

# Affirmative Policy in Nepal's Community Forestry

Subjects: Womens Studies

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Decentralized forest management is criticized for not involving women in decision-making. Researchers explored what the introduction of affirmative policy in community forestry committees means for the participation of women in decision making in four cases in the middle hills of Nepal. The qualitative analysis of interviews and observations draws on feminist political ecology, a women's participation typology, the critical mass theory and gender justice. Researchers investigated the importance of electoral procedures, the role of authorities, the role of the familial context and whether and how women internalized and contested patriarchal norms. The women's quota was found to have had as yet little impact on substantive participation, yet the enhanced exposure of female committee members to the discrepancy between the gender equality discourse introduced in community forestry and the persistent male domination seemed to create, in a few women performing as critical actors, an enhanced awareness of male suppression; an awareness that is a prerequisite for contestation of those patriarchal norms denying women access to power over forest and, generally speaking, of gender injustice.

Keywords: affirmative action ; feminist political ecology ; gender

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## 1. Contextualization of Gender and Reservation Policies in Nepal

Nepalese society is patriarchal and highly hierarchical, especially along gender, caste, ethnicity and class relations, conceptualizing gender as the “economic, political and cultural attributes associated with being a man or a woman” <sup>[1]</sup> (p. 3). The caste system originates in Hindu religion and was introduced and incorporated into the Nepalese social hierarchy through the civil code of 1854. Although it is no longer legally valid, the intentions of the code continue to structure social interaction, and especially people from disadvantaged castes, also known as Dalits, are excluded from social, political and economic activities. Similar to Agarwal's <sup>[2]</sup> characterization of Indian society, gendered behavioural norms limit Nepalese women's aspirations for voice and education and impose a gender-specific division of labour, and the structure of the social space constrains their mobility <sup>[3]</sup>. As a result, women may not participate on an equal footing with men in public gatherings and therefore do not have access to public information. They may not move freely beyond the domestic sphere and are severely disadvantaged when trying to find employment outside the household or to engage in entrepreneurial activities <sup>[4][5]</sup>. It has been observed that even when women do try to change their livelihood activities to cash-earning activities, they still generally work in rural enterprises or in the commercialization of farm products, reinforcing their link with farm and forest; conversely men have much more freedom to look for wage-based jobs or to out-migrate <sup>[6]</sup>. Culturally, men are valued higher than women <sup>[7]</sup>, and patrilocal marriage practices together with patrilineal inheritance and kinship <sup>[8]</sup> combined with the traditional male hegemony over timber-focused forest management <sup>[9]</sup> serve to reinforce this norm. Further, women's subjectivities are formed within the prevailing habitus of male hegemony—using Bourdieu's concept—meaning that women perceive male privileges and their own subordination as reasonable and natural <sup>[10]</sup>.

In a descriptive sense, Nepal has gone relatively far in promoting women's political participation. The Constitution of Nepal was promulgated in 2015 and amended in 2016, after ten years of civil war and eight years of transitory constitution. It strongly promotes equal rights for women and for any marginalized part of the society as it requires that “at least one third of the total number of members elected from each political party representing in the State Assembly must be women”. The same provision applies to representation in the Federal Parliament <sup>[11]</sup>. The Local Government Operation Act 2017 requires 40% of women's representation at the ward level. Similar reservation policies are also provided for at Municipality and District level <sup>[12][13][14]</sup>. Given the percentages of representation required by these new legislations, according to the ‘story of the critical mass theory’ <sup>[15]</sup>, a transformation from descriptive to substantive participation is not unlikely. There is little evidence, however, that such a transformation is taking place in the legislative sphere or that the participation of women has spread to the judiciary and executive spheres, as might be expected if the social climate of political life had become much more inclusive <sup>[16]</sup>. Further, it is not clear that the elected women represent women generally <sup>[17][18]</sup>. The relatively high proportion of women in the constituent assembly, therefore, has not translated into governance.

Problematics of substantive participation and representation remain, perhaps reflecting a tokenistic approach to the inclusion of women in decision-making.

Images of Nepalese women result from traditional and modern Nepalese sources as well as international influences, given that the country receives substantial amounts of foreign financial assistance. In 2014/15, 41% of the total budget allocated to public projects came from foreign grants and loans, and this dependency likely means that public policies reflect donors' as well as national political agendas <sup>[19]</sup>. Nepal's national impetus for instituting social inclusion, including gender equality, may therefore, at least to some degree, reflect international agendas such as the 2030 Agenda for Sustainable Development, which commits international society to achieving gender equality and empowering all women <sup>[20]</sup>. A discrepancy between traditional Nepalese and international norms <sup>[5][21]</sup> and between theories and women's and men's lived experiences <sup>[22]</sup> is possibly one of the reasons why policy instruments and implementation practices differ. However, there are also different yet co-existing international notions of women <sup>[23]</sup>, and images of vulnerable or resourceful women in developing countries can be invoked depending on the purposes <sup>[24][25]</sup>.

## **2. The Gendered Nature of Community Forestry in Nepal**

Forest decentralization in Nepal is considered quite successful in terms of conservation <sup>[26][27]</sup>. A national programme is in place which, according to the last available data, involves more than 16 million people in about 22,500 Forest User Groups (FUGs), managing a total forest area of 2,359,577 ha <sup>[14]</sup>. Concerns with women's participation in community forestry, however, was not a strong priority at the beginning of the programme. When forest decentralization was initiated in the late 1970s, the focus was on forest conservation and fulfilment of basic needs such as firewood and small timber; there was not much talk about women's participation <sup>[14][28][29]</sup>. Gradually, concerns with gender equality emerged <sup>[30]</sup>: gender quotas in FUGs' executive committees (hereafter 'committees') were introduced and implemented in some places and established formally in 1989 <sup>[31]</sup> and systematically in 1995 <sup>[32]</sup>. The current rules, introduced by the Guidelines for the Community Forestry Development Programme <sup>[33]</sup>, require that at least 50% of the members of the community forestry committee should be women, one of two key posts (chairperson and secretary) should be occupied by a woman and at least one of the signatories of the bank accounts should be a woman. The enforcement of these requirements is facilitated by the need for periodical renewals of forest operational plans; forest products cannot be commercialized without a valid plan. Further, in a given household, one woman and one man should be registered as members of the community forest users group, and 50% of the attendants at the general assembly should be women <sup>[33]</sup>. Subsequent to these rules the number of women in community forestry committees has been greatly enhanced, but according to Chhetri <sup>[34]</sup>, their participation is far from substantive.

Forestry in Nepal is still predominantly a male domain, with men occupying the large majority of positions in both central administration and educational institutions <sup>[35][36][37]</sup>. Forest officers tasked with promoting affirmative action in community forest user groups reportedly perceive this to be largely a donors' agenda <sup>[38]</sup>. The reported discrimination of women in community forestry continues in terms of differential access to forest resources, economic resources arising from forest management, information and participation in decision-making <sup>[4][39][40]</sup>. New opportunities for women's involvement have been reported, where men have migrated in search of job opportunities, creating a space for women to attend assemblies and voicing their opinion <sup>[41]</sup> and where smaller arenas of interaction have been provided <sup>[42]</sup>, although being present at FUG meetings cannot in and of itself be taken to imply participation in the process <sup>[3]</sup>.

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