

Dynamics of Resource Governance, Resource Scarcity and Conflict in Nepal

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Abstract

This paper discusses the relationships between governance practices in natural resources and conflict in Nepal. Within the governance framework, the paper examines the roles of laws, policies, and practices in creating or minimizing scarcity and conflict and their impacts on society and resource management. The paper argues that resource conflicts produce both positive and negative consequences and alter existing social relations. This paper concludes that the existing approaches, strategies and discourses have not been able to address new challenges and, therefore, need a fresh paradigm.

Key words: Conflict, forest management, governance, land, resource

INTRODUCTION

This paper highlights the relationship between resource governance, resource scarcity and conflict in Nepal. The notion of resource governance is discussed to address environmental problems such as scarcity of natural resources and environmental services. Resource governance, in this paper, refers to the principle, process and practice of mainstreaming, and ensuring environmental/ecological issues and concerns in policies and plans, laws and regulations, strategies and decisions and actual actions at different levels within a good governance framework (i.e. consensus oriented, participatory, guided by rule of law, effective and efficient, accountable and transparent, responsive, equitable and inclusive).

Likewise, conflict in this paper, refers to observable differences in opinion, misunderstandings, clashes of interest, disagreements, complaints in public, protests by argument and physical assault, antipathy, filing cases with the local administration, police and courts (Upreti 2002). Feelings of unfairness, suspicion, injustice, mistrust, etc. ultimately lead to conflict. Resource conflicts produce both positive and negative consequences and alter existing social relations (Buckles 1999). They induce changes in resource management and utilization, policy processes, livelihood strategies, land and agriculture, gender relations, power structure, and individual and collective behavior. In most cases the combined effect of some or many of such factors can escalate or resolve a conflict (Upreti 1999).

Resource conflict involves investigating almost all aspects of human activity and interactivity ranging from behavior of individuals to group characteristics concerning governance of environmental services. Dominant thinking in conflict paradigm treats 'environmental/resources conflict' as a particular event in a particular point of time that needs to be resolved through legal and regulatory interventions. However, I perceive conflict as an inevitable process that can be used as a constructive means for social transformation and agrarian change (Daniels and Walker 1997). Conflict is also a source of learning to create opportunities for social change in society. When there is conflict it gives people opportunities to think, understand the causes of problems and look for solutions. Natural resource-conflict needs to be viewed in the wider context of historical, political, cultural, economic, institutional, organizational and technological dimensions that provide the basis for the creation, escalation or management of conflicts. Therefore, resource conflict is interconnected with broader socio-political issues and their implications to environment, society and process of agrarian change.

Land, forest and water are the most important resources for the economic development of Nepal. Conflict is common in the use and management of these resources. Therefore, management of conflict is crucial to achieve sustainable use and management of natural resources (Upreti 2000a, 2000b, 1999). In the context of natural resources, the perceived inconsistencies between people about

acquired rights, incurred obligations, or contradictions of two or more jurisdictions lead to conflict. In the legal sense, conflict management is the application of the laws and regulations to ensure rights and provide remedies that reconcile the inconsistencies and decide which systems are to govern particular cases (Oli 1998).

Resource Scarcity as a Source of Conflict

One of the best examples of strong and direct relationship between resource scarcity and conflict has been observed in water scarcity and resultant conflict around the world. Report of the Johns Hopkins Population Information Programme (JHPIP) highlights that nearly half billion people worldwide are currently facing water shortages (JHPIP 1998). By 2025, one in every three people will live in short of water. At present, thirty-one countries are facing water stress or water scarcity and by 2025 the number will explode fivefold. The World Water Forum (2000) also stresses that more than one billion people in the world have no access to water of sufficient quantity and quality to meet even a minimum level of health, income, safety and freedom from drudgery. The World's projected total of eight billion people in 2025 will enormously increase pressure on natural resources and environmental services and may cause a catastrophe. The competition between industrial, urban, and agricultural use for natural resources is mounting and per capita consumption of natural resources is increasing (JHPIP 1998). Regional conflicts over natural resources are brewing and could turn violent as shortages grow. As world water scarcity bites deeper into economies dependent on cheap water supplies, there is conflict over river catchments and lakes. Dams such as the Three Gorges Dam in China have become symbols of official tyranny, with whole cities being flooded and engineers being given free reign to resettle populations who are inconveniently living in river valleys (Ohlsson 1995). Due to the competition for available natural resources by an over-growing population, the vital ecosystems on which humans and other species depend are severely threatened (World Water Forum 2000). The earth has lost 15 percent of its topsoil over the last 20 years. Water logging, salination and alkalization affect another 1.5 million hectares of mostly irrigated agricultural land. Desertification and drought are severely limiting the production potential of the global agricultural system and posing several ecological challenges (Röling 2000).

