

Tribhuvan University Kirtipur, Kathmandu, Nepal 2006

ACKNOWLEDGEMENTS

With the completion of this thesis, I feel to have stepped into a new chapter of my Academic career. As a student of Rural Development, I am fully satisfied with the topic I have chosen and with the results obtained after the analysis of the available data. The research work has been completed with full co-operation, suggestion and guidance from my colleagues, teachers, relatives and others I am highly indebted to them all for their contributions.

I would like to extend my sincere gratitude to the department of Rural Development, T.U. for granting me an opportunity to write this dissertation on the very topic. I am extremely grateful to Prof. Dr. T. N. Jaiswal for his invaluable guidance through out the preparation of this thesis. The thesis would have not come in this form without his inspiring assistance. Similarly, I can't help myself without expressing heart felt gratitude to the forum for justice' for its both material and non-material assistance and particularly Mr. Ananta Humagain, Program officer occupies heartfelt thanks for his co-operation during the preparation of the thesis.

I am thankful to all respondents of Budhabare VDC for their sincere responses and others who provided needed necessary informations. At last but not the least, I would like to thank Mr. Sajan Kumar Maharjan for computer typing and binding respectively.

February, 2006

Nanda Kumar Sangraula

Abstract

Environmental justice refers to the right of people to a safe healthy, productive and sustainable environment whose 'environment' is considered in its totality to include the ecological (biological), physical (natural and built), social, cultural, political, aesthetic and economic environments. It stand for the condition in which such a right can be freely exercised, where by individual group identities, needs, and dignities are preserved, fulfilled and respected in a way that provides for self actualization and personal and community empowerment.

Thus, the study entitled "Environment Justice and Social Conflict Management in Rural Nepal" (A Case Study of Budhabare VDC of Jhapa District) has been conducted with the following objectives:

- To assess the environmental injustice inherent in Nepalese society and the resultant conflicts.
- To identify the degree and nature of environmental injustices on the matter of ownership benefit sharing.
- To explore the cause of environmental injustices and to correlate them with social inequalities.

With the completion of the study, it has been found that major causes of environmental injustices are inherent in the structure of society itself. To a great extent, the long existed political, social and cultural factors are the root causes of environmental injustices in Nepal. The state mechanism and the power holders diverted all state resources to meet their needs throughout the history. It is the ground reality of Nepalese society that natural resources are the sole sources of livelihood and prosperity. Particularly, land, forest and water are indispensable property of people of both urban and rural areas. They stand as the symbol of wealth and sociopolitical access of people since time immemorial. It is the bitter reality in Nepal where majority of people were denied from their inborn right over such natural resources.

Due to the deprivation from the access to natural resources, economic condition of the people became miserable that further took them into the vicious circle of poverty and the vicious circle brought multiplier negative impacts in all aspects of life. The farmers could hardly fulfill their basic needs on one hand, they were exploited by the elite class on the other. Ultimately, the failure of political structure to address these issues gave birth to vast inequalities, absolute poverty, lack of access to resources and strong feelings of injustices among rural poor. The very situation finally made Nepali society extremely vulnerable to conflict and mass movement like Maoist's people's war. Since history, as peasant's sentiments are linked with communist movements in Nepal, Maoists finally successfully capitalized the highly excluded and frustrated peasant society in violent movement. So, the real problems are not the Maoist, the real problem lies in the disparities between rich and poor. Unless, these problems can be solved, some body else will take up the Maoist's role once they will have disappeared.

The final conclusion of the study is that once the environmental rights of the rural people are secured, gradual upliftments take place in their all aspects of life viz.: economic, socio-cultural, and political life as ownership of NRs. is closely related to all these aspects of life in Nepal. That is why, all sorts of discriminations rooted in our society in the matter of environment related activities, are to be eliminated. Being the prime legitimate authority, the state should strongly take actions against such discriminations. Similarly, individuals and community must change their previous conservative attitude and believe in collective efforts both in cost and benefit sharing from such NRs.

TABLE OF CONTENTS

		Page No.
Ack	nowledgement	i
Rec	ommendation Letter	ii
App	roval Letter	iii
Tab	le of Contents	iv-vii
List	of Tables	viii
List	of Figures	ix
Abb	reviations	x
Abs	tract	xi-xii
<u>Cha</u>	pter -I: Introduction	<u>1-13</u>
1.1	Background of the Study	1
1.2	Statement of the Problem	5
1.3	Objectives of the Study	9
1.4	Hypothesis	10
1.5	Rationale of the Study	10
1.6	Limitations of the Study	12
<u>Cha</u>	pter - II: Organization of the Study	<u>14-58</u>
2.1	General Overview of Environmental Justice	14
2.2	Classification of Environmental Justice	16
2.3	Development of Environmentalism and Environmental	
	Justice	19
2.4	Issues Among Nations: Needs of Global Action	21
2.5	Principles of Environmental Justice	23
2.6	Environmental Justice issues in South Asia	25
2.7	Right to Environment as a Fundamental Right	31
	2.7.1 Right to Life	32
	2.7.2 Environmental Health	33

