State versus Community: A Confusing Policy Discourse in Nepal's Forest Management

Netra Timsina The University of Reading, UK Email: ear98npt@reading.ac.uk

Naya Sharma Paudel The University of Reading, UK Email: n.s.paudel@reading.ac.uk

Abstract

The issue of forest governance in Nepal is highly dominated by the state versus community discourse, dividing intellectuals, professionals and practitioners into two ideological camps. We argue that this debate is theoretically weak and practically less useful, as it fails to take into account the semi-feudal and hierarchical Nepalese communication structure. This divide has largely undermined the internal differentiations both within the state and community organizations, assuming them to be homogenous and monolithic. It is shown how this dichotomy and the resultant policy processes have strengthened the alliances between local elite, bureaucrats and politicians, further marginalizing the poor and disadvantaged forest users. It suggests that the focus of the discourse should be on the complex interactions among the social actors crosscutting state- community divide.

Key words: Nepal, community forestry, policy, governance, discourse, forest management

INTRODUCTION

The notion of state versus community is one of the common discursive debates in Nepal's forest management, particularly in the context of promoting Community Forestry (CF) in the country. After the introduction of CF in the 1970s, this debate has attracted a wide range of actors, who are directly or indirectly involved in forest management. Most of these actors have largely inclined towards one or the other side of the debate, albeit sometimes unwillingly.

Although this debate captures the central issue of forest management in Nepal, it is incomplete in the sense that it lacks a holistic approach to the analysis and understanding of semi-feudal and hierarchical Nepalese social system. In particular, the debate fails to recognize the fact that people, even in the remotest villages, are linked with policy makers and state bureaucrats through social (kinship, alignment with political parties, ethnic and regional identities) and economic (bribing, rent-seeking behaviors) relations and have virtually the same agendas. It is actually through these relations that politicians and bureaucrats find their legitimacy and stability by making strong ties with the influential local elites. Another aspect in which the debate seems incomplete is that pro-community group treats forest bureaucracy as monolithic, which is actually not the case.

This paper seeks to establish that over emphasis on state-community debate has not only overlooked many of the crucial issues in forest management, including the progressive elements within the state but instead has led to a situation where potential actors are being involved in a tug of war resulting in a state of stagnation. In the process of defending respective positions, actors have largely covered up the internal differentiations both within the government and the local communities. Taking examples from two distinct cases, it shows how elite alliances have largely dominated the decision making process both at macro and micro levels.

This paper is based on authors' own experiences of working with natural resources management and social mobilization in Nepal, in addition to specific sets of data collected from two distinct case studies, one from the mid hills (Dolakha) and another from the Terai (Nawalparasi). The two Forest User Groups (FUGs) fall under the two different participatory resource management policies (community forestry and buffer zone/protected area management) of the government.

THE MISLEADING DISCOURSE

The introduction of the community forestry in Nepal has widened a space for a variety of actors to be involved in the process of forest management. Alongside Department of Forest (DoF) and local users, bilateral projects, International/Non-Governmental Organizations (I/NGOs), local voluntary groups, federations, and private agencies have also come into the scene. In addition, other government agencies, local government bodies, media, individuals and groups from civil society, particularly those involved in rural development, also appear in the new institutional landscape. Ojha et al (2002) have identified up to eleven different institutions supporting one FUG in the hills of Nepal.

Despite Nepal's long experience in CF, a state of tension still remains between local communities (including their advocates) and DoF (including their allies) regarding their roles, rights and responsibilities in forest management. Ultimately two different lines of institutional constellations appear to form as rival perspectives. Although most of the institutions advocate one or the other perspective, individuals within communities and government organizations often have differing views from that of their organizations.

