



## Overcoming Participatory Exclusions

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# THE STATE OF ACCESS

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*Success and Failure of Democracies  
to Create Equal Opportunities*

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JORRIT DE JONG  
GOWHER RIZVI

*editors*

ASH INSTITUTE FOR DEMOCRATIC GOVERNANCE AND INNOVATION  
*John F. Kennedy School of Government  
Harvard University*

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*Washington, D.C.*

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### *Toward Participatory Inclusion: A Gender Analysis of Community Forestry in South Asia*

BINA AGARWAL

Central to the idea of people's participation in development, however diverse and contested its definition and scope, is inclusiveness—the inclusion in decisionmaking of those most affected by the proposed intervention. There is also an emerging consensus that effective governance requires people's involvement not just as individuals but also as a collectivity, such as a village community. We are thus seeing an increasing emphasis on community participation through group formation in all forms of development interventions and local governance initiatives. Indeed, for managing natural resources such as forests and water, devolving greater power to village communities is now widely accepted as an institutional imperative by governments, international agencies, as well as nongovernmental organizations (NGOs). Rural community forestry groups (CFGs) represent one of the most widespread and rapidly expanding forms of participative development initiatives. They also represent one of the

This is a modified and updated version of a paper that appeared earlier under the title "The Hidden Side of Group Behaviour: A Gender Analysis of Community Forestry Groups in South Asia," in Heyer, Stewart, and Thorp (2002). The current version also reports the results, in summary form, of my analysis of the data I collected primarily from 2000 to 2001. Part of this analysis was undertaken in 2006 when I was a research fellow at the Ash Institute at Harvard University's Kennedy School of Government. I am most grateful to Gowher Rizwi, director of the Ash Institute at that time, for his warm hospitality and stimulating conversations. I also thank Jorrit de Jong and the participants of the two workshops held at the Ash Institute in 2006 and 2007 on the theme of this book for their responses to the ideas presented in my paper.

fastest-growing forms of collective action around a public good—forests—in the developing world.

Set up to operate on principles of cooperation, CFGs are intended to involve and benefit all sections of the community, but in practice they can exclude significant sections, such as women, from their decisionmaking processes, with potentially adverse effects both on equity of benefit sharing and efficiency of forest conservation. Improving the condition of a degraded forest, for instance, requires forest closure (restricting forest use), which can range from a complete ban on the entry of people and animals into the protected site to allowing limited extraction of selected items such as firewood and fodder. Excluding people from decision-making means excluding them from having a say in the formulation of forest use rules as well as from contributing to forest improvement. These “participatory exclusions”—exclusions within seemingly participatory institutions—are unlikely to get rectified simply with the passage of time, since they stem from systemic factors and can, in turn, unfavorably affect both equity and institutional efficiency.

In this chapter I draw on South Asian experience and my extensive fieldwork among CFGs in India and Nepal to analyze the nature of such exclusions and their unfavorable outcomes. I also analyze the potential benefits from greater inclusion. Where relevant, I discuss the interplay of class and caste with gender in defining outcomes for different categories of women. I also outline a conceptual framework that can illuminate what underlies participatory exclusions, and how we could move toward greater inclusion.

I argue here that participation is determined especially by rules, norms, and perceptions, in addition to the endowments and attributes of those affected. These factors—both separately and interactively—can critically disadvantage women by undermining their access to public goods such as forests and to the institutions governing them, such as CFGs. Women’s ability to overcome these disadvantages and enhance their access, I argue, will depend on their bargaining power vis-à-vis the State, the community, and the family. The likely determinants of women’s bargaining power in these three arenas are spelled out. Although the context here is community forestry, examined from a gender perspective, the conceptual framework would also have relevance for understanding social and economic exclusions in other contexts.

The chapter is based largely on the field visits and interviews I undertook during 1998 and 1999 in eighty-seven community forestry sites across five states of India (Gujarat, Karnataka, Madhya Pradesh, Orissa, and the Uttar Pradesh hills) and two districts (Kaski and Dang) of Nepal.<sup>1</sup> Information was obtained mostly through unstructured interviews with villagers—at times with women and men in separate groups, at other times with both sexes jointly—in addition to indi-

1. In India, the term “state” relates to the biggest administrative divisions within the country and is not to be confused with “the State,” used throughout in the political economy sense of the word. In Nepal, the biggest administrative divisions are districts. In India, districts are smaller divisions within states.

vidual interviews with key informants, especially office holders in the community forestry groups. These data are supplemented by initial results from a systematic field survey I undertook from 2000 to 2001 in India and Nepal, and an earlier field visit in 1995.<sup>2</sup>

## Background

In rural South Asia, forests and village commons have always been important sources of basic necessities and supplementary livelihoods, providing villagers with firewood, fodder, small timber, and various nontimber products. Especially for the poor and for women, who own little private land, they have been critical for survival. In the 1980s, for instance, in India’s semi-arid regions, the landless and land-poor procured over 90 percent of their firewood and satisfied 69 to 89 percent of their grazing needs from common pool resources (Jodha 1986). At that time, firewood alone provided 65 to 67 percent of total domestic energy in the hills and desert areas of India and over 90 percent in Nepal (Agarwal 1987). This situation remained largely unchanged even into the early 1990s, when community forestry programs were formally launched in both countries. Firewood was then still the single most important source—and for many the only source—of rural domestic energy in South Asia, and was still largely gathered, not bought. In 1992–93, 62 percent of rural India’s domestic energy came from firewood.<sup>3</sup> In most Indian states, over 80 percent of rural households used some firewood as domestic fuel, and (on an all-India average) only about 15 percent of it was purchased (Natrajan 1995).

Over time, however, people’s ability to fulfill their needs had been eroding with the decline in communal resources, owing both to degradation of the resource and to shifts in property rights away from communities to the State and to individuals. The push toward community forest management represented a small but notable reversal in these processes of statization and privatization toward a reestablishment of greater community control over forests and village commons. Indeed, community forestry groups (CFGs) have been mushrooming in South Asia.<sup>4</sup>

In India, these CFGs include the following types:

—State-initiated groups formed under the Joint Forest Management (JFM) program launched in 1990, in which village communities and the government share the responsibilities and benefits of regenerating degraded local forests.

2. I refer to these field visits at various points in the chapter to provide supportive evidence, indicating in which year I made the visit. The field notes from those field visits are in my personal archives.

3. Data from the early 1990s for India and 2001 for Nepal show that 92 percent of rural domestic energy in India (Natrajan 1995) and 99 percent in Nepal (Government of Nepal 2001) comes from unprocessed biofuels such as firewood, crop waste, and cattle dung, of which firewood is the most important.

4. I use CFG as a general term to cover all types of community forestry groups.

—Self-initiated groups, started autonomously by a village council, youth club, or village elder; these are concentrated mainly in Bihar and Orissa (in eastern India).

—Groups with a mixed history, such as the *van panchayats*, or forest councils, in the state of Uttarakhand (earlier a part of Uttar Pradesh), initiated by the British in the 1930s. Some of these have survived or been revived by NGOs.

JFM groups are the most widespread, both geographically and in terms of the forest area they account for. To date, virtually all Indian states have passed JFM resolutions, which grant participating villagers access to most nontimber forest products and to 25 to 50 percent (varying by state) of any mature timber harvested. There were approximately 84,000 JFM groups in the early 2000s, covering 17.3 million hectares,<sup>5</sup> or 25 percent of the 76.5 million hectares administered as forest land, and involving 8.4 million participants (Bahuguna and others 2004). In addition, there are a few thousand groups of the other types.

Nepal's community forestry program, launched in 1993, is largely State-initiated. Here the State transfers even good forest to a set of identified users who form a forest-user group and are entitled to all of the forest benefits.<sup>6</sup> Around 2006, there were about 14,000 forest-user groups (also called here community forest groups or CFGs) involving 1.6 million households and covering 1.18 million hectares, or 20.3 percent of the country's 5.8 million hectares of forestland (Government of Nepal 2007). In both India and Nepal, NGOs can act as intermediaries in group formation and functioning.

