



Discussion Paper

Maoist Conflict, Community Forestry and Livelihoods: Pro-poor Innovations in Forest Management in Nepal¹

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Summary

Violent conflicts are generally perceived as a destructive and negative phenomenon, with little understanding of how they also offer opportunities for positive change. In particular, there is very poor understanding of how conflicts and development interventions and processes interact with each other to create far-reaching positive changes in institutions and practices. This article looks at the interactions between development processes and conflicts by taking the community forest user groups (CFUGs) in Koshi hills in Nepal. Drawing on the authors' experience as development professionals of the Livelihoods & Forestry Programme (LFP), it demonstrates that the Maoist conflicts in several ways contributed to enhance the outcomes of pro-poor development actions. We show that the conflict has helped to empower the voices of marginalized groups, improved their access to community forest resources, and advocated and brought about changes in local policies and institutions of the CFUGs in favour of equitable resource management. Its findings challenge the conventional wisdom that conflicts are always negative and that they obstruct development processes. The lessons that can be taken forward in the current conflict situation is that development actions can have better outcomes if accompanied by local level resistance in support of the poor and marginalized groups.

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Contents

1. INTRODUCTION	3
2. CONTEXT	4
3. CONCEPTUAL FRAMEWORK OF STUDY.....	7
4. FINDINGS	8
4.1 INCREASE IN VOICES AND INFLUENCES	8
4.2 CHANGE IN POLICY AND INSTITUTIONS.....	10
4.3 INNOVATIONS IN ACCESS TO ASSETS.....	12
5. DISCUSSION	14
5.1 SUSTAINABILITY OF OUTCOMES	15
5.2 TENSIONS AND COLLABORATIONS BETWEEN DEVELOPMENT AND CONFLICT	15
5.3 RELEVANCE/REPLICATION IN THE POST-CONFLICT SITUATION	15
5.4 IMPLICATIONS AND INSIGHTS FOR STATE RESTRUCTURING	16
6. CONCLUSION AND IMPLICATIONS.....	16
7. REFERENCES	17

1. Introduction

In both academic discourses and common parlance, a debate is ongoing as to whether violent conflicts play a constructive and positive role or a destructive and negative role in development processes. On the constructive side, they are considered as a major cause of destruction of old socioeconomic structures and processes that must be destroyed for building new ones, only which can address the needs and demands of the emerging socioeconomic context. In Nepal, an age-old proverb goes that unless the old order is destroyed, no new order can emerge. On the destructive side, the argument is that destruction hinders spontaneous development interventions. Furthermore, it adds to the cost of development intervention, which can be very painful for a poor country like Nepal.

In this article, we challenge this dichotomy in the context of the decade-old (1996-2006) Maoist Insurgency. Our argument is that despite its negative impact on development in general and specifically on the technical aspect of community forest management, the Maoist conflict has in several ways generated local pressures for pro-poor change. We demonstrate that this 'movement from below' coincided with the pro-poor development approach of Livelihood and Forestry Programme in the Koshi Hills, contributing to the enhancement of pro-poor innovations in community forestry programme.

The article draws on the authors' experiences and reflections of working with the community forest users groups (CFUGs) in four hills districts (viz. Dhankuta, Terhathum, Sankhuwasabha and Bhojpur) in Koshi district in Nepal, where the UK Government's Department For International Development's Livelihoods & Forestry Programme (LFP) (East) is being implemented for the past eight years. It also draws on the data and evidences generated through the LFP's monitoring system.

The article demonstrates that, the interactions between the local political movements and conflicts and development interventions have enhanced the access of the poor and historically excluded sections of society to the resources of community forests. Also, the policies and institutions of the CFUGs were changed in favour of their members belonging to

such sections. In addition, the voice and influence of the poor and excluded groups in the processes of community forestry (CF) has dramatically become more powerful than ever before. We further argue that the initiative of CFUGs to cope with such and other conflicts has been institutionalized, creating a favourable environment in the post-conflict situation in the country.

