field projects are being replaced by a new field project–NGO alliance. Field projects and NGOs have, in turn, helped spark the development of FECOFUN.

The process of adjustments and alliance development often preserved patron-client relations at the local level. For example, despite the *Birta* Abolition and Forest Nationalisation Acts of the 1950s, and even the community forestry policy of the 1970s, the patron-client relations between the local landlords and peasant farmers have endured. Local functionaries/landlords/elites have had to secure political positions themselves in every period discussed, using financial and political resources accrued from earlier periods to pressure and persuade peasants to accept them as their leaders. From these positions, they have determined how policy has been implemented, and who would get access to forests on what terms.

Interestingly, the peasant farmers figure quite prominently in the stated objectives of all policy and project documents by the national government, donor agencies and Forest Department related to forestry. The NGOs, FECOFUN executives, and



even the local village representatives/elites have always advocated the importance of forests and trees for the livelihoods of the peasant farmers. Yet this is the very group that has always been marginalized in the process of developing alliances. Peasant farmers have rarely been consulted while developing these forest user group and FECOFUN documents. Community forestry regulations limit peasant access to forests and assure them few benefits from the uses that are allowed. The rhetoric of community forestry has not matched its practice.

#### Implications for Future Policy Action

The forest policy-making process has been flawed. The national government has formed policies without consulting other stakeholders, primarily to meet its own political and economic goals. Other powerful stakeholders have in turn manipulated the government policy actions to serve their own interests by forming alliances with one another and making adjustments in their own positions. Consequently, the country's forest resources and peasants living conditions continued to deteriorate—the very problem that the community forestry has been set to address.

The objectives of sustainable forest resource management and rural development cannot be achieved just by having devolution and decentralization policies in place and emphasizing people's participation. Statements of intent and alliances may not be as important in determining the action of stakeholders as unstated objectives. Therefore, we need to reconsider the whole approach to looking at the forest, the people, the policy, and the implementation of policy on the ground. Any solution to the problem of forest degradation and peasants' livelihoods must first develop an understanding of the various stakeholders' social, economic, and political objectives (both stated and unstated), complex relationships between them, and the extent to which the policies for access to, and control over, forest resources influence these objectives and relationships. Such a solution should take into account the likely responses of each stakeholder on the policy actions and the likely impact, both positive and negative, of each stakeholder's actions on other stakeholders and on the forest resources. In the case of Nepal, that means looking more closely at the kinds of alliances and patron-client relations that have limited the positive effect of community forestry on peasant farmers.