	2.7.3 Right to Compensation	33		
	2.7.4 Right to Public Participation in Decision Making	34		
	2.7.5 Right to Information	34		
2.8	Environmental Justice in Nepalese Context	35		
	2.8.1 Factors Affecting Environmental Justice	35		
2.9	Environmental Issues in Nepal	37		
2.10	Environmental Problems: Reasons in Nepalese Context	38		
2.11	State Efforts in Environmental Justice	40		
2.12	Land Reform Programmes in Nepal	46		
2.13	Management of Forest Resources in Nepal	53		
2.14	Peasant Insurgency and Communist Movements	56		
<u>Cha</u>	pter -III: Research Methodology	<u>59-63</u>		
3.1	Rationale of the Study Area	59		
3.2	Research Design			
3.3	Nature and Source of Data 60			
3.4	Sampling Method 61			
3.5	Technique of Data Collection			
	3.5.1 Questionnaire	61		
	3.5.1.1 Structured Questionnaire	61		
	3.5.1.2 Unstructured Questionnaire	62		
	3.5.2 Observation	62		
	3.5.3 Key Informants	62		
	3.5.4 Focus Group Discussion	63		
3.6	Method of Data Analysis	63		
Cha	pter - IV: Location Description of the Study Area			

	and Programmes	<u>64-77</u>
4.1	Geographical Feature of the Study	64
4.2	Population Distribution of the Study Area	66

4.3	Economy of the Village	66			
4.4	Socio-Cultural Pattern	67			
4.5	Educational Status of the Study Area				
4.6	Health Facilities 6				
4.7	Transportation and Communication Facility of the S	Study Area 69			
4.8	Institutional Status of the Study Area	70			
4.9	Description of the Programme: Land Reforms and Commun				
	Forestry Programme	71			
	4.9.1 Land Reform Programmers: The Budhabare F	Pilot			
	Project	71			
	4.9.2 Community Forestry: Sustainable Forest Man	agement			
	and Environmental Justice Perspective	72			
	4.9.2.1 Adarsha Namuna Community Forestry	y Users			
	Group	73			
<u>Cha</u>	pter -V: Analysis and Interpretation of Data	<u>78-100</u>			
<u>Cha</u> 5.1	opter -V: Analysis and Interpretation of Data Socio-economic Profile of the Sampled Households				
		78			
	Socio-economic Profile of the Sampled Households	78			
	Socio-economic Profile of the Sampled Households 5.1.1 Population Composition of Sampled Househo	78 olds 78			
	Socio-economic Profile of the Sampled Households 5.1.1 Population Composition of Sampled Househo 5.1.2 Educational Attainment	78 olds 78 79			
	Socio-economic Profile of the Sampled Households 5.1.1 Population Composition of Sampled Househo 5.1.2 Educational Attainment 5.1.3 Livestock Size	78 olds 78 79 79			
	 Socio-economic Profile of the Sampled Households 5.1.1 Population Composition of Sampled Households 5.1.2 Educational Attainment 5.1.3 Livestock Size 5.1.4 Energy Consumption Pattern/Trend 	78 olds 78 79 79 80			
	 Socio-economic Profile of the Sampled Households 5.1.1 Population Composition of Sampled Households 5.1.2 Educational Attainment 5.1.3 Livestock Size 5.1.4 Energy Consumption Pattern/Trend 5.1.5 Occupational Status of the Study Area 	78 olds 78 79 79 80 81 82			
5.1	 Socio-economic Profile of the Sampled Households 5.1.1 Population Composition of Sampled Households 5.1.2 Educational Attainment 5.1.3 Livestock Size 5.1.4 Energy Consumption Pattern/Trend 5.1.5 Occupational Status of the Study Area 5.1.6 Occupationwise Income Status 	78 olds 78 79 79 80 81 82			
5.1	 Socio-economic Profile of the Sampled Households 5.1.1 Population Composition of Sampled Households 5.1.2 Educational Attainment 5.1.3 Livestock Size 5.1.4 Energy Consumption Pattern/Trend 5.1.5 Occupational Status of the Study Area 5.1.6 Occupationwise Income Status Income and Employment Generation from Forest Base 	78 olds 78 79 79 80 81 82 ased 83			
5.1	 Socio-economic Profile of the Sampled Households 5.1.1 Population Composition of Sampled Households 5.1.2 Educational Attainment 5.1.3 Livestock Size 5.1.4 Energy Consumption Pattern/Trend 5.1.5 Occupational Status of the Study Area 5.1.6 Occupationwise Income Status Income and Employment Generation from Forest Bas Industries 	78 olds 78 79 79 80 81 82 ased 83			
5.1 5.2 5.3	 Socio-economic Profile of the Sampled Households 5.1.1 Population Composition of Sampled Households 5.1.2 Educational Attainment 5.1.3 Livestock Size 5.1.4 Energy Consumption Pattern/Trend 5.1.5 Occupational Status of the Study Area 5.1.6 Occupationwise Income Status Income and Employment Generation from Forest Base Industries Forest Resources and Community Development Act 	78 78 78 79 79 80 81 82 ased 83 tivities 84 85			