2. Context

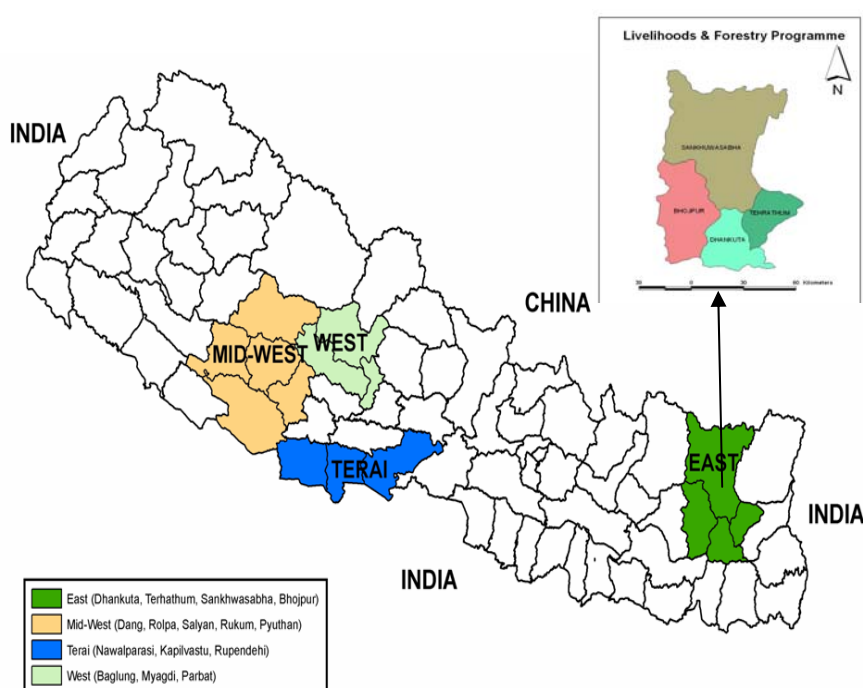
In Nepal, the State and the Maoist insurgents were engaged in an armed conflict against each other from 1996 to 2006. The war tremendously affected everyday life of the Nepalese people and country's overall development. The conflict led to a significant decline in State services, including forestry services, in rural areas (Banjade and Timsina 2005). The government could neither collect revenue as intended nor achieve the planned development goals (NPC 2008). Among others, rural people, especially those living in and around forests and dependent on forest resources for their livelihoods, had become the immediate victims of the conflict.

During the conflict, the CFUGs came under tremendous pressure from both the warring sides: the State security forces--both Army and the police--and the Maoist insurgents (Upreti 2006). As the CF programme encompasses both forest and local communities, the conflict is believed to have both positive and negative effects on them, as well as on the CF processes from macro to micro level.

During the conflict, the forest evoked fear in rural areas. Security forces considered it a place where the insurgents trained and hid, laid ambushes, hid their arms and ammunition, etc. Therefore, in some areas, they cleared forests in order to gain a clear view of their enemies. In many cases, the State security forces prohibited entry of locals into the forest (Upreti 2006). Such prohibitions were even applied to the staffs of the District Forest Office (DFO) and the Livelihoods & Forest Programme (LFP), which, as a result, restricted them from carrying out their regular tasks such as inventorying, introducing technical forest management interventions, carrying out forest-based income-generating activities, etc. On the other hand, the situation became conducive to controlling poaching and illegal killing of wild animals and logging of timber, which increased the number of wildlife species and biodiversity of the forest as a whole. Although almost all sections of society, including the poor and excluded, had become highly vulnerable during that period, the situation also exerted some critical

pressure for empowering communities that were historically marginalized and had little access to development interventions.

The Koshi hill area, which was one of the zones most affected by the Maoist insurgency, is also a critical zone from the natural resource management perspective as indigenous communities there had their own traditional land tenure system, viz. *Kipat* system, until it was nationalized in 1961. These communities have been opposing State ownership of their land, including forests, and, in some places like Sankhuwasabha and Bhojpur, have been demanding return of forest as indigenous system of *kipat*. Different wings of the Maoist Party, particularly Limbuwan and Khumbuwan Mukti Morcha (Liberation Front), had raised this issue during the conflict. These communities have also been practising deforestation in some places. Now, patches of forest are going to be handed over to local communities in the form of CFUG management.



Map: LFP East Working Area

The article is written based on the experience of working with CFUGs in four districts (viz. Dhankuta, Terhathum, Sankhuwasabha and Bhojpur) in Koshi zone of Nepal, where the LFP (East Area) is being implemented for the last eight years. The altitude of the area ranges from subtropical to subalpine. A total 1,396 CFUGs have been formed in the area

until 2007, which are managing 110,952 hectares (ha) (82% of the potential area) of forest and benefiting 131,522 households. Among the households, 51 per cent are from non-poor categories ('A', rich and 'B', medium categories) and 49 per cent from the poor ('C', poor and 'D' very poor categories). The area is a mosaic of many different castes and classes; however, historically, the area was inhabited by Rai/Limbu ethnic groups.