Unlike the old systems of communal resource management, which usually recognized the usufruct rights of all village residents, the new CFGs represent a more formalized system of rights. Typically these rights are based either on membership (as in the State-initiated groups), or on rules specified by selected (often self-selected) community members, as in the self-initiated groups. In other words, membership or some other formal system is replacing village citizenship as the defining criterion for establishing rights in the commons.

This raises some critical questions: How are the CFGs performing in terms of participation, equity, and efficiency from the perspective of women, especially the poor? Are the emerging systems of rights in communal property inclusive and equitable, or are they replicating the patterns of elite- and male-centeredness that characterize rights in private land? The next section focuses on these issues.

### Gendered Outcomes: Participation, Equity, and Efficiency

Many CFGs have had notable success in forest regeneration. Often all that is involved to achieve this result is to restrict the entry of people and animals and to

5. 1 hectare = 2.47 acres.

6. The government, however, retains the right to reclaim any forests seen to be mismanaged by the forest-user group.

ensure protection through a guard or village patrol group, or both. In some cases tree planting is also done to fill in gaps. Even with simple protection measures, natural revival is often rapid if the rootstock is intact. Within five to seven years, many of the severely degraded tracts in semi-arid India have become covered with young trees, and areas that were degrading but had some vegetation left show encouraging signs of regeneration. Indeed, in most ecological zones CFG initiatives show beneficial results, and in a number of cases incomes and employment have also increased,<sup>7</sup> seasonal out-migration has fallen,<sup>8</sup> the land's carrying capacity has improved, and biodiversity has been enhanced.<sup>9</sup> Some villages have even received awards for conservation.<sup>10</sup>

Viewed from a gender perspective, however, and especially the perspective of poor women, these results look less impressive on several important counts: effective participation, equity in the sharing of costs and benefits, and efficiency in functioning.

### Participation

In both India and Nepal, the State-initiated groups typically have a two-tier organizational structure, consisting of a general body (GB) with members drawn from the whole village and an executive committee (EC) of some nine to fifteen persons. Typically the GB meets once or twice a year and the EC meets about once a month. Both bodies interactively define the rules for forest use and benefit sharing, the structure of fines for rules violation, the method of protection (such as guards, patrol groups), and so on. Which categories of persons have a voice in the GB and the EC bears critically on how well these organizations function, and who gains or loses from them.

Women's effective participation in CFG decisionmaking would require not only that they become members of the group (the GB or the EC) but also that they attend and speak up at group meetings, and can ensure that decisions are in their interest at least some of the time. Such participation is important both in and of itself, as an indicator of democratic institutional functioning, and for its effects on cost and benefit sharing and on efficiency. To what extent do women in general, and poor women in particular, participate in this way?

**PARTICIPATION IN MANAGEMENT.** In most JFM groups women constitute less than 10 percent of the general body;<sup>11</sup> they are typically absent in the self-

7. See, for example, Raju, Vaghela, and Raju (1993), Kant, Singh, and Singh (1991), and Society for Promotion of Wastelands Development (1998).

8. See Viegas and Menon (1993) and Chopra and Gulati (1997).

9. See Raju, Vaghela, and Raju (1993) and Arul and Poffenberger (1990). I also observed this during my field visits in 1995 and 1998–99.

10. Shah and Shah (1995) and my field observations in 1998–99.

11. See Roy, Mukerjee, and Chatterjee (1992); Guhathakurta and Bhatia (1992); Narain (1994).

initiated groups,<sup>12</sup> and are virtually absent in the *van panchayats*.<sup>13</sup> Their presence in Nepal's CFGs is similarly sparse (Dahal 1994, 78).

In India, the eligibility criteria for membership in the JFM general body and the EC vary by state (for details, see Agarwal 2001). Eight of the twenty-two states for which information is so far available restrict GB membership to only one person per household. This is almost always the male household head. In eight other states, as a result of amendments in the initial orders, both spouses, or one man and one woman, can now be members, but this still excludes other household adults. Only three states have opened membership to all village adults. In the self-initiated autonomous CFGs, the customary exclusion of women from village decisionmaking bodies has been replicated. In Nepal's CFGs, again, the household is the unit of membership, and in male-headed households it is the man's name that is entered in the membership list (Seeley 1996).

Without being GB members, women usually hear little about what transpires at meetings. Many women complain about this:

Our husbands don't tell us about meetings. They simply say they have a meeting and go when the watchman brings around the notice for the meeting. (Woman to author, five-village cluster, Orissa, 1998)

When we ask them what happened at the meeting, they say: What will you gain by knowing? (Women to author, five-village cluster, Orissa, 1998)

Typically men don't tell their wives what happens in meetings. Even if there is a dispute about something, they don't tell us; nor do they volunteer information about other matters. (Women to author, Kheripada village, Gujarat, 1999).

Women's representation in the ECs is also typically low, although there is some variation by region and context. In a study of twenty JFM groups in West Bengal (east India), 60 percent had no women serving on the EC, and only 8 percent of the 180 EC members were women. Landless families, too, are little represented (Sarin 1998). In many states, JFM resolutions now require the inclusion of women in the EC, ranging from a minimum of two members to one-third of the membership. I found, however, that many CFGs deviated from the minimum; also the women so included were rarely chosen by other women as their representatives. Sometimes male EC members chose the women to fill the mandatory slots. In Nepal, similarly, women have only a nominal presence in the ECs. Those who join are often poorly informed about the activities of their CFG, and in the early years some are even unaware that they are EC members (Upadhyay and Jeddere-Fisher

12. See Kant, Singh, and Singh (1991) and Singh and Kumar (1993).

13. See, Sharma and Sinha (1993) and Tata Energy Research Institute (1995). In the TERI study, out of the fifty *van panchayats* examined only nine had any women members.

1998; Moffatt 1998). In both countries, there is a better prospect of women being seen as potential representatives when the names are proposed in the GB and decided by consensus (my field observations in 1998–99).

Whether from a lack of awareness or other constraints (discussed later in this chapter), only a small percentage of the women who are GB or EC members usually attend the meetings of these bodies. Those who attend rarely speak up, and if they do speak, they say their opinions are given little weight: "Men don't listen, except perhaps one or two. They feel they should be the spokespersons" (woman to author, Garbe Kuna CFG, Kaski district, Nepal, 1998); "What is the point of going to meetings. We would only sit silently" (women to author, Panasa Diha village, Orissa, 1998); "I attend *van panchayat* meetings, but I only sign, I don't say much. Or I say I agree" (woman *van panchayat* member to author, Sallarautela village, Uttar Pradesh hills).

Having a voice in the EC is important, since this is the site for discussions and decisions on many critical aspects of CFG functioning. As matters stand, women are not party to many crucial decisions. An analysis of JFM decisionmaking in five Gujarat villages revealed that all major decisions on forest protection, use, distribution of wood and grass, and future planning were made by men. The only joint decisions with women were those concerning tree nurseries (Joshi 1998). Women are also often left out of the CFG teams that go on "exposure" visits to other sites, that is visits to learn from the experience of other groups, or that receive technical training in new silviculture practices.

Although there are some contrasting examples of all-women CFGs and mixed CFGs (that is CFGs with both men and women on the EC) with a high female presence, these remain atypical. All-women CFGs are found especially where there is high male out-migration (as in the Uttar Pradesh hills in India), or where there has been a prior history of women's groups being formed for some development activity by a local NGO or an international donor (as in parts of both Nepal and India).<sup>14</sup> Occasionally women initiate an all-women's group themselves. There are no consolidated figures for India on the number of such groups, but in Nepal, in 2000, such CFGs constituted only 3.8 percent of all CFGs and controlled 1.1 percent of all CFG land.<sup>15</sup> Half of the all-women CFGs have 10 hectares or less of forest land, and virtually none have over 50 hectares. Typically the land they have is quite degraded. In contrast, mixed CFGs commonly control a few hundred hectares, often of good natural forest. Similarly, mixed groups with a high female presence (say, 30 percent or even 50 percent women in the GB or EC) are found only in selected pockets of Nepal and India (Narain 1994; Viegas and Menon 1993; my field observations in 1998–99).

14. See Mukerjee and Roy (1993); Correa (1997); Adhikari and others (1991); Mansingh (1991); Regmi (1989); Singh and Burra (1993); Raju (1997). I also observed this during my field visits in 1998–99 and 2000–01.

