

## **A Commentary on Bhattarai *et al.* (2002). "The Vacillating Evolution of Forestry Policy in Nepal: Historically Manipulated, Internally Mismanged." <sup>1</sup>**

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The authors situate Nepal's forestry policy changes in the wider socio-political context of the country in different political regimes in the history, from pre-unification period to the present. The paper provides a rich and insightful account of specific policy practices and institutions – ranging from indigenous forest management, involvement of state-owned timber company The Timber Corporation of Nepal (TCN), governmental attempts at addressing landlessness (sukumbasi) and forest encroachment, and community forestry. It reveals how political and bureaucratic elites have manipulated the forest policies and practices for their benefits despite the rhetoric of periodic change/improvement. The authors however seem to be less clear in their main argument on the possible institutional modality of forest management, and are often inconsistent about their political and moral viewpoints on the issue. In this note, we seek to highlight some of the important gaps and the emergent themes that deserve further analysis and reflections.

### **CITIZEN-STATE RELATIONS AND THE QUESTION OF DEMOCRATIC LEGITIMACY OF FOREST GOVERNANCE**

Despite their success in revealing complexity of the problem of forest policy and practice, the authors identify relatively thin avenues of change when they propose “fiscal transparency” and “accountability” as a solution to forest management, without implicating the structure of political relations between state and citizens (particularly the poor groups). Transparency as a process of “giving information” does not appear an effective option to deal with complex issues of forest governance. The authors have not questioned the black box of the “state”, and have implicitly endorsed the dominant but increasingly questioned (Malla 2001; Sundar 2001) viewpoints/narratives (primarily associated with traditional forest officials) that government is the sole manager of forest.

Labelling non-governmental organisations (NGOs) and local communities as “political” and deploring political parties as somewhat unwanted actors in forest management, the authors dismiss the accepted process of democratic legitimacy which recognises with citizens as the ultimate source of power, on both moral and political grounds to make any public decisions, such as those related to forests (following Habermas 1987). This is also related to authors' unreflectively engaged technocratic perspective (following Fisher 1990) to forest management, especially when they rule out the inevitably “political” process of forest management. The paper does not recognize recent initiatives of forest users nationally and in the Terai to contribute to policy deliberation (mainly FECOFUN). The authors conceive NGOs and civil society too narrowly– labelling the latter as politically “charged”. Many would argue that civil society and NGO action is in itself a political action. The enormous influence and resistance of FECOFUN and NGOs on some of the plans of forest department such as FINNNIDA supported Bara forest privatization plan is given limited recognition in the analysis.

The paper seems to endorse the direct production and provisioning roles of government “to provide equity” such as governmental action in Sagarnath forestry by Forest Product Development Board

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(FPDB) without looking at the negative consequences and costs associated with it in political, economic and environmental dimensions. The comparison of Timber Corporation of Nepal (as ineffective) and FPDB (as effective) does not suggest any significant policy change. Both are state apparatus, and both offer limited space for public deliberation. So what is the theoretical and policy insight on the institutional modality?

The authors raise important issue related to the role and efficacy of forest bureaucracy when they assert that “forestry officials are not held accountable”, and that “the lack of long-term accountability among forestry officials and politicians has severely hampered forestry development”. But the question is: who should hold them accountable? What should be their relationship with the people? This indicates a clear need to look at the ways politicians and bureaucrats draw legitimacy from the citizens through democratic deliberation (Forester 1999), which is not addressed in the paper. Raising questions of accountability in the context of a bureaucratic organization is not new and the debate could have been pushed further towards why it is so and what would contribute to the process of political deliberation. Especially pertinent is the question - what kind of accountability the authors envisage is possible within the current structure of political relation (between forest bureaucracy and citizen)? Does a system of accountability to an expert epistemic community of technical forestry lead to democratic governance of forest?

The authors argue that bureaucrats have failed to “understand that ... forests are crucial to alleviate poverty”. Is this because of a gap in knowledge or is actually a conscious and calculated resistance to change? In every formal speeches and functions, bureaucrats have always emphasized the role of forest in local livelihood and national economy. So they know the role of forest. The authors have not gone beyond this to explore why bureaucrats fail to respond even when they are aware of the problem? This requires an analysis of the links between knowledge and power (Mcneay 1994).

Many would disagree with authors’ moral and political position that is implicit in their position that “transferring forest management responsibilities to community members who have no legal land title is unlikely to solve forestry problems”. Perhaps this shows a rather forest-centered analysis of the problem and fails to appreciate local people’s rights and potential for contribution to the management of natural resources. We can cite at least one example of Srijana community forest user group (CFUG) in Rupandehi district - consisting almost totally of squatters – which has protected forest against continued encroachment (Pokharel *et al.* 1999; Pokharel 2000). “The community forestry initiative is failing in the Terai region” – we think that this is a sweeping statement of the authors contrary to the cases like Srijana CFUG.

### **TECHNOCRATIC BIAS**

Authors suggest solutions from “scientific”, rationality with limited recognition of what Habermas would call “communicative rationality” (an understanding arrived through open debate). “CFUG members represent major political parties” not only reflects authors’ search for apolitical citizens but also suggests their advocacy for scientific and technical management of both the forests and CFUGs. In addition, they assert: “politics is another problem that hinders accountability”. Is it really so? Many would argue that politics is inevitable part of finding solution rather than just a cause of the problem. While we agree with authors that excessive and unfair politics is often a problem of forest management, we strongly argue that solution to politics should be sought in political process itself, rather than bureaucratic or technocratic fixing of the problems.

The authors belittle the spirit of “participation”. They say “using community participation, forestry officials in Nawalparasi (1991-94) were able to evict illegal settlers from a patch of forest that had been occupied since 1970s”. This reveals authors’ technocratic bias, and in fact contradicts their own conclusion in a previously written paper in which they have claimed that environmental sustainability is not possible without the involvement of local people (Conway *et al.* 2000). We would argue that if community participation was actually in a situation free from strategic manipulation and coercion by forestry officials, then it is hard to believe that “illegal settlers” would choose to leave government land. It is not convincing that “evacuation was possible ...partly because the District Forest Office

(DFO) kept up a dialogue with the local villagers and squatters” – as the dialogue between DFO and squatters invariably happens in unequal footing [as Pierre Bourdieu convincingly argues that a particular form of social interaction may actually be dominated by the powerful although it may seem to appear participatory (Bourdieu 1998:34)].

The authors’ critique of community forestry in the Terai is poorly founded and misleading. It is well accepted by all quarters that forest condition and supply of forest products both have improved in areas where community forestry groups have been organized. The question of equity – including between the communities living near the forest and those away – is pertinent. And the solution lies not in some technocrats conceiving one fine morning a marvellous idea and then transmitting it to the others, but instead in our view the real solution lies in a deliberative politics among the actors/stakeholders including people close to forests and those in the southern villages to devise institutional arrangements for power and benefit sharing.

#### **AMBIGUITY/LACK OF CLARITY**

We also identified a few points that are not sufficiently clear to the reader: 1) “modifications” in hill model of community forestry is emphasized; however, the authors have failed to clarify the directions and strategies of modifications; 2) “community forest development plan” – is this the current CFUG operational plan under current framework or a different one?; 3) What are “exemplary community forests” – are they just better organized or new policy experiments?; 4) Authors have hinted at “neoliberal agendas” in the conclusion but not adequately shown how it affected policies; 5) Theories (political economy and forest transition) claimed to have been used by the authors are not elaborated adequately, and the position is not clearly set out – which may be one of the reasons for encountering inconsistency in the text

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