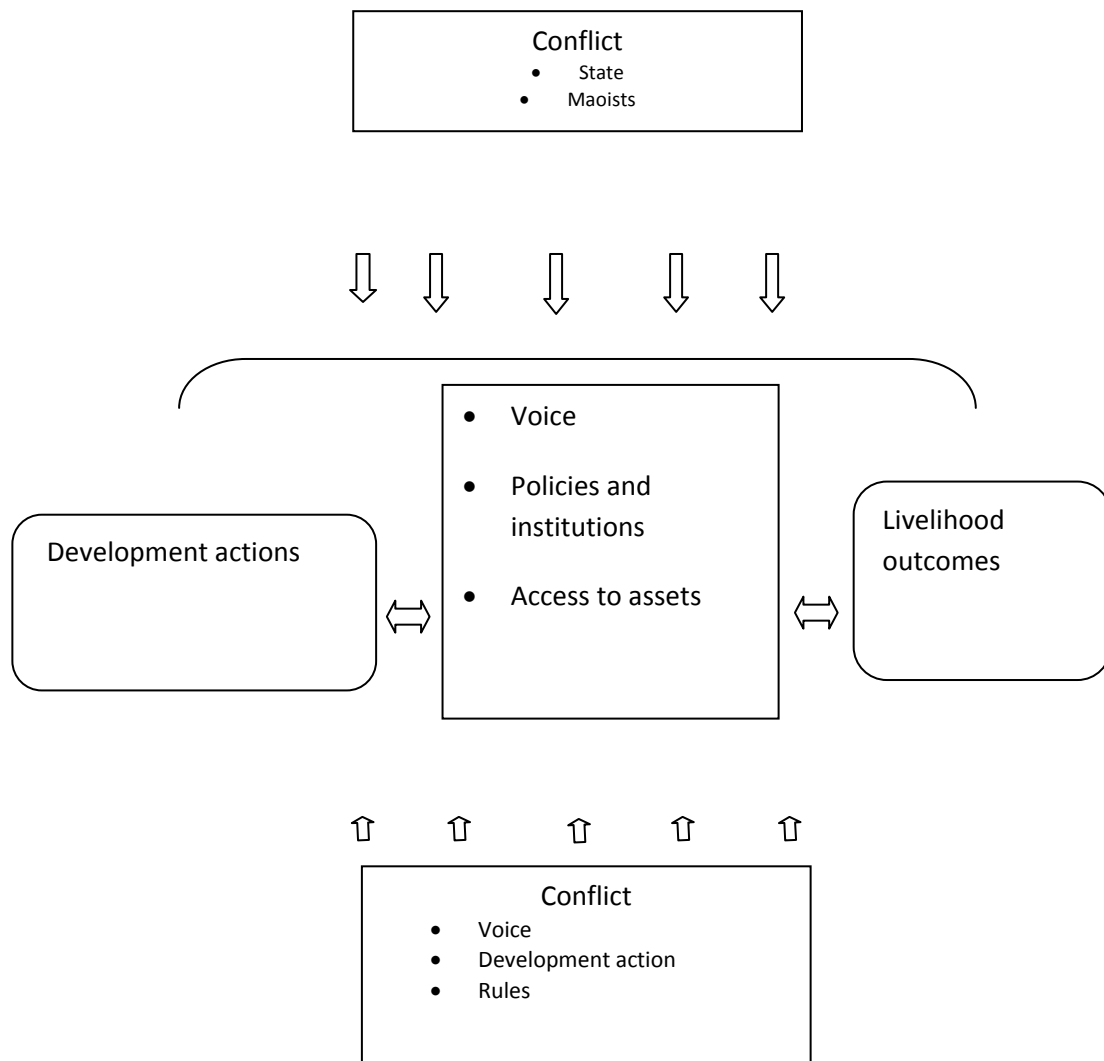
In the area, the Maoists destroyed twelve range posts, as a result of which, many forestry staffs had to be evacuated and shifted to district-level offices. The Maoists, who claimed themselves as the new regime and the state as old, had already declared parallel local governments in each administrative district and village as *Janasarkar* (People's Government). They had also declared the area as a Limbuwan state. In some sites, the local Maoist governments had made provision for using and managing the forest resources of the area. During the conflict, both sides warned people against organizing or attending general assemblies or gatherings where collective and major decisions would be made.