15. Calculated from figures given in Government of Nepal (2000).

**PARTICIPATION IN PROTECTION.** Despite their limited presence as formal members, many women play an active role in forest protection. In formal terms, the bounded forest area is usually protected either by employing a guard, with CFG members contributing the wage, or by forming a patrol group from among member households, or a combination of the two, in addition to keeping an informal lookout as they go about their daily tasks. Of the eighty-seven sites I visited, 45 percent were protected by a male guard and 18 percent by an all-male patrol. Only a small percentage of patrols were constituted by both women and men or by women alone, and there was a rare female guard. Occasionally, there are shifts from all-women to all-men patrols, and vice versa.

More commonly, women patrol informally. In some villages of Gujarat and the Uttar Pradesh hills they have formed separate informal protection groups parallel to men's because they feel men's formal patrolling is ineffective. Women's informal vigilance improves protection in important ways. In most villages I visited, women told me that they had apprehended intruders both from other villages and from their own, and that when they caught women intruders they sought to dissuade them from breaking the rules. Women also join in firefighting, and in several instances their alertness alone saved the forest.

Thus, although most women are excluded from CFG membership and management, many women contribute notably to protection efforts, indicating their stake in forest regeneration.

### Equity

Women's limited involvement in the decisionmaking process has implications for both equity and efficiency. How equitable are the CFGs in the sharing of costs and benefits?

**COST BEARING.** The costs of forest closure are broadly of two types: those associated with protection and management and those associated with forgoing forest use (see table 2-1). The former usually include membership fees, the forest guard's pay, the opportunity cost of time spent in patrolling, and so on. These types of costs are borne largely by men. The costs of forgoing forest use include the opportunity cost of time spent in finding alternative sites for essential items such as firewood and fodder, other costs associated with firewood shortages, the loss of livelihoods dependent on the sale or use of forest products beyond subsistence needs, and so on. Such costs fall largely on women.

Consider the firewood-related effects of forest closure in more detail. Firewood is an everyday need, and obtaining it is mainly women's responsibility, while obtaining small timber that is needed occasionally for agricultural implements, for example, is mainly men's responsibility. Typically, when forest protection begins, all human and animal entry into the protected site is banned, especially in the semi-arid regions. Where the land was barren anyway, this causes no extra hardship. But

Table 2-1. *Main Direct Costs and Benefits of Forest Closure, by Gender<sup>a</sup>*

<i>Mainly affecting women</i>	<i>Mainly affecting men</i>
<i>Costs</i>	
<ul style="list-style-type: none"> <li>• Firewood shortages (more time and energy expended in collection and cooking; adverse health effects; fines if caught stealing firewood)</li> <li>• Fodder shortages (more time and energy expended in collection)</li> <li>• Increased time in stall-feeding animals</li> <li>• Informal patrolling time</li> <li>• Erosion of some livelihoods, for example, firewood sellers, NTFP collectors<sup>a</sup></li> <li>• Higher (late-entry) membership fee</li> </ul>	<ul style="list-style-type: none"> <li>• Membership fee</li> <li>• Patrolling time; guard's pay</li> <li>• Fodder shortages (must purchase)</li> <li>• Loss of source for small timber</li> <li>• Erosion of some livelihoods, for example, fuel shortage for blacksmiths using woodfuel in furnaces</li> </ul>
<i>Benefits</i>	
<ul style="list-style-type: none"> <li>• Firewood supply available for a few weeks, if forest is opened</li> <li>• Fodder supply available for a few weeks, if forest is opened</li> <li>• Nontimber forest products available seasonally<sup>b</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Availability of small timber (if extraction allowed)</li> <li>• Housebuilding timber (if extraction allowed)</li> <li>• Cash (if distributed) from sale of forest products</li> <li>• Use of collective fund</li> </ul>

Source: Author's compilation.

a. This is a broad outline of the main direct costs and benefits. Each of these need not apply to every CFG. There may also be some indirect costs and benefits. For instance, a greater supply of firewood indirectly benefits the whole family.

b. These include fruits, flowers, berries, wild vegetables, herbs, and similar items, which are collected primarily by women.

where women could earlier fulfill at least part of their firewood needs from the protected area, after closure they are forced to travel to neighboring sites, involving additional time, energy, and—where the neighbors are also protecting—the risk of being caught and fined (Sarin 1995, Agarwal 1997a, and my field observations during 1998–99). As a result, in the early years of JFM, Sarin (1995) noted that in some protected sites in Gujarat and West Bengal, women's collection time for a headload of firewood had increased from one or two hours to four or five hours, and journeys of half a kilometer had lengthened to eight or nine. In many households, women were also compelled to take their daughters along, and they spent several extra hours a day to collect the same quantity of firewood (Shah and Shah 1995). Over time this could negatively affect the girls' education. When neighboring villages, too, started protecting their forests, many women faced severe shortages. Most sought to make do with the limited amounts available from trees on their home fields, supplemented by inferior fuels such as crop waste that have worse health effects due to excessive smoke. But the landless often did not have even this option



and were compelled to continue collecting clandestinely, risking fines and reprimands from guards or patrol groups if they were caught.

Such gendered consequences were widespread, causing considerable resentment among the women. For example, in Pingot village, Gujarat, women, when asked about an award for environmental conservation that had been conferred on the village, responded with bitterness: "What forest? We used to go [there] to pick fuelwood, but ever since the men have started protecting it they don't even allow us to look at it!" (Shah and Shah 1995, 80).

We might have expected this picture to change after several years of protection. In fact, in most places the shortages persist. Of the eighty-seven CFGs I visited in 1998–99, firewood was available in eighty. Of these, forty-five, or 60 percent, still had a ban on firewood collection, with twenty-one not opening the forest at all and twenty-four opening it for a few days annually for drywood collection or cutback and cleaning operations. The remaining CFGs allowed some collection, usually only of fallen twigs and branches. Such exceptions were more common in parts of Orissa, Karnataka, and Madhya Pradesh, where CFGs had thicker forests and more lenient rules for firewood collection by members; here women reported they were better off than before, even if not self-sufficient in firewood. Typically, however, even after years of protection, women reported a persistence of firewood shortages in most of the villages I visited in Gujarat, the Uttar Pradesh hills, Karnataka, parts of Madhya Pradesh bordering Gujarat, and in the Kaski and Dang districts of Nepal.

The following statements by women I interviewed illustrate experiences that are common among poor women: "We go in the morning and only return in the evening. Since the end of the rainy season, we have been going every day. I go myself and so does my daughter. Earlier, too, there was a shortage but not as acute" (woman EC member to author, Kangod village, Karnataka, 1998); "It is women who need the forest, they need firewood to cook. . . . Men preach to women about not cutting trees, but what can women do? They cannot cook food without firewood and they cannot collect firewood from other places" (group discussion with women in Kabhre Palanchok, Nepal, cited in Hoble 1996, 147).

Usually women from both middle peasant and poor peasant households report firewood shortages, since even the former seldom purchase firewood or have enough private trees for self-sufficiency. Where possible, as noted, women have substituted other fuels. A few were able to switch to biogas (this was usually where there was an effective NGO program in the area), but for most households gas or kerosene were not real options, hence the women had to use inferior fuels such as crop waste, twigs, dung (although many preferred to keep the dung for manure), and even dry leaves. These fuels need more time to ignite and tending to keep alight, thus adding to cooking time and preventing women from simultaneously attending to other work. In some areas women economize on fuel by forgoing a winter fire for space heating, even in subzero temperatures, or by not heating bathwater in winter or heating it only for husbands.

Most important, the substitute fuels generate even more smoke than firewood, with seriously negative health effects in poorly ventilated conditions. According to estimates by Smith, Agarwal, and Dave (1983), even cooking with firewood on an open stove leads to the daily inhalation of a large amount of benzo(a)pyrene equivalent to smoking twenty packs of cigarettes a day. This increases women's risk of cancer, tuberculosis, and various respiratory ailments (Center for Science and Environment 2001). Overall, women are found to face 50 percent greater risk of mortality than men resulting from acute respiratory infections associated with smoky fuels, and several thousand infants die each year in India from such infections (Goldemberg and others 2004; Misra, Smith, and Retherford 2005). Dung and crop waste are much worse offenders on this count than firewood. And even with firewood, some of the species that women are allowed to collect generate more smoke than the so-called timber species, which they are not allowed to touch.

