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Decentralized Forest Governance - A Policy Perspective

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Abstract

This paper examines challenges associated with early stages of decentralizing the administration and management of forest resources. It is based on review of literature on forest, decentralization and governance that explores the strengths and weaknesses of forest governance, and the main issues and challenges involved in these processes. The study found that a shift in administrative authority to the local level will not guarantee transparency and good governance in the forest sector, in spite of measures taken to remove challenging obstacles. The central government is still reluctant to decentralize a revenue-generating sector such as forestry and the scope of involvement of civil society remains weak in some areas. Decentralization also results in a plethora of conflicts at the local level as new responsibilities and opportunities arise with the devolution of new powers to the community. Decentralization of forest management will probably remain a work in progress for the foreseeable future.

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Introduction

Governance is a notion as old as human civilization, and is traditionally held very close to that of “government”—more or less “what governments do”. Over the last decade, governance as a term has gained wide currency in a range of contexts—within societies and individual organizations. One simple definition of governance is “the art of steering societies and organizations”. Governance is defined as the manner in which power is exercised in the management of a country’s economic and social resources. Minogue *et al.* (1998) defines governance as the array of ways in which the relationship between the state, society, and the market is ordered. The notion of governance is more than the government who is one of the actors in the process. Recognizing this, the Human Development Report of UNDP (1999) suggests that “governance” means a framework of rules, institutions, individuals, organizations and firms—“Governance relates to the management of all such processes that in any society define the environment which permits and enables individuals to raise their capacity levels, on one hand, and provide opportunities to realize their potential and enlarge the set of available choices” (GOI, 2002). Governance can be used in several contexts, such as corporate governance, international governance, national governance, and local governance. Since governance is the process of decision making and the process by which decisions are implemented, an analysis of governance focuses on the actors (formal and informal) involved in decision making and implementation through formal and informal structures or institutions.

Forest Governance¹

Forests play a vital role in social, cultural, historical, economic and industrial development of any country and in maintaining the ecological balance. Forests satisfy multiple needs of a multitude of users. The premium on forests can be understood by recognizing them as the primary producers and protectors of several natural resources. They share attributes with many other resource systems, such as agriculture, animal husbandry, watershed, biodiversity and energy, that their governance in a sustainable, efficient and equitable manner, is difficult. A large number of poor people living in and around the forest areas depend heavily on these forests for their livelihood.

¹ Forest governance as a term has evolved in a fashion similar to governance in general. It has come to the fore particularly as a result of debates on decentralization. It has different meanings for different people, but is generally used as a means to tackle the qualities of decision-making processes rather than the formal political structures of the government.

In the forest sector, governance issues have been actively pursued for many years. Forestry provides a useful entry point for governance programmes due to its focus, linking the global to national and local; high levels of income and other benefits which it generates, and its importance in rural livelihoods and poverty alleviation. Moreover, public participation, accountability, transparent government, and pro-poor policy change themes have been central to the forest, which are also crucial dimensions of governance.

One may wonder if improved governance contributes to sustainable forest management. Kishore and Belle (2004) found that income has statistically significant negative impact on deforestation, i.e., rising income is likely to reduce deforestation. Similar improved acts of governance may catalyze an increase in income. Taking these two findings together, they concluded, “improving governance may have an indirect but strong impact on curbing deforestation”. Effective forest governance appears to depend more upon the capabilities of the managing entities than on any particular form or degree of decentralization/centralization of management functions. More specifically, such capabilities are required at all levels of governance

Local people’s rights are often relegated to non-commercially valuable forest products (Ribot, 2001), even if they have lived in the forest for generations. The locals in Honduras are limited to such usufruct rights, while commercial rights are allocated by the state to logging companies. Loans for forestry are almost non-existent in any case. This engenders a secondary reinforcement of unequal relations. Inter-locking credit-labor arrangements are common, in which small producers take loans from larger producers or traders on the condition that they will sell the product to the lender at low pre-fixed prices (Ribot, 1998).

To improve outcomes, contemporary forestry policies in developed and developing countries seek to shift some control over forest management to the community level. Recognizing that communities may have the ability to monitor and enforce rules about forest use, policymakers have turned to various ways of devolving authority over forests to local people, usually without privatization. These policy moves indicate that some governments are beginning to realize that the 500 million people who live in and around the world’s forests will greatly determine the success or failure of their forest policies. However, despite the centrality of social capital to community forestry plans, neither the national governments nor international bodies have a very good understanding of the role played by social capital in forest management at the local level. Since communities, through forest management, could represent a solution to important environmental concerns, we argue that it is critical to understand the role played by social capital in the community-level management of forests.

In a fundamental sense, such community-level forestry policies seek to use the social capital of communities to help manage forests. Communities enjoy different levels of social capital² with which they can enhance, filter, alter, or ignore a central government's forest policy. They can also create their own rules, generating local institutions and patterns of activity that can diverge widely from the expectations of legislators and bureaucrats. Community forestry projects seek to harness this social capital and direct it in ways they determine to be appropriate, such as sustainable timber production or conservation.

Forest policy has undergone pronounced change over the last 30 years. While forest policies vary from country to country, especially between developed and developing countries, some general trends exist. Until and through the 1960s, forest policy had been technically oriented, focusing on the commercial aspects of forest management. Forests could either be managed by the state or by private entities, but in either case, it was seen as a valuable natural resource whose protection was ensured by the value of its stock and flow to the market. If the land beneath the trees was considered more valuable than the wood, the governments generally did not stand in the way of forest clearing (Richards and Tucker, 1988). This orientation also found its way into overseas aid programs: industrialized countries promoted the scientific, professional management of forest resources to meet the economic goals of the governments of the less developed countries. Vast timber plantations were the prescription of the day.