The forestry programme in the area was launched based on the forestry policy of the Government of Nepal (GoN). The DFO has been supporting community forestry, leasehold forestry, private forestry and government-managed forest management regime in the area. Based on the policy of the GoN, the LFP of the United Kingdom's Department For International Development (DFID) has been supporting DFOs and civil society organizations since 2001. The LFP's is reducing the vulnerability and improving the livelihoods of the rural poor through equitable, efficient and sustainable use of forest resources. It mobilizes people through animation programmes through local NGOs. It also supports DFOs, focusing on technical forest management interventions. In addition, to create an enabling environment in the district, different collaboration and coordination mechanisms have been introduced. To improve the livelihoods of the poor and excluded communities, different strategies have been prepared in line with the government policy. Pro-poor and Social Inclusion Strategy (PPSIS) is the key strategy to work with and for the poor and excluded members of user groups. Safe and Effective Development in Conflict (SEDC) has been the major strategy to work in conflict situations. Both the strategies have been mainstreamed in the planning, implementation and monitoring of the programme, and capacity of the partners has been developed in both areas.

3. Conceptual Framework of Study

The Livelihoods and Social Inclusion (LSI) monitoring framework, developed by the DFID in 1990, has been employed in the study. This framework has been intensively used in the LFP for planning and monitoring of the interventions in the study site. It has three areas to be advanced. First, access of the poor and excluded to assets or resources. In the community forestry sector, it implies the access of such groups to management and utilization of different resources (forest, fund, barren land, infrastructure, etc). Second, change in policy and institutions of groups. It implies how the rules of the groups are changing and formalized through decision-making and documentation through constitutions and operational plans (OPs). And finally, strengthening of the voice and influence of the poor and excluded in the groups. It implies how the target groups are organized, their collective voices are raised and made influential in the decision-making, and benefit-sharing takes place for their good. These parts of the CFUGs were considered as dependent variables and conflict as the independent variable for the purpose of study.

Figure 1: Conceptual framework



4. Findings

We present our findings related with the impact on voices and influences, changes in policies and institutions, and innovations in access to assets.

4.1 Increase in Voices and Influences

There are different ways in which the conflict and the LFP support together empowered the poor and excluded to strongly articulate their voices. The collective voice of the poor and excluded was strengthened following the conflict. The Maoists empowered such groups and encouraged them to escape from fatalism. They also started to challenge the traditional leaderships. Earlier, the community forest was considered as chairperson's forestry, but now it is considered as users' forestry. The insurgents focused on the right of all members on common property instead of private control of such property; as a result, the access of all households, including the poor and excluded, to the forest increased. The Maoist insurgents had claimed that they had succeeded in forming their people's governments in around 80 per cent of the total area of the country, and they were going to capture the State power soon. In such a situation, the target groups collectively worked for the CFUGs. In some cases, the poor and excluded manipulated their own aspirations as the voice of the Maoists. As the insurgents mostly took shelter in the homes of such categories of people, the elite members became sensitive to the voice of the poor and marginalized groups

The participation of poor and excluded sections of society has increased dramatically. Such people were not given leadership role before because they had neither the time nor could, or were believed to, bear the responsibility. But when they started to join the Maoist resident camps, they started to influence the CFUGs for assuming a leadership role. Table 1 shows the increase in the participation of women and poor in community forestry user committees during the period.

Table: 1. Participation of the poor and excluded in decision-making forums in LFP

SN	Forum	2002	2007
1.	Participation of women in CFUGC	19	35
2.	Participation of women in CFUG assembly	18	30
3.	Participation of poor in CFUGC	--	50
4.	Participation of poor in CFUG assembly	---	60
5.	Participation of <i>dalits</i> in CFUGC	3	8
6.	Participation of <i>dalits</i> in CFUG assembly	2	9

The voice and influence of the voiceless and other non-influential sections of user groups have increased than before. Not only have their physical participation increase, but their participation in decision-making processes has also increased. Before the conflict, people belonging to elite social groups alone fixed the agenda and took decision on them. But, now they encourage the poor and excluded to put forward their agenda for wider discussion. Some CFUGs have also inserted provision in their rules for giving priority to the agendas of women and *dalits*.

