



## **By whose rules, for whose needs?**

**The power of elites, livelihood implications and potential  
for resistance in two Nepalese community forest user groups**

**Constantin Harrer**

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Thorsten Treue, University of Copenhagen,  
Department of Food and Resource Economics

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**Swedish University of Agricultural Sciences**

Master Thesis no. 274

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## **Abstract**

The Nepalese community forestry program entitles user groups to autonomously manage their forest within the confines of an officially approved operational plan. While widely considered a conservation success, recent discourses on elite capture, professionalization and recentralization question the program's anticipated social outcomes. This article bridges and exemplifies these discourses by exploring power relationships between forest users, executive committees and forest officials as associated with livelihood impacts and resistance. Findings are based on qualitative interview studies in two forest user groups.

Results indicate that operational plans have little practical relevance for forest use. While access for subsistence purposes is largely unlimited, timber is restricted by an increasingly assertive forest administration in cooperation with local elites. This adversely affects those in urgent need for timber such as earthquake victims. Nevertheless, prevailing tacit acceptance of technobureaucratic authority allows this coalition to monopolize control over communication, decision-making and resources, and to silence criticism. Resistance has accordingly remained limited but has manifested itself in an anonymous formal complaint and increasing resentment.

In conclusion, this study highlights how stakeholders' access to valuable forest resources and related decision-making rests upon unequal power rather than formal rights. A precondition for change is for a majority to become aware of their rights and to challenge inequality. This process could be facilitated by independent external actors.

### **Key words:**

Community forestry, power, recentralization, professionalization, elite capture, livelihoods, resistance, Nepal

## **List of abbreviations**

CF: Community Forest

CFUG: Community Forest User Group

CIAA: Commission for the Investigation of Abuse of Authority, Government of Nepal

DFO: District Forest Office

EC: Executive committee (of a CFUG)

GA: General assembly (of a CFUG)

MFSC: Ministry of Forest and Soil Conservation, Government of Nepal

OP: Operational Plan (regulatory document of a CFUG that is prepared by DFO and EC)

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# 1. Introduction

## 1.1 Community forestry in Nepal: Theoretical promise and current debate

As one of the pioneers of a global trend towards decentralized governance of natural resources, the Nepalese community forestry program devolves the right to manage a part of government-owned forests to local communities. This far-reaching reform was sparked in the 1970s when the degradation of forests in the Nepalese middle hill region, where rural farmers highly depended on forest products for subsistence, became known as the 'Himalayan Crisis'. Government and donors then realized that administrative control of forests without involvement of local stakeholders, as attempted upon forest nationalization in 1957, proved unsuccessful (Pandit and Bevilacqua 2011, Ojha et al. 2014).

Community forestry raised both high hopes and concerns with regard to its contributions to sustainable forest management. On the one hand, the reversion of forest loss in the Nepalese middle hill region is widely acknowledged as its merit (Ibid., Tachibana and Adhikari 2009). Community forestry is now widely established throughout this region and in 2009 made up about 1.2 million hectares or 22% of the national forest area divided among more than 14000 community forest user groups (Pandit and Bevilacqua 2011). On the other hand, evidence also indicates wide-spread failure to achieve the declared policy goals of forest users' equal participation in decision-making, equitable benefit sharing and socio-economic development (see Thoms 2008 for an overview).

It is primarily such social outcomes however that were most anticipated by influential theoretical argumentation in favour of decentralized (or community based) natural resource management (e.g. Ostrom 1990). The basic idea is that the tragedy of the commons (Hardin 1968) can be overcome by means of local institutions that are held accountable to local needs through equal participation in bottom-up decision making and consequently deliver sustainable and equitable outcomes (Ostrom 1990, Ribot and Agrawal 2006). Given the compelling nature of arguments in favour of decentralization, researchers have sought to explain partly disappointing outcomes of community forestry by focusing on how and why some of its prerequisites remain unrealized. Three major academic discourses can be identified in this regard: recentralization as a trend that attenuates local self-determination (Ribot and Agrawal 2006), professionalization as a trend that hampers equal participation in decision making (Lund 2015) and elite capture as the phenomenon of inequitable outcomes in participatory initiatives where local elites monopolize control over benefits from public resources (Lund and Saito-Jensen 2013).

## 1.2 Stakeholders and regulatory framework in community forestry

In order to put these discourses into the context of this study, this section provides a brief overview of relevant institutions and actors in Nepalese community forestry (cf. Hull et al. 2010 for details). Community Forest User Groups (CFUGs) are composed of member households in an area near the respective community forest (CF), and an executive committee (EC) that is elected at general assemblies. CFUGs have the right to manage their forest (formally still government-owned) in accordance with an operational plan (OP) that is to be prepared according to relevant guidelines and in cooperation with officials from the district forest office (DFO). The OP details a number of rules concerning the CFUG, the management of the CF and forest product access. Timber allowance, harvesting and distribution procedures in particular are subject to administrative control and an inventory prepared by officials. See appendix B for excerpts from

two operational plans and appendix A.3 for a table with a more detailed overview of relevant actors and their role in community forests.

The corner stone of community forestry in Nepal is the Forest Act 1993, specified by the Forest Legislation 1995 and the operational guidelines for the community forestry program (latest version 2014). Recent legally binding additions that likewise affect practical management in CFUGs are the inventory directives (first version 2000, latest version 2004) and the community forest product harvest and trade directives (first and latest version 2014); see also appendix A.2.

### 1.3 Recentralization

Often reluctant to the trend towards decentralization, forest administrations worldwide have been exposed to retain or reassert control that according to the common rhetoric is supposed to be exercised by local communities. These moves have been termed *recentralization* (Ribot and Agrawal 2006). Formally, community forestry in Nepal equips user groups with substantial autonomy, which sets it apart from decentralization reforms in other countries (Ibid.). However, the Nepalese Ministry of Forest and Soil Conservation (MFSC) challenged this very foundation of community forestry in a 2010 law amendment proposal:

*“Section 25 of Forest Act, 1993 has allowed Community Forest User Groups to sell and distribute the forest products independently by fixing their prices. Section 43 (1) has legally recognized Community Forest User Group as an autonomous and corporate body having perpetual succession. Because of this provision, monitoring and evaluation of community forest has not become effective.”* (MFSC 2010).

The proposed amendments are explicitly designed to address “administrative and legal difficulties to have regulatory control over community forests” (MFSC 2010), especially regarding timber management. The move is justified by mismanagement in some newly established community forests in the Terai and Churia regions of Southern Nepal. Despite scathing criticism by academics and civil society (cf. Sunam et al. 2013), it appears that the government proposal’s principal demand did come into force in 2014 in the form of the forest product collection and trade directives for CFUGs. This is new to community forestry as forest product harvest and trade had previously been officially regulated only by OPs of each individual CFUG, to be approved by both its EC and the DFO (Gritten et al. 2014). This novelty equips the forest administration with substantial additional legal competencies under the guise of “joint responsibility” (cf. Sunam et al. 2013) and thus represents recentralization in its essence. For instance, forest officials are now required to carry out the selection of all individual trees for harvesting; their mandate according to the OP however is merely to supervise the harvesting of ‘green’ (live) trees.

Another, antecedent move towards recentralization are the compulsory inventory guidelines introduced to community forestry in the year of 2000. CFUGs are thereby required to prepare forest management plans based on scientific inventories that are to be updated every five years in order for CFUGs to retain the right to manage their forest. This made CFUGs depend substantially more than before on the expertise and control of forest officials in preparing, approving and monitoring the implementation of forest management, again especially regarding timber (Rutt et al. 2014).

## 1.4 Professionalization

The establishment of scientific forest management planning in community forestry is a prime example of the recent trend towards *professionalization* – i.e. the use of detailed scientific methods –to meet the sustainability challenges in the management of natural resources in the global South (Lund 2015). The impacts of professionalization on participatory initiatives have recently sparked substantial research interest in Nepal and elsewhere (Ibid.). Previously, the claim to supposedly superior scientific knowledge had already been identified as one of the common mechanisms for the administration to resist the devolution of competencies to community forest user groups (Ribot and Agrawal 2006). Recent evidence suggests that scientific management planning may not be needed to ensure sustainable forest management, and pragmatic arrangements override technical rules if the latter are perceived as impracticable by community forest managers (Rutt et al. 2014, Toft et al. 2015). Nevertheless professionalization, implemented ‘by the book’ or not, has been shown in several instances to hinder participation by privileging actors that have or claim to have the formal knowledge needed to understand the technicalities involved (Nightingale 2005, Ojha et al. 2009, Hull et al. 2010, Lund 2015). This links the concept of professionalization directly to both recentralization at the level of the forest administration and elite capture at the level of community forest user groups.

## 1.5 Elite capture

It has been compellingly argued that it is not appropriate to conceptualize CFUGs as homogeneous entities duly represented by democratically elected leaders. Indeed, the people who make up the so-called community may not share a common understanding of community forestry, or a common interest related to the benefits it is supposed to deliver (Ahlborg and Nightingale 2012). Actors also differ in their social capital as well as other tangible or intangible resources available to them (McDougall and Banjade 2015). Such heterogeneity can lead to undesirable local outcomes of participatory forest management when a group of powerful actors monopolizes access to common resources at the cost of others, a situation that is broadly referred to as elite capture (Lund and Saito-Jensen 2013, Iversen et al. 2006). Lund and Saito-Jensen (2013) distinguish between elite control of decision-making processes on the one hand, which could in fact be in the subjective interest of a majority, and misappropriation of public benefits on the other hand. Arguably, these two aspects typically coincide when elites seize control over decision making processes in order to secure preferential access to public resources.

Most studies referred to in this report (in particular Thoms 2008, Ojha et al. 2009, Hull et al. 2010, Ahlborg and Nightingale 2012, Nightingale and Ojha 2013, Rutt et al. 2014, McDougall and Banjade 2015) illustrate that “inclusive and equitable incomes” that are at the core of Nepal’s most recent forest sector strategy’s goal (MFSC 2014) are still elusive in many CFUGs and elite capture common. Who actually exercises control over local resources and decision making processes naturally differs from the rhetoric of democratic decentralization where the politico-economic interests of powerful actors counteract the achievement of the declared policy goals (Ribot and Agrawal 2006, Nightingale and Ojha 2013).

## 1.6 Justification and aims of this study

Studies on community forestry often find situations where power is to some degree withheld or taken away from stakeholders that according to the ideals of community forestry are supposed to be empowered. Recognizing how exactly power over common resources is exercised in actual

practice (and what are corresponding livelihood impacts) is thus instrumental to the understanding of how inclusive and equitable outcomes of community forestry are and how change may occur. Power analysis provides tools to that end and acts as a theoretical lens for this study. This also allows to bridge and exemplify the related discourses of recentralization, professionalization and elite capture.

Overall, this report thus aims to provide a broad understanding of how community forest resources are governed in actual practice, which practical impact this has for general forest users, and how the status quo might change through resistance.

Evidence stems from two case studies investigating the perceptions of stakeholders at various levels, i.e. general users, executive committees, key opinion leaders and forest administration staff. This approach goes beyond other studies on similar matters that rely on expert interviews at the level of CFUG executive committees (Hull et al. 2010, Toft et al. 2015) while adding a broader perspective to studies on local elite capture.

Specific research questions are as follows:

- 1) What is the practical relevance of formal and technical rules regarding forest product use, and what are the reasons for discrepancies between law and practice?
- 2) Who actually holds power over valuable forest resources and by which mechanisms is that power exercised?
- 3) Which implications does the prevailing access regime have for the livelihoods of forest dependent households?
- 4) In how far and why do forest users accept rules and related decision making procedures that limit their access to the community forest beyond the legal requirements?
- 5) To what extent and how do forest users challenge rules that they perceive as illegitimate?

The analysis related to these questions focuses on the key issue of contention that emerged during field research, namely the access to timber for forest users' individual needs.

## **2. Analytical concepts**

### **2.1 Power**

#### **2.1.1 Background and definitions**

How rules play out in practice and whose interests are being met is to a large extent a matter of actors' power. Therefore, power analysis provides useful tools that help to understand the findings of this study and interpret them in a theoretical context.

One could call power a traditionally contested concept in the social and political sciences. There are numerous, partly conflicting definitions and an ongoing debate about which one captures the social reality best (see Clegg 2000 for an overview). This study does not attempt to actively engage in this debate. Rather, it conceptualizes power by drawing on different authors in a way that appears conducive to interpret and explain the data generated by field work, taking inspiration from studies that investigate power in the Nepalese context and elsewhere (Ojha et al. 2009, Nightingale and Ojha 2013, Krott et al. 2014, Brukas and Hjortsø 2004).

In a nutshell, power is defined as the capability of an actor to influence the behaviour and ideas of others, not necessarily respecting the others' interests (wording based on Ribot and Peluso 2003, p.155f and Krott et al. 2014, p. 35f).

The concepts related to power used in this study correspond to the intellectual tradition of structuralism by which power is seen as inherent in and exercised by means of social structures that determine how actors relate to each other. This is opposed to the post-structuralist view of power as being observable only in individual interactions between actors and (re-)produced anew in everyday social practice (Uphoff 1989, Clegg 2000, Nightingale and Ojha 2013).

Starting point for this study is the theory of power proposed by Lukes (1974) that has been subject to critique but has likewise received renewed backing along with the publishing of a second edition (Clegg 2000, Lukes 2004, Haugaard 2008). Lukes (1974, 2004) adds two additional dimensions to the pluralist view of power proposed by Dahl (1957) (termed "decision-making power" for the purpose of this framework) by which decisions made in the public arena are enforced against the will of subordinates. These additional dimensions are the capability to set a biased agenda in the decision-making arena ("nondecision-making power", based on Bachrach and Baratz 1970), and the manipulation of subordinates' perceptions and preferences (Lukes' postulated third face of power that is termed "consciousness control power" in this report following Brukas and Hjortsø 2004).

Drawing on the approach to power analysis by Ojha et al. (2009) and Nightingale and Ojha (2013), Bourdieu's (1977) concepts of symbolic violence and doxa are taken into account complementarily. Symbolic violence refers to a situation where existing power asymmetries are internalized by all involved actors in such a way that they are perceived as natural and unquestionable, even though certain actors benefit systematically at the expense of others. The underlying taken-for-granted assumptions are termed doxa, or cultural codes (Nightingale and Ojha 2013). Below follows a more detailed elaboration on these analytical concepts.

### **2.1.2 Decision-making power**

The pluralist view of power represented by Dahl (1957) closely corresponds to the 'classical' definition of power by Max Weber as "the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance, regardless of the basis on which this probability rests" (Uphoff 1989, p. 299). It focuses on who decides concrete and overt conflicts of interest in their favour, with direct consequences on actors' behaviour (Lukes 2004, p. 18f). The concepts of coercion and disincentives used for power analyses by Krott et al. (2014) can be seen as integral part of this dimension of power as these are the very mechanisms by which decisions can be enforced and power thus practically exercised. These include (the threat of) physical force, (the threat of) material punishments, and social pressure. It should be noted though that such power as understood by Krott et al. (2014) could also be exercised in the interest of subordinates, the crucial point being that decisions are enforced without having to consider subordinates' interests (following Krott et al. 2014, p. 38).

### **2.1.3 Nondecision-making power**

The concept of "nondecision-making power" (Bachrach and Baratz 1970 as quoted in Lukes 2004, p. 22f) refers to the capability of certain actors to exclude potential issues from the decision making arena that could challenge their position. While this exclusion could be enforced with the same mechanisms as decision-making power, the described bases of nondecision-making power further include "predominant values, beliefs, rituals, and institutional procedures ('rules of the

game') that operate systematically and consistently to the benefit of certain persons and groups at the expense of others" (Bachrach and Baratz 1970 quoted in Lukes 2004, p. 21). This strongly reminds of the concept of symbolic violence by Bourdieu (1977) elaborated below; a key distinguishing feature however is that those subject to nondecision-making power perceive a conflict of interest, if not an overt one then at least in the form of grievances (Lukes 2004, p. 23).

#### **2.1.4 Consciousness control power**

The two dimensions of power presented up to now presuppose that a conflict of interest is observable between those exercising power and those subject to it. Lukes' (2004) "radical" view expands the perspective by suggesting that actors are not necessarily autonomous in their choice of preferences and in their perception of interests:

*"Is it not the supreme and most insidious exercise of power to prevent people, to whatever degree, from having grievances by shaping their perceptions, cognition and preferences in such a way that they accept their role in the existing order of things, either because they can see or imagine no alternative to it, or because they see it as natural and unchangeable, or because they value it as divinely ordained and beneficial?"* (Lukes 2004, p. 28)

Consciousness control power for the purpose of this study is thus defined as the deliberate manipulation of subordinates' perception to ensure acceptance of power against their real interests. Real interests for that matter refer to what actors would want and prefer if they were able to make an autonomous choice independently of another actor's power (Lukes 2004, p.37f).

The mechanisms by which such power is practically exercised however become less clear in Lukes (2004). Taken-for-granted beliefs acquired by socialization certainly play a major role, though these are better captured by the following concept of "symbolic violence" that further expands on Lukes' "radical" notion of power. Here I focus on the actual 'tools' actors can employ to deliberately exercise consciousness control. The most prominent of them is "dominant information" (cf. Krott et al. 2014) by which the information supplied by those in power is not further challenged or questioned by subordinates who adjust their behaviour accordingly; this could include both deliberately withheld or falsified information. A second tool of consciousness control is indoctrination. Krott et al. (2014, p.39) elucidate that "ideologies demand from subordinates that they follow key arguments and prevent them from checking the truths of these arguments. They provide a strong basis for dominant information in the interests of the potentate."

Determining subordinates' "real interests" may to some extent involve subjective judgement by the analyst, but the concept put forward here still appears useful to interpret the findings of this study. What is important to note about consciousness control power is that it bears within itself the seed of resistance, which can arise anytime when the deception is uncovered.

#### **2.1.5 Symbolic violence and doxa**

The concept of symbolic violence (and closely related symbolic power) developed by Bourdieu (1977) goes beyond the notion of consciousness control power in that a situation of domination does not necessarily need to be hidden from the subordinates to prevent grievances or conflict:

*Symbolic violence refers to a situation in which more powerful actors enjoy unchallenged privileges in accessing resources and power through which they dominate social interactions.*

*Social agents occupying both dominant and dominated positions in the field accept the existing order and practices as being 'natural'. (Nightingale and Ojha 2013, p. 34)*

This situation is based on “tacitly held assumptions [that] are part of what Bourdieu calls a ‘doxa’” (ibid.). Nightingale and Ojha (2013) identify three doxa to be of key importance in the Nepalese context (under the synonymous term of cultural codes). Firstly, techno-bureaucratic doxa that give unchallenged power to forestry professionals and their ideas of silviculture despite trade-offs that could otherwise lead to conflicts (cf. professionalization); secondly, feudalistic doxa that entail acceptance of the dominance of traditional elites; and thirdly, developmentalist doxa that refer to the ideas perpetuated by international donors such as expertise-driven natural resource management tied to capacity building and decentralization.

Rather than being an entirely distinct dimension of power, the concepts of symbolic violence and doxa expand on Lukes’ (2004, p.28) radical view by explaining in depth how actors can get to see power “as natural and unchangeable”, even without deliberate manipulation. While consciousness control is more tied to the notion of ideology, both doxa and ideologies are similar in their function of “[providing] legitimacy to authoritative relationships” (Nightingale and Ojha 2013, p. 34).

Doxa can also be seen as a mechanism by which nondecision-making power can be tacitly exercised, namely in cases where these commonly held beliefs lead to the exclusion of certain questions from being asked and granted access to decision making processes in the first place. Nightingale and Ojha (2013, p, 34) indeed identify the second key function of doxa (apart from the legitimization of authority) to “limit the space of inquiry to a manageable level to make decisions”, and state that they can be used by powerful actors to “deflect challenges from competing values by repressing their expression in decision-making contexts”.