The 1980s witnessed the rise of community forestry, which sought to look first at community needs and then design a local forest program around them. Ideally, the locals began to be included in all phases of project design, with technical help from professional foresters. In many countries, community forestry coincided with efforts—domestic or external in origin—to decentralize and downsize governments. Dozens of countries founded community-based programs for forest management, such as the Joint Forest Management in India, the Leasehold Forestry Program in Nepal, the Turkana Rural Development Project in Kenya, and the Bay Region Project in Somalia. Because local communities live with forests, are the primary users of forest products, and create rules that significantly affect forest condition, their inclusion in forestry management schemes is now considered essential by many researchers and policymakers (Arnold, 1992).

Governance is complex, covering global-local links, sector-sector links, and differing values, but it is increasingly recognized that governance problems underlie many forest

² Social capital is about the value of social networks, bonding similar people and bridging between diverse people, with norms of reciprocity.

problems. In recent years, some progress has been made in developing better-enabling conditions for forest governance in many countries. Great progress has also been made in forest-level assessment and planning, but it has limitations. Meanwhile, international assessment and reporting on the forest sector has failed to improve forest performance significantly. The devolution of control over the world's forests from national or state-level governments to local control is an ongoing global trend that deeply affects all aspects of forest management, conservation of biodiversity, control over resources, wealth distribution and livelihoods.

Governance problems underlie many forest problems. The attainment of forest management depends critically upon matters far from the forest itself. It depends on the extent and quality of *enabling* policy, legal and institutional conditions—on good forest governance. Together, these conditions influence how a society organizes itself to develop and manage forest wealth, to produce forest goods and services, and to consume them. It is increasingly clear that the underlying causes of bad forest management are invariably *disabling* policies, legal and institutional conditions; and these causes often work through the market. Weak forestry institutions cannot enforce legislation. Weakened social norms mean that forest abuse is unpunished by other stakeholders. It is these weaknesses of governance that tend to underlie the dramatic problems at forest level—clearance of primary forests, afforestation that does not respect local peoples' rights and needs, forest management that extinguishes biodiversity, etc.

Is it any mystery why and how policy processes produce poverty? Since the mid-1900s, the European model of “scientific forestry”—the prevailing model not only in Colonial Africa, but also in post-independence Latin America during the same period—justified excluding the local peoples from the forest (Colchester *et al.*, 2006a). As these policies spread around the world, they were implemented by the elite whose interest was to maximize, and in some instances, sustain production and profit (Guha, 1989; Peluso, 1992; Scott, 1998; Ribot, 1999a). Taxes were introduced to support the colonial state. Concessions were established to assure that the “natives” would not compete with colonial merchants. Licenses and quotas were created to enable governments to allocate production and use rights (Ribot, 2001). The net result is a sector dominated by a great extractive policy infrastructure. Although the discourse has evolved and laws have begun to change, the local poor remain at a substantial disadvantage in comparison with outside commercial interests.

Numerous authors argue that forests can play a potentially important role in poverty alleviation and in the improved well-being of the poor, rural communities. Kaimowitz (2003) emphasizes the numerous direct and indirect ways in which communities benefit

from forests—through forest products, small enterprises, wage employment and environmental health. Dubois (2003) uses the sustainable livelihoods framework to argue that forests contribute to livelihoods, not only as natural but also financial and political capital, and serve social and spiritual needs. Sunderlin *et al.* (2005) specifically examine the poverty-alleviation potential of forests, particularly through community forest management, tree planting, non-timber forest products and environmental service payments (also see Ndoye and Tieguhong, 2004).

Studies of community forestry in Mexican “ejidos” (Bray, 2005) and Guatemala’s Petén (Gomez and Mendez, 2005; Taylor, 2006) have demonstrated substantial economic and other livelihood benefits, such as increased income, greater human and social capital, natural resource conservation, decreased vulnerability, greater equity, democratization of power and empowerment. Community forestry in Cameroon and Nepal has also significantly increased income to forest villages (Agrawal, 2001, 2005; Oyono, 2004, 2006). However, relatively fewer such studies are available precisely because communities rarely have policy-supported access to forests and/or to the resources that are valuable for them or for the capital and markets that would make increased income possible (Ribot, 1998, 2004). These experiments in inclusion are important trail blazers toward more progressive and pro-poor forestry, but they still represent only small drops in the bucket in terms of implementing change in the vast sea of forestry practice.

Legal forestry and forestry laws, however, are not always based on criteria of sustainability, and even if diligently followed, many regulations would not result in sustainable management (Ribot, 1999a, 2006). Further, forestry laws define the boundaries of the “legal” domain—a domain that may not be realistic or just. Since forestry laws discriminate against small and collective forest-land and resource users—often banning their access to necessary goods—these users are driven to illegal practices. The Forest Law Enforcement and Governance (FLEG) process approaches these issues from a different perspective. The World Bank (2006) emphasizes on stopping forest crime and identifying poverty as one of its drivers. Hence, reforming land tenure and biased regulations that produce poverty is necessary to “help address the poverty-related driver” (World Bank, 2006).

Colchester *et al.* (2006a) point out that many governments have signed numerous “soft laws,” such as international agreements, that, among other things, recognize indigenous land rights and customary resource management practices; but that these have rarely been incorporated into forestry legislation. In cases where land rights have been granted, rights over trees or forest management are not necessarily included. Where laws have been passed granting greater access to land and/or forests to communities, they have often been adopted through processes outside the realm of forest policy.

In “*theory of access*”, Ribot (1998) and Ribot and Peluso (2003) contrast the common formulation of property as a “bundle of rights” with their conception of access as a “bundle of powers”. For rural citizens to gain access to forest resources, guaranteed property rights—either temporarily, such as short or long-term contracts for concessions, or permanently, such as land titles or constitutional guarantees—are a necessary first step; however, the power to act on those rights depends on the negotiation of a number of complementary access mechanisms. The access approach highlights the role of power, emphasizing that many people gain and maintain access through others who control it. Thus, on state forest lands, it is usually the central forestry authority that determines who has (legal) access rights to the forest, and on these as well as private, including collective, forest lands, it is the central forestry authority that determines who will have access to permits for the (legal) use and/or sale of forest resources.