There are numerous evidences that most of the CFUG assemblies were prevented from taking place during the conflict. The Maoists used to threaten that if CFUG assemblies or meetings were held, it would amount to supporting the old regime. In addition, it was very difficult to mobilize rural people because both the Army and the Maoists would blame service providers that they were misguiding the rural people and threatened them. At that time, women and poor members of CFUGs led the groups and conducted assemblies and meetings. Rajendra Khadka, Local Resource Person (LRP) of Dhankuta branch of Federation of Community Forestry Users, Nepal (FECOFUN) says that, in Budhbare VDC of the district, none of the ten CFUGs in the district could hold an assembly for five years. Then, the women of Bhanta CFUG led the process and conducted an assembly. They also negotiated with the local leaders of the Maoist Party. Taking cue, the women members of other CFUGs led their groups and institutionalized their groups.

The strategy of the LFP and its partners of using the elite members as a channel to reach the poor became easier afterwards. According to the chairperson of a CFUG, the fund of the CFUG

was mobilized as revolving fund for income-generating activities for the poor and this provision was also introduced in the Constitutions of Banpala and Midure CFUGs, Bodhe-9 of Dhankuta District'. Now, the poor know what provisions are there in their favour. The supporters or sympathizers of the insurgents were engaged in CFUGs in one way or another; they felt what the facilitators were saying was a good idea for making provisions explicitly for the poor. Furthermore, they supported proper utilization of funds and monitoring. The voices and influence of the facilitators and insurgents' supporters or sympathizers and their combined efforts had introduced the provisions explicitly in favour of the poor. Also, the local elite or traditional leaders became more responsive towards the marginalized sections of the groups. They felt it was their duty to work for the good of the poor. Concurrently, people who worked for marginalized communities should have faced less danger from either of the conflicting parties.

4.2 *Change in Policy and Institutions*

Some of the major rules of community forestry amended due to the influence of either of the conflicting parties and the LFP strategy include: inclusive membership; proportionate representation in community forestry user committees; equitable benefit-sharing mechanism; public auditing of resources and information; and resource allocation for the poor and excluded.

Transparency of resource utilization and decision-making processes was one of the major issues raised by the Maoists in the rural areas in the east. The CFUGs were induced to change inequitable rules, formalize the innovations made to cope with the situation; and document them in the operational plan and constitutions of the CFUGs. Table 2 shows that CFUGs have institutionalized the rules that can address the issues of conflicting parties.

Table 2: Percentage of CFUGs having Institutionalized Activities in LFP east

SN	Activities	% of CFUGs
1.	Equitable distribution system	26%
2.	Constitution with at least three equitable provisions: <ul style="list-style-type: none"> ➤ Income-generating activities for the poor and excluded ➤ Participation in committee ➤ Fee reduction in forest products 	62%
3.	CFUGs practising social/public audit	50%
4.	Operational plan/Constitution of CFUGs - more inclusive and equitable provision in favour of the Poor and Excluded groups (P&E)	80%

Two types of institutional change can be found in the CFUGs in the conflict and community forestry interface. One is that, while their activities through mobilization of their funds for income-generating activities of the poor became a success, it was accepted by the Maoists and target groups themselves, they empowered the local elite to work for the poor, which stimulated them to further do such activities and document them in their constitutions and OPs. CFUGs did such kinds of pro-poor activities ignorantly or reluctantly to cope with the Maoists' threats. However, it became a success afterwards. This has forced the local elite to become pro-poor. The CFUG committees have incorporated pro-poor provisions in the constitutions and OPs of their CFUGs. Now, 80 per cent of the CFUGs have stipulated pro-poor activities in their documents. It may have been introduced to protect themselves from possible punishments at the hands of the Maoists. Another reason for their changing and formalizing it is to cope with the frequently asked questions by the Maoists about their rules.