Community Perspectives

The policy problem

The production of environmental knowledge is intimately connected with environmental intervention programs and every such intervention has its own political interest driving it (Gutman 1991.) Pro-community actors see deforestation and soil degradation in Nepal as primarily due to in appropriate government policy such as the nationalization of forests in 1957 and similar moves later on, even after the introduction of CF. According to them, the imposition of state monopoly over the entire forest resource was a blunder, given the inextricable interaction of the rural people with the local forest in an integrated and subsistence farming system. Although they largely welcome the introduction of the CF program, they have expressed their deep concern at the government's recent move to change much of the CF related legislation and policies, including those relating to Terai forest management, which they see as a 'backlash' and 'death' of CF in Nepal (Shrestha 2001, Mahaptra 2000, Brit 2001 and FECOFUN 2000). They perceive these later moves as having resulted from a government conspiracy and the hidden interests of some senior forest officers in retaining control over the forests, as they see the forest as their private source of prosperity. Given the DoF's limited capacity, along with the widespread corruption and rent seeking behavior among some forest officers, pro-community actors present the government's historical failure to manage the forest as living evidence, and consequently disagree with the government's attempt to retain selected tracts of valuable forests. They claim that current policies and bureaucratic practices have alienated local people - the users - and have undermined their livelihoods and the sustainability of the forest itself.

Why community management?

Concern over the sustainability of forests and local livelihoods are the center around which pro-community actors have focused their arguments. Though these elements are recognized equally in the government's policy documents, these actors have their own ways of justifying community control to meet them.

Community based perspective rests on the notion that communities are the true stewards of the forest, who have long-term interests in the continuous availability of environmental resources. Due to their proximity, their interactions with the forest matters more than any other factors in conserving the country's forests. Their limited demand for meeting their subsistence needs is usually within the regenerative capacity of the forest ecosystem. Apart from forming a basis for their livelihoods, the local environment forms a cultural and spiritual world for Nepalese farmers. These cultural ties with nature, according to this perspective, have a crucial role in maintaining a harmonious relation between local communities and the forests.

According to pro-community actors, Nepalese farmers have been managing the forest resources in their vicinity for generations and have developed suitable knowledge and skills to manage it. In many cases there are well-developed local institutions to manage the forest resource sustainably and equitably. Thus, the local people's informal institutional strengths, their knowledge and skills in forest management and their traditional and cultural ties with it, form the key elements for the pro-community actors' arguments to ensure forest sustainability.

They demand complete community control over forests to meet their livelihoods needs, as the livelihood systems of these people are based on goods and services provided from natural resources. Therefore, actually increasing the contribution of these resources to their livelihoods seems to be the most viable option for enhancing sustainable rural livelihoods. According to pro-community actors, giving full management control to these communities would ensure their access to these vital environmental resources, thus directly contributing to the livelihoods.

However, local communities are not without problems. Nepalese society has been highly differentiated by class, caste, gender and ethnicity, resulting in a highly skewed and hierarchical social power structure. The modernization process, including development and market interventions, have contributed to the breaking of the 'organic' and 'harmonious' communities that has had direct implications for society resource interactions. There are cases where a few powerful members of the FUG have appropriated the forest resources for their vested interests at the cost of users such as in Chhatiwan FUG (Kailali) and Kankai FUG (Jhapa). These realities force us to rethink the existing assumptions, which pre-occupy the pro-community sentiments.

State Perspectives

The policy problem

State-controlled perspective sees the problem as one of a growing number of poor and ignorant farmers with their inappropriate agricultural practices leading to deforestation and soil degradation, which was popularized as a 'Theory of Himalayan Degradation' (Eckhlom 1976) by several international studies in the 1970s. Actors who look through this perspective often blame the local people for their shortsightedness, who, according to them, are pursuing personal benefit at the cost of public goods (HMG 1988, NPC 1997). The conversion of forests into farmland by "land hungry *Sukumbasis* (landless poor)" has been projected as evidence for this claim (Ghimire 1992). Moreover, given the open border with India in the south, wood smuggling has been projected as a major cause for the degradation of Terai forests.

Why state management?

After the advent of scientific forestry discourse in Nepal (stemming from British colonial forest management), some classical forestry experts have strengthened their claim for mastery over the management of the country's forests by justifying the role of state as the forest manager. Since the government holds the largest number of foresters, conservation and environmental specialists, it claims to have plenty of expertise and resource to manage forests.

A significant mass of actors, mostly classical foresters, still seem to be reluctant to recognize the existence of any 'real' community having any common interests in forest management. The complex and heterogeneous demography in the Terai region has been highlighted as evidence to the above argument. Highlighting the cases of failed FUGs in different parts of the country, they try to exaggerate the inability of the local communities to resolve their internal problems on their own and thus justify the need for state control (Baral and Subedi 2000, NFA 2000).