Women of landless or land-poor households lack even the option of using crop waste or dung, since they have no land or trees of their own and few cattle.<sup>16</sup> Indeed, forest closures have forced many poorer families to reduce their animal stocks because of fodder shortages, which in turn reduces dung supply. As a poor woman in the Uttar Pradesh hills told me, "We don't know in the morning if we will be able to cook at night." Another added, "Our *bahus* [daughters-in-law] have to undertake a full day's journey to get a basket of grass and some firewood from the reserve forest."<sup>17</sup> Her daughter-in-law chimed in, "But even in the reserve forest you can be caught by the forest guard. I paid twenty rupees as a fine to retrieve my axe, and all I was doing was cutting a fallen log." In a Nepal village in Kaski district, a group of poor women told me, "We go at night. . . . Other women have gas and stoves, but we are poor, so we have to steal." Often they get caught and are fined.

Is this cost unavoidable—a necessary price to pay for sustainable forest regeneration? Existing evidence suggests otherwise. A study of twelve villages, all with CFGs, in three Indian states, undertaken by a network of ecologists, social scientists, and NGOs, is indicative (Ravindranath, Murali, and Malhotra 2000; see also Agarwal 2006). On the basis of information on the annual woody biomass regenerated in the protected forests, and the annual firewood extracted and needed, and assuming that 50 percent of the biomass regenerated per year could be extracted sustainably, the study found that in ten of the twelve villages extractions were far below this conservative extractable limit, and in the remaining two, extraction was still below the total biomass produced per year. If more were extracted, as is possible to do sustainably, several of the villages would have no

16. See also Jodha (1986) on differences between landed and land-poor rural households in India on the extent to which they depend on the commons for firewood and fodder.

17. Reserve forests are directly under government control; no grazing or extraction of forest produce is normally permitted in them.

firewood shortages and the rest would have less acute shortages. Such extraction could be supplemented by other measures, such as establishing fuelwood plantations in part of the forest, promoting and maintaining workable biogas plants, and so on. The very low levels of extraction in cases such as these are due to strict closure regimes, enforced without women's acquiescence. In virtually none of these twelve villages was there even one woman on the EC.

Similarly, since grazing is usually banned, households with cattle have to procure fodder in other ways than gathering it in the forest in the form of grass or tree leaves. Since cattle care is usually women's responsibility, if the household cannot afford to buy fodder women have to spend additional time looking for other sites to procure some. Moreover, animals now have to be fed in their stalls, because they are no longer allowed to graze freely in the forest. In parts of Gujarat many women report an extra workload of two to three hours a day because of stall feeding alone. Where some of the better-off households have replaced their goats with stall-fed milk cattle, it has further increased women's labor.

In many places, therefore, the scarcities that women are experiencing, especially of firewood, appear to have less to do with aggregate availability or a lack of potential solutions than with women's limited bargaining power with the CFGs. Their problems are seen as individual and private rather than as warranting community attention.

**BENEFIT SHARING.** There are also gender inequities in benefit sharing. In some cases the benefits are not distributed at all. Among Orissa's self-initiated groups, a number of all-male youth clubs have completely banned forest entry to community members and have been selling the wood they obtain from thinning and cleaning operations, as well as other forest produce. In many cases, the quite substantial funds so obtained have been spent on an annual religious festival (my field observations in 1998), or on a clubhouse or club functions for their own group (Singh and Kumar 1993).

In other types of CFGs, the money is normally put in a collective fund to be used as the group deems fit. Women typically have little say in how it is used. Women in a CFG in Ghusra village, Dang district, Nepal, told me in 1998, "The money obtained from grass and firewood is deposited by them into their fund. We have not seen one penny of it. We buy grass, which is auctioned in bundles."

Where the CFGs distribute forest products in, say, the form of firewood or grass, as in some of the JFM groups, women of nonmember households usually receive none, since entitlements are typically linked to membership.<sup>18</sup> Often these

18. Membership is usually determined on the basis of more than one criterion, one of which is membership fees, which are more common in India than in Nepal. Another criterion, common among CFGs in both countries, is contributing toward the guard's pay or joining the village patrol.

are poor households whose members have to migrate for work, or are out all day on wage labor and cannot easily contribute to patrolling or to the guard's wages.

Even in member households, usually men alone can claim the benefits directly, either because only they are members, or because entitlements are on a household basis so that even if both spouses are members they get only one share. Of course, women can benefit indirectly in some degree if the benefits are in kind, such as firewood, or where member households continue to enjoy the right to collect dry wood or leaves from the protected area.<sup>19</sup> But where the CFGs distribute cash benefits, if money is given to men it does not guarantee equal sharing, or even any sharing, within the family. In fact, outside the context of forest management there is substantial evidence of men in poor households spending a significant part of their incomes on personal items such as tobacco and liquor, while women spend almost all of their incomes on basic household needs (for India see Mencher 1988, and Noponen 1991). This pattern is repeated in the context of CFGs. In many cases men are found to spend the money on gambling, liquor, or personal items (Guhathakurta and Bhatia 1992; my field observations, 1998–99).

Many women are aware that unless they receive a share from the CFG directly, rather than through male members, they may get nothing. When asked their views on this at a meeting of three JFM villages in West Bengal where both women and men were present, all the women wanted equal and separate shares for husbands and wives (Sarin 1995). Being members in their own right would be one way women could benefit directly, provided that the individual and not the household was the unit of entitlement.

Inequities also arise because people differ in their needs, or in their ability to contribute or to pay. Broadly, three types of principles can underlie the distribution of forest products: market-determined, contribution, and need. Although seemingly neutral, these distributive principles have notable gender and class implications. The market principle (or willingness to pay), embodied in practices such as the auctioning of grass to the highest bidder, tends to be both unequal *and* inequitable, since those who cannot afford to pay have to do without. Given that rural women, even in rich households, tend to have less access to financial resources than men, auctions tend to be both anti-poor and anti-women. Distribution according to contribution—by, say, giving each household that contributes to protection an equal number of grass bundles—would be equal but inequitable for those more dependent on the commons for grass, such as the poorer households, and women in general. Moreover, women's ability to contribute may be circumscribed. For instance, even if they wanted to join patrol duty, they may be prevented from doing so by social norms of seclusion. Only

19. See Kant, Singh, and Singh (1991); ISO-Swedforest (1993); Arul and Poffenberger (1990). I also observed this during my field visits in 1998–99.

where distribution embodies some concept of economic need, such as where poor women are given rights to an additional grass patch, would the distribution be relatively more equitable, in that those most in need would get more.

In my fieldwork I found that the most common criterion underlying distribution was contribution (membership fees, protection, and so on), with all contributing households having equal claims to the firewood or grass cut during the days when the forest was opened. However, there were also occasional cases of auctioning, such as the auctioning of grass in the Uttar Pradesh hills and in Nepal, and of other forest produce in Orissa. Economic need seldom guided distribution. Hence, for poor women, in particular, the outcome tended to prove inequitable.

In recent literature on collective action, questions of equity have been raised largely in terms of whether existing economic and social inequality affects the possibility of collective action and efficient institutional functioning (see, for example, Ostrom 1990; Bardhan 1993; Baland and Platteau 1996, 1999). There has been a relative neglect of whether or not the *outcomes* of collective action in terms of, say, cost and benefit sharing are equitable, and how those outcomes impinge on the sustainability of collective action. As previously argued, equity of outcome is important in itself for evaluating institutions governing the commons, quite apart from the links between equity and efficiency (and between participation and efficiency) that are elaborated below.

### *Efficiency*

Women's lack of participation in CFG decisionmaking, and gender inequities in the sharing of costs and benefits from protection, can have a range of efficiency implications. Some initiatives may fail to take off at all; others may not sustain the gains; yet others may have a notable gap between realizable and actual gains (in terms of resource productivity and diversity, satisfying household needs, enhancing incomes, and so forth). Inefficiencies can stem from one or more of the following problems (see also Agarwal 2000a, 2000b).