The access approach complements the rights-based approach. Rights-based approaches, if practiced according to their original conception, aim to alter the power dynamics of development (Nyamu-Musembi and Cornwall, 2004). In this framework, gaining rights, such as those established through the signing of international treaties, is only a first step. The next small step is when these rights are embodied in national legislation. However, rights only truly take effect when implemented in practice—a political process that will likely challenge vested interests at every step. At the ground level, then, a rights-based approach is successful when the power dynamics of access are altered and access to livelihood assets are improved for formerly-excluded and marginalized groups.

While forestry policies do not redress economic inequalities, they are a poor set of tools for protecting forests. While deforestation is estimated to be around 13 million ha per year (FAO, 2006), over-exploitation, while often blamed on local users, is often due to the actions of wealthy outside traders (Ribot, 1998; Colchester *et al.*, 2006b). Local communities, excluded from legal exploitation and trade, may contribute to illegal commerce as it is their only way of entering the market (European Commission, in Colchester *et al.*, 2006b); greater legal access could provide them with an incentive to monitor the activities of outside actors. Colchester *et al.* (2006a) point out that there is no evidence that current forestry management policies are better than local exploitation practices—legal or illegal; they are probably worse, given that they are formulated for maximizing extraction (Ribot, 1999a). Indeed, many “forestry” or environmental policies, although justified on environmental arguments, have no ecological functions (Ribot, 1999b).

Trends in Forest Governance

The forest sector has not escaped present trends. Internationally recognized problems such as illegal logging and uncontrolled deforestation are increasingly attributed to

weak governance structures. These problems, as well as the broader political trends, are driving many countries to reconsider the role of government in administering their forest resources and others to move away from centralized systems of decision-making and direct government implementation of forest programmes.

Thus, in the evolution from “command and control” to “networked” forest governance, three main trends can be discerned: (i) the increasing involvement of non-state actors due to split development; (ii) multi-scalar policy processes; and (iii) the growing importance of market arrangements.

(i) The increasing involvement of non-state actors

The increasing involvement of non-state actors due to split development in forest governance fits well into neo-liberal reforms through which the role of the state is reduced. Neo-liberal thinking—promoted widely through Structural Adjustment Programmes imposed by the International Monetary Fund (IMF) and the World Bank—recommends that tasks which used to be the responsibility of the state should either be transferred to private enterprises or carried out jointly by governments and private sector companies in public-private partnerships. This is also seen to have an influence on the practice of forest and natural resource management. The democratization wave in the late twentieth century also stimulated the involvement of non-state actors in forest management, as it paved the way for stronger participation of Civil Society Organizations (CSOs) in the formulation of forest policies.

(ii) Multi-scalar policy processes

Several factors have led to governance arrangements between actors operating at different geographic scales, ranging from local to global levels. Firstly, there is the worldwide trend towards decentralization, which includes de-concentration, delegation and devolution; however this trend is more pronounced in developing countries. De-concentration is a process of downward extension of the administrative system by which an administrative authority or responsibility is transferred from the national forestry administration to the provincial, district administrative level or municipal authorities. Delegation, or the outward extension of the administrative system, is the transfer of managerial responsibility to organizations indirectly controlled by the central government such as regional development agencies. In the case of devolution, the decision-making powers are transferred from the central state to local actors, such as indigenous populations, local community organizations or organized groups of forest users. Consequently, forest governance is now being shared between the central government, lower administrative levels, and CSOs.

(iii) Increased importance of marketing arrangements

Due to the remote and diverse location of forests in India and the lack of infrastructure, people living in forest areas were traditionally engaged in subsistence-based livelihood activities in which forests played an important role. In recent decades, many of the formerly remote forest areas have been opened up due to both planned (resettlement especially from National Park areas) and spontaneous migration, and the extension of government-planned infrastructure. As a result, forest-dwelling and adjacent communities became integrated into commercial networks which allowed them to diversify their livelihood strategies beyond subsistence.

The movement from government to governance in the forest sector has resulted in the emergence of new opportunities as well as challenges. It is not easy to achieve participation of relevant actors, adaptive and interactive learning processes, comprehensive, holistic and inter-sectoral coordination, and decentralization to facilitate implementation along with principles, and practices of good governance³ in a diverse society like India. Nonetheless, the governance in forest gradually brought about modifications in several aspects relating to the role of institutions, communities and socio-economic factors.

Though there have been failures as well as successes, the sector has considerably more experience with governance issues than do most others, and this experience has been garnered at all levels—local, national and international. Forestry brings to life key governance concerns. Thus, progress in the forest sector can potentially lever wider gains in good governance. With donors increasingly preoccupied with good governance as a precondition for poverty reduction, this paper makes the case for forestry as an entry point for governance reform. Participation gave local people the experience, first of being consulted, and then of greater responsibility for local resources. At the same time, donors also learned that they could build on existing grass-roots' demand for local resource rights (forests with high commercial value are an altogether more problematic case). They tend to have “rentier state” characteristics, being “mined” for their external rents, with restricted linkages into the domestic economy. This increases their propensity to corrupt management and political distortions. On the one hand, the state agencies for forest management are often alleged to be in an alliance with the forest industry. On the other hand, forest-dependent people are typically widely dispersed and not well organized. They tend to have low security of land and tree tenure, negligible public voice, and little incentive to promote (because of little capacity to ensure) the sustainable

³ The UN has suggested that some universal norms and values do apply and has published a list of characteristics of good governance: participation transparency; responsiveness; consensus orientation; equity; effectiveness and efficiency; accountability; and strategic vision.

management of the resource on which their long-term survival depends. The civil society is often weak, divided, and highly dependent on the patronage of either the state or the donor community. Democracy, where it exists at all, may function only imperfectly and rarely in the interests of the poor. International donors have had an important part to play in securing the livelihood interests of the forest-dependent poor. Recent experience goes beyond the guarantee of social protection, however, and underlines the crucial role which the forest sector can play not only in providing safety nets for the poor, but also in moving them out of poverty. The forest sector revenues are often significant, and have the potential to reinvigorate the rural areas, if only they are retained sufficiently at their source. But to secure forest revenues for poverty reduction also raises profound questions as to what constitutes pro-poor economic growth. Furthermore, the forest sector is capable of supporting a broader set of pro-poor growth strategies, with more certain outcomes for social development.