Moreover, under the current global environmental management regime, countries having rich forest resources are liable to conserve these resources for the public good of the global community (Brown et al 2002). The Nepalese government has expressed its commitment to most of the international

conventions and treaties on forest, biodiversity and environmental conservation, and is obliged to meet those commitments (EPC 1993, NEAP). These commitments have often been taken as a basis to strengthen the role of state in forest management.

Nepal's forest resources are among the few potential sources for its national revenue. Referring to the valuable Sal forests in the Terai, some have presented the issue of national equity as justification for state involvement in the management of Terai forests (Baral and Subedi 2000). Moreover, since forest composition and quality varies across various ecological regions, it needs to be redistributed throughout the country on the basis of the different needs and purposes. In this context, pro-state actors present the government as the only potential agency to act as a judicious mechanism for redistribution. Highlighting the dangers of elite control in the communities, they even attempt to rationalize the role of government as one of protecting the interests of the poor and disadvantaged groups in society. They perceive a role for themselves in safeguarding the interest of the poor and disadvantaged against the possible elite control in the community.

However, the frequent changes of government and reshuffles in the forest bureaucracy in Nepal have had a profound effect on this said 'long term perspective' of the state. Stories and accusations of corruption and manipulation within the government bureaucracy are enough to question the state's monopoly in forest management. Similarly, the 'scientific expertise' undermines local knowledge and skills in natural resource management (Ojha and Bhattarai 2001). Moreover, state promoted enforcement mechanisms cannot substitute the local people's feeling of ownership in order to save the forests. Looking at the importance of the access of poor people to resources and respective decision-making in overall governance structures, the state's logic of safeguarding the poor is in doubt.

QUESTIONING THE DICHOTOMY

In this section, we challenge the state-community dichotomy discussed in the previous section that is dominating the current forestry management debate in Nepal. We show that these perspectives are naïve and fail to see the increasing alliances between politicians, bureaucrats and local elite. Taking examples from the case studies, we analyze how legal provisions, bureaucratic culture, mainstream forestry discourses have contributed to strengthening these undesirable alliances, which often work against the large mass of the poor forest users.

Community and State Institutions are not Homogeneous

The notion of community as it is understood in CF in Nepal implies basically a geographical boundary; a village or a set of villages that share the same natural resource base for their livelihoods. Pro-community actors have used this notion to glorify the 'organic', 'homogenous' and 'cohesive' nature of the community to justify their harmonious relations with the surrounding natural environment. While many development agencies may not share this sentiment, they use this notion simply to find a counterpart to absorb their development interventions (Blench 1997). However, as warned by many authors (Chambers 1997, Hobley 1996, Hausler 1993 and Graner 1997), this simplistic notion of 'community' has overlooked the internally differentiated and fragmented nature of society and thus their differing interests in forest management objectives.

Likewise, the state comprises several interrelated agencies and structures, which seem to exist in a state of equilibrium. Taking a closer look, these agencies have several disputes and disagreements among them. The relation between the judiciary, executive and legislative systems is always tense. Though the rangers, District Forest Officers (DFOs) and senior staffs of the forest departments and national park department all function within the Ministry of Forest, they also have differences in opinions and attitude with regard to forest resource management .

Local Elite-Authority Alliance

The alliances between state functionaries and the local elite have been an historical reality in Nepal's forest management (Malla 2001). In many instances, local elites have been found to form alliance with local authorities to exercise power over the common users. Kumarvarti FUG in Nawalparasi formed their constitution and had applied to the Chief Warden of Royal Chitwan National Park (RCNP) to manage a piece of forest in the buffer zone area four years prior to the study and was still waiting for his response at the time of the study. Leaders of the FUG have invested a lot of time, money and effort to this end. Though it has not been handed over yet, the group has been managing the forest as a *defacto* FUG. The use and management of the forest by the FUG is thus illegal, so that they use the resource at the mercy of the Warden. To obtain his *mercy*, covert negotiations and special alliances have to be maintained and only the elite possess the political clout to maintain such relationships. With this clandestine alliance the local elite exercise power over the common users. They behave as the local representatives of DFOs and allow users to use the resources at *their* mercy. One of the ex-chairpersons of this FUG expressed his pride at being able to persuade the ranger to harvest firewood and thatch grass for which all the users are indebted to him.