If there is scarcity of resources, there is competition, so natural resources will be continuous sources of future conflict. In this context, few sentences of the speech delivered by Fidel Castro on the occasion of the 50th anniversary of the World Health Organization is worth mentioning. *"...The weather is changing, the seas and the atmosphere are heating up, the air and the water are polluted, the soil is eroding, the deserts are growing, the forest is disappearing, water is getting scarce. Who will save our species? The blind and uncontrollable laws of the market? Neo-liberal globalization?"* (Idris 1998:5).

GOVERNANCE, NATURAL RESOURCES AND CONFLICT: NEPALESE CONTEXT

Water is one of the most important natural resources of Nepal. It is estimated that there are a total of 6000 rivers (CBS 1995). Even considering the vast amount of water available, drinking water is scarce in many parts of the country. Industrial use of water in urban centers has created competition and conflict in inter and intra sectoral water use. Irrigation in mountain and hill regions, which contain 83 percent of the Nepal's total area, is difficult because of steep slopes and fragile geography, which causes recurring landslides and soil erosion. The growing population requires more food, which requires more water. Physiographic characteristics and climatic factors affect such consumptive use of water but it varies spatially and seasonally. This leads to an unequal distribution. Nepalese water resource management is therefore characterized by an unjust and insufficient use of water, contradiction and conflicts. Water scarcity, competition and conflict are common characteristics framed under social, economic, political and legal issues in Nepal (Upreti 2002).

Forest is another important natural resource for economic and social development. Forest resources directly fulfill forest-related subsistence needs of women, poor and backward people as well as

commercial needs of well-off people. They are providing inputs for agriculture, livestock, and supply medicinal herbs, timber and non-timber forest products. Forests also support irrigation, conserve watersheds, improve the condition of the soil, provide recreation for tourists through forest-based eco-tourism and national parks and wildlife reserves, provide a habitat for flora and fauna and provide raw materials for the forest-based industries (Upreti 1999). Much of the agricultural production systems of the country are directly and/or indirectly based on forest resources. However, the Nepalese forests are severely threatened by political and commercial interests. In 1964 forests covered more than 45 percent of the total area of the country, this being reduced to 29 percent by 1998 (NPC 1998:290). It is reported that the forest area of Terai is being destroyed at the rate of 1.3 percent per year (ibid.). Smuggling of forest products is posing another serious challenge. The productivity of the forest is decreasing due to migration and encroachment, smuggling, illegal hunting, grazing, forest fire, and lack of active forest management, poor political commitments and lengthy bureaucratic working procedures.

The land use systems in Nepal are rapidly changing because of increased environmental consumerism, information revolution, technological advancement, market intervention and globalization processes. As a consequence, over exploitation of natural resources and environmental services is becoming harsh reality. The lack of strong environmental governance, weak institutional arrangements and rapid globalization are exerting enormous pressures on natural resources. Well-planned land use is one of the most important aspects of environmental governance to achieve economic and social development. If land is managed and used properly, according to its quality, type, capacity, physiographic characteristics, not only the agricultural productivity and other social and economic benefits can be increased but also environmental risks will be minimize (Upreti 2003).

Skewed land distribution and gross disparities in land ownership are the major causes of poverty, injustice and social discrimination (Upreti 2002). Due to such disparities, a large number of people have no access to productive land resources. More than 70 percent of farmers have less than one hectare (ha.) of land (NPC 1998). Substantial regional variations in the distribution of agricultural lands exist in Nepal. The Terai region occupies 17 percent of the total land area comprising 49 percent of the total agricultural land whereas Hill covers 63 percent of total land and accounts for 40 percent of agricultural land. Mountain occupies 20 percent of total land with 11 percent of agricultural land. The Human Development Report-Nepal 1998 shows that the bottom 40 percent of agricultural households use only 9 percent of the total agricultural land owning less than 0.5 ha while the top six percent occupies more than 33 percent of the total. These inequalities are manifested in the higher incidence of poverty and landlessness. Small holders are marginalized and transformed into landless people (Shrestha 1997). This means that a few landlords control a huge fraction of the country's land. Nepalese land resource is besieged by multifarious problems such as dual ownership in land tenure, fragmentation, unequal distribution, institutional obstacles and unfocused government policies.

