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Institutional Factors that Influence Access of the Poor to Forest Benefits: Case Studies of Community and Leasehold Forestry Regimes in Nepal

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Abstract

The community and leasehold forestry regimes (CF and LF regimes) are high priority programmes that are designed by the Nepalese government to conserve forests and reduce poverty through the introduction of formal institutions in terms of legal property rights and governance structures and processes. However, little is known about the mechanisms through which informal and formal institutions influence resource access of the poor under these regimes. By employing a collective case study approach, this research provides some understanding of the mechanisms through which formal and informal institutional factors influence access of the poor to forest resources governed under the CF and LF regimes in Nepal.

This study found that informal institutional factors significantly influence the impact of formal institutions irrespective of the regime that was imposed on the Nepalese hill communities. It was revealed that where more than one social group co-exist in a community, discriminatory sociocultural norms (for example patriarchal and caste-based norms), and customary property rights favour one social group over others. As a result, certain social groups have greater access to resources and benefits from the resources than do other social groups. Of particular significance, and not previously reported, the lack of prior experience in collective action of the low castes along with their weak social networks and poor leadership ability is highlighted as being directly linked to their relatively limited access to forest resources. When the *Bista* system, a specific type of a traditional bridging social network is eroded, the low castes end up with less access due to removal of support from the high castes.

This study shows that a more inclusive regime (for example CF regime) is likely to lead to more effective outcomes for the livelihood of the poor as compared to a more exclusive regime (e.g. LF regime). When the powerful are included in the forest user group (FUG), along with the poor, there is less resistance to the shift in property rights and the improved access of the poor to forest benefits that the regimes are intended to achieve. However, it was found that active participation is more determinant of resource access than is a specified set of property rights granted by right of membership in a FUG. Although some FUG governance structures provide a forum where the disadvantaged members of the FUGs have the right to participate in decision making, their participation is constrained by discriminatory sociocultural norms. Further, this study revealed that the decision-making processes dominated by the elites tend to address the needs of the disadvantaged members to only a very limited extent. However, improving capacities has the potential to enhance participation of disadvantaged members in the processes.

The research findings suggest that informal institutions must explicitly be considered in the design and implementation of CBNRM regimes in order for them to be successful in improving livelihoods of the poor. The implementing staff need support mechanisms for changing their own attitudes and behaviours to those that are more favourable to the social shift that the regimes are intended to bring about. CBNRM regimes have the potential to improve the livelihoods of the poor, but research must continue on how this can be achieved.

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Abbreviations

ADBN	Agricultural Development Bank of Nepal
AUSAID	The Australian Agency for International Development
BISEP-ST	Biodiversity Sector Programme for Siwaliks and Terai
CBNRM	Community-Based Natural Resource Management
CBFM	Community-Based Forestry Management
CBS	Central Bureau of Statistics
CEAMP	Community Environment Awareness and Management Programme
CFD	Community Forest Division
CFUG	Community Forest User Group
ChFDP	Churia Forestry Development Programme
CO	Community Organisation
CPR	Common Property Resource
CPN/UML	Communist Party Nepal, United Marxist Leninist
DANIDA	Danish International Development Agency
DDC	District development Committee
DFID	Department for International Development
DFO	District Forest Office
DFRS	Department of Forest Research and Survey
DLS	Department of Livestock Services
DLSO	District Livestock Services Office
DoF	Department of Forests
FECOFUN	Federation of Community Forestry Users of Nepal
FUG	Forest User Group
GTZ	German Agency for Technical Cooperation
HLFFDP	Hills Leasehold Forestry and Forage Development project
HMG/N	His Majesty's Government of Nepal
IFAD	International Fund for Agricultural Development
LFUG	Leasehold Forest User Group
LFLP	Leasehold Forestry and Livestock Programme
LFP	Livelihood Forestry Programme
MoFSC	Ministry of Forest and Soil Conservation
MPFS	Master Plan for Forestry Sector
NACRMLP	Nepal Australia Community Resource Management and Livelihood Programme
NARC	Nepal Agricultural Research Council
NARMSAP	Natural Resource Management Sector in Nepal
NGO	Non-government Organisation

NPC	National Planning Commission
NSCFP	Nepal Swiss Community Forestry Project
PF	Panchayat Forest
PPF	Panchayat Protected Forest
SAGUN	Strengthened Actions for Governance in Utilization of Natural Resources
SDC	Swiss Development Cooperation
SPD	Society for Partners in Development
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
VDC	Village Development Committee

Glossary

Adhiya	Share cropping (or livestock) system
Bali Pratha	A traditional exchange system in which a fixed amount of grain is provided after each harvest on an annual basis in lieu of the labour supplied in making ploughing tools or clothes annually
Bhari	Head load bundle or load generally carried in a large basket
Bhat	Cooked rice
Birta	A grant of land to a noble as a reward for a service rendered to the state. This led to the emergence of <i>Birta</i> land tenure. It was usually both tax free and heritable, and had no set time limit. It was valid until it was recalled or confiscated.
Bista system	Also called as ' <i>Bali Pratha</i> ', in which lower caste groups work as blacksmith, tailors, or cobblers for higher caste groups and others and in return obtain cereals from them
Guthi	Endowment of land or other property for a religious or philanthropic purpose
Jagir	A grant of land to a government employee (civil or military) in a lieu of salary. This led to the emergence of jagir land tenure. The <i>jagir</i> land grant was also tax free but remained valid only as long as the concerned person served the government.
Jagirdar	Person receiving land as <i>jagir</i>
Janajatis	Ethnic groups of the hills
Brahmin	Higher caste group
Chhetri	Higher caste group
Dalits	Lower caste groups of the hills
Damai	Lower caste, whose occupation is 'stitching clothes'
Danuwar	Ethnic group
Jat	Caste
Kami	Lower caste, also called as blacksmith
Kipat	Ancient type of communal land tenure, applied to both cultivated and forested land. Under this system, a community had communal tenure. On kipat land, the community (community leader) used to give individuals the right to till certain areas and to collect forest products from other areas.
Kshatriya	Social status group based on Hindu caste hierarchy. Kings, warriors, and aristocrats belong to this group.
Magar	Ethnic group
Majhi	Ethnic group
Matawalis	Alcohol drinkers
Mukhiya	Local leader
Muluki Ain	First legal code of Nepal promulgated with the orders of Jung Bahadur Rana, the first Rana Prime Minister of Nepal in 1854

Newar	Ethnic group
Panchayat	Lowest administrative and political unit (before restoration of Democracy), as like present village development committee (VDC).
Pradhan Panch	Chairperson of Panchayat
Raikar	A form of state landlordism, where state granted a bulk of agricultural lands to a small proportion of landowners in lieu of carrying out the administrative functions of collecting tax.
Sarki	Lower caste, also called as 'cobblers'
Shudra	Lower social status group based on Hindu caste hierarchy. They are taken as servants to other higher social status groups (i.e. Brahman, Kshatriya, Vaishya, Shudra).
Tagadhari	Holy cord wearer
Talukdar	<i>Talukdar</i> was responsible to collect land tax for the state and also had the responsible for controlling access to the forests and for distributing forest products. This position was abolished after the end of the Rana regime in the 1950s.
Tamang	Ethnic group
Vaishya	Social status group based on Hindu caste hierarchy. Traders, Peasants, and craftsmen belong to this group.
Varnas	Social status groups based on Hindu religion