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Grassroots Initiatives in Reviving Nepal's Forestry Resources

Kk Panday

In its directive principles of state and policy, Nepal's present Constitution clearly includes in the government's mandate the need to protect the environment and gives specific attention to forest resources. The preamble of the new *Forest Law* (1993), supposedly in line with the spirit of the Constitution, prioritizes the fulfillment of basic human needs as the major role of the forestry sector. The provision for the protection of human rights should guarantee public protection against abuses of authority. This is a completely new consideration for the forestry sector that challenges the traditional attitude, behavior, and excessive authority of the forestry bureaucracy. An institutional framework has now been created that is more favorable to farmers than ever before.

The government also has the challenging task of correcting the legacy of former regimes which from the 1950s to the 1970s forced upon people measures, such as land reforms, that fixed the land rent/tax and the upper ceiling of private holdings, and the nationalization of forests# which brought all forest resources under government control. These measures came at a time when agricultural lands were being fragmented due to population pressures and a skewed inheritance system. (politically defined community forests). However, what followed was the corruption of forestry institutions, weakened communities and eventually the large scale depletion of forest resources. It is now clear that these measures were introduced with an inadequate understanding of their full impacts.

New Changes

The legislations enacted in the changed master plan and amended forestry bills are common to many systems that lack direct local relevancy, yet there is room for by-laws that provide needed reforms. Although the new legal framework is a step in the right direction when compared to its predecessors, there are still elements that could defeat the main purpose of the constitutional provisions protecting forest resources.

Once again, the new framework puts all forest lands under government control and nationalizes all forests except those on registered private lands. This implies that all forests, even those currently under community management, are part of the national forests to be handed over and looked after by the "user groups" recognized by and registered at the district forest offices.

The threat of confiscation of sections of national forests handed over to user-groups and expropriation of private lands bordering national forests creates a new atmosphere of fear that will hardly motivate people to manage forestry resources the way they could. The above examples of government appropriation of privately managed forests would not be handled in a court of law but by the regional director of forests who takes care of disputes arising between the people and the government. This leaves room for new abuses of authority against which the people have fought so hard.

The provision to restrict or fine private forest owners who do not follow the technical norms laid down by the forestry department staff defeats the purpose of private forestry. The by-laws and rules to be

developed for the implementation of the new legal framework for forestry are likely to be dominated by the old attitude and severe penalties (such as the provision of arrests without warrant).

Given the danger of wide-scale abuse of this facility, other, more sympathetic, regulatory measures should be explored. For example, in the initial period, the government could give technical support and see how private forestry develops.

The government should have explored alternatives and appropriate solutions to any expected problems before thinking of severe regulatory measures. They failed to take steps to empower local people. The process of retaining supremacy over the people seems to continue even under the democratic government, but it is done in a subtle way making the task even more daunting and complicated.

Implications of the Revised Master Plan and new Forest Law

The new *Forest Law (1993)* maintains a stronger forest bureaucracy and its presence will be felt even in small forests and remote villages. User groups will be subjected to the total control of government offices. This may lead to misuse of the concept of community forestry. In addition, it contradicts the intent of user groups which, according to Para 41 of the *Forest Law 1992*, should be continuous, autonomous and organized institutions.

Under the new legislation, the Department of Forests has the power to take forest rights away from user groups. Rather than the court acting as a third party in disputes between forest users and the Department of Forests, the forest bureaucracy retains the power of a court. The people should have ownership rights not merely usufruct rights. In a democratic country, the attempt to override constitutional rights of individuals or communities is unacceptable.

There are many types of forests in Nepal, from those located in accessible areas to others in quite remote parts of the country. The government does not have the required staff, offices and research facilities for the management and enhancement of these diverse forestry resources. For example, there is no division looking after alpine forests, hill forests or the Terai forests.

The Scarcity of Forest Products

The central issue is how to create forests where they need to be and protect those that deserve protection. More than 75% of the population in Nepal burns organic combustible materials as fuel for cooking and heating, much of which comes from the forest. There are few substitute materials available in the present farming systems for enhancing their farm yard manure (animal dung and biomass collected from forests or farmlands) (Kk Pandey, 1992). Agriculture is quite dependent, both directly and indirectly on forest-floor-biomass. Maintaining the soil fertility of intensively used farmlands with organic material drawn from forests is a challenging task in mountainous farming regions. In order to protect soil fertility, enhance productivity of agricultural areas and manage forests more sustainably, two important measures should be considered:

1. Land use conversions from farmland to forest and from forest to farmland.
2. Increased community management of forests under a new community ownership system.