The land reform campaign, although initiated in 1951, has so far been merely a political slogan rather than significantly contributing to its reform. All major political parties have highlighted the land reform agenda in their election manifestos, but none of them are fulfilling their commitments.

Perhaps, nobody would disagree that bad governance has created resource scarcity leading to conflict. Resource degradation, conflict about access, rights and obligations, fair distribution, maintenance and benefit sharing are basically under emphasized in governance practices in Nepal. Various endogenous and exogenous factors such as globalization of market, environmental and technological changes are imposing new conflict on the natural resource sector. Many large and small Natural Resource Management (NRM) projects implemented by different agencies are introducing new conflicts as well as having various negative impacts on society. For example, ignorance of the importance of indigenous knowledge in planning and designing new systems, extortion, alteration of local rights and regulations, replacement of old institutions by new ones, imposition of technocratic

solutions, are some of the immediate implications of new interventions. These interventions have their own firmly fixed and uniform policy and a rigid procedure. They are technocratic in nature and generally do not acknowledge local diversities. This is becoming one of the major causes of conflict in NRM.

Conflict arises if the new NRM policy of the government contradicts with local cultural practices. The economic motive of people to acquire more from the existing natural resources on a competitive basis also leads to conflict. Conflict is also growing due to the contradiction between environmental and economic interests. Changes in historical use patterns in natural resources can bring conflict into a community. Similarly, contradictions of legal arrangements and customary practices have promoted several conflicts.

Social dimension of NRM is crucial in natural resource related conflicts. Social dimension refers to the more human related aspects of negotiations, such as knowledge, technology, institutions, forums (platforms) (Röling 2000). In the study of conflict it is important to understand the role of human dimension in natural resources (Röling 1997). In the contemporary development discourse natural resources are usually perceived as hard, objectively fixed bio-physical facts (e.g., soil, crops, livestock, disease and pests, water, yields, erosion, carrying capacity, bio-diversity, physical properties, etc.) and factors such as human goals, organization and technological aspects (Röling 2000) are usually ignored. But conflict concerning natural resources is the outcome of societal arrangement, human intention and behavior (Röling 1997) framed within those biophysical properties. Therefore, both these dimensions of natural resources are essential for a better understanding of conflicts in NRM and their management. Resource management decisions and activities of resource users, performance of bureaucracy, functioning of user groups and associations, access to and control over resources, customary practices and state laws/regulations, livelihood requirements and the welfare of people are therefore important issues to be addressed in study of conflict.

In Nepal, dominant development paradigm still treats 'technology as a black box' and gives little attention to human intentions and behavior in managing natural resources. Responsive institutions, collective learning, negotiation and concerted actions are vital but neglected components in NRM discourses and practices. Several researchers and academicians (for example - Röling 1997; Pradhan *et al.* 2000; Uphoff 2000; Chambers 1988) have shown that NRM is not only a technical domain but, more importantly, a social discourse, shaped and influenced by social processes and intentional human activities. A plural legal situation can create several conflicts because of its uncertain and manipulative nature. Most of the legal reforms related to natural resources have yet to be translated into real practices. If and when they are practiced, power brokers manipulate them and the weaker section of society still feels uncertain and insecure.

CONCLUSIONS

Natural resources have strong and diverse impacts on different categories of people (land-less farmers, wage laborers, tenant farmers, women, landlords, powerful elite, etc.). The sustainable contribution of NRM in reducing the vulnerability of impoverished people, sustaining ecological services from natural resources, stabilizing social mobility and improving the quality of life of the rural poor is yet to materialize. Conflict mitigation and addressing environmental scarcity are beyond the dominant development paradigm. Sustainable use and management of natural resources can only take place through a strong political commitment, clear vision, fair and responsive administration, protection from malpractice such as rent-seeking (Wade 1982), expansion of institutional understanding (Ostrum 1990), and embracing collective learning and concerted action (Röling and Wagemakers 1998). These are the crucial elements of environmental governance, which are severely lacking at present. The economic transformation of more than 49 % of Nepalese people, who are below the poverty line, is still more wishful thinking than a reality. In contemporary Nepalese

context, ethics and responsibility (providing basic livelihoods to the burgeoning population) do not drive NRM objectives, rather they are driven by the accumulation of wealth and power.

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