II

Centralization of power has usually been preceded by the implementation of a central administration either by an external colonial power, or by the rise of a modern bureaucracy from within the country itself. Eventually, after a colonial power got relinquished, it was usually followed by continuation of that centralized mechanism by the new government even after attaining independence.

After centralization of forest management largely fails, some at the center see decentralization as an inexpensive way to rehabilitate degraded forests, to shift blame when forests are not well managed, or to rid the centre of the burden of providing income to local governments. Often local people experience “partial” or “incomplete” decentralization, when they are given responsibility, while authority or benefits remain in the hands of agencies, local officials or local elites. Forest-dependent people may then find themselves at the same level of poverty as when forest management was centralized. Moreover, they lose access to a resource upon which their livelihoods depended.

Decentralization

Decentralization, in theory, can lead to better resource management because it promotes local participation, accountability at the level of resource users, and empowerment of communities. Similarly, in practice, there is increasing evidence of “sharing of authority” world over, between formal administrative institutions and local people in the public decision making and resource management (Meinzen-Dick and Knox, 1999; Edmund and Wollenburge, 2001). “Decentralization”, in this context, is broadly referred to as a group of similar policies, leading to “administrative de-concentration”, “delegation”,

“deregulation”, “devolution”, and “privatization”. But more specifically, decentralization includes transfer of administrative and financial responsibility to lower levels of government, or devolution of power within state bureaucracies, and increased political power to local authorities (Knox and Meinzen-Dick, 2000; Shyamsundar, 2008). Devolution also means transfer of rights and responsibilities to user groups at the local level, leading to transfer of power from the central government to the local people (Nguyen, 2005; Fisher, 1999). Decentralization in forest management has been introduced in many developing countries. It presumes that communities living close to the resource are in a position to take informed decisions regarding its use; since they benefit from forest, conserving it would be to their advantage; and living together in small groups would ensure equitable benefit distribution within and amongst local communities.

Why Decentralization in Forest Sector?

A few years ago, forestry decentralization was a non-issue for many countries. In the proposals for action of the Intergovernmental Panel on Forests (IPF, 1995-1997) and the Intergovernmental Forum on Forests (IFF, 1997-2000), decentralization was not explicitly mentioned, and it was only indirectly present in the recommendations on participation. Decentralisation has become a theme in forestry only since substantial political changes have taken place in many countries. As a matter of fact, governance, of which decentralization is one of the most visible elements today, is a crucial issue in sustainable forest management. It is the quality of governance that may ultimately determine the fate of forest resources in all aspects—economic, social and ecological.

Edmunds *et al.* (2003: 5) writes, “People living in forest areas... have been expected to cope with sometimes drastic limitations on their choices and to yield rights of self determination commonly enjoyed by others living outside of forests”. This applies to exclusion from protected areas as well as from the economic benefits of commercial logging; while, with respect to the latter, often having to live with the effects of related degradation. Donor pressure often plays an important role in initiating decentralisation, though specific pressure in the forestry sector is less common than with regard to the service sector. Agrawal (2003) found that decentralization most often occurs when there is significant elite support within the government, pressure from international donors (with financial incentives), and demands from local actors. Though local actor demands may not be required to initiate decentralization, he argues, they are needed to actually bring about real political changes.

From a great diversity of processes and contexts, decentralization aims to identify common patterns and extract lessons learned that will allow us to better understand its successes and failures. It is not meant to analyze whether decentralization is good or bad

but rather, based on CIFOR's perspective, assumes that *some* degree of local authority over forests is essential for democracy, grass-root development and the sustainability of the world's forests. What that authority consists of, who holds that authority, how this actor relates to other authorities and stakeholders—these are some of the key questions explored in the current experiences.

Decentralization means that the central government relinquishes the authority to make decisions about individual actions over natural resources. However, according to Agarwal and Ostrom, recognizing policy failure and relinquishing authority and power is contrary to the nature of centralized government.

Countries with national systems of government share responsibilities and authority, generally through the provisions of a constitution, between the national-level central government, the states and local levels of government. Powers between these levels are divided and coordinated in such a way that each level enjoys a substantial amount of independence from each other. This implies the existence of a constitution describing the division of powers and a means for resolving disputes. Most importantly, in contrast to simple devolution of specific powers and responsibilities from central to lower levels of government, federations use the principle of constitutional non-centralization rather than decentralization (Olowu, 2001).

Decentralization of responsibilities and authority to the third level is generally difficult. Firstly, these levels of government have rarely been vested with adequate authority, revenues and accountability mechanisms, and thus lack the capacity and political constituencies necessary to handle new responsibilities. Secondly, decentralization initiatives frequently assign responsibilities without the complementary rights or resources to motivate adequate performance. And thirdly, second-level governments are sometimes inadequately prepared or are involved in mediating between the central and local governments.

Decentralization initiatives in federal countries appear easier to conduct, and are more effective in the short run, than in non-federal countries. Decentralization initiatives in non-federal countries are more challenging because they necessarily entail developing local government capacity and setting new precedents for managing revenues and enforcing accountability. This experience suggests that policy-makers need to be careful in drawing lessons from decentralized governance in federal governments for application to non-federal governments.

In nearly all countries, the governments at all levels have considerable interaction—sometimes contentious with indigenous peoples who have claims on land and forest

resources. Often the drive towards more decentralized forest governance has been followed by shifts in the public-private balance, both in terms of management and forest ownership.

Decentralization not only offers great opportunities for improved forest management, but also great challenges. It is far from being a final solution to the ills of the forest sector because significant possible disadvantages and dangers threaten its potential benefits. Progress towards achieving the many potential benefits of decentralization faces daunting hazards.