## 2.2 Key concepts related to power

### 2.2.1 The connection between power, legitimacy and authority

Certain actors may have substantial influence on others that is not covered by the dimensions of power discussed above, even though they certainly appear ‘powerful’ as expressed in everyday language. This kind of influence will likely be covered by the concept of authority, which is defined for the purpose of this study as power with the conscious and informed consent by those who are subject to it. This consent is at the core of the concept of legitimacy that Bernstein (2004, p.142) for instance simply defines as “the acceptance and justification of shared rule by a community”. ‘Justification’ refers to the reasons people can provide why they think it is right to subject to the authority in question; these are its sources of legitimacy. These could include trust, democratic election, accountability to subordinates’ needs, competence, and others (Levi et al. 2009).

Thus put simply, legitimate power equals authority (cf. Uphoff 1989). Technically however, this simplistic definition does not rely on the same notion of power as the one put forward at the outset: in the case of authority, the influence of an actor over the other can be in the other’s real interest whereas in the case of power, it is usually not.

Authority is arguably never absolute in a particular social setting since “even when widely considered legitimate, there will be some people and institutions who will question this authority” (Nightingale and Ojha 2013, p. 31). I thus refrain from the notion of community contained in Bernstein’s (2004) definition, and rather refer to legitimacy as the acceptance of the authority in question by certain groups or individuals.

Another conceptual clarification is to be made as to how legitimacy and authority relate to consciousness control power – it can hardly be called a conscious and informed consent that makes people accept this kind of power without resistance. A synonymous way of referring to consciousness control power could thus be ‘authority based on manipulation’. It is an intrinsically fragile kind of authority that will erode once the delusion is uncovered, taking away its legitimacy (the reasoned justification for people to obey) which will in turn elicit some sort of resistance. ‘Authority based on doxa’ – which similarly is a synonymous way of referring to the concept of symbolic violence – is more likely to persist despite latent conflicts of interest, since its legitimacy is constituted by deeply rooted social structures and internalized beliefs.

### **2.2.2 Resistance**

Resistance as understood in this framework is the natural counterpart of power that is not accepted by the subordinates in question and perceived as being contrary to their interests (Clegg 2000); it attempts to change the status quo by shifting the power relationships between actors.

Resistance in Nepalese community forestry has so far been investigated mostly at the level of national policy making (Sunam et al. 2013, Ojha et al. 2014). Ojha et al. (2009) and Nightingale and Ojha (2013) however show the important role of symbolic violence in entrenching inequalities and thwarting opposition. Resistance in that case appears likely to arise only when marginalized groups become aware of prevailing taken-for-granted assumptions that contradict their real interests and thereby come to perceive the existing regime as illegitimate. According to Ojha et al. (2009), this is only like to happen in a situation of crisis, for example due to severe livelihood impacts. When previously marginalized groups do realize what is at stake, they may be able to assert their will by various means; for instance through formal processes to access the decision making arena or alliances with more powerful external actors (cf. Lund and Saito-Jensen 2013, Nightingale and Ojha 2013, p. 41), or by more covert approaches of non-compliance and sabotage (Scott 1985).

It is interesting to note that the concept of power adopted in this study focuses on ‘power over’ whereas grassroots level resistance is intuitively more concerned with ‘power to’. To recap, power is defined in this study as the capability of an actor or a group to influence the behaviour and ideas of others without recognizing their interests. Resistance to this power on the other hand arguably derives primarily from the want of the concerned actors to (re-)gain their ability to realize their interests, rather than to have such power over someone. They will thus first of all focus on gaining *access* (a concept discussed below) to resources and decision making processes, rather than aiming to achieve the same domination they challenge. As it will be seen, resistance may however also be targeted against the power position of certain actors based on the sentiment that their rule is illegitimate, more or less regardless of its impacts on material needs.

### **2.2.3 The concept of access – linking power and resistance to livelihoods**

An important premise in the context of this study is that the degree to which forest users can benefit from the community forest is not primarily a matter of their formal rights, but rather a matter of at least partly informal power relations. This closely corresponds to the theory of access developed by Ribot and Peluso (2003) that defines access as the ability (as opposed to the right) to derive benefit from the resource in question, including legal and illegal, legitimate and illegitimate means. The realized access to forest products as compared to the perceived need is thus the main measure used in this study to assess the livelihood implications of the prevailing management regime.

## 3. Methods

### 3.1 Study approach

This study draws on qualitative field research carried out in two CFUGs in April and May 2016. Interviews were conducted in Nepalese language and later transcribed with the help of an interpreter, a female recent BSc graduate of forestry (which facilitated access to sensitive information held by women).

Each of the two case studies consists of two main stages: a pilot study with focus group discussions (see appendix C), and an in-depth key informant survey with individual interviews (see appendix D). The CFUGs' operational plans were obtained and relevant sections translated beforehand as a basis for the conversation with respondents (see appendix B). Similar questions on rule implementation and decision making processes were asked to multiple respondents to allow triangulation of results.

### 3.2 Selection of study sites

The two long-established CFUGs were selected with the help of key informants and forest officials so as to show different characteristics with regard to OP implementation. Codenames are used in the following in order to ensure the anonymity promised to respondents and necessitated by the delicate subject matter.

*Siddhapur CFUG* was selected as a (reputed) model case as it had been awarded for good community forest management practice in the past and was mentioned as an example of good OP implementation by forest officials. Accordingly, 'siddha' is the Nepali word for 'perfect' and 'pur' a common suffix to denote a settlement or town.

*Kathpur CFUG* in turn was selected as a problematic case as it was "not very committed to implementing the OP" according to officials, and according to a key informant had encountered serious legal issues related to timber harvesting; thus the choice of codename as 'kath' is the Nepali word for 'timber'.

### 3.3 The pilot study

The aim of the pilot study was to get an overall impression of the community forests' actual governance and to identify local key issues to focus on in the subsequent key informant survey.

Three types of focus groups were assembled: EC members, wealthy forest users and poor forest users. Respondents were selected with the help of the local shopkeepers, emphasizing that conflicting viewpoints were desirable for the purpose of the study and women were to be included.

EC members were mostly asked questions related to operational plan implementation whereas the forest users received questions on the impact of regulation on forest product use and participation in decision making (see appendix C). As far as possible, EC members were excluded from discussions with forest users and women were encouraged to voice their opinion.

### 3.4 The key informant survey

The key informant survey represents the primary source of data for the later analysis and was based on the understanding of the local situation acquired in the pilot study. It had become clear that a survey of randomly sampled households as planned initially would not be suitable to fully

understand the local situation with regard to the research questions and would likely produce data with low variation. Instead, qualitative interviews were conducted with purposefully selected key informants, focusing on important issues of contention and actors most likely involved with or affected by them.

Four main types of respondents were thus targeted: selected forest users, executive committee members, knowledgeable key informants or opinion leaders, and forest administration staff (see appendix D). Prepared interview guides for key informants were complemented with additional questions depending on the course of the respective interview. Contradictions between statements and apparent misinformation made it necessary to interview additional informants for triangulation. A point of theoretical saturation (i.e. when the prepared set of questions yielded no new information) was reached at 15 respondents in Siddhapur and 20 respondents in Kathpur.

### 3.5 Data analysis

Data was available for analysis in the form of field notes, translated documents as well as transcribed and translated interview recordings. Transcriptions were limited to a selection of approximately 25 hours of the most relevant material due to resource constraints. Selected quotes serve to exemplify overall findings summarized according to the sequence of research questions.

Triangulation of different sources for convergence allowed a realistic appraisal of realities on the ground, though contradictory statements left a degree of uncertainty on some issues. The analysis of power is founded in the analytical concepts outlined in chapter 2. Mechanisms of consciousness control and symbolic violence were revealed by triangulation for divergence, i.e. an examination of the contradictions between different actors' answers to similar questions (cf. Ahlborg and Nightingale 2012).

## 4. Results

### 4.1 Overview

The presentation of results from fieldwork generally follows the sequence of research questions (cf. chapter 1.6), complemented with additional findings and remarks. First of all, chapter 4.3 compares various aspects of de facto forest product use and regulation in CFUGs to what operational plans stipulate. It seeks to explain deviations between official rules and actual practice as far as possible and adds related observations on recent changes and the perceived purpose of operational plans. Chapter 4.4 interprets these findings and additional detailed respondent statements in relation to different dimensions of power. This is to show which actors actually hold power over valuable forest resources (timber in particular) and by which mechanisms this power is exercised, not seldom in violation of formal forest user rights. The exercise of power by forest officials and local elites over forest resources has livelihood implications for forest-dependent respondents that are described in chapter 4.5. Intuitively, those who are adversely affected would be expected to question those in power; chapter 4.6 on legitimacy perceptions shows how this is partly the case. Grievances are the basis for resistance, which however is not straightforward in the present context of entrenched power asymmetries. Chapter 4.7 thus illustrates both barriers and opportunities of resistance against the status quo.

Similar findings from both case studies are presented jointly while important distinctions and comparisons between cases are made within each subchapter.

## 4.2 Presentation of the case studies and study context

Both case study CFUGs – Siddhapur and Kathpur (names changed) – are located in the Western Development Region of Nepal, in a rural setting of the Nepalese middle hill region that is characterized by subsistence farming of rice and maize. While by now, most households receive remittances from family members working abroad, they still depend on the forest regularly for construction material, animal fodder, firewood, agricultural implements and other non-timber forest products (cf. Palikhe and Fujimoto 2010, Mahat 1987).

Siddhapur is an ethnically quite homogeneous village with a population of 900, all of which are member of a single CFUG. Its community forest is comprised of small stands of Sal (*Shorea robusta*, a valuable timber species) accessible by road, whereas a larger share of the forest area dominated by Khayer (*Acacia catechu*, also marketable) is located on an inaccessible steep slope (cf. appendix A.1 for an overview of important tree species). Overall, the forest area per household is a bit less than one hectare.

Kathpur is located in a more remote area; its ethnically mixed population of 700 is dispersed over a number of separate hamlets that to some extent reflect social segregation according to caste and ethnicity. The large community forest is dominated by Sal, most of which is accessible by forest road. The forest area per household is more than two hectares and some households are simultaneously member of the neighbouring CFUG as well.

## 4.3 Forest product use and the practical relevance of the operational plans

**Research question 1 of 5:** *What is the practical relevance of formal and technical rules regarding forest product use, and what are the reasons for discrepancies between law and practice?*

### 4.3.1 Provisions in the operational plans

Both case studies have similar OPs with regard to forest product regulation (see appendix B). One of their core components derived from the compulsory inventory process is a table with annual allowable cut (AAC) for timber and “green” (fresh) firewood, indicated separately for each forest block and tree species. The use of any “green” (living) trees as well as commercial use of other non-timber forest products (NTFPs) is subject to “supervision” by the forest administration.

Regarding subsistence uses, OPs stipulate tight seasonal limits on dry firewood and grass, and that Sal trees may not be lopped for firewood or fodder. Forest grazing as well as the distribution mechanism of green firewood (limited to “once per year”) is at the EC’s discretion.

As compared to the OPs, de facto access to the forest is far less restrictive for most subsistence products and far more restrictive for timber, as elaborated below.

### 4.3.2 Subsistence products except timber

Contrary to the OPs, there is completely open access to the forest for grass and dry firewood (none of which is a matter of public discussion) in both cases. Grazing is also unrestricted except for the newly planted sites in Siddhapur. Fodder may not be cut from Sal trees and is otherwise unrestricted, with conforms to the OPs.

Regarding green firewood, the AAC stated in the OPs is of no concern (quantity is unrestricted in practice), however it is cut only once per year in a time frame specified by the EC. The arrangement in Kathpur is more lenient in this aspect by allowing a collection period of two months as opposed to four days in Siddhapur. In both cases, EC members stated that low-grade trees as well as Sal branches can be used for firewood under their supervision, though this is uncertain as forest officials denied this and forest users made contradictory statements. A recent case of illicit timber extraction in the name of green firewood in Kathpur indeed sparked an investigation by the national anti-corruption agency (CIAA) (details in text box, chapter 4.3.5). Forest users are generally unaware that there are unenforced formal restrictions. EC members who are aware communicate openly that certain rules are impracticable as they would unduly interfere with users' subsistence needs; there is no pressure from the authorities towards enforcement. A statement that represents both case studies:

*Kathpur ex-president: "If we allow grass collection just for few months, then how will village people feed their cattle? Goat rearing is the main occupation of some [forest] users, if we restrict grazing [in the forest], then where will they graze their goats? There isn't any other alternative. In cases like this we have to be flexible and we are."*

Apart from the donor-initiated marketing of a forest fruit in Siddhapur, there is no commercial use of NTFPs despite corresponding provisions in the OPs (whereas selling by individual forest users is banned by default). One respondent expressed a view that matches other respondents' statements:

*Siddhapur treasurer: "I think we have become more focused on timber so that our attention has not yet reached potentially valuable medicinal and aromatic plants. There is also a lack of knowledge regarding the importance of medicinal and aromatic plants among our users."*

### **4.3.3 Timber allowance**

The quantities of timber extracted are substantially below the AAC indicated in the OPs, with the exception of Sal in Siddhapur (where there is an approximate match). In both case studies, around 30% of the allowable volume across all species and blocks is reached.

On a side note, even the full AAC appears to be considerably lower than a sustainable harvest level at an average of around 0.5m<sup>3</sup> per hectare per year in both cases. However, a qualified judgement of whether the AAC is appropriate or not is beyond the scope of this study. In its defence, respondent statements and a forest walk in Siddhapur suggested that most of the stock of Khayer (harvested for selling up to a third of the AAC) is indeed either of small dimensions or inaccessible for commercially viable extraction. In contrast to these observations, no forest official or key informant would admit that the AAC could be flawed.

Overall, the AAC stated in the OPs acts as an ultimate, legally binding upper limit that is reached only in case of exceptionally high internal demand by the CFUG (as is the case for Sal in Siddhapur). It is not used as a target for optimal sustainable extraction, regardless of whether it would be technically sound or not. The amount that is actually harvested is a matter of administrative thumb rule with partly contradictory justifications that may not reveal the real motive.

*Interviewer: "So, you don't harvest more even if it is allowed by the operational plan?"*

*Siddhapur key informant II: "Yes, we follow the DFO, then our operational plan."*

*Interviewer: "Whose idea was it to harvest below the AAC?"*

*Kathpur president: "It was decided by the above authority. They said, 'You have to control [timber harvesting] for some years, otherwise it will not be good for the forest. Doing this conserves your forest; otherwise it will be destroyed. Whatever we tell you is for your own sake.'"*

*Forest ranger: "If providing 30cft for free to the earthquake victims exceeds the AAC, that would be a breach of rules. We can't go beyond the growth capacity of the forest even if we have natural calamities."*

*Forest ranger: "There is an understanding among DFO officials that we should tag below the AAC so that we can still provide timber in case of emergencies like earthquake and fire. [...] There is a written document [from the department of forests] at the district forest office. Following that document, we were advised during our staff meeting to tag below the AAC. This is one reason why the AAC is not reached."*

*Forest guard (on Siddhapur): "We have never harvested an amount equal to the AAC, thinking it will decrease the forest density. But the AAC is not too high. Our users are aware that the focus should not only be on the production potential of their forest." [...]*

*Interviewer: "Is there any flexibility if the CFUG needs more than the AAC in one year?"*

*Forest guard: "No, the AAC cannot be exceeded."*

An administrative directive from a higher level that overrides the OPs is a credible reason. The other justifications mentioned above indicate a conservation-oriented mindset among officials that exhibit a poor understanding of the concept of sustained yield inherent in the AAC.

In Kathpur, mismanagement may have been another reason to cut down timber supply as an informal disciplinary measure, as implied in the following statement:

*Forest ranger (on Kathpur): "They didn't follow the guideline for fund mobilization, that is why they have loans. Just because they have loans doesn't mean we can tag a high quantity.*

*Moreover, their demand was less, or let's say, [one third of the AAC] was sufficient for them. So we tagged [one third of the AAC]."*

#### **4.3.4 Tree selection**

DFO officials come to select the trees to be harvested with the assistance of EC members that are tasked to identify suitable trees in the run-up to the tree tagging event. This practice contradicts the OPs that merely require "supervision from the district forest office whenever a green tree is to be cut"; it is however required by the new community forest product collection and trade directives (issued in 2014). Trees are to be prioritized as follows, until the AAC is reached (as decided by officials): 1) so-called "4D" trees (dead, dying, diseased, deformed), including those lying on the forest floor 2) thinning of densely growing green trees, 3) other trees, but keeping at least 25 seeding trees per hectare. This doesn't necessarily mean that forest officials feel bound by these directives:

*Forest guard (on Siddhapur): "Even if the operation plan allows it, that doesn't mean that they can cut green trees. Green trees should not be cut."*

*Interviewer: "Even if the OP allows, you shouldn't cut green trees?"*

*Forest guard: "Green trees can be cut but those that are old, dying, decayed. Good kinds of green trees should not be cut."*

In practice however, compromise within this conservative tree selection paradigm appears common to the effect that “4D”-trees are selected only as long as they are still suitable enough for timber uses. In Kathpur, sawn timber volume for commercial use constituted a favourable 85% of raw log volume, and the president admitted that they extracted “only few” poor quality trees for timber and “also good trees”. In Siddhapur, such a conversion factor is unknown, but we obtained a statement to the same effect:

*Siddhapur president: “We don’t give priority to trees that are unlikely to be used for house construction because everyone will complain that it is not useful for making door and window [...] We rather select old, matured kind of trees in densely growing stands.”*

Forest users themselves gave rather mixed accounts of timber quality. Overall, no conclusive statement can thus be made to which extent the officially required “4D” paradigm is practiced. It clearly plays a role in tree selection but there are exceptions, either to avoid conflict, or to increase revenue.

#### **4.3.5 Timber distribution**

Formally, the ECs receive applications for timber from forest users, decide who is entitled to receive timber and then submit a request for tagging of trees to the DFO. The OPs further require internal demands within each CFUG to be met before timber can be sold outside.

Timber distribution arrangements and associated irregularities were the most controversial issues in both case studies that in this matter represent rather different scenarios. They are a prolific source of evidence for the following power analysis as well as the discussion of livelihood implications and potential for resistance. What follows here is thus a brief overview that will be exemplified in subsequent chapters.

In Siddhapur, the forest administration in cooperation with the president implemented an egalitarian distribution mechanism without legal basis and apparently without general user or EC consent. The available timber (mainly Sal, up to the AAC) is divided into a number of similar stacks of raw logs; timber recipients then draw a lot that allocates one of the stacks to them.

Supply was by far insufficient to meet internal demand (ca. 14cft of the preferred Sal per applicant, 0.4m<sup>3</sup>). Earthquake victims weren’t granted the exceptions they are formally entitled to according to the OP, i.e. 30cft of timber for free.

*Siddhapur president: “We have to maintain equality based on quantity and quality.”*

In Kathpur, the distribution of timber has so far been need based (i.e. corresponding to users’ individual applications) and fulfilled internal demand. However, a case filed with CIAA due to illegal timber selling in the name of green firewood led to the temporary closure of the forest and delay of timber supply. The president along with other EC elites put off internal demand in the year of the study with the promise to provide in the following year, apparently to sell sawn timber in order to repay debt.

An assistant forest officer indicated that a need-based system will be maintained in CFUGs with ample forest resources (such as Kathpur) whereas an egalitarian system is applied in CFUGs with scarce resources (such as Siddhapur). In the latter case, it appears that forest officials fix the quantity to be distributed per household up front.

In both case studies, contractors were commissioned with timber extraction and transport, against the preferences of general users to extract timber by themselves. Certain respondents claimed that this practice is used by powerful actors (local elites, contractors, officials) to obtain personal benefits, both legally and illegally. In Kathpur, forest users will likely be allowed to extract their own trees for subsistence uses again under regular conditions, whereas the egalitarian distribution mechanism in Siddhapur reportedly necessitates the use of contractors.