First, in almost all the villages I visited there were at least some cases of rule violation, and at times this was a frequent occurrence.<sup>20</sup> Violations by men usually involve timber for self-use or sale, the latter in areas with commercially valuable trees. Violations by women typically involve firewood. Where a CFG bans collection without consulting women or addressing their difficulties, many women are under great pressure to break the rules, given their daily need for firewood. Sometimes, women in situations of acute need enter into persistent altercations with the guards. In one Gujarat village the guard threatened to resign as a result. Only then did the EC address the issue and agree to open the forest for

20. Shah and Shah (1995), Singh and Kumar (1993), and Agarwal (1997a). I also observed this during my field visits in 1998–99.

a few days annually. In Agrawal's study (1999) of a *van panchayat* village, women constituted 70 to 80 percent of reported offenders between 1951 and 1991; many of them belonged to poor and low-caste households.

A second source of inefficiency is inadequate information sharing with women. Information about the rules (especially membership rules), conflicts encountered, and other aspects of forest management does not always reach women (my field observations during 1998–99). Similarly, male forest officials seldom consult women or seek their feedback when preparing micro-plans for forest development. Some women hear about the plans through their husbands, others not at all (Guhathakurta and Bhatia 1992). Such communication problems can prove particularly acute in regions of high male out-migration, since the women who are left behind tend to get excluded from the largely male channels of communication.

Third, inefficiencies can arise if the male guard or patrol fails to notice resource depletion. During my 1995 field visit to Gujarat, a women's informal patrol in Machipada village took me to the protected site and, pointing out the illegal cuttings that the men had missed, told me, "Men don't check carefully for illegal cuttings. Women keep a more careful lookout." My subsequent fieldwork in 1998–99 revealed similar differences in several other field sites. This gender difference arises in part because women, as the main and most frequent collectors of forest products, are more familiar with the forest than men.

A fourth and related point is that there are problems in catching transgressors. In virtually all the regions I visited, all-male patrols or male guards were unable to deal effectively with women intruders because they risked being charged with sexual harassment or molestation. Threats to this effect were not uncommon when nonmember women or women from neighboring villages were caught. In some incidents, women and their families had even registered false police cases against patrol members or beaten them up. Equally, however, women on their own find it difficult to do night patrolling or to confront aggressive male intruders. By all accounts, the most efficient solution appears to be a patrol team consisting of both sexes. Recognizing this, in some regions male patrollers have included some village women in their patrol, but this is atypical.

When women voluntarily set up informal patrols, even where there is a male guard or patrol, the efficiency of protection can improve notably. In their study of twelve *van panchayats*, Sharma and Sinha (1993) found that the four councils that could be deemed "robust" all had active women's associations. However, insofar as women's groups are typically informal, they lack the authority to punish offenders, who still have to be reported to the formal (typically all-male) committees. This separation of authority and responsibility introduces inefficiencies in functioning. For instance, sometimes male EC members fail to mete out punishments to the culprits women catch, causing women to abandon their efforts. I

found several such cases in Karnataka, Gujarat, and the Uttar Pradesh hills. Also, when women catch intruders, they are seldom party to discussions or decisions on appropriate penalties.

Fifth, a related issue is that efficient functioning requires effective methods of conflict resolution. This is made difficult with women's virtual exclusion from the formal committees, especially where the conflict involves women, as is not infrequently the case with firewood-related intrusions.

A sixth form of inefficiency stems from CFGs taking little account of women's knowledge of plants and species when preparing plans for forest regeneration. Women and men are often privy to different types of knowledge as a result of the differences in the tasks they perform and in their spatial domains. Women as the main fuel and fodder collectors can often better explain the attributes of trees than men (Pandey 1990) and can identify a large number of trees, shrubs, and grasses in the vicinity of fields and pastures (Chen 1993). In general, women are better informed about the local environment in which they gather and collect, and men about species found in distant areas (Gaul 1994). Women's systematic exclusion from decisionmaking and management of new planting programs is thus likely to have negative efficiency implications, by failing to tap women's knowledge of diverse species for enhancing biodiversity.

A seventh form of inefficiency can arise from ignoring possible gender differences in preferences regarding when grass should be cut or which trees should be planted. I found that in the rare cases when women were consulted, they often came up with alternative, more suitable suggestions on when the forest should be opened for forest produce collection. Women are also known usually to prefer trees that have more domestic use value, as for fuel and fodder, whereas men more typically opt for trees that bring in cash (see, for example, Brara 1987 and Hobbey 1996). The exceptions are cases where fuel and fodder are ample, in which case women too might prefer commercially valuable species (Chen 1993). Women's greater involvement in forest planning would thus better fulfill household needs and so also increase their commitment to the CFG initiative.

Basically, when examined from a gender perspective, it is clear that the CFGs are violating many of the conditions deemed by several scholars to be necessary for building enduring institutions for managing common-pool resources. This includes conditions such as ensuring that those affected by the rules participate in framing and modifying the rules; that the rules be kept simple and fair; that there be effective mechanisms for monitoring the resource and resolving conflicts; and so on (see especially Ostrom 1990 and Baland and Platteau 1996).

Forests might regenerate despite women's low involvement in CFGs, but some of the CFGs might not be sustainable and others might produce less than their potential benefits. Improving women's participation and equity is thus important both in itself and because it can be complementary to, rather than (as often assumed) in conflict with, efficient institutional functioning.

## What Determines Gendered Outcomes?

The gender-related efficiency outcomes just discussed are in large part *secondary* in nature, stemming from women's low participation in the CFGs and from inequities in the rules of forest use, benefit sharing, and so forth. Efficiency outcomes are therefore not discussed separately in the section below. Rather I focus on what underlies women's low participation and the consequent inequities in cost and benefit sharing.

### *Factors Affecting Women's Participation in CFGs*

In broad terms, the degree of participation and the distribution of costs and benefits can be seen to depend especially on rules, norms, perceptions, the woman's individual endowments and attributes, and her household's endowments and attributes (which define where the family falls within the structural hierarchies of class, caste, and so on).

**RULES.** In formal CFGs, such as the JFM groups in India or the forest-user groups in Nepal, rules determine membership in the GB or the EC. As noted earlier, where the rule restricts membership to only one person per household, it is the male household head who tends to join. The rule that allows one man and one woman per household to join is somewhat more inclusive, but full inclusiveness would require all adults to be allowed to join. This is rare.

In addition to the rules themselves, a lack of awareness of the rules or of changes in them can also constrain women's participation. In West Bengal, for instance, a study of nineteen CFGs showed that even four years after the state order was amended to allow women's inclusion, barely two-fifths of the members knew of the change (Raju 1997).

Among the self-initiated groups, which lack formal membership rules, longstanding conventions that traditionally excluded women from public decision-making forums also deny women entry into the CFGs.

**SOCIAL NORMS.** Even when membership rules are favorable and women join CFGs, they seldom attend or speak up at meetings because social norms place strictures on their visibility, mobility, and behavior. These norms, whether internalized by women or imposed on them by threat of gossip, reprimand, or even violence, impinge directly on women's autonomy and ability to participate effectively in CFGs dominated by men.<sup>21</sup>

Some communities have quite strict female seclusion norms. But more pervasive is the subtle gendering of physical space and social behavior. For instance, norms often dictate a gender segregation of public space. Women of "good character" are expected to avoid village spaces where men congregate, such as tea stalls and the market place (Agarwal 1994). For older women, the restriction is generally less but

21. See also Stewart's (1996) more general discussion on the function of norms in hierarchical contexts.

never fully absent. As a result, many women feel uncomfortable going to CFG meetings unless explicitly invited by the men:

The meetings are considered for men only. Women are never called. The men attend and their opinions or consent are taken as representative of the whole family—it is understood. (Woman in a *van panchayat* village, Uttar Pradesh hills, cited in Britt 1993, 148)

Rural women and men can't sit together. But we convey our decisions to them. (Man to author, Chattipur village, Orissa, 1998)

The gender division of labor is another pernicious norm. The fact that women bear the main responsibility of childcare and housework, in addition to the load of agricultural work, cattle care, and so on, makes for high work burdens and logistical constraints. This seriously restricts women's ability to attend lengthy meetings held at inconvenient times. As some women in Barde village, Karnataka state, south India, told me in 1998, "There are problems in attending meetings since we need to cook and serve the evening meal. The meeting is long. We also have to feed the cattle." Men are usually reluctant to share not just domestic tasks and childcare but even care of cattle. Most women in the *van panchayat* villages Mansingh (1991) studied told her that they did not have time to "sit around for [the] four hours that it took to have a meeting in the middle of the day." As a result women's attendance decreased over time.