Another aspect in which collusion between local elite and forest officials takes place is in forest harvesting. The DFO defines the maximum amounts of forest product allowed for harvest and sale on the basis of an inventory of the forests on the ground of sustainability and regenerative capacity. However, these indicators provide room for manipulation. Rangers usually tend to calculate too little amount, so that FUG leaders need to offer kickbacks, such as bribing to increase this amount. These illegal arrangements are kept secret within the committee and both the rangers and committee members get benefits from these negotiations. There has been plenty of coverage in the media referring to these alliances between DFO staff and FUG leaders (for example Kantipur 2002).

Still another reason for elite- official alliance is that only leaders have access to state functionaries. The DFO's discretionary rights to act upon a FUG committee, has direct implications for the role and position of leadership within the FUG. Kumarwarti FUG has been facing a leadership crisis for the last two years. Several of its users' meetings failed to provide a committee to lead the FUG. Because of their fear and reluctance to deal with the Warden and National Park Rangers, the potential candidates declined to lead the committee. All the previous chairpersons had already been questioned for one or another reason, which has left them with bitter experiences of leading the FUG. Since the Warden is a one-person judge, people are indeed scared for they can do anything at anytime. All this indicates that only the educated (buddhijibi), the clever and those having strong connections with leaders in political parties or government bodies can deal with the forest authority in difficult situations. Since the common people without such linkages lack the capacity to deal with the authorities, they keep themselves away from management roles.

Also, since rangers need not be accountable to the FUG, they usually involve only a few people with them in decision-making. In the case of Khorthali FUG, as the forest is located at the district headquarters, the market place, it has a political significance. It would be in the interest of the Rangers to involve local political leaders and elites in the process of forest handover. Therefore, he consulted only a few key, local people who were familiar to him. S/he tends to build alliances with those elites and seek benefits by exploiting the forest.

Expansion of Bureaucracy?

Training on scientific approach

Upgrading users through training to follow scientific management regimes for their forests has become a major component of human resources development programs within CF. This apparently subtle but more serious and pervasive control over knowledge in the forestry sector has dis-empowered the common users and empowered a few forest professionals in various support agencies,

even including a few trained FUG members (Dhital etl al 2002). This is more evident when viewed in the light of the fact that exercising control of the discourse of forest and natural resource management is equally as important as the exercise over the material benefits from them (Escobar 1998). As a result, a gap has developed within FUGs between those who can follow the language and practice of scientific forest management and those who cannot. Both in Khorthali and Kumarwarti, only a few educated FUG members can follow the process. The majority of the users do not even know about the inventory related procedures, practices and remain excluded from the process.

Rent seeking

Prevailing negative attitudes and rent seeking behaviour in the Nepalese bureaucracy have been cited by several authors (Pandey 1999, Bistha 1991). This is the main reason for the formation of alliances between forest staff and local elite. In one incident, committee members of Dhungeswari FUG secretly distributed about Rs. 3000 among themselves including the concerned Ranger. Later when the information leaked they had to pay the misappropriated money. This provides an excellent example of how elite members and DoF staff can jointly benefit at the cost of the common users. Despite the full authority of the FUG to handle its fund, most of the common users were found to be unaware of the situation.

Institutionalization or bureaucratization?

'Institutional development' in the CF programme in Nepal has been narrowed down to bureaucratization of FUGs. Transformation from a traditional way of operation to more formal practices such as electoral representation, clearly defined roles and responsibilities, formal decision making procedures, an up-to-date records of inventory and formal accounting systems have been introduced. Now FUGs are required to prepare and submit five-year and annual plans. These plans are to be approved and later monitored by the DFO/Warden. However, the concept of formal planning is still alien to many of the rural people in Nepal. Common users lack the professional skills needed for it. This externally introduced formal process has opened new avenues for the local elite to demonstrate their mastery over the common users.

However, this particular type of 'institutionalization' has put enormous pressure on the FUGs, demanding formal professionalism in their functioning. Favoring certain skills at the cost of others has in turn favored a few elite members but marginalized ordinary users.