Nepal's forests will not be able to fulfill the growing demands of the rural population, commercial and industrial sectors. Demand that exceeds supply is further reason to define an area of forest floor under the control of a given farming community. Well defined communal forest management would curb the exploitative use by limiting access to forest resources by community members, and by developing a local sense of responsibility to manage forest resources in a sustainable manner. The scarcity of forest products may be aggravated by the fact that the forests under government control are being used more for the bulky low value products such as commercial timber, leaf litter and fuelwood.

If Nepali farmers are denied the right to generate direct income from the forest, increasing numbers of them will need to farm steep slopes, thereby depleting soil and forestry resources concurrently. To avoid

that situation, Nepali farmers may have to learn to live with less land under intensive farming of food crops and start forest farming.

The forests currently used to fulfill the biomass needs of the rural population and maintain soil fertility and livestock feed will have to be used differently in the future. Many people currently need alternative sources of income that could be provided through the sale of high value forestry products or forest farming.

If the poverty of Nepali farmers is to be addressed, it would imply management of the forests by the people who live near the forested areas. Many forests could be used to generate direct incomes, similar to the Annapurna Conservation Area Project (ACAP) beneficiaries, through the use of forests for diverse plants and eco-tourism. Additional investment is needed to achieve these goals; Nepal's ecological advantage alone will not achieve that end.

Trade-offs and Pooling of Resources

Both agricultural and forest resources in Nepal have been exploited to the point where little buffer or reserve land remains. Any developmental changes in land-use must consider the need for both farmland and forests. The expansion of one land use inevitably leads to the reduction of the other. Given conditions of food security, the allocations of farm and forest land depend mainly on which land use is most productive. However, the balance should be seen as a dynamic process within the context of pooled management of local resources by local communities. To achieve such a management system, forest policies, the existing legal framework and the role of foresters in forest management, all must change.

Some farm-forest trade-offs in land use are occurring today, but our own rigidity in thinking of farm and forest lands as separate entities in both the legal and practical sense will be a major stumbling block and a potential cause of ecological problems. Several new opportunities for fighting against poverty and rehabilitating degraded lands could be realized with policy changes.

It will prove to be a short sighted approach for a poor country like Nepal not to pool human, financial and administrative resources to manage these mutually complementing land resources: farmlands and forests. The issue of pooling the land resources, as well as facilitating the use of the both categories of lands by the same or separate individuals or communities, has become a necessity. In the past, forests were typically sacrificed for the benefit of agriculture. This process may be reversed if the resources are pooled.

A start could be made with the border lands of natural forests which are currently in ownership dispute and are used by both farmers and the Department of Forestry. These lands could be brought under a system of pooled management integrating the forest with agriculture. Such an arrangement may primarily apply for individual cases, and we must find other solutions for community ownership and management.

The economic and developmental conditions in Nepal are now quite different from the conditions of the 50s and early 60s when the nationalization of forests and land reforms were first enforced. The population is now 2.5 times larger, placing much greater demands on forest resources for subsistence purposes. On top of this increase in demand, industrial and commercial use of forest products has grown significantly.

What is still valid is the responsibility of the community to manage the land resources. In the past, communities in Nepal played a major role in the protection, conservation and prudent use of natural resources. In many areas, they continue to do so, circumstances permitting, but communities will have to play a more critical role in the future.

The Issue of Ownership

I am not only advocating the creation of conditions for the farming community's participation in forest management. The issue is not even that of use rights as the government and experts would prefer to understand it. The real issue to be addressed is that of ownership of forest land by the people. These resources belong to the people, and it is they who can protect Nepal's forests. All recommendations and plans should be aimed at empowering these people.

The past lessons have shown that a uniform approach, central control, and bureaucratic rigidity are bound to fail. People are more motivated to undertake a given task when they can expect a fair share of the benefits. Activities that can take into account, experience, skill and knowledge of the local people need not be implemented with severe measures, such as nationalization of people's resources.