5.5	Environmental Justice and Conflict Management: Perception				
	of People				
	5.5.1	Causes of Social Inequality and Disparities	88		
	5.5.2	Consequences of Unequal Land Distribution in Society	89		
	5.5.3	Impact of Inequality in Society	90		
	5.5.4	Consequences of Conflict in Economy	91		
	5.5.5	Impacts of Conflict in Social Sector	92		
	5.5.6	Political Impacts of the Conflict	93		
	5.5.7	Significance of Environment Justice in the Present			
		Social Conflict Management	94		
	5.5.8	Methods to Materialize EJ in Society	95		
5.6	Environmental Justice and Proposed Actors				
	5.6.1	Role of National Government	97		
	5.6.2	Role of I/NGOs	99		
	5.6.3	Role of Community in EJ	100		

Chapter - VI: Findings, Recommendations and Conclusion 101-109

6.1	Findings	101
6.2	Recommendations	107
6.3	Conclusion	109

Bibliography

Appendix - I

Questionnaire

LIST OF TABLES

<u>Table No</u>	<u>.</u>	<u>Pa</u>	ige No.
Table 1	•	Protected Areas of Nepal	43
Table 2	:	Area under various forms of land tenure, 1952	47
Table 3	•	Ceilings on land holdings (hectares)	50
Table 4	:	Redistribution of land under 1964 act (hectares)	50
Table 5	:	Agricultural Rent, 1964	51
Table 6	:	Ward wise population composition of Budhabare VD	C 66
Table 7	:	Educational status in study area	68
Table 8	:	Institutional Status available in Budhabare VDC	70
Table 9	:	Caste/ethnic composition of the sampled households	78
Table 10	:	Educational Attainment of the sampled HHs	79
Table 11	:	Livestock holding status of sample HHs	80
Table 12	:	Energy consumption pattern of the study area	81
Table 13	:	Occupational status of sampled HHs	82
Table 14	•	Occupation wise income status of the sampled	
		HHs (NRs.)	83
Table 15	•	Benefits generation from forest based industries	84
Table 16	•	Contribution of forest resources in community	
		development	84
Table 17	•	Land distribution pattern of sampled HHs	85
Table 18	•	Correlation of land ownership with other variables	86
Table 19	:	Correlation of Horticulture with other variables	87
Table 20	•	Reasons for Social Inequality	89
Table 21	•	Consequences of unequal land distribution	90
Table 22	:	Impacts of inequality in society	91
Table 23	:	Methods to materialize EJ in society	96
Table 24	:	Role of community in EJ	100

LIST OF FIGURES

<u>Figure N</u>	0.		Page No.
Figure 1	:	Impacts of conflicts in economy	92
Figure 2	:	Social impacts of conflict	93
Figure 3	:	Political impacts of the conflict	94
Figure 4	:	Importance of EJ in the present conflict managemen	t 95
Figure 5	:	Role of Government in EJ	98
Figure 6	:	Role of I/NGOs in EJ	99

ABBREVIATIONS

EJ	Environmental Justice	
CBS	Central Bureau of Statistics	
CPN (Mao	- Communist Party of Nepal (Maoist)	
NRs.	Natural Resources	
VDC	Village Development Committee	
DDC	District Development Committee	
FAO	Food and Agriculture Organization	
MPFSN	Master Plan for Forestry Sector of Nepal	
MOFSC	Ministry of Soil and Forest Conservation	
CFUGs	Community Forest User's Group	
DFO	District Forest Officer	
ANKS	Akhil Nepal Kisan Sangh	
JASS	Jana Adhikar Surakshya Samittee	
HHs	Households	
UNDP	United Nations Development Programme	
CPFD	Community and Private Forest Division	
HDI	Human Development Index	
INGO	International Non-Government Organization	
NGO	Non-Government Organization	
ICIMOD	International Center for Integrated Mountain Development	