Norms also reduce women's participation by creating subtle gender hierarchies, such as by requiring women to sit on the floor while husbands and older men sit on cots, or requiring women to sit at the back of the meeting space where they are less visible and less able to raise a point effectively. Moreover, where senior male family members are present, women either do not attend meetings, or do not oppose men publicly. The hierarchy that marks "respectful" behavior in the family also marks community gatherings (see also Raju 1997).

**SOCIAL PERCEPTIONS.** Incorrect perceptions regarding women's abilities impinge on men's willingness to include women in the CFGs. Men often view women's involvement in CFGs as serving no useful purpose and tend to downplay women's potential contributions. Some men's direct responses to questions are indicative:

There is no advantage in having women in the EC. We have been told by the forest officials that we must have two women in the committee, that is why we have included them. (Male to author, Pathari village, Karnataka)

Women can't make any helpful suggestions. (Man to author, Arjunpur village, Orissa, 1998)

Women are illiterate. If they come to meetings, we men might as well stay at home. (EC chairman to author, Ghusra village, Dang district, Nepal, 1998)

In some cases, I found that the men who were decrying my interviewing the women on the grounds that they were illiterate were themselves illiterate!

**ENTRENCHED TERRITORIAL CLAIMS.** Men oppose women's inclusion much more strongly once their own claims are entrenched. Thus, where CFGs start out with only male members, or where men feel they have a prior claim to the land, they resist new claimants. Some young men in Basapur village, Karnataka state, reacted to the idea of including women in CFGs as follows: "Women have DWARCA, they have savings groups, why don't you leave the CFGs to us men?" (my field visit in 1998).<sup>22</sup> Men in Asundriya village, Gujarat, strongly opposed NGO attempts to increase women's CFG membership, arguing, "Why do we need women? What we are doing is okay" (my field visit in 1999). In Kudamunda village, Orissa, when I asked the women who wanted their own separate patch for protection why they needed one, they responded, "If we have our own forest, we would not need to ask the men each time for a bit of wood. They are not willing to give us even a patch to protect. Why would they be willing to give us a whole tree if we asked?"

**PERSONAL ENDOWMENTS AND ATTRIBUTES.** Women's lesser access to personal property or to political connections reduces the weight of their opinions. In addition, limited experience in public interaction undermines their effectiveness in public forums. Some of these disadvantages can partly be overcome if the women are older or married or have leadership qualities and have the self-confidence to speak up (Narain 1994; Britt 1993; my field observations in 1998–99).

**HOUSEHOLD ENDOWMENTS AND ATTRIBUTES.** Factors such as the class and caste position of the woman's household are likely to matter if the village is multi-caste and is dominated by the upper caste, or where the CFG is constituted of several villages, each of which is homogeneous in itself but is hierarchically placed in relation to other villages in the CFG (my field observations in 1998–99; see also Sarin 1998 and Hobley 1996). But the caste factor works in complex ways. On the one hand, being low caste and poor can adversely affect a person's ability to bargain for a better deal within a predominantly upper-caste community; and even low-caste men (like women in general) often hesitate to speak up at meetings in such contexts. On the other hand, low-caste women are less subject than upper-caste women to norms of seclusion, restricted mobility, and soft speech. Hence if present in large enough numbers, they would be more likely to speak up in meetings, as I found to be the case in my 2000–01 research (discussed in the next section).

### *Factors Affecting Distributional Equity*

Similar but not identical factors affect gender-inequitable outcomes in terms of costs and benefits. The principal factor underlying gender differences in cost sharing appears to be social norms governing the gender division of labor. As already

22. DWACRA—Development of Women and Children in Rural Areas—is an antipoverty program of the Indian government. One part of the program provides women's groups with subsidized loans for income-generating activities.

discussed, women's primary responsibility for collecting firewood and fodder means that women bear the bulk of the costs of forgoing forest use.

Benefit sharing is likely to be affected especially by five types of factors. First, there are the rules regarding entitlements to benefits. Here both entry rules and distribution rules matter. As noted earlier, access to some types of benefits is linked to membership. However, even if both spouses are members, the woman may not get a separate or additional share if the CFG has decided that the household rather than the individual will be the unit of distribution. In recent years, this has in fact proved to be a bottleneck in inducting women members in parts of Gujarat, where women are demanding shares on an individual basis as a condition for their becoming CFG members, especially since the CFGs also ask for higher membership fees from those joining late. Hence, although women's low participation in CFG decisionmaking affects equity of outcomes through the distribution rules, inequitable distribution rules can in turn restrict women's participation.

Second, the principles (willingness to pay, contribution, or need) underlying distribution affect equity of benefit sharing. At present (as noted earlier), contribution is the dominant criterion underlying distribution rules in most CFGs, whereby all those contributing get equal access to the resource or equal amounts of firewood and fodder when they are distributed. Auctions are undertaken in some cases, and distribution by economic need is rare.

Third, perceptions about need, contribution, and deservedness matter. Even if there were to be a shift from contribution to need as the defining principle, whether or not women get a better deal can still depend on whether they are *perceived* as deserving more (Agarwal 1997b; Sen 1990). There can be and often is a divergence between what a person actually contributes, needs, or is able to do and perceptions about her or his contributions, needs, and abilities. Thus, women's contribution to household income is often undervalued, both by family members and by those implementing development programs, because of the "invisible" nature of many household tasks that rural women perform. These tasks—such as collecting firewood and fodder, stall-feeding animals, storing and processing grain—are often economically invisible because they usually do not bring in cash, and tasks done within the home are also rendered physically invisible. Hence, women's contributions would be better recognized if women were *seen* to be participating in forest management and would thus be better placed to claim benefits equal to men's.

Fourth, whether or not the outcome is equitable depends on pre-existing personal endowments and attributes. Since women as a gender (even if not all women as individuals) have fewer private economic endowments, CFG shares given only to male members typically result in inequitable outcomes for women in both rich and poor households. Again, women's personal attributes such as age and marital status can affect intra-household distribution by influencing perceptions about deservedness.

Fifth, as we have noted, how acutely women are affected by forest closure or shortages is influenced by their household's economic endowments and social attributes, in particular by their household's class, caste, and ethnicity. In some respects, however, this can work in both directions. For instance, although women in upper-caste households that own land and animals can get some fuel and fodder from private assets, they are also likely to face greater social constraints on their mobility, which would limit their options with respect to alternative collection sites. In any event, when it comes to fuel, the class difference may not be substantial (unless we are speaking of those able to afford cooking gas), since many women even of middle peasant households have to depend mostly on what they themselves can gather.

### Improving Outcomes: The Bargaining Framework

In what ways can these factors be acted upon to improve outcomes? Some factors that obstruct women's well-being antedate the community forestry programs and have deep economic and social roots. The programs could either lead to the obstacles' becoming further entrenched or provide an opportunity for undermining them. Other factors, such as CFG rules, are part of institutional functioning. Both types of factors are constituted at several levels. For example, rules are broadly made at two levels, the State and the community. Membership criteria under JFM are determined at the State level, but such issues as whether forest closure should be total or partial, or in what ways different forest products should be distributed, are determined largely by the community. And social norms, social perceptions, and endowments are constituted and contested at all levels—within the State, the community, the family, and various institutions of civil society, including NGOs.

#### *Bargaining: Some Conceptual Issues*

A promising analytical framework for examining the possibilities for change on all these counts is that of bargaining (Agarwal 1997b). Women's ability to change rules, norms, perceptions, and endowments in a gender-progressive direction would depend on their bargaining power—with the State, the community, and the family, as the case may be. What would affect women's ability to bargain effectively in these three arenas?