Text box: Side note on the CIAA case file

### **The CIAA case file in Kathpur**

The evidence from key informants and meeting minutes in Kathpur suggests that certain EC members harvested and sold timber illegally in the name of firewood (so-called 'jarna', low grade wood that is not tagged by forest officials). This incited an anonymous complaint with CIAA, resulting in a temporary ban on timber extraction.

*General Assembly minutes: "We, the public present in the general assembly, came to know about the case filed against the CFUG in the District Administration Office [...] and CIAA [...]. [...] We are not aware of any indication of the cutting of green trees for firewood that is claimed in the case file. Whosoever filed this case against the CFUG shall be searched out and punished as per the existing laws. Moreover, we understand the need of our unity so as not let the cases like this happen in the future. We all shall be working with dedication and honesty towards forest conservation."*

*Kathpur treasurer: "There was a high degree of mismanagement, so our forest was closed by the above authority. The DFO even stopped the EC from selling firewood."*

*Kathpur key informant V: "When we were cutting 'jarna' in the forest, someone from the EC felled a large tree. [...] We even told him not to cut that tree, but he didn't agree and said that the tree had a cancer inside. They even harvested round timber in the name of 'jarna'. Because of this, the case was filed against them and the whole committee suffered".*

*Interviewer: "Did you sell that jarna outside commercially?"*

*Key informant V: "Yes, it was sold outside. Both jarna and the large round timber was sold in the name of jarna."*

On the contrary, EC members insisted that the case was baseless and filed for reasons of personal rivalry only. The relevant forest ranger stated that green trees were cut for earthquake victims without official permit and that the file was closed without punishment as the cause was deemed legitimate. The earthquake victim we asked however indicated that she had received uprooted trees. While not holding up as a proof, this suggests that EC and forest officials are complicit in illegal timber trade and successfully deflected a CIAA case file.

### **4.3.6 Recent changes in DFO control**

Major changes have occurred regarding the management of timber about two years ago. In both cases, respondents report that previously, the EC had selected trees whereas now it is forest officials that at the same time reduced the de facto timber allowance. These changes coincide with the issuing of the new forest product collection and trade directives for community forests (in 2014). Forest officials however attribute changes among others to an increase in the available manpower, stating that they had applied regulations for government-managed forest all along (which in either case contradict the OPs that give more independence to CFUGs).

In Siddhapur, the implementation of an egalitarian distribution mechanism with the use of contractors is another major recent change that respondents attribute to DFO directive rather than CFUG decision. Before, the EC had pointed out whole trees for the applicants to harvest by themselves. The involvement of local people in timber harvesting for commercial purposes has likewise been at least partly replaced by external contractors, in both cases. Furthermore, control used to be more localized than it is now by the use of local forest guards; no official visits had been made:

*Interviewer: "While you were selecting [trees for harvesting], did the DFO officials come for checking?"*

*Siddhapur key informant I: "No, they didn't come for checking."*

*Interviewer: "How long ago was that?"*

*Siddhapur key informant I: "3 years ago. [...] No official visit was made because users of [Siddhapur] were working as forest officials – 'forest guards'. They were fulfilling two roles: in their role as forest users, they worked for forest conservation, and in their role as government officials, they helped the EC to work in accordance with the rules of government."*

*Interviewer: "Why did that process change and how?"*

*Siddhapur key informant I: "Maybe because of the DFO's increased concern to keep control over the resources. We were told that we own all the rights related to forest utilization and can make our own decisions. They said: 'You can utilize and conserve your forest, but don't destroy it'. We even have our operation plan as a tool for decision making. However, while with all these words they try to encourage us and act like facilitators, they on the other hand still want to have control over our resources."*

Most of the CFUG members who have so far not been directly affected by the tightened regulation on timber are not aware (yet) of such changes. In defence of DFO control, it should be noted that some respondents commended the stricter conservation of the community forest as opposed to "mismanagement" in the past (cf. section 4.6.1 on legitimacy).

#### **4.3.7 Perceived purpose of the operational plans**

For forest officials, the main use of the operational plan is that it provides a reference level for timber harvest, even if it is not reached. When asked about the need of impracticable rules on subsistence uses, they insisted that such "rules are needed to make sure that there is no further misuse of the resources" and "plans cannot be implemented fully at once" (forest ranger). It thus appears that impracticable rules are deliberately kept in the OPs to be able to discipline forest users in case the need arises. Further, "the OP is at the lowest level, so there are other dominating policies and acts that can override" (forest ranger) – such as the new forest product collection and trade directives for community forests (2014).

The need for an operational plan is also taken for granted by leading EC members. The main purpose in their view is its authoritative nature, used to assert control over the forest, even if most of the rules are not actually put into practice:

*Siddhapur president: "Without operation plan there would be no control. One user might demand 200cft, another might demand 100cft, i.e how much they like, in that case if we didn't have an operation plan, how long would our forest sustain?"*

*Siddhapur treasurer: "Yes, they will not believe us. They will demand for proof or evidence saying where is that written? Who said that?"*

*Kathpur EC member: "If there is an operation plan, we can convince people that we have to work in system."*

Interestingly however, few forest users were aware of the very existence of an operational plan and they still followed directions by EC members. As chapter 4.4 illustrates, the forest administration and the EC in coalition have the power to regulate forest use even without legal basis.

## 4.4 Power

**Research question 2 of 5:** *Who actually holds power over valuable forest resources and by which mechanisms is that power exercised?*

### 4.4.1 Decision-making power

Decision-making power corresponds to the ability to impose decisions against resistance. The formal decision making arena in Nepalese CFUGs is the general assembly attended by EC members, general forest users as well as forest officials as far as they are invited. Various decision-making processes however also take place outside of this formal setting, for example in interactions between forest officials and leading EC members during the tree tagging process, or between EC members and forest users on a day-to-day basis. This section comprises accounts of both formal and informal incidences of decision-making power, distinguishing between power held by forest officials, the EC in relation to forest users, and elites within the EC in relation to other EC members.

Forest officials have the administrative mandate to enforce certain decisions in CFUGs regarding timber allowance and tree selection, regardless of possible resistance. With recent government directives, their formal decision-making power has extended beyond the one stipulated by operational plans, notably regarding the control of timber harvesting.

*Siddhapur treasurer: "We requested the people from the DFO to give us 2-3 more trees; then they showed our operation plan and explained that we couldn't harvest more."*

*Kathpur ex-president: "In contrast to what is mentioned in operation plan, the district forest office limits the amount that can be harvested [...] it's not even half of the AAC, just around 25%. This is a new rule from the government that has been implemented since 2 years ago. 2 years ago, we harvested as per the operation plan but not now."*

The case of Kathpur shows that if the forest administration's formal decision-making power it is subverted, e.g. by illegal activity, it can threaten to impose its authority by force:

*Interviewer: Did the DFO come to the general assembly?*

*Kathpur treasurer: Yes, they were present. They said, 'You have so much mismanagement' and called us thieves. They told us that we have to control our resources; if we cannot, we will lose our access to the forest. Further they said, 'If illegal activities continue in your CF, you will be punished.' [...] We apologized to them and promised not to let such things happen again."*

*Kathpur ex-president: "Well, if we don't follow [the OP] then we will be charged guilty and even have to face imprisonment."*

Notably, forest officials' decision-making power extends beyond their formal mandate. For instance, they define the internal timber distribution in Siddhapur CFUG for which there is no legal basis.

*Siddhapur key informant II: "During our time [2010-2014], we gave whole trees to users. Now the quantity to be given to the individual households is fixed by the DFO".*

Besides, it also appears questionable if the restriction of timber harvest far below the AAC is legally sound. The fact that officials' decisions are generally perceived as part of their formal mandate anyway points to a situation of symbolic violence as discussed in chapter 4.4.4.

Another source of informal decision-making power is the DFO's influence on leading EC members that allows suppressing 'dangerous' criticism, should it arise. Such a case has been observed in Siddhapur:

*Siddhapur key informant I: "The people from the DFO told the EC that if they show the original [financial] audit, they might have a problem with CIAA [...] With the influence of DFO people, the original audit was changed and they made another one which is unlikely to lead to any kind of trouble with CIAA."*

Be they formal or informal, the DFO's decisions are hard to be challenged by general forest users as they are handed down via EC elites as intermediaries.

*Siddhapur earthquake victim II: "We used to get whole trees in the past. We told the committee that our house was completely destroyed and that we would thus like to have a whole tree, to which they replied, 'We aren't given that right either, people from the DFO will come and check.' We couldn't go to cut our own trees. The EC did that all on their own."*

*Interviewer: "Wasn't there any disagreements [with reduced timber supply]?"*

*Siddhapur key informant II: "Of course there was. Who wouldn't? [...]. This quantity is too little for making doors and windows."*

*Interviewer: "How do you convince the users to accept this?"*

*Siddhapur key informant II: "We said that we have been instructed by the DFO to do so. So we have to follow it."*

Similarly, decisions made by the EC are generally followed by general forest users, even if they disagree and there is no formal rule that justifies them. The EC is perceived to have a mandate for decision making regardless of whether they represent forest users' interests or not.

*Siddhapur timber recipient I: "We said, 'give to few users, but let that be sufficient for their purpose.' To which the President and others replied, 'No, every selected applicant should be given.' Then we didn't argue. [...] I would go for the idea of 'Sufficient timber even it's for a limited number of users'. A majority of the users applying for timber this year had the same view. But what to do, the EC made its own decision."*

*Kathpur key informant III: "They said that first of all, they will sell the timber outside and the remaining timber will be given to the people in need."*

*Interviewer: "[...] the rule is that the users' demand should be fulfilled first and only then they should consider outsiders."*

*Kathpur key informant III: "Oh I don't know much about this. I think users are not getting timber now because it is already delayed. But you should ask the president about this whole thing."*

As far as still required, the EC can threaten sanctions to enforce rules.

*Interviewer: "What gives the EC the right to rule in such a way?"*

*Siddhapur livestock owner II: "If our president and the EC say we shouldn't do something then we don't. What option will the poor people like me have if they punish us legally? Where will I seek for help?"*

*Sister of Siddhapur livestock owner II: "If the EC says this, we just follow. We are afraid to speak against the EC. [...] We have been told that breaching any rules is a serious punishable crime."*

Within the EC itself, there is a minority that can impose their decisions over other EC members.

*Siddhapur timber recipient I: "the treasurer proposed, 'let's not give to everyone who applies. Let's provide to fewer users but sufficient timber'. The president refused this proposal. He supported the idea of providing to everyone, even if it's insufficient. [...] I can't say why it's like that."*

A number of elites within the EC likewise dominate the affairs of Kathpur CFUG, though not primarily through decision-making power as hardly any resistance could be observed.

#### **4.4.2 Nondecision-making power**

Nondecision-making power corresponds to the ability to set the agenda in the decision making arena against possible resistance.

In Siddhapur, the EC (or elites within it) manage to exclude contentious topics such as the quantity and distribution of timber from open discussion at the general assembly, relying on majority support to exert social pressure.

*Siddhapur earthquake victim III: "We can't speak. No one listens to our problems. [...] If someone speaks for us then they lose their reputation, everyone blames them for overreacting and they are thrown out of the EC. I don't know why the EC is like that."*

*Siddhapur key informant III: "The EC can't provide for the needs of all the users, that's why the EC might not want to discuss this matter at the general assembly."*

*Siddhapur key informant I: "I did express my disagreements, but while doing so I felt that no one was very concerned about what I was saying. I got the impression that it is not good for me to continue to express my disagreements, so I chose to better keep my mouth shut."*

*Siddhapur key informant I: „Not everyone you interview will be so open because they have been told not to speak."*

In Kathpur, the EC apparently has less need to avoid difficult topics as they are capable of defining the 'truth', thus they rely more on consciousness control than on nondecision-making power. However, controversial issues may equally be excluded from decision making by means of social pressure:

*Wife of Kathpur key informant II: "You are interviewing my husband. I hope it will not affect him in any way. You take the interview and go, but I am afraid people might come and attack him. We live in a village, so if we say something, we have to fear the consequences. People may come to bully us and to suppress our voice."*

Another effective way of precluding discussion in the first place is the deliberate designing of rules to leave no allowance at discretion, which could be observed in Siddhapur:

*Interviewer: "Giving everyone the equal amount [of timber] regardless of how much they demand, whose idea was that? And what was the reasoning for that?"*

*Siddhapur president: "So as to avoid possible dispute. [...] They will complain that the EC didn't give equal quantity to all, so we want to avoid that."*

Such rules may either be implemented by the EC on their own behalf, or (more likely) by forest officials in cooperation with the EC. In case of resistance, closure in deliberation can be achieved by pointing to the DFO as a superior authority that remains unchallenged:

*Interviewer: Do you think you can influence the decisions of the general assembly?*

*Sister of Siddhapur livestock owner II: "When we speak, someone else stands up and says, 'This rule is already made by the above authority'. Then what can we do?"*

Presumably because of such arguments that cut off attempts of deliberation, a majority of interviewed forest users have a general feeling that their voices would not be heard if they spoke up, thus they remain silent on controversial topics. Such resignation is further discussed as a barrier to resistance in chapter 4.7.1.

#### **4.4.3 Consciousness control power**

Consciousness control power corresponds to the ability to manipulate subordinates' perceptions to prevent grievances and possible resistance. Evidence presented in this chapter elucidates mechanisms of dominant information (i.e. providing unverified information that may be partial or false) and lack of transparency on the part of leading EC members and forest officials. Indoctrination as another possible tool of consciousness control power is however dealt with in chapter 4.4.4 on symbolic violence, assuming that those in power themselves (at least partly) believe in the ideology they use to exert power.

##### Dominant information

Most interviewed forest users and even some EC members were unaware of the very existence of an operational plan, much less about its contents and their formal rights; instead, they got their information on the regulation of forest product use directly from leading EC members and forest officials. Along with a general lack of critical questioning of such elites, this provides them with a strong basis for dominant information.

The issue of internal timber distribution in Siddhapur illustrates how information (a particular rule in this case) is handed down by forest officials through EC elites without being questioned.

*Siddhapur key informant II: "In the past, the EC decided how much timber to give to individual users, but now the DFO decides."*

*Interviewer: "Does the DFO mention any legal backgrounds?"*

*Siddhapur key informant II: "This is a command given to the president by the above authority. If it's from the DFO, I don't know whether they have a legal paper or if it was just a verbal instruction. You never know, there might be some legally binding paper." [...]*

*Interviewer: "So you believe everything the forest officials say?"*

*Key informant: "They convey the message to the president and since the president is selected by the GA, we have to follow what he says."*

In actual fact, as ascertained in an interview with relevant officials, there is no legal basis to this practice even though the respective respondents initially asserted that there is. Rather, it is an administrative thumb rule applied to user groups with scarce timber resources (thus not in Kathpur). A number of respondents agreed with this system while others disagreed. The point here is not to judge the merit of the distribution system itself, but to show that forest officials do not have to rely on existing laws to enforce their decisions. Certain respondents from Siddhapur

point this out explicitly, indicating a degree of critical awakening to the issue of dominant information:

*Siddhapur key informant I: "Not all of our users are aware, so the DFO officials come and urge the community to work as per their directions. They emphasize that doing what they say will be best for the forest and for the community; this is how our users get easily manipulated."*

*Interviewer: "Can you explain why you follow the rules even though you don't contribute to making them?"*

*Siddhapur livestock owner II: "Well, the EC says, 'this rule is made by the district'. So, we don't question it."*

*Sister of Siddhapur livestock owner II: "Yes, they say that. I believe that the rules should be made by the community so as to fit the local situation, not by the DFO. The EC says 'the DFO made this decision', but how can innocent villagers be assured that it's true? Rules made by the government are beyond our understanding. Users are so gullible, they easily believe the EC."*

Another concrete example of dominant information by EC elites in collusion with forest officials is the treatment of earthquake victims in Siddhapur. According to the OP, they are entitled to 30cft of timber for free. They however did not know about this rule and were told by the EC how much they can get (as part of the aforementioned egalitarian rather than need based distribution mechanism), and they were charged the regular fee for most of the timber that they received. The CFUG leadership itself confirmed this to us:

*Siddhapur president: "If we give away all timber for free, how will the CFUG earn money for forest management activities?" [...]*

*Interviewer: "Then how did you justify this to the earthquake victims? You know that they have the right to get it for free according to the operation plan?"*

*Siddhapur president: "We said, 'This is all we can give you'. Then they accepted it."*

*Forest ranger (on Siddhapur) "It was not possible to give 30cft for free to every earthquake victim. The GA decided to give 6cft for free. Sometimes what happens is that the decision of GA overrides the rules of the OP."*

In fact however, this arrangement was decided in the first place at a seminar attended by EC members from several CFUGs and forest officials, not at the general assembly. Such issues are (reportedly) unheard-of among many forest users:

*Male participant of wealthy focus group, Siddhapur: "The EC is very helpful towards us. If someone's house falls down, then they can request the required timber, to which the EC responds quickly and provides them after inspection. [...] This is how our EC is working."*

Given that general assembly attendance is compulsory, it appears likely that the issue was not actually discussed, or that the respective respondents feel compelled to recite a dominant, socially desirable narrative. Apart from consciousness control or non-decision making, this phenomenon working in favour of the leadership could also be understood as symbolic violence.

The power through dominant information is equally relevant in Kathpur, though applied to different issues. We recorded an intricate mix of partly contradictory narratives to explain irregularities in supply and distribution of timber, most of which sought to distract from the EC's responsibility in the matter and the recent CIAA case file. The triangulation of different sources presented in the textbox chapter 4.3.5 provides one likely view of what actually happened.

The EC's narrative refuting that there was a factual basis to the complaint filed with CIAA and that the real reason was personal rivalry appeared to enjoy more credibility among forest users than external authorities:

*Key informant VII: "Two forestry related officials [...] had also come to that meeting. They said that there was mismanagement of forest resources in our forest and we should not do such kinds of illegal activities. [...] EC members said that this case file issue is because of rivalry reasons. They said that someone who has bad feelings against the EC filed this case."*

*Interviewer: "What do you think about the case filed against the EC? Do you think it's because they actually did it or is it because of some rivalry reasons?"*

*Key informant VII: "I think it is because of some rivalry issues."*

*Interviewer: "Did everybody believe what EC members said?"*

*Key informant VII: "Yes, I think everyone believed it."*

The closure of the forest due to the CIAA case file led to a delay of timber supply. The EC provided different explanations to forest users, often blaming the forest administration instead of referring to CIAA:

*Kathpur timber applicant III: "The EC members told us that a person from the district forest office will come to select the timber for harvesting. But they didn't come. And now as we finished building our house with the old timber, there is no point in complaining about this anymore."*

*Kathpur secretary: "Last time there were applications, but the trees tagged by the above authority were too far for the users. That is why they were told to manage with dry firewood and they will get the timber next time. [...] [The president] just said, 'You will get the timber for sure but later, I have been discussing with the above authority. For now, please make use of the available dried small trees.'"*

Under oversight of the president of Kathpur CFUG, all of the trees that were harvested with delay were then converted into sawn timber that was firstly too costly and secondly not of the right dimensions for timber applicants. It was intended to be sold outside presumably in order to repay their debt that several forest users attributed to financial mismanagement. Timber applicants were generally not aware that internal distribution must be prioritized and readily accepted to be put off by the EC with the promise to obtain timber in the following year, most of them not demanding any further justification.

*Kathpur timber applicant I: "they said that they couldn't provide timber this year and they promised that they will provide it next year. So, I didn't say anything."*

Previous cases of presumable illegal activity were likewise successfully disclaimed by the EC elites.