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## Notes

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9. Malla, "Sustainable Use of Communal Forests in Nepal."
10. HMGN, *Master Plan for Forestry Sector*.
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  15. Several studies have analyzed the impact of land use policies and practices in place prior to the 1950s and their impact. The most detailed studies include those by Stiller, (L. F. Stiller, *The Rise of the House of Gorkha (1768–1816)* [Kathmandu: Ratna Pustak Bhandar, 1973]; *The Silent Cry: The People of Nepal, 1816–1839* [Kathmandu: Sahayogi Press, 1976]), Regmi (M. C. Regmi, *Land Tenure and Taxation in Nepal* [Kathmandu: Ratna Pustak Bhandar, 1978]; *Thatched Huts and Stucco Palaces* [New Delhi: Vikash, 1978]). Studies that have analyzed in detail the land use policies and practices specifically from the perspective of forest resources include: Bajracharya ("Deforestation in the Food/Fuel Context"), Mahat et al. (T. B. S. Mahat, D. M. Griffin, and K. R. Shepherd, "Human Impact on Some Forests of the Middle Hills of Nepal. Part 1: Forestry in the Context of Traditional Resource of the State," *Mountain Research and Development* 6, no. 3 [1986]: 223–32; "Human Impact on Some Forests of the Middle Hills of Nepal. Part 2: Some Major Human Impacts before 1950 on the Forest of Sindhu Palchok and Kabhre Palanchok," *Mountain Research and Development* 6, no. 4 [1986]: 325–34), HMGN (*Master Plan for Forestry Sector*), Gautam (K. H. Gautam, "Indigenous Forest Management Systems in the Hills of Nepal," [master's thesis, Australian National University, Canberra, 1992]), and Hobley and Malla (M. Hobley and Y. B. Malla, *The Three Ages of Forestry in Nepal: Privatisation, Nationalisation and Populism*, in *Participatory Forestry: The Process of Change in India and Nepal*, ed. M. Hobley [London: Overseas Development Institute, 1996]).
  16. Stiller, *The Rise of the House of Gorkha (1768–1816)*.
  17. Regmi, *Thatched Huts and Stucco Palaces*.
  18. Regmi, *Land Tenure and Taxation in Nepal*.
  19. Regmi, *Thatched Huts and Stucco Palaces*.
  20. Bajracharya ("Deforestation in the Food/Fuel Context"), Mahat et al. ("Human Impact on Some Forests of the Middle Hills of Nepal"), HMGN (*Master Plan for Forestry Sector*), Gilmour and Fisher (D. A. Gilmour and R. J. Fisher, *Villagers, Forests and Foresters: The Philosophy, Process and Practice of Community Forestry in Nepal* [Kathmandu: Sahayogi Press, 1991]), Gautam ("Indigenous Forest Management Systems in the Hills of Nepal"), Hobley and Malla (*The Three Ages of Forestry in Nepal*) and several other studies have analysed the forest policies of this period at length.
  21. M. Banskota, "Nepalese Economy and the Five Year Plans," in *Nepal: Perspective on Continuity and Change*, ed. K. P. Malla (Kathmandu: Centre for Nepal and Asian Studies, 1989).
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  23. Gautam, "Indigenous Forest Management Systems in the Hills of Nepal."
  24. Gilmour and Fisher, *Villagers, Forests and Foresters*.
  25. Bajracharya, "Deforestation in the Food/Fuel Context"; Mahat et al., "Human Impact on Some Forests of the Middle Hills of Nepal."
  26. See critiques by Stohr and Fraser-Taylor. W. B. Stohr and D. R. Fraser-Taylor, *Introduction*, in *Development from Above or Below?: The Dialectics of Regional Planning in Developing Countries*, ed. Stohr and Fraser-Taylor (Chichester: John Wiley and Sons, 1981).

27. See critiques by Westoby; J. Westoby, *The Purpose of Forests: Follies of Development* (Oxford: Blackwell, 1987).
28. There are mixed reports on this. Gilmour and Fisher claim that government's decision to nationalize the country's forests in the 1950s did not have much impact, as people in villages do not seem to know about the forest nationalization. (Gilmour and Fisher, *Villagers, Forests and Foresters*.) Bajracharya and others have reported that villagers in some areas became involved in indiscriminate cutting and clearing of forests. (Bajracharya, "Deforestation in the Food/Fuel Context.") These days many peasant farmers seem to be unaware of the government decision to nationalize the country's forests in the 1950s (Jane Carter, personal communication, 1997). It is difficult to evaluate these reports after such a long time. Possibly, the peasant farmers had heard about the government's decision at the time, but as the decision was not implemented for a long time, especially in remote villages, the peasant farmers in such areas gradually forgot about it. Nevertheless, the issues of forest nationalization resurfaced in later years when cadastral surveys were carried out to mark the private land holdings and to issue land certificates to individuals. The survey teams also insisted foresters make sure that public forest areas were not treated as private holdings, and there were reports of problems between survey teams and peasant farmers. In fact, the cadastral surveys have often been interpreted by the rural communities as a way of implementing the government's forest nationalization policy (Y. B. Malla, "The Changing Role of the Forest Resource in Nepal," [Ph.D. diss., Australian National University, Canberra, 1992]). There are instances where private lands were declared as forestlands, and where forests areas were converted into private holdings. There are several cases still pending in the courts.
29. Gilmour and Fisher, *Villagers, Forests and Foresters*.
30. A. G. Bartlett and Y. B. Malla, "Local Forest Management and Forest Policy in Nepal," *Journal of World Forest Resource Management* 6 (1992): 99–116.
31. Again, there are mixed reports on this for the same reasons explained in endnote 28. It is hard to imagine that the local functionaries/elites, whose jobs had been to collect taxes from the peasant farmers for the government and pay regularly to the Bada Hakim (Chief Officer) posted in different districts of the country, would have been unaware of the government nationalization policy. In fact, when the panchayat system was introduced soon after the forest nationalization, the government distributed thousands of radios to all the elected village panchayat chairpersons to propagate the philosophy of the panchayat politics. The radio news broadcasts often included information on the government forest nationalization policy. It is possible that the local functionaries (turned local representatives who had the privilege of owning the radios) kept the information to themselves or presented to the fellow villagers in distorted forms. In a way, the radios also symbolized power and authority, as they were transferred to the newly elected panchayat chairpersons after every election.
32. FAO/World Bank/UNDP, *Nepal: Hill Community Forestry Development and Training Project* (Washington D.C.: World Bank, 1979).
33. Gilmour and Fisher, *Villagers, Forests and Foresters*.
34. Again, there are numerous studies and reports on forest policies and practices from the 1970s onwards. Some major studies include: HMGN (*Master Plan for Forestry Sector*), Gilmour and Fisher (*Villagers, Forests and Foresters*), Gautam ("Indigenous Forest Management Systems in the Hills of Nepal"), Talbott and Khadka (*Handing It Over: An Analysis of the Legal and Policy Framework of Community Forestry in Nepal* [Washington D.C.: World Resource Institute, 1994]) and Hoblely and Malla (*The Three Ages of Forestry in Nepal*). However, not only have these analyses concentrated overwhelmingly on the government's stated objectives of community forestry, but they have also