Membership exclusion was one of the major issues in community forestry. It became an issue because the poor and excluded were intentionally excluded from getting membership of groups. In Parbat district, a total of 996 households had been excluded from membership of the groups in spite of their being traditional users and their interest to become members of groups. Interestingly, about 80 per cent of the households were from the poor categories. Those households who had been excluded during the handover process or wanted membership after migrating from outside were charged higher fees. The poor could not become members of groups and benefit from forest and its programmes. In such cases, the poor had requested local Maoist leaders to intervene on their behalf. In some cases, the poor joined the Maoist Party due to exclusion from membership of CFUG. For example, in Bhorle VDC of Parbat District, forty-six *dalit* households had been excluded from Tulsikharka and Chalalung CFUGs even after making tremendous efforts. Finally, a small section of *dalits* joined the Maoist combatant force and raised the issue of exclusion. In Ratamate CFUG of Armttek VDC in Bhojpur District, twenty-four *dalit* households were intentionally excluded from the membership of the CFUG. When they could not become members despite making tremendous efforts, they requested a local Maoist leader to influence the process. When the leader asked why *dalits* were not being given membership, the CFUG committee members responded that they had not taken part in the formation process. The leader argued that all traditional users must be given membership of groups. Eventually, *dalits* became members of groups without paying any fee. This provision has now been incorporated in their constitution.

The process of representation of women, *dalits*, poor and disadvantaged *janajatis* in decision-making forum was institutionalized and strengthened by their influence. During the conflict, some CFUGs that had no representation of such sections of society hurriedly nominated some

from such sections and then provisions were included in the constitution after making decision through assembly. The provision of proportionate representation of all sections of society has been institutionalized now in the constitutions of most CFUGs. The participation of the marginalized and so-called low caste people in leadership positions has notably increased. Before, there was provision of representation based on *tole* (settlement). Now, this provision has changed as the wealth, caste, gender and poverty categories have been included. Also, men and women are considered as household heads of CFUGs because the percentage of single women has increased due to the conflict.

The benefit-sharing mechanism has become more equitable. Data show that 62 per cent of the CFUGs have provision of equitable benefit-sharing mechanism. They provide forest products on rebate or free of cost to poor members. CFUGs have provision of pricing based on the wellbeing categories of members.

To cope with the Maoists' demands to introduce a transparent system of public auditing, information-sharing mechanism from assembly from *tole*-level and preparing constitution and operational plan have been institutionalized in the constitutions of the groups. Not only internal programme and fund processes and expenditures, but also external programmes and funds are shared widely with the members of the groups. Earlier, CFUG constitutions and OPs used to be prepared by the DFO staff in consultation with CFUGC members, but now wider discussions are carried out from subgroup/*tole* level.

4.3 Innovations in Access to Assets

The influence of the conflict in CFUGs has enhanced the access of the poor and excluded sections or groups to internal and external resources of the users. The access of the groups to CFUG funds and their mobilization for pro-poor small infrastructure support programmes, income-generating activities and human capital development, and training opportunities for the poor improved after the conflict. Also, the situation improved the reach of the target groups to natural resources and forest products, utilization of barren land for conducting income-generating activities, etc. There are at least four ways in which the conflict and the LFP support together created coalitions for the utilization of CFUG funds. First, the CFUG elite under local Maoist leaders' pressure and LFP pro-poor strategy sensitization process decided to invest their funds to support pro-poor activities. During the conflict, the focus of the LFP

was on mobilizing the user groups' resources for the benefit of the poor and excluded. It has launched activities such as revolving fund for income generation, allocation of community forest land to the poor, establishment of small and medium enterprises, etc. It has pro-poor strategies to deliver the activities. However, it was difficult to mobilize CFUG resources as matching resources. Most importantly, CFUG funds were in the hands of either the local elite or banks. The Maoists started to punish those who had captured such funds and they themselves started to capture such funds in the name of donation. The local elite were challenged and they became sensitive while using the community funds. To save CFUG funds, the committees started to mobilize their funds for the benefit of the poor, which were also focused by the insurgents. They contributed to the revolving fund, started investment in the activities that can benefit the poor quickly, initiated the programmes that build the human capital of the poor and excluded, and invested to increase the physical assets of such community. As the LFP had already started such schemes, the influence of the insurgents accelerated the activities that the LFP had initiated. To cope with the demands of the fund from the insurgents, the CFUGs actively allocated their funds to the revolving funds. Table 3 shows that, in 2001, CFUGs expended only 3 per cent of their funds on pro-poor activities, while it had increased to 28 per cent by 2007.