*Kathpur key informant II: "there were two, three cases filed against the EC. [...] They issued a cutting permit in the name of building houses and then they cut a high quantity of timber. That is why rangers came and closed our forest. Things were not going well, so our ex-President was replaced with the new president."*

*Interviewer: "What did the EC say about the forest closure?"*

*Kathpur key informant II: "The EC said, 'Trees were cut because there was demand for timber."*

*We didn't cut on our own. Those who we sent for cutting cut more than we actually told them."*

Notably, this discredited ex-president was still in charge as a member of the advisory board and self-declared timber contractor at the time of the study.

#### Lack of transparency

In both CFUGs, the general public receives little information about the commercial utilization of the forest. This lack of transparency means that there are few checks and balances on those who may misappropriate public benefits.

*Siddhapur key informant I: "During this whole procedure of harvesting Khayer, they [contractors] didn't notify our community. Few people complained about this. [...] They claimed that it has been already discussed with the EC and said: 'the EC has the responsibility to inform all users and they might have done that; why worry so much, our duty is to complete the job and we are doing that.'"*

*Interviewer: "Why do you think the EC didn't inform everyone during the cutting of Khayer?"*

*Siddhapur key informant I: "I don't understand why they didn't inform."*

The situation in Kathpur is considerably more intransparent, where the process of timber selling appears to be largely controlled by elites. General forest users were not aware about what was going to happen to present stacks of sawn timber except that they would be sold under oversight of the EC.

*Kathpur secretary: "There was a discussion on who to give the timber contract. It ended with the conclusion that the president will be responsible for the collection of timber."*

*Forest ranger: "He [the ex-president] co-ordinates the supply of timber from [Kathpur] to other areas. He informs the potential buyers that a tender is going to be held and they can come."*

*Kathpur key informant IV: "The president is responsible for the timber cutting process as well as the timber selling process. Both the president and the ex-president are working on it, but the president has more responsibility in the timber selling process than the ex-president."*

*Interviewer: "We heard that the ex-president was removed over corruption charges. How is it possible for him to still be involved in the timber business?"*

*Kathpur key informant IV: "I think the ex-president will give half of the profit from this timber selling process to the CFUG while keeping the rest for himself. I think the decision for selecting him as a timber contractor was made in order to see whether he will change or not."*

#### Other forms of deception

Deception of the general public can take forms other than dominant information or lack of transparency. For instance, a mechanism reported in both case studies is to pretend agreement or disagreement strategically in public to distract from real coalitions and secret arrangements.

In Siddhapur, forest officials are reported to avoid open conflict in case of opposition, but then reach informal agreements with decision makers covertly.

*Interviewer: "How is the reaction of DFO [to critical questions by forest users]?"*

*Siddhapur key informant I: "If we express something in public, they [forest officials attending the GA] at first nod with affirmation, but then they come again and meet with the people of the*

*EC - even the district forest officer comes for visiting - and they manipulate the EC. Since not everyone on the EC is well aware of this cunning action of the DFO, the EC is easily dominated."*

In Kathpur, EC elites publicly condemn illegal activity that they however appear to be involved with at least indirectly:

*Kathpur key informant VI: "There were a few people who tried to harvest and sell timber illegally. When the EC found out that such things were happening in their forest, they at first decided to give a punishment to these people. Later-on however, we saw that they ended up as good friends with the EC rather than being punished."*

#### **4.4.4 Symbolic violence (and symbolic power)**

Symbolic violence corresponds to a situation of entrenched power asymmetry based on taken-for-granted assumptions (so-called 'doxa') that determine the perception of both powerful and subordinate actors. Symbolic power is used as a closely related concept, denoting the power based on such doxa. Roughly following Nightingale and Ojha (2009), evidence of symbolic violence is presented under the categories of techno-bureaucratic, conservation and feudalistic doxa.

##### Techno-bureaucratic doxa

Interviewed forest officials appear to be convinced that local forest users cannot be trusted to manage the forest by themselves due to the complex technical requirements involved. According to them, the forest will be destroyed unless strictly controlled by them as professionals. Even community forests are seen as an 'asset of the government' that thus needs to be managed by government officials.

*Forest ranger: "Forestry has its own rules and regulations. It is technically too vast for society to understand. That is why forest technicians are required to manage the forest."*

*Interviewer: "So, people cannot be trusted to manage the forest by themselves?"*

*Forest ranger: "No, they cannot be trusted. [...] Our main aim is to make the forest condition better as well as improve the socio-economic condition of the community. For this we, government representatives, have the modality [mandate] to work together with the CFUG.*

*Natural resources are the asset of the government. So, users alone cannot be given the responsibility for natural resource management."*

*Interviewer: "What is the main reason? Why can't the users be given the responsibility?"*

*Forest ranger: "Users don't have the technical knowledge. They don't have the capacity to manage the forest. [...] What will happen if we hand the forest over to them to manage it on their own? It might lead to, 'Hariyo ban Nepal ko dhan, [Kathpur] ko ban ma thuta matra chan' [popular proverb 'Green forests are the wealth of Nepal', complemented ironically with 'but if no conservation action is taken, only stumps will remain in the forest of Kathpur']"*

*Interviewer: "What is the main benefit [of increasing DFO involvement in CFUGs]?"*

*Forest guard: "It will increase awareness in people if we are involved more. They will know what to do and what not to do. Which things should be done and which things should not."*

The idea that forest officials are more competent to manage the forest than locals is echoed by local decision makers.

*Siddhapur treasurer: "People from the DFO have more knowledge and experience than we do. We have been in the EC for a long time, during which the DFO has helped to build our capacity through seminars and trainings. So, we have also got an opportunity to learn. That is why tree tagging is done by agreement of both EC and DFO. We both work together."*

*Forest ranger: "We are forest technicians, so local people can understand and believe that the trees we select are suitable for their purpose. We share our technical knowledge, like: Which tree is the mother tree? Why should we keep mother trees? Which tree should be cut or regenerated? Once we convey this message, they believe in our selection."*

More importantly than technical expertise however, authoritative government control is widely seen as necessary to ensure forest conservation in face of high forest product demand and the threat of illegal activity. The fact that local arrangements of control over resource use are distrusted while technical regulations by government authorities are readily accepted as superior and effective can be considered a techno-bureaucratic doxa. Admittedly however, authorities may be genuinely needed to impose control in cases of mismanagement (cf. chapter 4.6.1 on legitimacy).

*Interviewer: "What do you think about the DFO having so much control over the timber harvest?" Siddhapur treasurer: "In my view it is for the protection of the forest. Maybe the DFO thinks that users might otherwise over-exploit or mismanage the forest resources."*

*Interviewer: "Would you do that without DFO control?"*

*Siddhapur treasurer: "Well, I won't do that but I can't say about others. People always have that whim to bring more and more from the forest. They demand 50-60 cft for making single houses. There is also illegal wildlife hunting. So, protection is necessary. If we try to convince people and make them follow rules, they question us: 'Who are you? Why should we obey you?' But if we have inspection and control by the DFO, people will follow the rules and work for forest conservation."*

*Kathpur treasurer: "I hope that the situation will get better now. Now we have to pay even for timber used for ploughs. So now it's getting more systematic. It's not like before that anyone can go and cut as much as they want. [...] So, now the forest condition is good."*

The notion is not only that forest users are incompetent, but also that they are disinterested:

*Interviewer: "Can you guess why all the users are unaware of the operation plan?"*

*Forest ranger: "It's because of users' lack of interest and willingness. Constraints like lack of time, knowledge and capacity, differences in socio-economic and cultural perspective."*

This purported 'lack of interest' was to some extent observed among forest users, though rather than being intrinsic it is likely cultivated, or at least meaningful participation has not been actively encouraged. Furthermore, the belief that formal education is necessary to be able to contribute to decision-making gives both the EC and the forest administration symbolic power and attenuates interest in participation:

*Siddhapur earthquake victim III: "The people in the EC are more experienced and more knowledgeable than us, so we don't object them"*

*Wealthy focus group Kathpur:*

*Interviewer: "What do you think about the role of the DFO in timber harvesting and sale? [...]"*

*Female A: "We are not in the EC. We are only general users, so we don't have so much of idea"*

*about that.”*

*Male: “Yes, we are not in the EC so how much trees they tag we don’t know.”*

*Female B: “We are not in the EC. How would we know?”*

*Male: [...] “Rangers come and decide about the amount of timber and the EC co-operates with them. So, the EC knows better about it.”*

The result is a wide-spread view of “participation” that takes the domination of elites in decision-making for granted. This conforms with the view that forest officials are required to control and manage the forest.

In Siddhapur for example, mere assistance during the inventory process is labelled as participation:

*Interviewer: “Were users also participating?”*

*Siddhapur president: “Yes, users and committee members also participated in the inventory.”*

*Interviewer: “How did you participate?”*

*Siddhapur president: “Basically, we followed whatever they [forest officials] told us.”*

In Kathpur for example, participation in general assemblies is described as the process of being informed about ready-made decisions by the EC and the forest administration.

*Wealthy focus group Kathpur:*

*Interviewer: “So, you all gather together and participate in decision making?”*

*Male A: “Yes, we do”.*

*Interviewer: “How do you participate in decision making? What role do you play?”*

*Male B: “It depends on the context. For instance, we are informed about how much timber we are allowed to harvest per year by the DFO, how much will be sold outside the CFUG after meeting the needs of people. People should ask as per their requirement but not in excess. And old, decayed, diseased, and deformed kinds of tree should be utilized for timber.”*

*Male A: “While spending the money earned by selling timber outside, the EC decides to invest that money in social development activities like drinking water, school, road, etc. The money is spent fairly, without mismanagement. We are present at that decision making as well and we do express our views.”*

Another widely held assumption associated with a technocratic management paradigm is that a resource management or benefit distribution arrangement is acceptable as long as it is ‘systematic’. A minority who felt adversely affected by that system still accepted it on the grounds that it treats everybody the same.

*Poor focus group Siddhapur:*

*Female A: “Well, they do complain and argue about the lottery system.”*

*Male B: “But at the end, they have to accept it because it is the ‘rule’ or the ‘system’ and it’s valid for everyone.”*

*Kathpur president: “We have questioned the DFO that we are allowed to harvest more than why is that not practiced? [...] We were curious to know whether the DFO applies the same regulation to other neighbouring CFUGs or not. We found the same scenario in other neighbouring CFs as well. This made us trust the DFO and we do as per their guidance.”*

*Interviewer: “Did you consider complaining?”*

*Siddhapur earthquake victim III: “I didn’t.”*

*Interviewer: "Why not?"*

*Siddhapur earthquake victim III: "Because they said, 'Everyone is treated equally, not only you'. So I didn't discuss any further."*

### Conservation doxa

Beyond the idea that technical management and top-down control is necessary, there is a widespread tacit assumption among both officials and forest users that the use of the forest needs to be minimized in order to ensure conservation and sustainability. This can be seen by forest officials allowing tree harvest to just meet the minimum requirement by CFUGs, preferably well below the AAC, and by the fact that it is seen as undesirable to harvest green trees (cf. chapter 4.3.3 for statements by forest officials on this matter). This is both formally embedded in the paradigm of prioritizing "4D" (dead, dying, diseased, deformed) trees as well as forest users' own preferences – as long as their subsistence needs are not directly compromised thereby. This suggests that the DFO successfully convinced forest users against their objective interest of obtaining good quality timber for their construction projects or more income for socio-economic development.

*Poor focus group Siddhapur:*

*Male A: "If you only search for good timber, then nothing will remain in the forest. What will happen when we harvest all good trees?"*

*Male C: "If we cut only good trees in the forest, I'm afraid one day the forest might be converted into barren land."*

*Kathpur EC member I: "Before 2 years ago, we used to cut the trees haphazardly and as much as we wanted. There was no limitation on harvesting and this led to over-exploitation of the forest resources. Despite the destruction of the forest, we were happy and satisfied because we used to get the big and healthy trees whenever we wanted. But now, we have restrictions on harvesting, and this modern technique of harvesting utilizing every part of the tree even including its bark is also preferable as it conserves the forest so that our future generation will also be able to utilize it. So, the way we are conserving the forest now by destroying it less seems preferable to me."*

### Feudalistic doxa

Many forest users, with the notable exception of outspoken critics, perceive the EC and forest officials as legitimate authorities almost regardless of whether they fulfil their formal mandate or not. When questioned, they often found it difficult to justify where that authority derives from. This suggests that the traditional feudalistic system of resource control is still part of many people's world view, rather than the participatory, bottom-up decision making stipulated by community forestry.

*Interviewer: "What gives the right to EC to decide such things [timber distribution mechanism]?" Earthquake victim I: "The very fact that they are the EC gives them the right. We just go [to the GA] and listen and come back."*

*Interviewer: "Why should they [forest users] follow the EC?"*

*Earthquake victim II: "I don't know. Everyone is following, so we also follow."*

#### 4.4.5 Powerful actors and coalitions

This study focuses on the mechanisms by which power is exercised. A full understanding of power however also requires an understanding of the underlying political economy, the sources of power, the charismatic power of individual actors, and actor coalitions. While a comprehensive elaboration on these issues is beyond the scope of this study, this and the following chapter seek to at least partly fill this gap.

First of all, it is the coalition between forest officials and EC members that permeates almost all mechanisms of power described above. The following two quotes further illustrate this:

*Siddhapur president: "If the EC is doing everything, users from our village will blame the EC for not being fair. So, when people from the DFO come here for inspection and supervision, it will be easier for the EC."*

*Kathpur ex-president: "There isn't any pressure from the DFO. We have a close relation with them. We co-operate and always have a mutual understanding."*

Secondly, there are strong local leaders and coalitions among elites. In Siddhapur, the president alone appears to be firmly in control with the help of forest officials (the forest guard in charge being his relative).

In Kathpur, the ex-president is the 'grey eminence' of the village. He is a local communist party leader, in charge of various other committees, and even after having been dismissed from the EC over corruption charges he is still much involved in the CFUG – both informally e.g. as a self-declared timber contractor as well as formally as a member of the advisory board.

*Interviewer: "The ex-president was charged and dismissed, but how is it possible that he is still on the advisory board?"*

*Kathpur key informant II: "Yes, he made that decision to remain on the advisory board by himself. He said, 'It doesn't matter if it's a small post, but I should be present.' [...] Nobody dared to challenge him. He is the president of the communist party of this area. [...]"*

Other than him, power within the present EC of Kathpur CFUG has been concentrated on a small number of elites, namely the president (a former communist party leader), the vice-president, and the vice-secretary (the latter two are brothers). These elites consolidate their power position by filling female quota positions in the EC with women they can easily dominate:

*Kathpur treasurer: "I am illiterate. I was chosen only to fill the female position in the CFUG committee. I don't know anything. My sons [not literally] handle the account and transactions of the CFUG. I am there just as a name."*

*Interviewer: "Do you know who does your work?"*

*Kathpur treasurer: "President and Vice-President. [...] They tell me to sign the documents. When I say, 'I hope there won't be any problem if I sign the papers', they reply, 'No, there won't be any problem'."*

*Interviewer: "The actual records on timber distribution are kept by the president and vice-president, right?"*

*Kathpur treasurer: "Yes, they are with the president. I don't touch the money nor do I know about the records of the CFUG."*

*Interviewer: "Are you aware of the operation plan of the CFUG?"*

*Kathpur secretary: "I have read it superficially. But now it is with the president. He took it and*

Similarly, the female secretary of Kathpur CFUG stated that she knew very little and was very new to the EC despite having been in office for 4 months.

Another revealing detail is that the current vice-president of Kathpur CFUG reportedly used to lead opposition against the ex-president but criticism stopped after he was put into his current leadership position.

#### **4.4.6 Underlying interests for exerting power**

Apart from actor coalitions, the political economy of power is likely a key driver of the observations made. Certain respondents indicated that increasing DFO control is associated with personal benefits.

*Siddhapur key informant I: "The DFO officials come here often, therefore there is high expenditure on their food and we have extravagant expenses. [...] They also want to change the contractor every year so as to get personal benefits by collaborating with them. [...] They are self-centred; they don't care about the needs of the community. [...] Those who are aware of this however maintain good friendship with the DFO and work together to get personal benefits. This is the problem we have been facing time and again."*

In Kathpur, existing contacts to forest officials and timber contractors and possible collusion remains somewhat speculative as well, but it is evident that the group of elites described before to some degree obtains personal benefits by dominating the affairs of the CFUG. Criminal activity is apparently involved:

*Kathpur key informant IV: "The president cut the trees in the CF and then he said whoever comes for the tender process openly will get the timber contract. [...]"*

*Kathpur key informant VI: "After timber had been harvested, outsiders wanted to come for the tender process, but the gangsters of our village threatened them and didn't allow them to enter our village. [...] the gangsters got money both from the timber contractor from our own village and from the EC."*

*Kathpur key informant IV: "I don't understand what the EC is actually doing. They harvest timber and sell it to outsiders almost every year, yet they showed so much debt to us."*

## **4.5 Livelihood implications**

**Research question 3 of 5:** *Which implications does the prevailing access regime have for the livelihoods of forest dependent households?*

Most interviewed forest users reported to be satisfied with their access to the forest. Forest products required for daily subsistence are not subject to major restrictions in actual practice, and recently tightened restrictions on timber have only been experienced by those who had a need in the past two years. Virtually all of those who had a need for timber however were adversely affected to varying degrees and correspondingly disappointed or frustrated.

### **4.5.1 In Siddhapur: consequences of the egalitarian timber distribution mechanism**

The distribution mechanism imposed in Siddhapur by forest officials in cooperation with the CFUG leadership is associated with numerous adverse livelihood implications, all of which most affected those who are poor and in urgent need of timber:

- 1) The amount of timber per applicant was insufficient for house construction (around 0.6m<sup>3</sup>, 0.4m<sup>3</sup> of which was valued Sal timber)
- 2) The period of time until a timber recipient becomes eligible to apply again is 5 years
- 3) An equal amount of timber was distributed regardless of actual need and household size
- 4) No full fee exemption for entitled calamity victims or poor households
- 5) High additional costs were incurred for harvesting and transport by contractors (exceeding the fee about fourfold); harvesting by forest users themselves (as preferred by them) was not permitted
- 6) Raw logs of partly poor quality were delivered; additional costs arise for transport and processing in sawmill
- 7) Everyone, including calamity victims had to go through the same application process. For earthquake victims this means that timber was delivered around 10 months after it was actually needed, too late for house reconstruction.

What is more, the supposedly egalitarian system is not equal for everyone in terms of quantity and quality:

*Timber recipient I: "The EC cuts trees and distributes them equally through a lottery system. In this system however, not everyone gets an equal quantity. Some get longer and some get shorter logs."*

*Earthquake victim III: "Everyone gets a chance to draw a lot that allocates a stack of timber to them. Some get really good quality and some bad. Unfortunately we got defected timber."*

Depending on their financial situation, the affected households coped with the scarcity and delayed supply of timber by buying additional timber from outside the village at the full market price, borrowing or buying timber from other villagers, building smaller houses, or building houses from alternative construction materials such as concrete.

*Siddhapur earthquake victim II: "The timber I got is short and not sufficient for making even a single door. I haven't used it."*

*Earthquake victim III: "The amount was not sufficient for making two beds. We had to buy some more timber worth five thousand rupees."*

In sum, these aspects mean that in terms of timber supply, the CFUG has been of little benefit for many forest users, especially earthquake victims.