Decentralization of forest governance has been defined and implemented in different ways in a variety of contexts around the world. Whereas the ideals of decentralization—increased voice for local communities, greater accountability in local governments, more appropriate policies—are heard over and over again, the reality is quite different. The same unhelpful patterns emerge again and again: inadequate resources to accomplish the goals of decentralization; unwillingness on the part of those in power to cede significant authority and resources; uneven local capacities and will; elite capture; and unclear guidelines and division of labor among governmental levels. Democratic decentralization, characterized by the transfer of authority to representative and downwardly accountable actors, such as elected local governments, requires that representative and accountable local actors have autonomous, discretionary decision-making spheres with the power and the necessary resources to make significant decisions pertaining to local people's lives (Ribot, 2002). Certainly, in newly decentralizing countries, such a pattern is not in evidence; democratic decentralization remains a pipedream.

The forest sector often lags behind the other sectors that are decentralized, such as health and education. In some cases, this seems to reflect the comparative unimportance of the forest sector; in other cases, it is seen as too valuable for powerful people to relinquish. There is a marked tendency for central governments to decentralize management responsibility for the most degraded and least valuable forests, while keeping the most valuable revenue-generating forests under their control. Thus, it is not just a coincidence that most community forestry, co-management and other forms of participatory forestry first gained a foothold on degraded forests and areas considered to be unproductive wastelands by the forest bureaucracy. Decentralization seems to proceed most smoothly when an action at one level meets a supportive, responsive action from the other level. When different levels work together, much can be accomplished—and accomplished more easily.

Decentralization is usually referred to as the transfer of powers from the central government to lower levels in a political-administrative and territorial hierarchy (Crook and Manor, 1998; Agrawal and Ribot, 1999). This official power transfer can take two main forms. Administrative decentralization, also known as de-concentration, refers to a transfer to lower-level central government authorities, or to other local authorities who are upwardly accountable to the central government (Ribot, 2002). In contrast, political or democratic decentralization refers to the transfer of authority to representative and downwardly accountable actors, such as elected local governments. To merit the term “democratic decentralization”, however, these representative and accountable local actors should have an autonomous, discretionary decision-making sphere with the power—and resources—to make decisions that are significant to the lives of the local residents (Ribot, 2002). Most theorists now agree that local participation is essential for effective and sustainable natural resource management (Carney and Farrington, 1998; Enters and Anderson, 1999; Gibson *et al.*, 2000; Edmunds *et al.*, 2003). Because of the failure to integrate local livelihood needs into outside interventions, for example, integrated rural development projects were often ineffective (Lutz and Caldecott, 1996) and many protected area projects actually increased biodiversity losses as well as social conflict (Enters and Anderson, 1999). National governments are often unable to control the sometimes vast forest areas under their legal authority (Carney and Farrington, 1998). And local people often ignore or filter rules imposed from outside; under the right circumstances, they are much more likely to respect rules that they had some role in creating (Gibson *et al.*, 2000; Agrawal, 2002, in preparation). Hence, in theory, the institutional framework of democratic decentralization should also provide the conditions to enhance resource sustainability.

Central governments tend to utilize various strategies to maintain control in decentralisation processes. These may be overt, such as denying the legal transfer of power to local governments, or more underhanded. The central government is also not a unified entity. When one office promotes decentralisation, another may obstruct it; or when top-level forestry institute directors promote it, lower-level officials may block it. Forestry institutes sometimes promote centralization because civil servants want to maintain their power and income base (Bazaara, 2003; Larson, 2003a). As Muhereza (2003) writes, understanding decentralisation necessitates understanding the *interests of the state*. The distribution of powers over natural resources is more conflictive than the sectors that are most commonly targeted for decentralisation—services and infrastructure—because they are sources both of livelihoods and of wealth (Kaimowitz and Ribot, 2002; Larson, 2003a). Forest resources are a source of tributes of all kinds (Kassibo, 2003), as well as national revenue (Bazaara, 2003). It is not surprising that the central governments resist giving up powers which they believe go against their own

political as well as personal interests (Muhereza, 2003; Bigombé, 2003). Nevertheless, the “public goods” interest of the state and the legitimacy of state-sponsored devolution arrangements are often taken for granted (Edmunds *et al.*, 2003). Decentralization of administrative responsibilities without commensurate financial resources creates incentives to manage resources unsustainably and generate revenue to finance local government operations. Even if the central government provides funding, local governments’ incentives to deplete forest resources may be intense if there is uncertainty over forest control.

Central government oversight is important and necessary. Though too much oversight of local governments can be detrimental, checks and balances on local authority over forests are essential for good governance and to protect resources for the future. Though the context is somewhat extreme and case specific, Indonesia demonstrates some of the dangers that can arise from a substantial and abrupt loss of central authority. Local governments have been given important authority over forests in a very specific historical context. That context includes 30 years of marginalization while the central government “stole” local resources (in the eyes of the Outer Islands), and severe economic, political and social crisis. The local governments, which are not particularly accountable either to provincial, the central government or to their citizens, appear to be determined to get from forests what they can while they can, asserting their autonomy and economic independence from the central government (Resosudarmo, 2003).

The forest department’s support for the process can help make decentralisation work. Open communication and a fluid exchange of information between the different levels of government play an important role in reducing conflicts, building mutual respect and local capacity. The relationship between the central and local governments was generally identified as one of the most important issues in forestry decentralisation. Sarin *et al.* (2003) point out that forest departments *can be* an important help for technical guidance, handling offenders and facilitating the resolution of boundary issues, but they rarely fulfill this role.

A successful framework for decentralized forest governance requires at least three things:

1. Appropriate and effective sharing of authority to make decisions and raise revenues, and sharing of responsibilities among levels of government according to their individual abilities and needs;
2. Effective enforcement and accountability at all levels of government to ensure that government agencies are acting fairly, efficiently and effectively in carrying out their mandates; and
3. Effective linkages with other sectors that affect or are affected by the forest sector.

The Role Private Sector and Civil Society in Decentralization

The private sector and civil society play a crucial role in the success of governance of forest resources, not only in administering forest resources, but also in ensuring government accountability to civil and private-sector concerns.

Administratively and technically weak local governments often hamper monitoring and control of activities in forest reserves—which opens opportunities for local elite or private sector domination. Thus, legal reforms are not enough: institution building is also needed.