**THE STATE.** The State can be seen as an arena of bargaining at multiple levels. For instance, the State may formulate gender-progressive laws at the highest level, but it could face resistance in implementation from the local bureaucracy. Or some departments or ministries (such as women's ministries) may pursue gender-progressive policies within an overall gender-retrogressive State structure. Likewise, there are often some gender-progressive individuals within State departments who play key positive roles, typically but not only in response to demands made by interest groups (see Sanyal 1991; Agarwal 1994). In other words, the State is an arena of contestation between parties, such as policymaking, policy implementation, and

and between different regional elements of the State structure with varying commitments to gender equality.

The State might respond positively to demands by gender-progressive groups and NGOs because such groups could build up political pressure through, say, the support of opposition parties or the media, with implications for voting patterns; or because of pressure from international aid agencies; or because the State recognizes the inefficacy both of market mechanisms and of its own machinery in implementing essential development programs. In India, the State's attempts since the mid-1980s to enlist NGO support for various development projects, including community forestry, reflects this recognition.

We would expect women's bargaining strength with the State to depend on a complex set of factors, such as whether they function as a group or as individuals and what the cohesiveness and strength of the group is. The bargaining power of such a group is likely to be higher, the larger and more unified it is; the greater the political weight carried by the castes of which it is composed; the greater its command over economic resources; the more support it gets from NGOs, the media, academics, and international donors; and the more State officials are influenced by gender-progressive norms and perceptions.

**THE COMMUNITY.** Implicit or explicit bargaining can occur between an individual (or a subset of individuals) and the community, over the rules and norms governing economic resource use or social behavior, and over the enforcement of those rules and norms. Noncompliance with CFG rules could be seen as a form of implicit bargaining.

Like women's bargaining power with the State, women's bargaining power within the community would be enhanced if they had support from external agents such as NGOs and the State. Group cohesiveness and strength is also important. For instance, an individual woman breaking seclusion norms could easily be penalized by others' casting aspersions on her character. Such reprisals are less possible if a group of women decides to transgress the norms (see also Agarwal 1994).

In addition, in a multicasite or class-heterogeneous village we would expect women's bargaining power to depend on the socioeconomic composition of their group and their ability to command funds. For instance, in the sharing of communal resources, the negotiating strength of low-caste or poor peasant women, even if they formed a group, is likely to be weaker than that of high-caste or rich peasant women whose caste or class as a whole commands greater power in the village.

**THE FAMILY.** The third major arena of bargaining is the family. Intrafamily bargaining for a more equitable sharing of benefits or tasks or for greater freedom to participate publicly is perhaps the most complex aspect of bargaining (spelled out in Agarwal 1994, 1997b). Broadly, four types of factors are likely to impinge on a woman's bargaining power in the home: her personal endowments and attributes (educational level, whether or not she earns an income, property ownership, age, marital status); her ability to draw upon extra-household support from friends,

relatives, women's groups in the village, gender-progressive NGOs outside the village, and the State; social norms, which might define who gets what or who does what within the household; and social perceptions about deservedness.

**ALL ARENAS.** Some of the common determinants of bargaining power in all three arenas are support from external agents, social norms and perceptions, and group strength. Norms, perceptions, and group strength require some elaboration.

Social norms can affect bargaining power in both direct and indirect ways. For instance, norms that restrict women's presence in public spaces directly reduce women's ability to bargain for rule changes within CFGs, but they may also do so indirectly by reducing women's ability to build contacts with NGOs or State officials. Social norms can also influence how bargaining is conducted: covertly or overtly, aggressively or quietly. In cultures or contexts where social norms stifle explicit voice, women may be pushed into using covert forms of contestation within the family, such as persistent complaining or withdrawing into silence (Agarwal 1994). Moreover, attempts to change social norms can themselves constitute a bargaining process (Agarwal 1997b).

Social perceptions can affect women's bargaining power insofar as women's contributions and abilities diverge from perceptions about their contributions and abilities. As noted, much of what women do is rendered invisible and is therefore undervalued by both families and communities. To the extent that women internalize these perceptions, they can self-restrict their range of options or what they seek to change and bargain over. Hence, to enhance women's bargaining power, a necessary step would be to change women's own perceptions about their potential options and abilities, as well as the perceptions of their families, the community, and the State regarding their abilities and the legitimacy of their claims.

Group strength can prove to be a critical factor at all levels and in all forms of bargaining (including over social norms and perceptions). Here village women's group strength derives not merely from the number of women who would like a change in rules and norms but also from their willingness to act collectively in their common interest, an interest predicated on gender. In other words, it depends on whether gender is a basis of group identity, over and above the possible divisiveness of caste or class. The creation of such group identity will thus need to be part of the process of improving outcomes for women.

### *Bargaining: Actual Experiences*

Let us now consider the actual experience of some groups in their attempts to improve women's participation and distributional equity in CFGs. These experiences illustrate some, albeit not all, of the key elements of the bargaining framework just described.

**THE STATE.** Experience in the Joint Forest Management program indicates that successfully bargaining with the State for changing the initial rules of entry is not very difficult. Pressure from external agents such as gender-progressive

NGOs and key individuals has led a number of Indian states to make JFM membership rules more women-inclusive. Village women did not have to explicitly bargain for changes because the women's movement in South Asia had brought about a sufficient shift in perceptions regarding gender inequalities to make such issues easier to resolve with the State, through outside intervention. In this context, village women started from a position of some bargaining strength.

**THE COMMUNITY.** Bargaining with the community to ensure that more women-inclusive membership rules are implemented and to increase women's effective voice in CFGs has proved more difficult. On the positive side, some of the gender-progressive NGOs, forest officials, and donors have used their bargaining power with the community to bring about changes that favor women, sometimes on their own initiative, at other times when village women approached them.

For instance, some Indian NGOs have made a high proportion of female membership in mixed groups a condition for forming the groups. In Gujarat, one NGO now insists, when starting new CFGs, that 50 percent of members be women. Similarly, some state-level officials in India have increased women's membership in mixed groups by stipulating that there should be at least 30 percent women in the general body, or have sought to increase women's presence in GB meetings by refusing to start meetings unless the men also invite the women (Viegas and Menon 1993; Sarin 1998). Similarly, in the cause of distributional equity, the staff of a Gujarat-based NGO took up women's complaints about firewood shortages at a CFG meeting. This resulted in a shift from total closure of the forest to its opening up for a few days annually.

For a larger and sustained impact, however, active input is required from women themselves, both through an enhanced presence in the ECs, which are the principal decisionmaking bodies, and not simply in the GBs, and through active participation in the process of decisionmaking by attending meetings and speaking up at them.

Left to themselves, women have typically relied on covert forms of bargaining to change distributional rules, such as simply ignoring closure rules, challenging the authority of the patrol group or guard who catches them, persistently complaining, and so on. In some instances, this had led village committees to open the forest for short spells. However, complaining or breaking rules, with the attendant risk of being caught and fined, are seldom the most effective ways of changing the rules. For effective change, women are likely to need more formal involvement in rule making and the bargaining power to ensure changes in their favor. Actual experience on the ground suggests that a prerequisite for bringing this about is often the presence of a critical mass of women. This can give women more voice in mixed forums and help them challenge restrictive social norms and perceptions. My recent empirical research (discussed in the next section) also provides substantial support for this.

**THE FAMILY.** Bargaining within the family is in many ways a much more complex issue to tackle than bargaining with the community, and few rural NGOs directly intervene in intra-household relations. Forming all-women CFGs or even women's savings groups can have indirect positive effects. For instance, during my field visits I found several cases where a women's group had supported individual women in their negotiations with husbands, or where joining a group had improved women's situations at home:

There are one or two men who objected to their wives' attending our meetings, and said you can't go. But when our women's association came to their aid, the men let their wives go. (Women to author in Almavadi village, Gujarat, 1998)

My husband feels I contribute financially, take up employment, obtain credit for the home. This increases his respect for me. (Woman to author in Almavadi village, Gujarat, 1998)

In other words, group strength and women's visible contributions can help weaken restrictive social norms and improve a man's view of his wife's deservedness, although some norms, such as the gender division of domestic work, are particularly rigid and difficult to change.