*Siddhapur earthquake victim III: "The process for getting timber took a long time. We were in need of shelter so we had to build our house rather than waiting the CFUG. Besides, the timber we got was decayed inside. So, getting timber from the CFUG was of no use for us."*

Also some of those not affected by the earthquake expressed their dissatisfaction:

*Interviewer: "What is the practical consequence of that change for people in the CFUG?"*

*Siddhapur key informant II: "Yes, it does have consequences. Let's say, if I was going to make a 4 room house, then will that 12-13cft be enough for me? Of course not."*

*Timber recipient I: "Few years back, we used to get a single tree from which we got firewood and timber. But now it's based on cft. The main drawback of the cft based system is that the timber we get is insufficient even for the construction of a single house."*

*Sister of livestock owner II: "for construction of one house we would need around 50-60cft of timber, but we get only 20cft."*

This problem was not recognized by the leadership that defended the distribution mechanism:

*Interviewer: "What impact did it have on your users that you got less timber last year? Any negative impact on users?"*

*Siddhapur treasurer: "Even if we couldn't give them Sal, we provided them with Sanjh. So, I don't think they have faced any impacts."*

*Interviewer: "Don't you think 16cft is too little if someone wants to construct a house?"*

*Siddhapur president: "If it's insufficient, then they buy it from elsewhere. [...] we can't fulfil the demand for Sal. [...] The demand is always higher than what we can supply. Well, if you cut trees as per the demand, I am afraid there might be no trees left in the forest."*

*Forest guard: "Sufficient timber for house construction has been given to earthquake victims and non-victims. Timber has been given to the users based on their demand and the AAC of the forest. [...] The need of earthquake victims to build a new house and of the normal users is the same."*

*Forest ranger: "Rural people don't need so much timber. More timber is required when you build big houses, but they built only small houses."*

Admittedly, these respondents have little influence on the AAC that they cannot exceed, and on the ban on any forest operations during the rainy season that followed the earthquake.

Also a key informant generally critical of the CFUG leadership supported the new egalitarian distribution mechanism.

*Siddhapur key informant I: "[...] even though our demand is high, we should not forget how is our forest? Are we able to supply all the demands given the present forest condition? So, this system is good, it doesn't have any negative impacts."*

The president himself is an earthquake victim whose house was destroyed and he nevertheless didn't demand any timber. Unlike all other interviewed earthquake victims, he didn't report any dissatisfaction:

*Siddhapur president: "It's better to use the timber from the destroyed house, if possible. Why demand as long as you have it. Let's not be so selfish."*

An underlying reason for this attitude could not be ascertained. It is in line with the ranger's claim that the CFUG leadership typically suggests itself to harvest below the AAC.

#### **4.5.2 In Kathpur: aftermath of illegal activity and the CIAA case file**

In Kathpur, timber became available with delay due to the CIAA case file. The leadership decided unilaterally to process it for selling in such a way that it was too expensive and of unsuitable dimensions for internal demand. In turn, timber applicants were put off with the promise to receive timber one year later. They thus had to postpone their construction projects or find alternatives to deal with the supply deficit such as re-using old timber from their dilapidated house. The forest had previously been closed repeatedly due to illegal activity by the current or previous leadership, to the detriment of uninvolved forest users. Furthermore, apparent financial mismanagement will to some extent compromise the potential to implement social development activities; the priority at the time of the study appeared to be to repay debt.

Regarding the distribution mechanism, most respondents who had received timber in the past years reported a rather lenient approach: the EC pointed out a sufficient number of trees close to

the applicants' residence that were then harvested by the applicants themselves within a period of several months. Some of those who were aware of the recent crackdown of DFO control however noted adverse livelihood implications:

*Kathpur EC member I: "In past years, the EC used to tag the trees, but now the officials from the district forest office come and tag the trees to be harvested. When the EC tagged the trees, it was easy to get timber and the process was also faster, but now since officials come and tag the trees, it has become complex and doesn't meet the users' demand."*

## 4.6 Legitimacy perceptions

**Research question 4 of 5:** *In how far and why do forest users accept rules and related decision making procedures that limit their access to the community forest beyond the legal requirements?*

### 4.6.1 Perceptions of forest authorities and the regime of regulations

As anticipated in chapter 2.2.1, there may only be a blurry line between symbolic violence and authentically legitimate authority. The two scenarios can be distinguished by questioning firstly if authority perceived as legitimate represents the 'real interests' of respondents or not, and secondly if respondents can give justifications for exercised power or merely take it for granted.

In practice, various cases where forest authorities are merely taken for granted despite violating the apparent real interests of respondents have been identified in the chapter on symbolic violence. In this regard, 'unauthentic' legitimacy of forest authorities among both CFUG leadership and forest users mostly rests on technocratic doxa, i.e. tacitly held assumptions that the expertise and the formal authority of government officials is needed to achieve the commonly agreed-upon goal of conserving the forest. Decisions by officials are thus often perceived as technically sound (based on superior knowledge and experience) and in the best interest of the respective respondents, even when they do not match rules stipulated by the OP, and even when they restrict forest users' self-determination and the amount of benefits that they can obtain from the forest.

Tightened rules that contradict the interests of forest users to have sufficient access to forest resources are also often accepted on the simple basis that the same rules are applied to all users and CFUGs, be it by the DFO or by the EC. Where livelihood impacts become severe however, this particular basis of legitimacy erodes.

There are however respondents especially in Kathpur who can give detailed justifications for technical prescriptions instead of merely taking them for granted. For these particular respondents, authoritative control in fact appears to be authentically legitimate rather than based on doxa.

*Kathpur key informant III: "We tagged the trees as per the directions given by the district forest officials and in my opinion, it is right to tag the trees as per their directions. Because this will help to remove the old, dead and dried trees from the forest and help the forest to grow more regeneration, and also make the forest healthy. [...] I think [DFO control] is a good thing for our forest. Because if people are given free reign to harvest timber, there will be mismanagement of timber as there won't be any restriction on harvesting. Up to this day, even though they have limited the tagging and harvesting of timber, that timber is sufficient to fulfil the users' demand. If we conserve the trees within the forest, then it will remain for our future generation, too."*

Particularly in Kathpur, the increasing top-down control is welcomed by those who do not trust the EC to manage the forest. Given the findings, this is a justifiable concern.

*Kathpur key informant IV: "I think it is better to trust the government rather than the EC. If the government controls the forest, then the forest will be protected and the people can't harvest as much timber as they want. But if the government gives the management responsibilities to the EC, then we can't be sure that the same mismanagement won't be happening again."*

*Kathpur key informant V: "The district forest officer also came here to investigate such illegal activities. So, from now I think the officer is also aware of the fact that these illegal activities happen in our forest. They were also active in the investigation of the problem. So, I think the role of the district forest office is good."*

*Female participant of poor focus group, Kathpur: "Sometimes even when you have rules the resources are still mismanaged; imagine how it would be like if there were no rules. So, in my opinion rules are fine here."*

It is however not evident if forest officials can actually be trusted that much more than the EC as a matter of principle, again a border case between authentic legitimacy and symbolic violence.

In Siddhapur, the view of forest authorities is much less favourable among respondents who are comparably conscious and informed as those who defended DFO control in Kathpur. As discussed before, one respondent has witnessed instances of corruption by colluding elites and forest officials and is thus wary of their influence (cf. chapter 4.4.6). Moreover, the appropriateness of the tightening of rules is questioned given its livelihood impacts and the past efforts towards forest conservation by the local community:

*Siddhapur key informant II: "We are the people who conserved this forest. Fine, we are not talking about selling outside, but aren't we supposed to get enough at least for making a proper house? What would be the point of conservation if we can't utilize? So, how can the DFO not accept this?"*

*Siddhapur livestock owner II: "This is the forest we brought up like our own children. We used to have a forest guard and every household had to give ten rupees. That time, the price of salt was also ten rupees. We cut our expenses for salt and instead contributed to forest conservation. Now when we need resources from the forest, they restrict the quantity. This hurts us."*

The issue of the prevalent upward accountability being opposed to the ideals of community forestry is directly addressed by one respondent:

*Sister of livestock owner II: "We are the ones who should be making rules. The rules should go from here to the DFO; not the DFO making rules for our village."*

However, it appears that a majority of forest users in both case studies who are not affected by the crackdown on timber supply (yet) perceive the authorities and the prevailing management regime as legitimate. Their main reasoning is that their basic needs can be satisfied, they obtain some additional benefits from social development activities, and the forest remains conserved.

#### 4.6.2 Legitimacy of the EC as perceived by forest users

In both case studies, the authority of the EC by itself is by far not as firm and accepted among forest users as the authority of the forest administration. As various examples in the analysis of power show, the EC refers to ready-made decisions from the 'above authority' in many contentious issues associated with timber supply and distribution to secure forest users' acceptance.

In Siddhapur, some timber applicants saw no blame for insufficient timber supply in the EC itself and trust that it decides in the users' best interest. Moreover, the EC is perceived by many as an institution elected and thus legitimized by the entire community to take authoritative decisions on everybody's behalf.

*Siddhapur timber recipient I: "As far as possible, the EC tries to consider the views of everyone. It is a fact that we don't have so much of Sal in our forest. [...] The EC is the decision making body of CFUG. They are president and EC so maybe it's their right to decide."*

*Siddhapur livestock owner II: "Once we are given timber, we have to wait for another 5 years. This applies when you apply for good quality timber."*

*Interviewer: "Is that OK?"*

*Siddhapur livestock owner II: "Yes, it's OK since this rule is made by our own community, how can I not follow it? How can I demand every year?"*

Some respondents also attributed superior knowledge and experience to the EC and thus trust its decisions, notably related to how to deal with forest authorities rather than related to actual forest management.

Many of those affected by a shortage of timber supply however laid blame on the EC for not respecting users' needs, and for being unfair by not adequately reciprocating users' efforts towards forest conservation.

*Siddhapur earthquake victim III: "We are angry and dissatisfied with the EC because we didn't get sufficient timber. We gave our time and effort to conserve young plants so that we can utilize them in the future. Is this what we get as return for our blood and toil? This is absolutely unfair."*

The legitimacy of an egalitarian distribution mechanism is challenged by some representatives of this group. For them, it is need-based equity and not equality that bestows legitimacy. The allegation that certain forest users received timber more often adds to the resentment towards the EC:

*Earthquake victim I: "They treated earthquake victims and normal users the same. I discussed with them, 'why do people who already got last year also get this year?' They cut two years in a row. We told them, 'Please wait for another year for your turn and let us have timber this year', but they didn't agree. Aren't we supposed to get after all the damage we had? I am angry with the fact that they treated everyone the same regardless of their need. [...] Is it fair that anyone can apply? Shouldn't there be first priority for the victims? Their house is still standing but ours was severely damaged. Why should both of us get the same quantity?"*

In both case studies, those who received all they needed from the community forest did not further question the leadership regardless of its internal issues. Apart from subsistence needs,

social development activities are used to garner legitimacy, especially in Kathpur. Even forest users that are otherwise dissatisfied acknowledge this benefit that the EC leadership has brought them.

*Kathpur ex-president: "During my regime, I provided solar power to 103 households. Besides contributions to electricity and road construction, the CFUG has paid the hospital fees of poor people." [note: hospital fees were in fact paid for one person]*

*Kathpur timber applicant I: "The EC has provided electricity as well as solar installations to all the villagers. So, I think the benefit goes back to the users in the form of village development."*

*Male participant of wealthy focus group, Kathpur: "The EC has provided us with the timber and the forest products we need. We have also participated and benefitted from the social development activities. That is why I think they represent our interests, we don't have any complaints."*

Trusted leadership as well as the ability to deal with the authorities were another source of legitimacy mentioned in Kathpur. Critical voices do exist, most of which are concerned with the integrity of financial management and illegal activity that EC members are involved in. Few lay blame on the EC however. Indeed, much of the acceptance of the present EC appears to be based on the fact that they successfully conceal questionable practices, make people believe their excuses blaming 'rivals' or the DFO (cf. chapter 4.4.3: consciousness control – dominant information) and silence a minority of critics with social pressure (cf. chapter 4.4.2: Nondecision-making power).

## 4.7 Potential for resistance

**Research question 5 of 5:** *To what extent and how do forest users challenge rules that they perceive as illegitimate?*

### 4.7.1 Barriers

By the time of field research, the power exercised by forest authorities and local elites had been perceived as illegitimate by some CFUG members but hardly challenged directly. So far, there has been no 'critical mass' of forest users that are aware of what is at stake and that have sufficient self-confidence to push for change in a social environment that tends to discourage the expression of dissenting opinions. Instead, entrenched power asymmetries tend to engender resignation. Four specific barriers to resistance are described in more detail below.

#### "Lacking concern" among a majority

Among those who questioned the prevailing regime, a recurring theme was that change is hindered by lacking awareness or concern among most forest users. In accordance with that, interviews repeatedly indicated that part of 'typical' forest users pay limited attention to issues outside of their day-to-day living environment and are not politically active. Two examples illustrate this:

*Interviewer: "Your son said that people are not speaking up because of the lack of awareness. Is that correct?"*

*Kathpur timber applicant II: "Yes."*

*Interviewer: "What kind of awareness do you think is lacking?"*

*Kathpur timber applicant II: "I don't know. I don't roam around. I am just busy with my own household stuffs."*

*Interviewer: "What gives the EC the right to make decisions?"*

*Siddhapur earthquake victim II: "I don't know the answer to this question. May be it's because the EC knows everything."*

*Interviewer: "What kind of knowledge does the EC have?"*

*Siddhapur earthquake victim I: "I don't know."*

*Siddhapur earthquake victim II: "We don't give so much of concern to such things."*

The consequence of a majority being politically inactive concentrates power on those who are politically active.

*Interviewer: "What do people see in the president for voting him in the election?"*

*Kathpur key informant III: "[...] They just follow one person. So the general trend of our village is similar to that of the political scenario of the country. Those who talk big and make big promises are trusted easily because people are not that educated in our village."*

The fact that grievances, if they do exist, are often not taken to the public decision making area has also been attributed to 'lack of concern'. Indeed, most of the disappointed timber applicants did not consider criticizing the leadership openly but made do with whatever was decided.

#### Lack of self-confidence

However, closely associated with such a putative lack of concern is a lack of self-confidence to participate in the political process observed in both case studies. It is often perceived as necessary to be educated and an eloquent speaker in order to contribute to discussions:

*Siddhapur livestock owner II: "I cannot read and write. I don't know how to speak. If we are told something then that's it, we don't argue further. So, I choose to be silent."*

*Siddhapur earthquake victim III: "The people in the EC are more experienced and more knowledgeable than us, so we don't object them"*

*Interviewer: "Would you like to be in EC? Do you know how you can do that?"*

*Siddhapur earthquake victim I: "I am not educated; I don't have any knowledge regarding forest. If I had been educated, I would have taken an interest in becoming an EC member."*

*Kathpur key informant VII: "I am just a farmer and I am busy with my field and household chores most of the times. In such a general assembly, I can't even speak because I lack confidence for speaking up in public. So, I just go, listen and come back."*

This attitude may have been cultivated by the leadership itself, though no respondent stated explicitly that they had been told to remain silent when asked; hints in this direction exist though:

*Kathpur treasurer: "I have been told, 'If you know something, you can express your ideas freely. If there is anything beyond your understanding, you can remain silent'."*

#### Social pressure

There are certain CFUG members who are very well aware of problems in the prevailing management regime and have no general reservations to speak up in public. However, they face severe social pressure by a majority that backs the status quo and is averse to controversial debates (see also chapter 4.4.2 on nondecision-making power). The discussion culture appears to

be more liberal in Siddhapur as compared to Kathpur; however we didn't have the opportunity to actually attend a general assembly.

*Siddhapur key informant I: "If somebody tries to make them [general forest users] aware that the DFO is following personal motives, they get us wrong, they suspect us instead of the DFO"*

*Interviewer: "Have people in the general assembly who are aware of mismanagement ever spoken up to the EC?"*

*Kathpur key informant VI: "No because they didn't want to make a scene in the general assembly."*

The following statements from potential opinion leaders in both case studies synthesize how a lack of a concerned majority along with social pressure silences critical voices.

*Kathpur key informant II: "If everyone developed concern regarding these issues, it might help to change something. But the problem of our village is that there is no majority to raise their voice. [...] Not all the users are concerned about matters related to the forest. It would be great to have a majority to speak up for change, but our users don't even participate in meetings. [...] And when I speak alone, then I get a bad reputation. Moreover if only I speak, my voice will easily be suppressed by superior people."*

*Interviewer: "Are these issues [DFO control and corruption] discussed at the general assembly or in meetings?"*

*Siddhapur key informant I: "Yes, we discuss. Only few users in our locality are aware of this kind of issue and there is a lack of unity among them. We do try to make people aware about the new rules and regulations by the DFO, but there are people who are on the DFO's side, strongly supporting them."*

### Resignation

Apart from lack of confidence and social pressure, resignation was a major reason why a majority of dissatisfied respondents typically did not try to make their grievances heard in public. They thought that their problems were known but ignored by the leadership. This applies especially to those who perceive themselves as poor and marginalized as there is the notion of an entrenched power imbalance between rich and poor that leaves little room for change.

*Siddhapur earthquake victim III: "What will be the point of expressing my hardships? Will anyone be interested in listening? [...] There isn't anyone who honestly wants to help poor people like us. [...] We can't speak. No one listens to our problems. For us being able to live from hand to mouth is enough. To whom they give timber if they have stock, I just don't care. Maybe that stock is for rich people, not for poor like me. [...] Since I went through so much hardship, I never feel like bowing to anyone for help. I keep my problems to myself."*

*Interviewer: "Couldn't you voice your problem at the general assembly?"*

*Kathpur timber applicant I: "Well, it is not that they don't know about our problems. The president often roams around here and he also knows how much we need timber for the cow shed now. [...] So I didn't say anything."*

The power analysis carried out before indeed provides ample evidence of how the coalition between DFO and EC is difficult to challenge, and those who try may run a risk of being further marginalized.

Notably, even earthquake victims in Siddhapur, despite sharing similar grievances and similar interests, have made no attempts to form a coalition to raise their voice in public.

*Interviewer: "Have you discussed with other earthquake victims about the unjustified treatment?"*

*Siddhapur earthquake victim I: "No, I haven't. What will happen if I speak up? I have been given what I could get. If I complain now, they won't provide me more, would they?"*

#### **4.7.2 Opportunities**

Despite significant barriers to resistance in the public arena, oppositional initiatives have not been entirely silenced. Some degree of discussion culture seems to remain at general assemblies that could allow enforcing better compromises.

In Siddhapur, opposition is sparked primarily by the drastic tightening of timber supply by the forest administration.

*Interviewer: "Have you tried to complain about this [insufficient timber supply] going somewhere?"*

*Siddhapur key informant II: "We have only complained about that in the village, not anywhere outside. Now we will complain. The users will not stay quiet. [...] They [forest officials] have implemented the rule, but now we won't let them continue. I will speak up. 2 years ago, there was no need to make any compromise. We have obeyed, but enough is enough, we won't do that anymore. [...] We will have a GA where we will complain that the fixed quantity is not even sufficient for a single house. [...] What is the point of conservation of our own forest if the DFO doesn't let us fulfil our needs? We will fight for our rights."*

*Siddhapur timber recipient I: "After cutting this timber there wasn't any meeting or GA. Now, if they call for it, I will surely raise my voice."*

In Kathpur, critical respondents reproach the EC primarily on grounds of financial mismanagement and are likewise planning to take action:

*Kathpur key informant II: "You know, our CFUG has high mismanagement of resources. [...] There is no budget inside the CFUG accounts. These leaders always say that we are in loss. [...] Now we have come up with a plan to raise our voice against this kind of mismanagement but I am afraid that the so called 'renowned' leaders might not obey us."*

It is unclear in how far the involvement of EC members in illegal timber harvest that sparked the CIAA case has been actually publicly challenged. But clearly, not everyone just looks on silently:

*Kathpur key informant V: "We even told him not to cut that tree, but he didn't agree."*

*Kathpur key informant IV: "Even our women's group tried to stop the cutting of 'jarna' by going to the forest, but we didn't succeed and finally they sold it outside. And just after selling that jarna, the case was filed."*

One respondent asserted that the culprit was publicly shamed at the GA and promised to mend his ways, but other credible respondents who also attended the GA reported no such event. Moreover, it can be speculated that punishments and disagreements are merely pretended by colluding actors to deceive the public (cf. chapter 4.4.3 on consciousness control). Similarly, the ex-president being 'forced' to step down can at best be seen as a minor success as he keeps on

dominating the affairs of the CFUG. If such deceptions were uncovered by a majority, they could back opinion leaders in their so far subdued resistance against elite capture.