Table 3: Changes in CFUG fund mobilization for pro-poor activities

	2001	2007	Difference
Based on number of CFUGs	1211	1061	-150.00
Total Income (Rs.)	4967117.63	32102874.55	27135756.92
Income/CFUG (Rs.)	4101.67	30257.19	26155.52
Total Expenditure (Rs.)	3537797.00	30635147.50	27097350.50
Expenditure/CFUG (Rs.)	2921.38	28873.84	25952.46
Poor Focus (Rs.)	95948.00	8498514.50	8402566.50
Poor Focus/CFUG (Rs.)	79.23	8009.91	7930.68
Poor focus %	3%	28%	25%

In the fields there are numerous examples and evidences that, due to fear of capture of funds by the Maoists, the CFUG committees had mobilized their funds for pro-poor activities. Rajendra Khadka, vice chairperson of Pahalmane CFUG of Kurule VDC in Dhankuta, says that local Maoist leaders had demanded Rs 50,000 from him. They said that CFUGs were agents of the central government and their activities seemed to be supporting the old regime. Rather than paying fine to the Maoists, the CFUG in his leadership, provided loans to sixteen poor

households (Rs 32,000) for initiating income-generating activities. Again, the Maoists demanded some amount of money as donation and again the CFUGs provided loans to another four households (Rs 10,000). Then they stopped demanding money. The CFUGs have also planned other different pro-poor activities, i.e. allowances for poor committee members in lieu of their participation in meetings, scholarships for poor students, etc.

Second, the elite members of the CFUG, under pressure from the local Maoists, reduced the rate of interest on group loans to be provided to the poor. The CFUG office-bearers were local moneylenders who exploited the poor by lending loans to them at exorbitantly high rates of interest, sometimes as high as 24 to 36 per cent. The Maoists appeared not happy with the individual lending system and high interest rates; so, they accused the moneylenders of exploiting the poor. They used force to change the system for *samanata* (equality). In some places, they also burnt the documents of CFUGs that contained information on loan disbursement. Now, the poor are provided loans from the CFUG funds at the interest rate of 6 to 12 per cent.

Third, CFUGs not only diverted their funds towards the poor but also started making investments from unproductive to productive sectors of infrastructure development. For example, before the conflict, a lion's share of the funds was spent on constructing temples, where *dalits* and other disadvantaged sections of society were not allowed to enter.

Lastly, the conflict enhanced the access of the poor to the CF process. The Maoists supported communities to allocate barren forest land to the poor. Given the nature of forestry programme, it takes time to benefit the users. The Maoists argued that some activities that would yield quick benefits for the poor should be introduced. CFUGs made plans that could provide quick benefits for the poor. For example, drinking water, feeder road construction, small-scale irrigation systems, small-scale income-generating activities, etc have been the quick impact programme with strong links with community forestry.

5. Discussion

In spite of remarkable innovations and changes, a host of issues and potentialities pertaining to community forestry still exist in the conflict and post-conflict scenarios.

5.1 Sustainability of outcomes

As we outlined in the above sections, the Maoist conflict exerted a strong pressure and played a key role in introducing innovations in Nepal's community forestry. A question may arise on the sustainability of the innovations in the current post-conflict situation. It also raises the question whether constant conflicts are necessary for innovations and change. Also, an issue has been raised whether all CFUGs are capable of or interested in sustaining the innovations. As most of the changes have been made with the force of rebellion, will the members of CFUG committees really be interested to continue them? However, such kinds of withdrawal or returning the innovations have not taken place in the field yet. It also raises questions such as: What will be the support mechanisms to sustain the innovations; and what sort of policies and instruments provide incentives for the CFUGs to continue the innovations? There is great potentiality for sustainability, as in the LFP area, local-level institutions, namely VDC-level networks, are managing local facilitators.

5.2 Tensions and collaborations between development and conflict

In the process of forestry intervention, there were different facets of tension and collaboration between development agents and rebels. In the process of resource transfer and allocation, in the initial phase, development workers faced stiff opposition from the rebels, but later, when the insurgents were briefed about the process of development intervention, they accepted the modalities. Evidence from Ranibas VDC of Bhojpur shows that, during the personnel hiring process, facilitated by Samuhik Abhiyan, an NGO supported by the LFP, an area committee member of the Maoists initially imposed Maoists' own persons for the positions. When the LFP staff members opposed it strongly and briefed him about the LFP's requirement process, the Maoist leader showed his interest to participate in the selection committee. When the results were published, those persons who were elected were satisfied as also those who couldn't be elected. They also admired the selection process and said that they would use their influence for replication of such selection process in other areas.