The context for community involvement and participation in decentralized systems of forest governance has been slowly undergoing profound structural changes over the past two to three decades. As a result of previous, mostly experimental and external donor-funded programmes on social forestry, participatory forestry, integrated community-based resource management and similar initiatives, the concept of local people's and community participation in resource management is now a part of mainstream consciousness. Unfortunately, policy support for this concept in many countries remains at the rhetorical level, even in countries where decentralization is official forest policy. Nevertheless, the recognition of the concept is already helping to widen the space for local and indigenous peoples and communities to maneuver and project their voices, represent their interests and fight for their rights. Indeed, the increasing recognition of indigenous and other community-based rights and the devolution of some administrative responsibilities for public forestlands to communities are two of the most important trends in forest management around the world.

Local community participation in forest management and in forest ownership is increasing (White and Martin, 2002). Nevertheless, forest-based communities still live in a disabling environment of policy and practice that overrides some of the positive effects of increased “participation” and ownership. Forestry and broader regulatory policies continue to favor urban-based and local elite access to forest resources or resource benefits at the expense of local smallholders and the poor (Ribot, 1998). Patterns of partial or biased policy implementation also systematically disadvantage local populations. This policy-backed marginalization of rural populations is deepened even by the so-called “neutral” or seemingly “fair” policies, because of unequal access to capital, labor and credit, rooted in class, identity and social relations (Ribot and Peluso, 2003; Larson *et al.*, 2006a). Together, these factors slant the access playing field, fettering community competition with more powerful actors. Efforts to increase the rural poor's benefits from forests cannot rely on “neutral” policies if they are to enable local producers to access forest resources, forestry markets and the profits of this lucrative sector.

Decentralization, designed primarily with efficiency concerns in mind, tends to be less preoccupied with democracy and equity. In fact, concern with efficiency and cost-cutting is one of the main reasons that privatization is often confused with decentralization. Privatisation involves the transfer of powers to an entity outside of the state, such as individuals, corporations or even NGOs, and is often proposed, if not required by multilateral banks and other donors, as a key strategy for increasing state efficiency. As Ribot (2002: 4) points out, however, privatization and decentralisation operate from two very different logics: privatization is based on *exclusion*, while decentralization is based on a public logic of *inclusion*. Decentralisation of authority in the forestry sector is sometimes seen as an all or nothing deal, though this appears more often to be a position taken by opponents rather than proponents. Rather, it is clear both from community- and local government-level research that checks and balances on powers are needed at all levels of governance. Issues of scale, externalities and public goods make natural resources management particularly complex to decentralize, especially in comparison to the more common development arena of services and infrastructure (see Kaimowitz and Ribot, 2002; and Larson, 2003a, for a discussion of important differences between these two spheres of decentralisation). But their physical location in a particular local sphere—where local people often make decisions about their use on a regular basis with or without central authority—also makes them particularly amenable to decentralized management.

Donor assistance can be key to making decentralisation work. Donor conditionality or pressure often appears to be an important impetus for getting central governments to implement some kind of decentralization, though this may only be superficial (de Grassi, 2003), and donor assistance at various levels can play an important role in making it work. In India, Sarin *et al.* (2003) found that outside funding sometimes created jealousies, divisions and inequities between villages that received benefits and those that did not. They also generated conflicts within communities over the control of funds. In addition, wherever such programs required voluntary local contributions, the costs were disproportionately borne by poor women, while the funds were controlled by the male elite (Sarin *et al.*, 2003: 115). At the same time, donors undermine sustainability by creating financial dependence. It is often easier for local groups to get NGO funds than to depend on their own resources, though this is more sustainable (Sarin *et al.*, 2003). Sarin *et al.* (2003) argue that NGOs often encourage dependence in order to maintain control. In Bolivia, Beneria-Surkin (2003) found that technical advisers sometimes failed to train locals in order to prolong their own jobs. In the Philippines, Contreras (2003) warns of the formation of “a whole industry of rent seeking NGOs”. Though they are often valuable for their “critical and questioning voice”, NGOs co-opted as private service providers, working on project terms, lose that voice (Sarin *et al.*, 2003: 113).

In practice, the transfer of significant, autonomous decision-making authority, regarding forest resources to local governments is rare. On the one hand, national governments, through their discourse, decentralisation policies, or even laws regarding local governments, often espouse the importance of establishing an autonomous sphere of local decision-making with regard to the socio-economic development of each local government jurisdiction. They may even declare the importance of this autonomy or decentralized management specifically with regard to the environment and natural resources. At the same time, specific laws governing these resources, and forests, in particular, limit this decision-making to playing, at best, a supportive role to the central government authority; or mandate coordination with the central government without establishing any specific mechanisms to do this. The result is a legal framework with contradictory laws that establish certain general authority locally, but then deny it when it comes to specifics (Larson, 2003d)—laws on paper that are simply not implemented (Larson, 2003d), or a discourse that is not implemented in practice (de Grassi, 2003). But without discretionary powers, local authorities have no legitimacy and are largely irrelevant (Kassibo, 2003). Central governments also commonly maintain control over forest management through extensive bureaucratic procedures such as forest management plans, price controls, marketing and permits for cutting, transport and processing (Colfer, *in press*; Edmunds *et al.*, 2003).

There are three main arguments that are heard repeatedly to defend the retaining of centralized control over forest resources: the issue of scale and public goods; low local capacity; and the interference of politics. All of these do, in fact, suggest areas of concern, yet they are most often used to defend central interests and centralized policies rather than to seek effective, negotiated decentralized alternatives. De Grassi (2003) explores the use of the first set of arguments—forests as public goods—in Ghana to justify central control of forests over the past century, though without any recognition or admission that central control has in fact failed to protect forests sustainably. Central government, it is argued, is better placed to take into account scale effects, public service obligations and the protection of trans-boundary and trans-generational public goods, while districts will be tempted to realize the forests' cash value, and the short-term priorities of agriculturalists will prevail locally over long-term national interest. These arguments have been used to justify appropriation of forest resources by the government, elite and domestic and international firms, and are presented in terms of decentralizing *all* powers to all forests versus decentralizing nothing (de Grassi, 2003).