While the potential of internal position and deliberation appears to be more limited in Kathpur than in Siddhapur, the anonymous complaint to CIAA evidently put substantial pressure on EC elites, even though they managed to evade punishment in this case. The increased scrutiny by forest authorities and continued threat of anonymous complaints limits their options of appropriating personal benefits from the CF to channels that are at least apparently legal, such as their involvement with legal timber trade. However, only few of the already scarce critics supported the idea of formal complaints. The person who filed a case with CIAA certainly needs to keep secret about it: The GA minutes and most respondents asked on that matter indicated that the person who filed the complaint should be searched out and punished.

*Kathpur key informant V: "For me, I am very okay with that anonymous complaint. Since these people may have done so much illegal trade with the timber in the past, now they will think twice before doing such illegal activities. So I think the complaint was a good treatment for those corrupt people."*

In Siddhapur, CIAA played a role as well. Namely, DFO officials were wary of possible problems with CIAA that made them urge the EC to manipulate a financial audit report. There has not been an actual case file so far, but CIAA poses a constant threat that may limit the severity of corruption among forest officials and EC elites.

Largely untapped potential for resistance lies in the involvement independent advocacy groups and NGOs that encourage and empower CFUG members to speak up for their rights. In Kathpur, one respondent held an optimistic view of constructive changes that are currently happening this way. His statement also points out that any involvement of external actors that bring in an independent perspective could help, referring to us as researchers.

*Kathpur key informant V: "I think now we are developing our potential to speak up against problems. There are also some organizations who are trying to build the capacity among the users of the forest. I can't say that 5 years ago, I was the same person as I am now. So, many other people are slowly developing their vision and understanding of forest conservation. [...] There are a lot of organizations like Heifer who help us build our capacity and make us aware of the illegal trade that can happen with forest resources. They make the people aware of the need for the conservation of the forest. People like you also help us think in another way. Sometimes, only one person's voice is not enough to make changes in society, so we discuss the matter with like-minded people at the general assembly and get aware of such things."*

#### **4.7.3 Risks of effective opposition**

While resistance appears necessary for the sake of the goals of community forestry, there are also risks that respondents pointed out.

Firstly, control by DFO and EC may to some extent be necessary to ensure the biophysical sustainability of the forest. A weakening may lead to overexploitation, should respondents who are concerned about locals' lacking sense of responsibility be proved correct. Indeed, criticism of the fact that the power of DFO official exceeds their formal mandate does not necessarily imply that their judgement is inaccurate or illegitimate. In Siddhapur, several knowledgeable

respondents that were otherwise critical of the leadership supported the conservative management paradigm as suited to the present forest condition:

*Siddhapur key informant I: "People in our village compare our forest to the one of Terai where there is overexploitation. They say – 'Why should we only conserve the forest while in Terai, people have been exploiting so much, why not us?' I'm afraid that with this kind of attitude, our forest might also be cleared soon enough. I am worried about our forest."*

*Siddhapur key informant II: "The EC requested the DFO to allow harvesting of at least 500 cft of Khayer trees from the forest, but there aren't so many Khayer trees, so we harvested [less]."*

*Interviewer: "Who said you don't have so many Khayer trees in the forest, you or the DFO?"*

*Siddhapur key informant II: "It's an actual scenario in the forest. Don't take my word for it, you can go and see for yourself."*

Secondly, as seen in Kathpur, CIAA complaints entail a further crackdown on the extraction of forest resources that most affects poor forest-dependent households. Formal complaints may thus combat corruption but backfire at least in the short term regarding livelihoods. Similarly, respondents in Kathpur raised concerns over escalating conflict that may have unintended adverse effects:

*Kathpur key informant V: "How can we speak up against the whole EC? Because even if we did this, the whole CFUG would suffer and our CF would lose out. So keeping in mind that the whole user group might suffer, we couldn't do anything."*

*Kathpur key informant III: "The election was not straight. But I agreed with the outcome of that election because I wanted to see the changes and development in the village rather than competing for power."*

## 5. Discussion

### 5.1 Power in community forest user groups

Power analysis focused on access to timber, a relatively scarce resource of major concern for stakeholders of community forests. Correspondingly prone to conflicts of interest, it turned out to be a suitable showcase to illustrate by whom and with which mechanisms power is exercised in the two case studies. However, it has to be cautioned that the described dynamics may not apply equally to other, less contentious matters of community forest management and forest product use.

As elaborated below, various mechanisms of power do not occur in isolation and are not only attributable to individual stakeholders.

The most powerful actor coalition in both case studies is the one between forest officials and elites within ECs, in which the former take relevant decisions regarding regulation of timber while the latter communicate them to general forest users and ensure enforcement. Despite newly introduced policies that in part require top-down control of timber in community forests, the power of forest officials thereby extends well beyond their formal mandate. Examples are the largely unilateral imposition of timber allowances far below the AAC or, in one of the cases, an egalitarian internal timber distribution mechanism regardless of need-based rules stipulated by the operational plan.

Powerful actors' capacity to enforce decisions ('decision-making power') even without legal basis, to preclude deliberation on critical issues ('nondecision-making power') and to manipulate subordinate's perceptions to prevent grievances ('consciousness control power') are all to some extent linked to the tacit acceptance of elites and authorities among a majority of forest users. This entrenched power asymmetry corresponds to 'symbolic violence' whose particular significance in Nepalese community forest user groups has also been highlighted by Ojha et al. (2009) and Nightingale and Ojha (2013).

While a shared belief in purportedly superior technical expertise is a strong basis of power for forest officials, arguments along the lines of 'conservation for future generations' and 'same rules apply to all' are often sufficient to legitimize control and conservative forest management. Indeed, many forest users and forest officials appear to share a view of community forests as a 'tragedy of the commons' (cf. Hardin 1968) that will invariably be destroyed if not sufficiently controlled by the government. This is opposed to the vision of a community forestry with local self-determination by empowered forest users that are able to take own responsibility (see among others Ostrom 1990).

The sharp increase of control by forest officials raises the question which power the CFUG leadership actually retains for autonomous action. In matters that officials intend to control, ECs indeed appear as mere local extensions of a hierarchic forest administration. However, local elites exercise own power as well, e.g. when they secure their leadership positions despite criticism of mismanagement. They do so primarily through their monopoly on information that allows them to defend their own version of the 'truth' (cf. Krott et al. 2014) and, being backed by a majority of unsuspecting forest users, by means of social pressure on dissidents.

## 5.2 Links to recentralization, professionalization and elite capture

### 5.2.1 Recentralization

Ongoing recentralization is evident regarding the timber resources of community forests. In both case studies, forest users reported a change from flexible arrangements controlled by ECs to strict control by forest officials just two years prior to this study. According to officials themselves, this change is attributable to an increase of available manpower, and the introduction of forest product collection and sale directives for community forests in 2014. Officials and EC members all echoed the concept of "joint responsibility" stipulated by these directives. This is a fundamental shift away from the previous understanding of facilitation and support to be given to ECs by forest technicians. In the name of "joint responsibility", the primacy of independent decision making is taken away from ECs, and gives a mandate to forest officials to increase control over the resources of community forests (cf. Sunam et al. 2013).

Operational plans that could potentially provide forest users with a legal basis on which to assert claims to resource access and decision-making are unknown to most and easily overridden in practice by administrative directives or thumb rules. Rather than being a means of local self-determination, operational plans are used by both forest officials and local leaders as a vehicle to legitimize top-down control (which corresponds to findings by Toft et al. 2015). Even if operational plans were followed, their contents would still be largely defined by the forest administration, particularly timber allowances based on inventories required by guidelines first issued in the year 2000. The latter have been exposed as a political instrument to obstruct moves by CFUGs towards more self-determination rather than being a practical tool to inform sustainable forest management (Hull et al. 2010, Rutt et al. 2014).

In consequence, and as the discussion of power highlights, the ECs' upward accountability to forest officials is increasingly entrenched, and the ECs' downward accountability to forest users undermined. If grievances arise, it is now often sufficient to point to decisions ready-made by the forest administration in order to terminate the discussion.

### **5.2.2 Professionalization**

The trend towards professionalization plays a crucial role in the justification of "joint responsibility" – equivalent to recentralization – both at the level of policy making as well as in response to local opposition. Interviewed forest officials strongly emphasized that their technical expertise is required for the sustainable management of community forests. Certain forest users as well as EC members have also adopted this view and pointed to officials' superior knowledge and experience to make forestry related decisions. Decisions by such professionals are generally perceived as technically sound, at least by those who have not been adversely affected by a crackdown on timber supply. This strong belief in the need for professionalization may however be ill-founded; local, 'unprofessional' arrangements may deliver superior outcomes as evidenced in detail by Rutt et al. (2014).

Interviewed forest officials themselves defy scientific reasoning when they limit the annual harvest substantially below the inventory-based annual allowable cut whenever possible and claim that it is preferable not to cut live trees. The belief that these practices are needed for forest conservation while denying that the AAC itself could be flawed suggests either a poor technical understanding or a lack of confidence in science based decisions to suit the local realities in CFUGs. The result are administrative thumb rules in the name of professionalism that arguably do not deliver optimal outcomes for those dependent on forest resources.

### **5.2.3 Elite capture**

The relationship of recentralization and professionalization with local elite capture appears ambiguous at first glance. Indeed, forest users who witnessed local elites' mismanagement for personal gain being curbed by the administration's crackdown seem to have good reasons to trust officials with forest management more than local elites. Tightened 'rule of law' may in fact be necessary to limit illegal mechanisms of elite capture in particular cases.

However, already the assertion that the forest needs to be managed with technical knowledge that only forest officials can claim for themselves amounts to elite capture of decision making authority. Moreover, as Sunam et al. (2013) and Agarwal (2006) point out, forest administrations themselves are often afflicted with governance deficits and corruption; evidence indicates that it is no different in the cases presented in this report. A strengthening of forest officials' influence in the course of recentralization and professionalization will likely be counterproductive in combating elite capture of public benefits as it perpetuates upward accountability of ECs to forest officials rather than their downward accountability to forest users. It thereby weakens the checks and balances that local forest users can impose on elites, and in turn the checks and balances that locally accountable elites could impose on forest officials. Collusive business in cooperation of forest officials, local elites and timber contractors is correspondingly hard to tackle, so that it has been termed "iron triangle" (Nightingale and Ojha 2013, p. 44).

What could be observed in practice was indeed a close cooperation among local elites and forest officials without encouraging participation or even informing the general public. Decisive action upon mismanagement appears to be taken only after coming under scrutiny of CIAA. In their thinking that local people cannot be trusted to take independent responsibility of their forest and

apparently seeking personal profit themselves, forest officials perpetuate elite capture and forfeit an opportunity of more effectively safeguarding sustainability in community forests both biophysically and socially.

### 5.3 Livelihood implications and legitimacy

Considering the aforementioned coalition among leading EC members and forest officials in exerting control over timber resources, it cannot be readily assumed that the EC represents the livelihood interests of 'ordinary' forest users. However, ECs and forest officials do not generally restrict the subsistence needs of a majority of forest users and are in fact flexible in several aspects. This is reflected in the open access regime for most forest products for subsistence purposes, except timber and rules that could affect timber production (such as the ban on cutting fodder from valuable Sal trees). This open violation of strict rules in the OP is justified by leading EC members as necessary and at least condoned by forest officials. Moreover, EC leaders are communicative when it comes to the benefits they brought to the community, such as infrastructure development from CFUG funds. Overall, satisfied subsistence needs and social development activities are a reason for many forest users to readily accept a lack of participation and transparency in the management of the community forest.

However, little compromises are made when it comes to timber, even if forest users strongly demand it. At best, the AAC is reached in exceptional cases; further flexibility is beyond the forest officials' legal mandate anyway. What is more, no compromise is made regarding the timber distribution mechanism in CFUGs of relatively scarce timber resources where the forest administration together with the EC imposes an egalitarian regime. This contradicts the OP that stipulates preferential access for poor households and calamity victims.

Overall, it appears that the increased involvement of forest officials in the management of the two CFUGs hasn't affected a majority of forest users yet. However, those who needed timber in the last two years such as earthquake victims suffered from rigid rules, in some cases to the extent that the CFUG was a detriment rather than a benefit to their livelihood.

The top-down imposition of a technical, egalitarian distribution mechanism in the CFUG with relatively scarce resources could be seen as an outcome of both professionalization and recentralization, resulting in adverse livelihood impacts that undermined the legitimacy of prevailing regime among those affected. In the other CFUG with ample resources, concerns over mismanagement and resource conservation prevailed and appeared to legitimize a tightening of regulations even among most of the affected forest users.

Another, indirect livelihood impact of the prevailing conservative management paradigm is untapped commercial potential, which is a wide-spread issue in Nepalese community forestry (Meilby et al. 2014). This however has no apparent effect on acceptance of leadership and forest administration as forest users generally do not expect more from community forestry than the fulfilment of subsistence needs.

### 5.4 The potential for resistance

The concept of resistance presupposes potentates that exert power and subordinates that challenge that power. While such dualistic thinking may generally be a poor match to complex realities, the evidence of this research justifies a distinction between forest users that are subject to trends that undermine their access to the community forest and the actors that drive these trends.

Resistance can occur at two major levels. Firstly, the level of policy making where the long term development of community forestry is decided; resistance occurs here e.g. in the form of complaints by civil society organizations against proposed law amendments (cf. Sunam et al. 2013). Secondly, there is the local level where laws are interpreted and partly implemented as dependent on actors' power and interests, which is the focus of this study.

Results indicate that moves of powerful actors (local elites, forest officials) to unilaterally undercut formal rights of subordinates (forest-dependent poor) are met with limited resistance. This remains possible as a majority is not actually aware of their formal rights and the principle of participation, perceives no major grievances, and thus sees no need to take any political action. Authorities are taken for granted uncritically by most, which facilitates manipulation to prevent grievances.

Most of those who do perceive grievances have remained passive as they feel victimized by entrenched power asymmetries. More self-confident critical thinkers do exist that speak up in public, but they have met with little sincere response by the widely accepted coalition of forest officials and local elites.

Ojha et al. (2009) made similar observations in their research and concluded that crisis is a "necessary condition for the development of demands for increased deliberation by subordinated participants", and thereby precipitate a shift in so far taken-for-granted power asymmetries. Crisis is experienced among forest users experiencing adverse livelihood implications, and this group poses a potential 'threat' to the acceptance of otherwise taken-for-granted authority. In the case study with a severe crackdown on timber supply, some critics have indeed announced to engage in active opposition.

Lund and Saito-Jensen (2013, p. 105) show that "an effective alliance among non-elites" can challenge elite capture. This research showed surprisingly little indication of any such alliance of adversely affected actors with common interest such as earthquake victims. It might form spontaneously however as soon as grievances are brought to the public scene by opinion leaders that are then likely to be backed by disgruntled but so far silent forest users.

Sustained resistance appears more likely where access to the forest is systematically constrained below the subsistence minimum of forest users. In the case study where resource access is generally ample and limited only episodically due to mismanagement, resistance has however occurred as well, both by public criticism and anonymous complaints through CIAA. While neither of these two approaches nor criminal charges have led to the removal of presumable culprits from power, it may help to hold them accountable to the law. Such isolated incidences of resistance however bear the risk of entailing a further crack-down on resource access to the detriment of forest-dependent poor and without doing away with power asymmetries, which is likely to discourage CIAA case files as a 'default' method of resistance. Frustration with the CFUG can however be anticipated to result in passive resistance e.g. by refusing to take part in voluntary forest management and conservation activities.

Lund and Saito-Jensen (2013) further point out that it may take time for marginalized stakeholders to realize what is at stake and engage in sustained opposition. In the two investigated case studies, sparks of resistance are present, so it is possible that it will gain momentum over time. However, this resistance will only be able to precipitate a paradigm shift towards a more deliberative and inclusive culture if not only adverse livelihood implications but also the anti-participatory stance of powerful actors itself is challenged by a majority of forest users, for which there is so far no strong indication.

## 5.5 Implications for community forestry implementation

The prevailing distrust of forest officials and local elites in the capacity of 'ordinary' forest users to take responsibly by themselves is a self-fulfilling prophecy because they are unlikely to learn by being systematically excluded from active participation in relevant decisions. Criticized 'disinterest' among forest users is similarly home-grown by repeated closure of deliberation with claims to superior knowledge or superior authority, which is an apparent cause of observed resignation. This cycle needs to be broken for community forestry to deliver on its potential; insights from this study allow conclusions about promising approaches.

Common ways to enhance local participation and decrease inequality that come to mind are 'capacity building' and 'empowerment.'

Capacity building – at least as carried out by the forest administration in seminars for local leaders – might however be counterproductive by perpetuating the present techno-bureaucratic management paradigm that evidently does not deliver equitable outcomes. Indeed, turning away from technocratic doctrine that by design excludes those who lack formal education from decision-making could open up possibilities for more inclusive and open deliberation on which approach to forest management would best match local needs. This has likewise been demanded by Rutt et al. (2014) and Lund (2015), but appears unlikely to happen as it would question the very 'right to exist' of some of the most powerful actors in community forestry, namely technically trained forest officials and the forest administration that they make up.

Political empowerment rather than technical capacity building, yet a more complex issue, appears to be required to tackle entrenched inequalities. A relatively simple first step to that end would be to make forest users aware that there is an operational plan that assigns certain rights and responsibilities to them. Despite a continued trend towards recentralization at the level of policy making, operational plans still equip forest users with more rights than they are actually granted by following verbal directions 'from above', such as preferential access based on need and fair and balanced representation in decision-making. Spreading the word about legal user rights would thus expose elite capture of decision-making that has up to now remained hidden from a majority, hinder elites from imposing arbitrary rulings and compel them to be accountable to users' rights.

Actors dominating community forests investigated in this study have shown little interest in this type of awareness rising and in actively encouraging public involvement in decision making procedures. This may be associated with vested interest in maintaining a power position associated with personal benefits and a genuine distrust of bottom-up decision making. Therefore, independent external actors may be conducive to catalyse changes that local opposition leaders already strive to bring about but have so far lacked the necessary backing. Apart from inciting or backing opposition against informal exertion of power that violates existing laws, facilitators could also strive to bring about a better understanding among all stakeholders. Indeed, empowerment and awareness rising should not stop with 'ordinary' forest users since a sustainable solution requires that the necessary checks and balances in forest management (both upward and downward) are complemented by mutual acceptance and ownership of decisions among all stakeholders. Well-intentioned forest officials could be convinced that it could make their challenging job of ensuring sustainable forest management easier to encourage 'ordinary' forest users to hold elites to account locally and report mismanagement as far as needed, rather than relying mostly on top-down control. Such moves would be in line with the ideals of

community forestry and existing scholarship that highlights the potential of participatory monitoring to tackle elite capture (Lawrence et al. 2006).

Another promising approach to culture mutual understanding and learning could be “participatory action research” as discussed by Ojha (2013), drawing on researchers to facilitate participation in a problem-oriented, constructive manner. Moreover, advocacy groups such as FECOFUN (Federation of Community Forestry Users Nepal) that are supposed to represent the rights of community forest users have to step up their efforts locally. Lastly, donor support of projects related to community forestry should carefully consider the impacts of professionalization and favour less technical approaches acknowledging the risk of elite capture. Such local efforts have to be matched at the national administration level and in the education system in order to reverse the ongoing trends towards recentralization and professionalization that are set to undermine community forestry in Nepal.

## 5.6 Research methods

### 5.5.1 The question of representativeness

In this qualitative study, mechanisms at play were of interest, not necessarily if they are representative of the entire CFUG or of all CFUGs. The limitation of this approach is that it cannot be ascertained which proportion of the population represents the view of selected respondents, and if important points of view were missed. In order to mitigate this issue, a broad range of informants was consulted, and theoretical saturation was reached on key questions (i.e. no major deviations in additional interviews were observed). In these cases, the findings can be expected to more or less accurately represent the respective case study CFUG.