done so in isolation, without considering the other policy actions of the government, especially the decisions to set aside forest reserves and to ban the felling of some tree species. Actions of the outside donor agencies are hardly questioned, and there has been little attempt to analyze the impact of the government's policies on the existing relationships between the various stakeholders (see critiques by Y. B. Malla, "Stakeholders' Responses to Changes in Forest Policy," paper presented at the International Workshop on Pluralism, Rural Development and Sustainable Forestry, Rome, Food and Agricultural Organisation, 1998).

35. Banskota, "Nepalese Economy and the Five Year Plans, in Nepal."
36. H. B. Gurung, "Regional Dimension in National Development," *VASUDHA* 12, no. 9 (1969): 12–16.; H. B. Gurung, "Rationale for Hill Development," *Industrial Digest* 5 (1971): 17–23.
37. Paudel, *Strategies for Local Level Planned Development in Nepal*.
38. HMG, *National Forest Plan*.
39. E. Eckholm, *Losing Ground* (Worldwatch Institute. W. W. Norton, 1976); FAO/World Bank/UNDP, *Nepal: Hill Community Forestry Development and Training Project*.
40. Malla, "Stakeholders' Responses to Changes in Forest Policy."
41. Branney and Dev, *Biodiversity Implications of Community Management of Forests in Nepal*; Jackson and Ingles, *Developing Rural Communities and Conserving the Biodiversity of Nepal's Forests through Community Forestry*; Malla, "The Changing Role of the Forest Resource in Nepal"; Malla, "Sustainable Use of Communal Forests in Nepal."
42. EDAW, *Nepal Australia Community Forestry Project's Environmental Review*, unpublished consultant report to AIDAB and ANUTECH Pty Ltd., Canberra, 1994; Jackson and Ingles, *Developing Rural Communities and Conserving the Biodiversity of Nepal's Forests through Community Forestry*; W. J. Jackson et al., *A Feasibility Study for Timber Processing by Forest User Groups in the Middle Hills of Nepal. Technical Note No. 4/95* (Kathmandu: Nepal Australia Community Forestry Project, 1995).
43. Pers. comm., Villagers, Chhatrebanjh, Kabhre Palanchok District, 1990.
44. D. M. Griffin, K. R. Shepherd, and T. B. S. Mahat, "Human Impact on Some Forests of the Middle Hills of Nepal. Part 5: Comparisons, Concepts, and Some Policy Implications," *Mountain Research and Development* 8, no. 1 (1988): 43–52.
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47. Malla, "Stakeholders' Responses to Changes in Forest Policy."
48. Pers. comm., Vijay Raj Paudel, DFO, Kabhre, 1991.
49. Pers. comm., Villagers, Tarkeghyang, Sindhu Palchok District near the Langtang National Park, 1990.
50. Malla, "The Changing Role of the Forest Resource in Nepal."
51. Pers. comm. A. L. Karma, Former DFO, Dhankuta district 1997.
52. See Jackson et al., *A Feasibility Study for Timber Processing by Forest User Groups in the Middle Hills of Nepal*.
53. Pers. comm., Senior Forestry Officer, Forest Department, 1994.
54. See N. K. Shrestha and C. Britt, "Community Forestry User Group Networking and the Emergence of a Federation of Community Forestry Users in Nepal," *Forests, Trees and People, Newsletter* no. 32/33 (February 1997).