External values - environmental conservation and biodiversity

Forest management is increasingly coming under the jurisdiction of environmental and biodiversity governance systems. The global environmental crisis and its Nepalese version have a strong influence over the defining of forest management objectives in the FUGs' management plans. To take an example from the case studies, the operational plan of Kumarvarti FUG is full of such scientific and ecological terms used to determine management practices. The case is similar with many other FUGs in this area. Even though they are given rights to manage and use their forests, these discursive linkages have largely oriented their management options as if they were centrally guided. However, terms like 'environment' and 'biodiversity' are alien to many forest users in Nepal. When a Village Development Committee (VDC) chairperson expressed his pride at being a neighbor of the World Heritage Site – RCNP where as the Majhi/Bote, who were denied fishing rights in the river in order to conserve biodiversity, were confused by this notion. The livelihoods priorities of many of the rural people are being diverted by the strong rhetoric of global environmental crisis.

The operational management of the Kumarwarti FUG, which is in the RCNP's buffer zone area, gives more emphasis on fish and wildlife conservation than meeting local needs. Similarly, local people's attempt to open up an entry point to RCNP from Rajahar found that their demands had to be addressed with permission from United Nations Educational, Scientific and Cultural Organization (UNESCO) in Paris. These multiple objectives and the widening scope of forest management have

attracted several new actors such as VDCs, District Development Committees (DDCs), Non Timber Forest Product (NTFP) entrepreneurs and tourist businesses into a common forum. These multiple actors with differing agendas and perspectives have made the forest management process more complicated. The elite take the opportunity to capitalize on this situation whereas ordinary users are scared of this complex negotiating environment.

Elite vs Disadvantaged in the Community

The power of the elite is immense within the local area. He has money to buy votes, and to bribe politicians, administrators and police. He has social networks and can even influence the careers of civil servants. He has economic power over many people through the ownership of land, houses and other businesses. He uses all of these resources to move his own way. Most often the local elite themselves are elected to VDCs and DDCs or, if not, their favored candidates are. Therefore, the state represents the local elite and reconciles their interests at both local and national levels. They form a network that extends across the community –state border. Although they function at different levels, Members of Parliament (MPs), DFOs and FUG chairpersons might be pushing similar agendas, with varying degrees of influence.

 In Kumarvarti FUG, the sale of forest products is restricted within the buffer zone. In *1998 when the poor Majhi/Bote* households wanted to sell their share of thatch grass to outside buyers for Rs 3 per bundle, they were denied permission and allowed only to sell within the FUG for Rs. 2 per bundle. Richer members with big houses and more livestock benefited from this decision.

As a further example, the collection of funds has been taken as an indicator of successful FUG management. FUGs are encouraged to collect more and more funds. These funds then go to rural development schemes, which demand more professional jobs, and concurrently there are more chances for manipulation of these funds. Also since the poor are not trusted, or lack collateral, they are often excluded from taking loans. It has been seen that the bigger the funds, the stronger is the control of the elite in the FUG.

CONCLUSION

The state vs. community discourse that permeates Nepal's forest management does not seem to present a real picture of the problem; rather it confuses and misleads the understanding of the problem. Given the diversified and highly fragmented nature of communities and internally differentiated state machinery, they cannot be presented as two monolithic rival entities. However, it is critical to identify and concentrate on the increasing alliances between the local elite and state functionaries, that are working to appropriate forest resources for their vested interests at the cost of the poor and weaker sections of society. Current policy processes, mainstream forestry discourses and the widening scope of forest management in the context of global development and environmental challenges, have further strengthened these elite alliances, and further marginalized the already disadvantaged.

Insights into these complexities will have profound implications for our rhetoric and engagement. Here, the issue is not simply transferring the forest management role from the government to the local people, but bringing a radical change in the forest governance system of the country. That would actually empower the poor and disadvantaged within communities, while at the same time strengthening the facilitating role of the state in favor of the livelihoods of these people who directly rely on forests. This also necessitates that pro-community actors go beyond the convenient notion of harmonious 'community' (which is essentially the home of the local elite), and pro state actors to restructure the role of forest bureaucracy as facilitator and as enabler in the true sense so that the poor and disadvantaged can better engage in the process of asserting rights over natural resources. This can lead to a genuine process of democratizing the society, and may help deliver the promise of equity, accountability and citizenship inherent within a democratic system.

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