### 5.5.2 The challenge of eliciting valid information on sensitive matters

Individual interviews with certain focus group respondents revealed that they had (rather convincingly) reproduced a socially desirable, ‘official’ narrative of community forestry practice that in some cases proved to be contrary to respondents’ actual opinions. This questions the method of focus group discussion on delicate matters, or at least highlights the need for skilled facilitation. Individual grievances are arguably better investigated in individual interviews.

Besides, most elites that were involved with illegal activity were not as uncommunicative as one may expect, though they supplied us with a variety of made-up stories. Fear of social sanctions among non-elites were likewise an important obstacle to eliciting reliable information on illegal activity; as a key informant pointed out: „not everyone you interview will be so open because they have been told not to speak.“ This highlights the need to credibly guarantee respondents’ anonymity.

Overall, is not always straightforward to distinguish between respondents’ deliberate lies, genuine (mis-)conceptions and ground truths, which necessitated triangulation of responses from a larger number of respondents than initially planned.

### 5.5.3 The limitations of a cross sectional (rather than longitudinal) study design

This study can only provide a snapshot view that is influenced by the framework conditions at the time of investigation. Dynamics over time could not be adequately considered, a critique of cross-sectional studies also put forward by Lund and Saito-Jensen (2013). For instance, it was not clear at the time of field work if respondents who announced to raise their voice in public would actually do so, and which practical implications this would have. An opportunity to attend general

assemblies would likewise have allowed more valid observations of the (non-)deliberative decision making processes in CFUGs rather than relying on respondents' personal accounts. Revisiting the same study sites at a later point in time would thus allow insightful conclusions about the actual potential for resistance and trajectories of change. The strength of such a longitudinal approach to understand the nuances of ongoing processes are highlighted by existing long-term studies in Nepalese community forestry, e.g. Ojha et al. (2009) and McDougall and Banjade (2015).

#### **5.5.4 The role of researchers**

An ethical question that arose during research was if it permissible for external researchers to play a political role or if a strictly hands-off approach is required. Even though the stance taken in this study was generally neutral, interviews involved making forest users aware of their formal rights and the operational plan. This in some instances made stakeholders aware of malpractices and fuelled resentment towards the CFUG leadership.

Opinions probably vary, but the idea of critical action research (cf. Ojha 2013) promotes researchers' role as political activists that can facilitate constructive debates. Along these lines, Samoff and Stromquist (2001, p.654) argue that "using knowledge to solve problems and overcome obstacles is necessarily an active process in which the problem solvers must be directly involved in generating the knowledge they require." Correspondingly, research will have more impact if it plays an active part in a local problem solving process instead of producing knowledge in isolation from the target group. Several such opportunities of active political involvement have gone unutilized in the course of field work, though restraint appeared appropriate nevertheless given the sensitivity of the subject matter, vulnerability of marginalized actors and the rather short-term commitment of the researcher.

## **6. Conclusion**

Findings highlight that contrary to what is stipulated in Nepal's forest act and operational plans, the investigated community forest user groups are neither independent nor do they necessarily prioritize the basic needs of local forest users.

While access to subsistence forest products remains largely unrestricted, tight control over timber is increasingly asserted by forest officials in close cooperation with local elites. The power of this coalition in part rests on expanding formal mandates in the course of a national trend towards recentralization in community forestry policy. Notably however, power is also exercised through a de facto monopoly on information regarding forest related rules, prevailing uncritical acceptance of techno-bureaucratic 'professionals' by a majority of forest users, and the corresponding suppression of open deliberation on critical issues. The resulting inflexible timber management regime geared towards minimal rather than optimal use of the forest has not allowed equitable access to common resources and related decision-making. It most affects those who urgently depend on the forest for timber and does not recognize the deficits within the administration itself.

Change towards more equitable local outcomes, as far as possible within the given legal framework, requires empowered citizens that know about their rights and engage in public debate. This very prerequisite of participatory decision-making has so far not been a given, which

is both a barrier and an opportunity. As forest officials and local leaders appear to take little initiative towards encouraging debate that could challenge their power position, independent external actors could help raise awareness about the principles of community forestry and facilitate interaction among all stakeholders on a more equal footing.

There is a need for further research on the local impacts of tightening administrative control in community forests, how the expectable resistance plays out over the upcoming years, and how research could contribute constructively to more inclusive decision making processes in community forest user groups.

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## Appendix

### Appendix A) Study context

#### A.1 Overview of important tree species

Nepali name	Systematic name	Occurrence	Additional information
Sal	<i>Shorea robusta</i>	Subtropical climate; southern slopes and lower altitudes	most valuable timber species
Sanjh	<i>Terminalia alata</i>	Associated with Sal	'Second best' timber species
Khayer	<i>Acacia catechu</i>	Low altitude, more moist sites compared to Sal and Sanjh	Generally not used for timber, but commercially valuable
Chilaune	<i>Schima wallichii</i>	Northern slopes, higher altitudes	Not commercially valuable

Source: <http://www.forestrynepal.org/wiki/317>, key informants and own observations

#### A.2 National policy documents relevant in the context of this study

Policy document	scope	latest revision	Previous versions	Comments
Forest Act 1993	All national forests	1993		Baseline for community forestry
Forest Legislation 1995	All national forests	1995		Specifies the forest act
Forest sector policy	All national forests	2014	2000 (for Terai region only)	To replace forest legislation, amendments to forest act pending
Operational Guidelines for the Community Forestry Development Program	Community forests	2014	2001, 2009	Procedures for creation of CFUGs and their general operation
Community Forestry Inventory Guidelines	Community forests	2004	2000 (first version)	Part of operational plan and basis for AAC, must be renewed every five years
Community forest product collection and selling directives	Community forests	2014	none	First introduced in CF in 2014
Forest product harvest and trade directives	Government managed forests	2000	(?)	For government managed forest, but baseline for new CF directives

Sources: Gritten et al. (2014), Pandey and Paudyal (2015), key informants

### A.3 Overview of important actors in Nepalese community forestry

Category	Actor	General mandate	Role in community forests
Government	Ministry of Forest and Soil Conservation (MFSC)	Policy making	Policies are the basis of locally relevant regulations, especially operational plans
	Commission for the Investigation of Abuse of Authority (CIAA)	Ombudsman for corruption complaints concerning government and administration	Both officials and CFUG executive committee members are under the responsibility of CIAA and can be prosecuted legally
Forest administration (hierarchical accountability)	Department of Forests (DoF)	Policy implementation at the national level; can issue administrative directives	Directives that have to be implemented by forest officials may override operational plans
	District Forest Office (DFO), chaired by the district forest officer	Policy implementation at the district level; main responsible for supervision of community forest user groups	Can hand over and withdraw community forests; organizes workshops and instructs officials on local level activities
	Ilaka Forest Office (IFO), chaired by an assistant forest officer	Supervision of community forest user groups in units below district level ("ilakas")	Administrative sub-unit of DFO with rangers and forest guards
	Ranger	Control and technical support locally in CFUGs	Local control of operational plan implementation and technical advice, especially timber management; prepares inventory for operational plan
	Forest guard	Control and technical support locally in CFUGs (lower hierarchy than ranger)	Assists ranger, is in close contact with local executive committee members
Community Forest User Group leadership	Executive committee (EC), composed of approx. 10-15 members Key positions: president, treasurer, secretary	Local decision making on forest product use and distribution	Communicates rules to general forest users and monitors compliance; cooperates with forest officials; makes decisions that do not fall under government control
	Advisory board	Advice to executive committee upon request	Relevance of the advisory board depends on CFUG
Forest users	General (all) forest users	Participate in General Assemblies, elect EC members	
	Earthquake victim	Entitled to preferential access to timber according to OP regulation	
	Blacksmith	Entitled to preferential access to fuelwood according to OP regulation	
	Timber recipients	Applications for timber have to be submitted to the executive committee in a specified time frame, and only once every 2 to 5 years (depends on CFUG)	

Source: Hull et al. (2010) and own observations

## Appendix B) Translated excerpts from the operational plans

Below is a list of selected rules and regulations relevant for the purpose of this study. It is compiled from different sections of the operational plans, but close to the original wording (*annotations in italics*). Some information such as the forest area and annual allowable cut was omitted to avoid disclosing the identity of the CFUGs. Some details comprised in Kathpur's OP are missing in the Siddhapur's OP which is generally less comprehensive. Both OPs contain lists of offenses with corresponding fines; these are not indicated here as according to several EC members and forest users, no CFUG member had been fined in the past years.

	<b>Siddhapur</b>	<b>Kathpur</b>
<b>Grass</b>	<p><i>Time/location restriction:</i></p> <ul style="list-style-type: none"> <li>The forest will be opened for two times per year for grass collection (months of Kartik and Jestha)</li> </ul>	<p><i>Time/location restriction:</i></p> <ul style="list-style-type: none"> <li>Grass can be cut two times per year in the months of Kartik and Jestha</li> </ul>
<b>Fodder</b>	<p><i>Species/quality restriction:</i></p> <ul style="list-style-type: none"> <li>Sal trees will not be utilized for fodder</li> </ul> <p><i>Other provisions:</i></p> <ul style="list-style-type: none"> <li>Fodder will be cut only under EC supervision.</li> </ul>	<p><i>Species/quality restriction:</i></p> <ul style="list-style-type: none"> <li>Sal trees will not be cut for fodder</li> </ul> <p><i>Other provisions:</i></p> <ul style="list-style-type: none"> <li>Fodder can be cut only after consultation with the EC.</li> </ul>
<b>Grazing</b>	<i>Subject to EC supervision</i>	<i>Subject to EC supervision</i>
<b>Green (=fresh) firewood</b>	<p><i>Time/location restriction:</i></p> <ul style="list-style-type: none"> <li>Green firewood will be distributed once per year during the forest improvement activity</li> </ul> <p><i>Quantity restriction:</i></p> <ul style="list-style-type: none"> <li>The mentioned amount (<i>table indicates number of headloads for each block</i>) is obtained while cutting trees and during the forest improvement activity</li> </ul> <p><i>Species/quality restriction:</i></p> <ul style="list-style-type: none"> <li>Lopping of branches is allowed for all species except Sal</li> <li>No green tree will be cut for firewood; dry, fallen and diseased trees can be utilized during the forest improvement activity.</li> </ul>	<p><i>Time/location restriction:</i></p> <ul style="list-style-type: none"> <li>Green firewood is distributed once per year during the forest conservation and maintenance activity under EC supervision</li> </ul> <p><i>Quantity restriction:</i></p> <ul style="list-style-type: none"> <li>(<i>table indicates number of headloads for each block</i>)</li> </ul> <p><i>Species/quality restriction</i></p> <ul style="list-style-type: none"> <li>Sal trees will not be used as green firewood</li> <li>4D trees (<i>diseased, dying, dead, deformed</i>) shall be utilized for timber and firewood during the forest conservation and maintenance activity, but no green tree will be cut.</li> </ul>
<b>Dry firewood</b>	<p><i>Time/location restriction:</i></p> <ul style="list-style-type: none"> <li>The forest will be opened for dry firewood collection for four times per year; however, collection is not allowed during rainy season (months of Baisakh and Bhadra)</li> </ul>	<p><i>Time/location restriction:</i></p> <ul style="list-style-type: none"> <li>The forest will be opened for dry firewood collection for four times per year under EC inspection and supervision; the rainy season will not be included.</li> </ul>
<b>Timber</b>	<p><i>Time/location restriction</i></p> <ul style="list-style-type: none"> <li>Harvesting can be carried out from all the blocks yearly</li> </ul> <p><i>Quantity restriction:</i></p> <ul style="list-style-type: none"> <li>Timber harvesting shall never exceed the annual allowable cut (<i>table indicates amount in cft per species for each of 6 blocks</i>).</li> </ul> <p><i>Distribution and fees</i></p> <ul style="list-style-type: none"> <li>Application period is from month of Shrawan to Bhadra</li> <li><i>Priority ranking for timber distribution:</i> <ol style="list-style-type: none"> <li>calamity affected houses (fire, flood, collapse)</li> <li>house renovation</li> <li>house construction</li> <li>cattle shed renovation/construction</li> <li>Social/religious work</li> </ol> </li> </ul>	<p><i>Time/location restriction</i></p> <ul style="list-style-type: none"> <li>The area, amount and time for timber extraction shall be fixed by the EC of Kathpur CFUG. The area will be chosen so that extraction pressure is distributed evenly across all blocks.</li> </ul> <p><i>Quantity restriction:</i></p> <ul style="list-style-type: none"> <li>Utilization of timber shall never exceed the amount mentioned in table 1 (<i>table indicates amount in cft per species for each of 8 blocks</i>)</li> </ul> <p><i>Species/quality restriction</i></p> <ul style="list-style-type: none"> <li>Selection felling system will be applied to remove 4D not exceeding the annual allowable cut. In other cases, technical judgement of forest technicians can decide which silvicultural system shall be employed.</li> </ul> <p><i>Distribution and fees</i></p> <ul style="list-style-type: none"> <li>Users will have to present an application to the EC requesting the supply of timber</li> <li>The sale and distribution of forest products outside the</li> </ul>

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6) Sale outside CFUG

- In case of natural disasters, timber will be provided for free.
- Fees: Sal 75NRS/cft, Sanjh 20NRS/cft [...]. Free in case of natural disasters up to 15cft of Sal and 15cft other species
- Sale outside CFUG will be done by auctioning. The price will be higher than the royalty price fixed by the government.

*Supervision*

- Supervision by the district forest office is obligatory whenever a green tree is to be cut

CFUG is only done after meeting the internal demand.

• *Priority ranking for timber distribution:*

- 1) calamity affected houses (fire, flood, collapse)
- 2) house renovation
- 3) house construction
- 4) cattle shed renovation/construction
- 5) social/religious work
- 6) Sale outside CFUG

- Forest users belonging to the poor and very poor community as well as victims of natural calamities will be given top priority
- In case of natural disasters, affected CFUG members will be provided timber for free (but quantity will not exceed the annual allowable cut indicated in table 1). This can be provided at any time.
- Fees: Sal 60NRS/cft, Sanjh 30NRS/cft, others 20NRS/cft.
- If a user has already obtained timber, he/she will have a chance to obtain timber again only after a period of 3 years (this rule will not be applied in cases of natural calamities)
- Price for auctions will be fixed by the general assembly; it should not be less than the royalty price fixed by the government.

*Supervision*

- Forest technicians will be consulted before making a final decision on timber extraction.
  - Supervision and consultation of forest technicians is compulsory whenever a green tree is to be cut.
  - Range post, Ilaka forest office and DFO should be informed about all the procedures for selling timber outside the CFUG; they will hand over necessary permits and perform inspection.
-

## Appendix C) Focus group interviews in the pilot study

### C.1 Respondent selection criteria and approach

Three focus groups were formed in each case study:

- One group of members of the executive committee in their capacity as decision makers
- One group of wealthy forest users and one group of poor forest users with their perspective on participation and the practical impacts of regulation

Our intention was to assemble groups of forest users that represented varying and potentially conflicting viewpoints. For this purpose, we relied on the help of local key informants, which in our case were the shopkeepers at whose place we stayed.

Due to the scattered nature of settlement in Kathpur we decided to assemble focus groups in major hamlets, resulting in four groups of forest users (as opposed to two in Siddhapur). This was in line with our initial intention of maximizing socio-economic variation because socio-economic divergence appeared to be greater between these hamlets than within each.

### C.2 Respondent list

	Siddhapur	Kathpur
<b>EC focus group</b>	President (m) Secretary (f)	President (m) Vice-president (m) Ex-president (m) EC member (m) Ex-treasurer (m)
<b>Wealthy focus group</b>	3 men, 2 women	3 women, 2 men
<b>Poor focus group(s)</b>	3 men, 3 women	6 women 6 women, 1 man

### C.3 Guidelines for semi-structured focus group interviews

Below is the final version of the interview guidelines, including ad hoc corrections in the field. Deviations from prepared guidelines were made to adjust to the dynamics of each focus group.

#### Part 1: Focus group with 2-3 leading EC decision makers on the role of the OP

##### Introduction

*(short introduction about myself, then continue with explaining my research project:)*

My research project is part of an international cooperation of universities; host in Nepal is the Institute of Forestry, Pokhara. The aims are to find out about the practical use of inventory-based management planning and document what technical rules in the OP mean to different kinds of forest users. My overall question is whose knowledge and whose needs count in community forestry in practice. As a general principle, confidentiality will be ensured. This means that I would like to publish the research findings and possible suggestions to policy makers on how to improve community forestry policy, but no names will be mentioned. Consensus on the following questions is not required as we would like to get to know a range of different points of view.

##### 1.1 Members of focus group discussion

Name	Position on EC

##### 1.2 Please explain your community forest management:

- Which interventions are being carried out?
- Is all of this done according to the operational plan? If not, what differs and why?
- Who is responsible for corresponding decisions?

##### 1.3 Please explain the reasoning behind important forest product rules in the operational plan

*(cf. OP: regulation for collection of grass, fodder and dry firewood; harvest and distribution of green firewood and timber)*

##### 1.4 Are all these rules enforced? If no, why not? *(point out particularly impracticable rules)*

##### 1.5 What is the relation of the rules *(cf. products)* and interventions *(silviculture)* to the inventory?

##### 1.6 When & how (by whom) was the last inventory carried out? How was the CFUG involved?

**1.7 What has changed since scientific inventory made compulsory in the year 2000AD? (2057BS)**

- Rules and forest management operations (i.e. silviculture)
- Forest condition (structure/density? Species composition?)

**1.8 What is the main challenge associated with OP implementation and why?**

**1.9 If it was voluntary, would you keep on doing inventory-based planning? Why (not)?**

**1.10 How are new members selected for the CFUG executive committee?**

**1.11 Do EC members need to have any technical expertise in forest management? Why (not)?**

**1.12 Would you like to tell us anything else about the management of your community forest?**

## **Part 2: Focus groups with “general” forest users**

**Introduction:** *See above*

### **2.1 Members of focus group discussion**

Name	Comment/description

**2.2 In your opinion, what is the main purpose of the CF?**

**2.3 In practice, do you have to follow any rules to get forest products from the CF?**

- If yes, which activities are concerned? Which impact do the rules have?

**2.4 Are these rules you have to follow suitable to meet the purposes of the CF?**

- If yes, why in particular?
- If no, why (not)? What would you do differently?

**2.5 Are there rule exceptions or informal agreements on how forest products may be collected? If so:**

- Which?
- Why are these exceptions made?
- Who decided about them?
- Are these exceptions the same for everyone?

**2.6 Can you have your say in decisions about new CF regulation?**

- If yes, do you make use of this possibility and how?
- If no, why (not)? What is the justification why your opinion is not taken into account?

**2.7 Does the executive committee generally represent your interests?**

- If no, why not?

**2.8 In your opinion, is it necessary for members of the EC to have knowledge in forest mgmt.?**

- If yes, what kind and why in particular? Where do they get this knowledge from?
- If no, why not?

**2.9 Please describe recent disagreements regarding CF management (incl. underlying reasons)**

- Regarding A) forest use and B) silvicultural operations C) leadership
- Who were the opinion leaders on either side of the disagreement?

**2.10 How were these conflicts or disagreements settled?**

- Who decided, in whose interest and with which justification?

## Appendix D) Key informant interviews

### D.1 Respondent selection criteria and approach

#### Part 1: Questions to EC members & advisory board

Targeted respondents:

- EC members in key positions, namely the current chairperson, secretary & treasurer
- Current female or low caste EC member (depending on which was not included above)
- Advisory board members as far as appropriate for triangulation

#### Part 2: Questions to key informants (independent from EC)

Targeted respondents:

- persons with insider knowledge
- opinion leaders
- representatives of associations, e.g. women's group

#### Part 3: Questions to selected forest users

Respondent selection: target those who are potentially affected by restrictions at the CFUG level; ensure broad geographic representation if possible. Household head, spouse or both can be present at the interview, but no outsiders.