In the third argument, politics is seen as a dirty word. Forestry officials often refer to local governments as being “too political” or the need to “keep politics out” of technical decisions (Pacheco, 2003). What they are referring to are problems such as patronage

politics, political favoritism and the unwillingness to make hard decisions that may be technically necessary but socially undesirable. These are real problems that plague local governments throughout the world; but they also plague central governments and forestry institutes. In fact, local governments and other local actors often complain that they are powerless to act against irresponsible and destructive but well-connected logging companies having political connections with the central government.

Authority or responsibility is rarely transferred to representative and downwardly accountable local Institutions. Decentralized powers are sometimes given to parallel committees set up by the central government for that purpose—appointed personnel or traditional leaders rather than the existing elected, representative bodies. This is sometimes done, again, in the name of keeping politics out; such policies may have the support of NGOs who distrust all representations of the state or their lack of capacity (Kassibo, 2003). Sometimes called user groups or stakeholder committees, parallel committees are usually intended, at least by donors, to give local citizens greater direct influence over the development decisions that affect them (Manor, in press). This does not appear to occur in practice, however. Manor argues that there is sufficient evidence to raise serious concerns about the implications of these committees for equity and development. Rather than to promote real participation, many public officials use them to co-opt and control civil society; they are set up by and accountable to central officials who, in addition, give them only limited powers (Sarin *et al.*, 2003; Manor, in press). Even when members are elected, they often include, or are subject to, oversight by government appointees who maintain substantial, if not complete, control (Sarin *et al.*, 2003; Oyono, 2003; Baviskar, in press). Sarin *et al.* (2003) write that forestry officers who control such committees in India have arbitrary powers and are totally unaccountable. Control may also be maintained through strict and opaque guidelines, and bureaucratic procedures that only the government-appointed members can understand (Baviskar, in press).

The overall effect of such committees has been detrimental both to grass-root participation and to elected multi-purpose councils—that is, local governments (Sarin *et al.*, 2003; Manor, in press). They undermine elected institutions by dispersing authority, particularly if they have greater funding, which they often do (Manor, in press). They may also take power *away* from elected authorities, such as in the case of some *van panchayats* in India that have existed for decades (Sarin *et al.*, 2003). Even when the parallel committees are elected, the proliferation of local-level committees can become overwhelming, and local people lose interest, particularly when committees have no real power and cannot respond to people's concerns (Mapedza and Mandondo, 2002).

Manor (in press) argues that these committees should be placed under the control or strong influence of multipurpose, democratic institutions.

How the central and local levels of government share management authority and responsibility, as well as benefits from protected areas and other conservation forests, must be determined on the basis of both local interests and broader public goods considerations.

Rather, in India, they more often disrupt the effective arrangements that existed previously (Sarin *et al.*, 2003). A forestry department's failure to work with local governments, however, is not always simply a question of resistance. It is also a question of capacity. Low capacity, as well as corruption (Larson, 2003c; Oyono, 2003), have haunted forest departments in many countries, and the capacities required for managing forests or designing management plans are not the same as those required for training municipal personnel or negotiating with politicians or communities. Forest departments are also often criticized for dealing far too leniently with people accused of forest crimes that have been identified by locals (Sarin *et al.*, 2003), hence undermining local initiatives to protect forests.

Local people should be the primary beneficiaries of a decentralisation process that promotes greater local decision-making power, equity and democracy. Joint Forest Management (JFM) brings areas that were previously managed autonomously, under state control. New authorities are created, rather than working with existing elected authorities, and unaccountable forestry department personnel are placed in charge of funds and all technical forestry decisions (Sarin *et al.*, 2003). These decisions were based on the "forestry department's vision of a good forest". The previously-existing local structures were dynamic and adaptive to specific local circumstances, and were demonstrated to be effective in terms of forest regeneration. The imposition of a uniform JFM model undermined these institutions. The new state-sponsored local institutions were sometimes less effective for forests, eliminating incentives for forest protection under local management systems. As for the local people, a common conception of the new arrangements is that the local people are feeding the cow that is milked by the forest department; that is, local villagers are simply being used to protect and develop forests only to increase the forest department's revenues (Sarin *et al.*, 2003).

Decentralisation should lead to the strengthening of local governments in order to increase participation and democracy, and not simply to create a new local interest group to compete for the resources. Where local governments are receiving additional authority over forest resource management, their downward accountability is essential for effective democratic decentralisation. Without this, increasing powers to local

governments may result, instead, in competition with local resource users, and even decreased power for locals (Bigombé, 2003).

These community-level forestry management programs seek to use community-level social capital to enhance their chances for success. Because most central governments in the developing world do not spend the funds necessary to monitor and enforce their own forestry policies, participation by local communities in a way augments the dearth of personnel and equipment. Local communities have a great deal more knowledge about the people who use a forest and, theoretically, can bring to bear their own sets of informal and formal institutions in order to monitor and sanction individuals where governments fail to reach. Governments and NGOs alike want to harness local sources of social capital to help meet their forestry goals.

Conclusion:

What are the main pitfall and stumbling blocks for decentralization? Elite capture—that is, the ability of those with power and wealth to take advantage of new opportunities and enhance their existing power and wealth—is a recurrent problem. In many countries, corruption plagues efforts to improve governance and resource management. It is difficult for a weak civil society to act collectively towards common goals; and this allows the powerful to continue acting in ways that do not serve the general interest. Such problems are exacerbated in societies that are separated by strong tribal or ethnic divisions, where institutional links among groups are rare. This, in turn, is accountable. Strengthening civil society seems to be one of the more probable entry points for making decentralization work as its proponents envision.