5.3 Relevance/replication in the post-conflict situation

Such innovations have wider implications for other development sectors, too. Due to their adaptation strategies, CFUGs were the only viable institutions which coordinated development affairs in the rural areas of Nepal during the conflict period. In some cases, they worked as substitutes of the village development committees of the Ministry of Local

Development. Some line agencies even used to channel their funds through community forestry institutions.

5.4 Implications and insights for state restructuring

In the post-conflict situation, the roles and behaviours of actors have drastically changed. The strengthened civil society at the grass roots such as CFUGs, particularly the poor and marginalized sections of community, will have an important role in restructuring the state in order to ensure their rights through new constitution. CFUGs and their networks and federations will have a crucial role to play in bridging the gap between the national and local processes.

6. Conclusion and Implications

This paper has presented case of constructive engagement between the situation of conflict (between Maoist and the state of Nepal) and pro-poor development actions of LFP in the Koshi Hills in eastern Nepal. We have illustrated that the Maoist conflict induced pressure for pro-poor change in the rules and practices of Community Forest User Groups (CFUGs). This added pressure for change enhanced the impact of LFP's pro-poor development actions. Although the Maoists were not generally positive of foreign-aid funded development projects in general, some of the LFP's pro-poor strategies (such as conducting animation and engaging local resource persons) were seen by the Maoists as compatible with their goals of transforming the lives of the poor and oppressed. There was however no proactive initiative on the part of LFP to engage the Maoists in the process of development. On the contrary, at times, LFP staff had to face tough Maoist scrutiny and even restrictions when the former wanted to implement development actions. Once the two engaged in some dialogues, the Maoist seemed to have allowed and even encouraged LFP activities to be implemented. Because of the combined effect of conflict and LFP strategy, a number pro-poor innovations were created, directly benefiting the poorer households.

The pressure empowered the voices and influence of the voiceless and non-influential sections of user groups. Also, the access of the poor and excluded sections of users to resources and decision-making processes has improved. Furthermore, a number of pro-poor institutional innovations have been introduced with changes in the rule of the game in the

CFUG process. These innovations have now been incorporated in the CFUGs' constitutions and OPs.

While the paper concludes that Maoist conflict helped development actions more pro-poor than one can anticipate, it does not mean that violent conflict is always necessary and desirable part of the change process. Yet a lesson that emerges is that if there some form of resistance against the status quo from below, the likelihood of development success is higher. Now that the Maoist party has become the ruling party, there is now significant reduction of pressure coming from below, and one may cast doubt over the long term sustainability of the conflict induced development outcomes. Our experience in the area shows that the change in CFUG norms and distributional practices have really been significant, and are likely to sustain over the long run. In post-conflict situation, the lesson is that for development actions to be effective in meeting the pro-poor goals, some degree of resistance and political mobilisation of the poor and marginalized groups definitely has a role to play, but this doesn't necessarily have to be a violent conflict.

7. References

- Bhat, B. and Dahal, R. 2006. *Samudayak Banama Bakradrasthi. Nepal Magazine*; Kantipur Publication, Kathmandu, Nepal.
- Banjade, M. and Timsina, N. 2005. Impact of armed conflict in Community Forestry of Nepal. *ETFRN News 43-44*. Wageningen.
- Feil M. and Voils O. 2005. Mainstreaming forest and conflict dynamics in development cooperation: a forest and conflict toolkit. *ETFRN News 43-44*, European Tropical Forest Research Network.
- Pokharel, B.K. and Paudel, D. 2005. Armed Conflict and Community Forest User Groups: Can Community Forestry Survive and Contribute to peace building at local level? *ETFRN News 43-44*, European Tropical Forest Research Network.
- Risk Management Office 2005. Safe and Effective Development in Conflicts: Guidelines (Nepali Version), Kathmandu.
- Upreti, B.R. 2004. Dynamics of Resource Governance, Resource Scarcity and Conflict in Nepal. *Journal of Forest and Livelihoods 4(1)*.
- Upreti D.R. 2006. *Conflicts in natural resource management: Examples from community forestry*. www.boku.ac.at/oega.