- Recent house constructors / those who applied for timber.
- Victims of earthquake
- Livestock owners
- Forest dependent business holders

### D.2 Respondent list

In bold: interview transcribed for detailed analysis

	<b>Siddhapur</b>	<b>Kathpur</b>
<b>EC members &amp; advisory board</b>	<b>President (m)</b>	<b>President (m)</b>
	Vice-president (f)	Vice-president (m)
	<b>Treasurer (f)</b>	<b>Treasurer (f)</b>
	Secretary (f)	<b>Secretary (f)</b>
	EC Member (f)	Vice-secretary (m)
		<b>EC member I (m)</b>
		EC member II (m)
<b>Key informants</b>	<b>Key informant I (m)</b>	Key informant I (m)
	<b>Key informant II (m)</b>	<b>Key informant II (m)</b>
	<b>Key informant III (f)</b>	<b>Key informant III (m)</b>
		<b>Key informant IV (f)</b>
		<b>Key informant V (m)</b>
		<b>Key informant VI (m)</b>
		<b>Key informant VII (f)</b>
<b>Selected forest users</b>	<b>Earthquake victim I (f)</b>	<b>Timber applicant I (m)</b>
	<b>Earthquake victim II (f)</b>	<b>Timber applicant II (m)</b>
	<b>Earthquake victim III (f)</b>	<b>Timber applicant III (f)</b>
	Livestock owner I (m)	Timber applicant IV (m)
	<b>Livestock owner II (f)</b>	Livestock owner (f)
	<b>Timber recipient I (f)</b>	Earthquake victim I (f)
	Timber recipient II (f)	
<b>DFO staff</b>	<b>Forest guard (m)</b> (low-ranking official)	<b>Forest ranger (m)</b> (mid-ranking)
	<b>Assistant forest officer (m)</b> (high ranking)	

### D.3 Guidelines for semi-structured interviews

Below is the final version of the interview guidelines, after revision based on insights from the initial focus group survey and minor ad hoc corrections and amendments made in the field. In practice, deviations from these guidelines were made to adjust to the dynamics of each interview and respondents' particular knowledge. For instance, elements from all three parts of the questionnaire were combined in case of particularly forthcoming respondents. In turn, elements of lower priority (e.g. where theoretical saturation had already been reached) were omitted in case of less communicative respondents.

The interpreter elaborated the questions rather than adhering to their exact wording in order to convey their intended meaning to the respondents. Further questions were asked on relevant issues that came up spontaneously during interviews. These were specific to the respective case study and individual respondents. Interviewer annotations are added in brackets and particular emphasis is underlined.

#### Part 1: Questions to EC members & advisory board

##### Introduction

We have some questions on your personal opinion about the management of the CF. Your answers will be kept confidential and may contribute to better understanding of / suggestions for CF. All answers are voluntary!

##### Personal information

- 1.1 Could you please briefly introduce yourself: What your name, occupation, special role, ...
- 1.2 How long have you been involved with the EC in the past?

##### Questions regarding timber

- 1.3 Timber harvest procedures:
  - Who decides based on which considerations:
    - 1) how many trees to harvest?
    - 2) which particular trees to harvest, and in which part of the forest?
  - Who was present at the last tree marking event (*respondent included?*)? What happened there?  
Do you as EC members have any say in that regard? What is role of DFO officials vs. the EC?  
If the DFO is involved: why don't you do all this by yourself?
- 1.4 Detailed questions on timber (*only ask those who could know*)
  - How many trees were harvested last year?
  - How many cft of raw logs?
  - How many cft of sawn timber?
  - How many cft were sold and how many distributed internally?
- 1.5 Is it really true that only „4D“ trees are used? (*consider ratio betw. raw logs & sawn timber*)
  - If so, why is that? Where does this idea come from?
  - Who decides what counts as a 4D tree and what not?
- 1.6 Who decides which timber should be distributed to users and which sold to the market (*quantity, quality*)? What are the considerations?
- 1.7 Please explain the distribution mechanism: Which forest users receive which timber and how much: everybody? same amount? lottery? How is are applications evaluated? Whose idea?
- 1.8 Have you ever read through the OP? If no, why not?
- 1.9 The DFO controls tree marking, which according to the OP should be the EC's responsibility. Furthermore, they allow you less timber harvest than the AAC stated in the OP. Can you guess what may be the reason for this?
- 1.10 Do you think this restriction matches the forest condition (*the AAC is meant to be sustainable – is it flawed?*) or would you harvest more without DFO control? *If conservation ethos comes up:*
  - How do you know that this rule is necessary to conserve the forest?
  - Is that from own experience or did you learn about it from somebody? If yes, who told you?
- 1.11 Have you ever discussed this issue with the DFO?
  - If yes, what is their content and outcome of the discussion?
  - If no, why haven't you?

##### Questions regarding commercial forest products apart from timber

- 1.12 Apart from timber, is there any commercial use of the CF (e.g. firewood, MAPs)?
- 1.13 Do you think there would be (more) potential theoretically (for example MAPs like Khair, Sal leaves, excess firewood...)?
- 1.14 Can you explain why there are no provisions for the commercial use of these products? Or are there exceptions? (*OP allows selling of NTFPs outside the CFUG*)

1.15 Have you ever discussed this issue with the DFO?

- If yes, what is the outcome?
- If no, why haven't you?

#### Questions regarding the use of the OP

**Introduction:** There appears to be little connection between the OP and actual forest management (generally open access, extraction of timber or firewood doesn't follow the inventory).

1.16 Am I right or wrong? If I am wrong, please clarify how the technical contents of the OP are important for practical forest management.

1.17 Overall, what do you think is the practical function of the OP in the end? Do you need it?

#### Questions regarding the general assembly and disagreements (*especially to communicative respondents*)

1.18 Are there any controversial topics at general assemblies?

- If yes, please explain! Is there any opposition of dissatisfied people? If yes, how?
- If no: Do people in general accept EC decisions? Why is that?

1.19 Is the timber harvest or distribution mechanism discussed in general assemblies?

- If yes: What is the outcome?
- If no: why not?

1.20 Do any DFO officials attend the general assemblies? If yes, what is their role?

#### Questions regarding DFO involvement

**Intro:** *The DFO (and gvt.) appear to take decisions that are supposed to be made by the EC.*

1.21 Are there other aspects than the ones we discussed before where the DFO influences your community forest management?

1.22 Do you agree with this state of affairs overall?

- If so, why? What justifies this DFO control for you?
- Would you ever consider to threaten legal action or try to have more influence in any other ways?

1.23 Is it possible for you to reach some kind of compromise between the concerns of the DFO (*gvt. directives & control*) and your own concerns (*good timber supply*)? Please explain.

## Part 2: Questions to key informants (independent from EC or advisory board)

### Introduction

We have some questions on your personal opinion about the management of the CF. Your answers will be kept strictly confidential and may contribute towards general suggestions for the improvement of community forestry practice. All answers are voluntary!

### Personal information

2.1 Could you please briefly introduce yourself: What your name, occupation, special role,...

2.2 Have you been involved with the EC in the past? If yes, please detail how, when and how long. If no, is there any particular reason why you haven't?

### Timber (*and other regulated forest products as far as relevant*)

2.3 How is the decision made about timber quantity and tree selection?

2.4 How do you know about this rule?

2.5 Did you ever check the actual regulation in the Operational Plan? (*respondent may not be aware that there is one*)

- If yes, what did you find out?
- If no, why not?

2.6 We found that timber harvest is not following the operational plan of the CFUG. Can you guess why it is lower as per DFO directive, and why the DFO is also more involved in the selection of the trees than the OP requires?

2.7 Do you believe that this rule is necessary to conserve the forest or not? How do you know?

2.8 Who decides how much of the timber should be distributed to users and how much sold to the market? What are the considerations & reasoning?

2.9 Please explain the timber distribution mechanism: Which forest users receive which timber and how much? How are applications evaluated? Who decides?

2.10 Are the issues timber harvest and distribution being discussed in general assemblies?

- If yes, what is the discussion about and what is the outcome?
- If no, can you guess why it is not discussed?

2.11 How does this regulation affect people and you personally?

2.12 Are there other instances where the CFUG limits access to forest products? (*e.g. green firewood; if yes, go through the same questions regarding this forest product*)

### Commercial uses

**Introduction:** We heard that (apart from timber,) there is no commercial use of forest products from the community forest (e.g. selling firewood or MAPs to the market).

2.13 Apart from timber, is there any commercial use of the community forest?

2.14 Do you think there would be potential theoretically (for example MAPs like Khair, Sal leaves, excess firewood...)?

Any other you could think of?

2.15 Can you guess why there are no provisions for the commercial use of these products?

2.16 Is this issue being discussed in general assemblies?

- If yes, what is the outcome?
- If no, why is it not discussed?

#### Rule enforcement

2.17 In general, do you think that in practice, exactly the same rules apply to all households, or are there exceptions (e.g. regarding timber applications, frees etc.)? These could be formal or informal. If there are exceptions, why and in whose interest are they made?

2.18 Can you recall specific incidents where rule enforcement (or lack thereof) has led to conflict?

Who was involved and how was the outcome of the conflict determined in the end?

#### General assembly

2.19 Were there any controversial discussions at the last general assembly? If yes, please explain the issues!

- Were there any objections to present management of the CF? If yes, how?
- How were the discussions concluded and decisions made?
- If no disagreements: Do people in general accept EC decisions?

2.20 Did any DFO officials attend the general assembly? If yes, what was their role?

#### Legitimacy perception

2.21 After all we discussed, do you agree with this state of affairs overall? If so, why?

2.22 Do you generally accept decisions made by the EC, even those that may not represent your interests?

- If yes: why in particular? What gives the EC this right to take decisions on your behalf?
- If no to above: What do you do about it? Would you ever consider to push for a change, e.g. by organizing an opposition?

#### Conclusion

2.23 Is there anything else that we forgot to ask / you would like to tell us about your CFUG?

### Part 3: Questions to selected forest users

#### Introduction

We have some questions on your personal opinion about the management of the CF. Your answers will be kept strictly confidential and may contribute towards general suggestions for the improvement of community forestry practice. All answers are voluntary!

#### Personal information

3.1 Could you please briefly introduce yourself: What your name, occupation, special role...

3.2 Are you member of more than one CFUG? If yes, which one is your primary source of forest products?

3.3 Have you been involved with the EC in the past?

- If yes, please detail how, when and how long.
- If no, is there any particular reason why you haven't?

#### Introductory questions:

3.4 What does the community forest mean to you personally? How do you depend on it?

3.5 How do you get the news about what is going on in the management of the CFUG?

#### Timber

3.6 Did you apply for timber last year? (*below questions apply only to those respondents who did*)

3.7 For which purpose did you need it?

3.8 How much timber and which species did you apply for (if there is even a choice)?

3.9 Please describe the process through which you received timber from the CFUG

3.10 How much did you receive?

3.11 Which quality?

3.12 How much did you have to pay?

3.13 Is this sufficient/satisfactory? If no: what are the practical consequences?

3.14 How was this decided? Who told you?

3.15 If you got less than needed, what was the reason/justification given to you?

3.16 *Earthquake victims only*: Did you check the OP regulation for calamity victims? (*It gives additional rights to earthquake victims, e.g. priority and free supply of higher quantities without regular application procedure*)

3.17 Overall, do you think the CFUG is flexible enough to accommodate your needs?

3.18 If not satisfied: Have you ever discussed your concerns with the EC? With which outcome / Why not?

3.19 How did the EC respond to your concerns?

3.20 Are there other instances where the CFUG limits access to forest products? (*e.g. green firewood; if yes, discuss distribution process & need satisfaction regarding this forest product as well, similar to above questions*)

#### Forest grazing (*questions to respondents owning a large number of livestock*)

3.21 How many cows and goats do you own?

- 3.22 Do you take them to the community forest for grazing?  
 3.23 If yes, how much (seasons, number of livestock)  
 3.24 Is forest grazing bound to any rule? If so, how is this rule made (discussed publicly or directed by the EC?)  
 3.25 Is there a particular reason why people don't graze their goats in the forest all the time?  
 3.26 Is the access to livestock fodder limited in any way? Is this satisfactory?

#### Participation and decision making

- 3.27 Do you participate in the CFUG general assembly?  
 • If no: why not?  
 3.28 Can you influence decisions about rule making and rule enforcement in practice so that your household's needs are adequately considered?  
 • If yes: how? Have you actually made use of this possibility? Please give examples.  
 • If no: why not?  
 3.29 Are you aware that there is an operational plan that should regulate the community forest?  
 If yes: did you ever check? Why (not)?  
 3.30 Do you think that the same rules are followed by all households/ all individuals, or are there exceptions?  
 • If there are exceptions, why and in whose interest are they made?  
 3.31 Can you recall specific incidents of disagreement or conflict? Please explain; who was involved and who in the end decided about the outcome?  
 3.32 Does the executive committee generally represent your interests? (If no, why not?)

#### Legitimacy perception and opposition

- 3.33 Overall, in how far do you think the community forest management reflects and respects your needs?  
 3.34 Is there anything specific you would like to change about how the community forest is managed?  
 3.35 Do you generally accept decisions made by the EC (including those that may not represent your interests)?  
 • If yes: why in particular? What gives the EC this right to take decisions on your behalf?  
 • If no: do you do anything about it? i.e. do you have any means to make a complaint? Is there any kind of opposition? How does the EC respond?

### Part 4: Questions to forest officials

#### OP implementation

- 4.1 In practice, we saw open access to grass, forest grazing, fodder (except Sal), dry firewood and green firewood (in terms of quantity). This is known to everyone. Why then are there still (impracticable) restrictions on these forest products in the OPs? Are they needed?  
 4.2 How is the quantity of timber to be harvested each year determined?  
 4.3 Who decides about that?  
 • On what basis (i.e. with which justification)  
 • Can the EC negotiate a compromise?  
 4.4 Why do you not follow the annual allowable cut in the OP?  
 • Isn't AAC supposed to be the optimal/sustainable harvest? Or is it flawed in this case?  
 [overview table with AAC and realized harvest for reference, omitted in appendix]  
 4.5 Is this low extraction (only 0.1-0.2 m<sup>3</sup>/ha in average!) necessary for forest conservation or are there additional reasons?  
 4.6 Is there any flexibility in special cases? How do you respond if a CFUG needs more timber (e.g. after last year's earthquake)?  
 • Siddhapur: Sal harvest is slightly higher than AAC. Why? Compromise?  
 4.7 Given that the OP is generally not followed in practical management and few forest users are even aware of its existence (*they receive instructions directly from the EC*), why do you even need the OP? What is its main purpose?  
 4.8 What do you see as the main challenge with the Operational Plan system?

#### Tree tagging

- 4.9 Please explain the tree tagging process!  
 • Who decides which trees to harvest?  
 • Based on which considerations?  
 • Can the EC negotiate a compromise, i.e. if they need higher quality trees?  
 • Do trees lying on the forest floor also need to be tagged (*jarna, kukhat*)? Is this new?  
 4.10 Why is it that 4D trees are prioritized?  
 • How do you decide what counts as a 4D tree?  
 • Kathpur: favourable conversion factor – apparently not only bad timber?  
 4.11 We were told that in the past, the EC selected the trees and the officials' task was only supervision, now officials select trees.  
 • Why did that change 2 years ago?  
 • This is not in accordance with the OP (by which DFO has only a supervision role). How could you still make that change?

## Timber distribution

4.12 Do you instruct the EC how to distribute timber to the users after finishing the tagging process?

[Kathpur: timber sale before satisfying user needs]

Timber has been harvested by contractors and is going to be sold outside. In the meantime, forest users are told they have to wait until next year.

- Why is that so?
- OP rules give priority to internal demand over selling outside. So how is this possible?

[Siddhapur: rigid cft based system]

Now, contractors harvest timber and the same volume is given to every applicant with a lottery system. In the past, each applicant used to extract their own whole tree as pointed out by the EC. Respondents said all this changed 2 years ago upon instruction of forest officials.

- Who decided to change the system?
- Why/based on which considerations? Why did it change just 2 years ago?
- Is the distribution system really better now? Why in particular?
- What if forest users disagree, could the EC decide to turn back to the original system?
- DFO involvement in timber distribution is not in accordance with the OP (neither with the 2071 forest product collection and sale guideline). How could you still convince the users?

4.13 Are there any special exceptions for earthquake victims regarding timber distribution?

[Kathpur]

Earthquake victim received one tree for free, but needs more for reconstruction. Why not more?

[Siddhapur]

All EQ victims received the same amount as anybody else, just around 20 cft, and with fees (just 6cft of Sanjh was for free). The OP however gives calamity victims preference and up to 30cft for free.

- Why did EQ victims not get the exception of 30cft for free granted to them by the OP?
- Did the EC decide that alone, or did the DFO recommend this approach? Why?
- There was that 'workshop' after the earthquake where 13 CFUG decided they would give 6cft for free to EQ victims. *We heard that Ilaka officials were also present there.*
  - Were you present?
  - What kind of 'workshop' was that?
  - How were these 6cft decided, on what basis?
  - How is it possible that this decision was made against the rules stated in the OP?
- Why did EQ victims have to go through the normal procedure and wait for almost 1 year for timber? *After this time, it was not useful to them anymore.*

## User awareness of OP

Generally, forest users are not even aware an OP exists and get their instructions directly from the EC.

*In Siddhapur, this is probably a reason why EQ victims didn't complain about low timber supply.*

4.14 Why do you think are many forest users unaware of the OP?

4.15 Do you think that forest users should be more educated about their legal rights and responsibilities in community forestry, or is that not such a good idea?

- If yes, why has that not happened yet? If no, why not?

## DFO control

4.16 In general, how do you cooperate with the EC to make sure the CF is properly managed?

4.17 Are you present at general assemblies? What is your role there? What do you tell people?

*We understand that since 2 years ago, the DFO is more involved with tree selection and keeps the harvest below the AAC.*

4.18 Why did that change 2 years ago? After all, it goes beyond what is legally required by the OP.

4.19 Is it a "necessary evil", or is it a "good thing" that the DFO is more involved than it used to be?

4.20 Why do you think it is necessary to impose more restrictions on CFUGs than in the past?

4.21 How did you manage to impose such a fast change – wasn't there any resistance on part of the CFUG?

*(Siddhapur: before whole tree, now 14cft; Kathpur: Sal harvest now at 39% of AAC)*

- How did the leadership react to these changes and how did you convince them?
- How did general users react to these changes and how did you convince them?

4.22 In general, can CFUGs even be trusted with the responsibility to independently and autonomously manage their forest as it is stated in the forest act 1993? *(i.e. without the current DFO involvement, but only the one stated in the OPs)*

- If yes: why then do you control more than required by the OP?
- If no: could it help to educate people about their rights and responsibilities, as a complement to strict top-down control? *After all, most have no idea about the OP and thus cannot report violations.*

## Timber contractors

4.23 How are timber contractors selected? Is this a public procedure? Does the DFO play any role there?

- Siddhapur: *Why is it not locals anymore that are involved with timber extraction (especially Khayer)?*
- Kathpur:
  - Is it the CFUG president who sells the timber of Kathpur CF? If no, who?

- *How is it possible that the ex-president is still part of timber business after having been dismissed (and on top of that a member of the advisory board)?*

**CIAA**

4.24 What do you think about the role of CIAA to ensure sustainable management of community forest? Does it do a good job or not? Why?

[Kathpur]

*We are aware that the delay of timber supply is due to a complaint filed with CIAA after which the forest was temporarily closed for timber extraction.*

- Can you explain to us what this complaint was all about?
- Do you think this claim is true? What exactly happened?
  - If yes, how could the president get away without punishment?
- What was the role of the Ilaka forest office in handling this complaint? Who carried out controls locally? Is it all sorted out now?