The lack of technical, institutional and other types of capacities has been consistently cited as a weakness and bottleneck in countries' efforts to decentralize. Governments and forest management bureaucracies have often used capacity deficiency at lower levels in the hierarchy as an argument against implementing decentralization and devolution. Likewise, local governments have resisted pressures for further decentralization to communities or village-level institutions, citing their lack of capacity and inability to manage forest resources effectively. The question is whether capacity building comes first or does the direct experience at handling decentralization. Ribot argues persuasively that officials at intermediate levels of government cannot gain the capabilities they need until they have the opportunity to deal with the problems that decentralization poses. Others, such as Ferguson and Chandrasekharan, and Siswanto and Wardoyo, argue that the problems with decentralization exist precisely because the people at the lower levels of government are not prepared to take on the responsibilities they are given. It is really a chicken or egg question, and we are unable to determine the right answer. As with so

many other issues in this field, the appropriate answer for any individual case depends upon the context as many have said, in this domain—one shoe definitely does not fit all. One issue, noted by Larson, is whether central government personnel remain available to those at lower levels when responsibilities are transferred. In some countries, central-level personnel are withdrawn, leaving the lower-level officials unprepared and unsupported; in other cases, local-level officials themselves reject offers of help, thereby reducing their own effectiveness.

Decentralization is, thus, not viewed as *the* solution to forest degradation. Scholars argue that communities do not always live in harmony with natural resources, and their priorities may be different and their resource use may not be always sustainable (Tacconi, 2000). The romantic view of the “symbiotic relationship” between forest and forest dwellers being a rule, is disputed by environmentalists and the forest department officials through arguments such as: local communities have neither skills nor understanding regarding the importance of forest; forest management needs technical expertise; given an alternative, communities would move away from the forest; the new generation is impatient and does not want to wait for many years that a tree needs to mature; and the like. To sum it up, arguments made against decentralization are not necessarily against the concept of sharing authority and responsibility, but against the design or the structure of a particular policy/program; against the attitudes of the implementers, or of those who are affected; and against the process implementation. Therefore, it is difficult to conclusively comment on “decentralization” *per se* because the experiences of the countries that have already experimented with devolution are varied, not only in terms of their impacts but also in the reasons associated with trying out inclusive approaches (Sikor and Thanh, 2006). On the basis of different experiences so far, it would not be advisable to dump experimenting with decentralization; on the contrary, taking risks in transferring power to the communities, ahead of capacity building, would be justified (Ribot, 2003).

Many practitioners and scholars concerned with decentralization see democratization as a major outcome to be expected from the process of decentralization. Given the reality of decentralization in practice, a major challenge is how to foster processes that are inclusive and sufficiently flexible to adapt to different situations and, at the same time, enhance democratic and accountable governance. But this raises another important question: Many of the analyses assume that the Western model of democracy is suitable and desirable for the whole world. The emphases on accountability, transparency and “one man, one vote” are straight out of the West. Sithole (2004) has argued that rural Zimbabwean women prefer their informal, behind-the-scenes approaches to political influence (rather than the usual mute “participation” in formal committees and local government structures). Like so many issues related to values, there is no easy answer; but this is an issue that may bedevil some decentralization efforts.

Nevertheless, one common experience among these federal systems is the apparent difficulty each has had in decentralizing to the lowest level of government. This is a familiar pattern observed in decentralization in unitary systems as well. Despite their better-articulated and better-developed different levels of government, federal systems evidently still tend to be inadequately prepared or involved in mediating between the local and central levels. Even where there is a clear policy to decentralize to the lowest level, as in India with its joint forest management programme, lack of capacity of local institutions and under development mechanism to ensure component management and accountability at different levels have tended to impede decentralization to the local level.

One of the common assumptions made about decentralization is that encouraging local participation, and more equitable sharing of benefits from forest management at the local level, will foster more sustainable use and management of forest resources. Although there are many cases of forests being better protected or rehabilitated after handover to local control and management (for example, in the Philippines, India and Nepal), and decentralization of forest management can also lead to ecologically unsustainable outcomes, communities see the need for capacity building and development of technical skills as critically important. The state and civil society must enable communities to effectively manage their resources as a necessary component of effective decentralization. Capacity needs to be developed at different levels, but especially at the local level; and the process of building capacity has to be sensitive to local culture. Also, it has to allow for enough time and resources to enable communities to ably and confidently assume their new roles and responsibilities and to effectively represent their interests and advocate on their own behalf.

The problems at the village level in efforts to decentralize have already been mentioned but such problems are even more extreme when we consider the female half of the population. Women in most cultures have not been actively involved in political life, except at the very local (often sub-village) level.

Although decentralizing to the local level is clearly a challenge common to both federal and unitary systems, Gregersen observes that it tends to be more difficult in countries where local government capacities, revenue management and accountability mechanisms are less developed. Moreover, local governments are often not provided commensurate rights, authority and resources with which to perform their new roles.

In many cases, not even local governments, let alone the average citizen, understand their rights and responsibilities. This makes it very difficult not only for the local governments to fulfill their duties, but also for the citizens to hold them accountable.

Democratic decentralization is hard to come by. If democratic decentralization requires significant discretionary powers in the hands of downwardly accountable local actors, then the current processes often fail on both counts. There are several fundamental problems. One is the resistance on the part of central governments to give up powers, or the tendency to give them to local entities it can control. Another is the weakness of current electoral processes, as well as other downward accountability mechanisms, to guarantee the representativeness, transparency and accountability of local governments. A third is the failure to recognize decentralisation as a value-laden process for good governance and resource management in the common interest, particularly in the interest of the poorest and most marginalized sectors—rather than simply a way to cut costs. Which decision-making powers should be held at which level of government or civil society? The subsidiary principle, which states that decisions should be made at the lowest level possible without infringing on rights at other levels, is a useful tool but difficult to use in practice. The benefits of lower-level decision-making include increased efficiency, capacity development, responsiveness and incorporation of local preferences, knowledge, resources and creativity; higher level coordination is justified by scale effects, transaction costs of decisions and equity, as well as positive or negative externalities across time and space (de Grassi, 2003).

Decentralization is only one among many simultaneous processes that interlinks and affects communities. What may be interpreted as community responses to decentralization is often adaptation to this confluence of processes, some dating back to colonial history. Agrarian reform and agrarian conflicts tend to be a subtext to decentralization not only for local communities, but for governments as well.

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