Field Realities, Local Skills and Knowledge

Until recently, the government of Nepal claimed that there was no history of people's management of forestry resources in Nepal and that villagers lacked the necessary knowledge and skills to manage forests.

However, communities were using, protecting and conserving forest resources. Most villagers have a good understanding of local environmental conditions including knowledge of plant and forest types. They also understand the needs of their community.

These realities warrant people-based resources management systems. However, because Nepal is ecologically and ethnically diverse, appropriate management systems can not be the same across the country. People living in diverse eco-systems use knowledge and traditional skills to manage different resources according to local needs and imperatives. On occasion, both national and expatriate development professionals assume that the mountain farmers do not devise planned strategies to face local problems or rationally manage their natural resources. We should not generalize, but even in the most depressed conditions, efforts of local communities to manage scarce and vulnerable resources do typically reflect their best options (Panday, Kk. 1991).

Many rural villagers exhibit a marvelous will and ability to protect forest resources. At times these efforts have failed, yet their existence presents conservation resource planners and developers with an unprecedented opportunity to pursue a dialogue with local people and encourage participation in future resource management projects (Messerschmidt, 1986). The government does not recognize these local initiatives, yet collaboration between the government and farmers is an essential step towards achieving the goal of mountain resource conservation.

Scattered over the country from the Terai to the mountains at least two dozen cases of local forest management initiatives were identified and documented by the Jara Juri Trust, to the surprise of many development experts who had surmised that such would not exist. The case of Armala village in Kaski district is one of the dozens of examples recorded and publicized by Jara Juri. Through this case, I hope to expose some of the true managers of Nepal's diverse forests.

The Case of Armala

Although only about an hour's walking distance from Pokhara, the 500 ha contiguous forest over the Kaliko Lek (1150m) of Kaski District has survived many political changes, the rapid urbanization of nearby Pokhara township and several attempts of the district office to demarcate it. The forest is now managed for the 1300 households of Armala by 11 committees which employ 11 forest guards and has a long history of management by the local people.

In 1935, the community had a thick forest, registered as a thatch-grassland and paid regular fees to the government represented by the Mukhiya, a local man. The Mukhiya knew the intention of the villagers so it was possible to register a thick forest as a grassland. After the first governmental survey of the forest in 1977, it was no longer recognized as a grassland. Yet, people continue to resist government attempts to control their forests. Jara Juri awarded them in 1990 for their successful management of the Armala forests.

Villagers have access to the forest except during the monsoon, because it is too wet. More than 2300 metric tons of firewood is collected annually. Forty percent of the wood is cut between March and May for the monsoon cookings of the Armala households. During the dry period, most of the cooking fuel comes from crop residues.

Most of the 100 or so landless households have access to the forest and market firewood in the nearby township of Pokhara. The villagers have observed the rapid urbanization of Pokhara as a threat to their forests. They have devised a strategy to protect the forest without denying needy Pokhara townspeople of firewood. Once a year, during the month of December, the forest is open for 10 days to Armala's neighboring villagers and Pokhara urbanites. Collection of dry and dead wood only is permitted and a small fee is levied for each load of firewood carried by an individual. The money collected is then utilized for community development works such as school construction and drinking water projects. In this manner, the people of Armala have earned the good will of people outside the user community as well as generated income. When the case was publicized, many experts were surprised that such a management system existed so close to the district forest office. Everybody assumed that it was the district office that looked after the forest.

Although the community does not face any serious problem at present, the policy changes to come may necessitate further innovations in forest management by Armala residents. Their motto: Bacham Jogam and Chalam (let us protect, conserve and use the resource) speaks for their sincerity. Communities like Armala deserve to be more than mere users or user groups.

Conclusion

In a country with the history of people's distrust of the forestry administration, a key issue in successful forest management is how to change the conventional image of foresters to gain the confidence of farmers. A role change from administrators and police to technical advisors would be a starting step. To safeguard forest resources from further depletion and mismanagement, the ownership of most of the accessible forests should be given to local communities. This may help create a genuine community forestry system in Nepal. Forestry as much as agriculture can become part of the lifestyle of the people. The present concept of community forestry as just the national forests being handed over to user groups' responsibility to "manage" should not become the ultimate solution, though it may be an important step.

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