The issue of group strength has been much debated in recent years in the context of quotas for women and the question of "critical mass." It has been argued that women need to constitute a minimum percentage—a critical mass—within public decisionmaking bodies before they can be effective. Although substantial support exists for the idea that women's proportional strength matters, much of the discussion is focused on whether it affects women's ability to influence policies, rather than whether it can affect the very process of women's participation. There is also little empirical testing to identify what proportion would be effective. More generally, too, there is little empirical examination of the impact of the gender composition of a group on its decisionmaking and functioning. In the next section I present a summary of some results from my recent research on these aspects.<sup>23</sup>

### Effect of Women's Proportional Strength: Recent Empirical Evidence

Does having more women in a decisionmaking body make a difference to their participation and the outcomes of institutional functioning? I tested this through an econometric analysis of primary data collected from 2000 to 2002 through

23. Based on my fieldwork in Gujarat state (India) and Nepal in 2000–01, as mentioned earlier. Results are taken from my draft book manuscript (*Accountability and Empowerment*).



systematic fieldwork in sixty-five CFGs located in three districts of Gujarat (west India) and seventy CFGs located in three districts of Nepal.<sup>24</sup> I do indeed find that the higher the percentage of women in the ECs the greater is women's effective participation in decisionmaking and access to forest products such as firewood (taken as a measure of distributional equity), and the better is forest regeneration (taken as a measure of efficiency).

**EFFECTIVE PARTICIPATION.** The higher the percentage of women in the EC, the more likely it is that women will attend meetings, speak up at them, and take up leadership positions—that is, hold office. Village women themselves stress that the presence of more women will give them voice:

If we were in a majority we would speak in the meeting. (EC women in a CFG in Baglung, Nepal, 2000)

The presence of more women will give us support and confidence. It makes a difference when there are other women in meetings. (EC women in a village in Panchmahals, Gujarat, 2000)

But how large a percentage do women need to be effective? Is a minimum threshold of female presence necessary? In my analysis I find threshold effects on some counts. For instance, in both Gujarat and Nepal, the threshold for women's participation as measured by the female attendance rate (the average proportion of EC women attending a meeting)<sup>25</sup> is found to lie in the range 25 to 33 percent women on the EC. For speaking up it is not possible to identify a threshold effect, since not every woman who attends needs to speak up, even if she is able to. I do find, however, that for both Gujarat and Nepal the probability of at least one woman speaking up (as versus none speaking up) is significantly more if we move from ECs with less than 25 percent women to ECs with 33 percent or more women, although the proportion of meetings where no woman spoke up is notably lower in Nepal than in Gujarat. Moreover, in the case of Nepal, women are significantly more likely to be office bearers if they constitute 33 percent or more of the EC. In Gujarat, virtually no women are found to be holding office, irrespective of the EC's gender composition, indicating that simply increasing women's presence in the EC is not a sufficient condition to overcome the glass ceiling effect in all social contexts.

The difference between the Gujarat and Nepal sites, especially in terms of women speaking up and being office bearers, appears to be due to differences in

social norms in the two regions. In the Gujarat sample, although the majority of women belong to tribal populations where female seclusion is not emphasized, the ideology of seclusion and female modesty has been growing, influenced by a local religious reform movement and by upper-caste Hindu communities. The geographic location of my Nepal sites in the middle hills makes for less restrictive social norms, even among the upper-caste population, and certainly among the ethnic groups that are widespread in the area. This suggests that although women's effectiveness is clearly enhanced by the presence of more women, enabling social norms also matter.

One-third has become the popularly accepted percentage in arguments about how much female presence is needed for effectiveness in the context of legislatures or other public bodies such as village councils. My results broadly support this popularly emphasized proportion, although they also show that there is a somewhat wider range—somewhere between a quarter and a third women—linked with effective participation.

Women's class position also matters; in particular, the inclusion of *landless* women in the EC is important. I found in the case of Gujarat that women are more likely to attend and speak up in EC meetings where a high percentage of them come from landless households. Women from such households are less constrained by social norms and face firewood shortages in greater measure, compelling them to speak up. This alerts us to the importance of representation by disadvantaged women, and not simply by any women, in community institutions.

Some feminist scholars have argued that relative socioeconomic equality is a necessary condition for the disadvantaged to participate effectively (for example, Fraser 1990). My analysis suggests otherwise. Poor, low-caste women, especially if present in sufficient numbers, or with prior exposure to women's empowerment programs, can be more outspoken and effective in public forums than women from well-off households, since the former are less constrained by social status considerations and have a higher personal stake in the outcomes of decisions because of their greater dependence on forests.

**EFFECT OF WOMEN'S PARTICIPATION ON FOREST CONDITION (EFFICIENCY OUTCOMES).** The EC's gender composition also makes a difference to resource conservation. In Gujarat, CFGs with more than the mandatory two women in their EC tend to show greater improvement in forest condition than those with two women or less, and in Nepal the same is true of all-women CFGs relative to other (mixed plus a few all-male) CFGs. There are many reasons for this. Involving women in EC decisions tends to enlarge the pool of villagers with responsibility for and commitment to resource conservation. Even if the rules that the EC eventually makes impose personal hardship on the women committee members, if they are part of the decisionmaking process they are more likely to follow the rules themselves, as well as persuade other women to do so. Dissemination of information about the rules and about the need for conservation also improves

24. A few sample CFGs had to be replaced by some in a fourth adjacent district, when those in one of the selected districts became inaccessible, as a result of security problems in Nepal during the period of the survey.

25. Female attendance rate for CFG A =  $\frac{1}{n} \sum_{i=1}^n \frac{w_i}{w}$ , where  $w_i$  = number of EC women attending the  $i$ th meeting ( $i = 1, 2, \dots, n$ );  $w$  = number of EC women in CFG A;  $n$  = number of meetings held in CFG A. As an illustration, if CFG A has 3 women in the EC and there are 4 meetings, each attended by 2, 3, 1, and 0 EC women, the female attendance rate would be 0.5.

since women EC members can reach a much wider cross-section of people than can be reached only through male committee members. In addition, having more women on the EC enlarges the pool of those keeping an informal lookout for rule breakers. It also increases the chances of women's contributing their knowledge of plants and species and conveying their preferences when the micro-plans for forest development are being prepared or implemented. We thus need measures that can enhance women's presence in the governance institutions, not only because women's participation is of intrinsic importance but also because it can help better fulfill the conservation objectives of such institutions.

**EFFECT ON FIREWOOD SHORTAGES (EQUITY OUTCOMES).** In the Gujarat CFGs, those with a larger percentage of female EC members are found to be less likely to report firewood shortages. Women's voice, therefore, does count in getting the community to extract more from the protected area. However, the question of alternative fuels that are cleaner and less damaging for women and children's health than firewood and other unprocessed biofuels still remains to be addressed by the women representatives and their communities.

### Toward Increasing Women's Proportionate Strength

We have seen that women's proportionate strength in the EC can have a beneficial effect on their participation, as well as on the efficiency and equity of outcomes. The question then is: How do we enhance women's presence in village institutions?

There is a growing consensus among gender-progressive NGOs and elements of the State apparatus that to increase women's presence in CFGs will require, as a first step, the formation of separate women's groups. Maya Devi, a Nepalese grassroots activist with long experience in group organizing, told me emphatically in 1998, "In mixed groups, when women speak, men make fun of them, so women need to learn to deal with this. . . . When women join a [separate] group they gradually lose their fear of making fools of themselves when speaking up. . . . Women need their own small groups. This is what I know from my twenty-two years of experience working with the government and NGOs."

There is less consensus, however, on what type of group this should be. Where all-women CFGs have been formed, many have done well in terms of protection and increasing women's self-confidence. However, so far, all-women CFGs (as noted earlier) have usually arisen in special circumstances and are still marginal in terms of numbers and area protected. Also, they cannot solve the problem of women's meager presence and lack of effective voice in the more typical all-male or mixed CFGs. For this, other kinds of efforts are needed. Toward this end, some rural NGOs have been forming all-women savings-and-credit groups, which, unlike CFGs, do not involve a resource over which there is a generalized

community claim. In some regions, more multifunctional women's groups are also doing well.

Such separate women's groups, organized around savings or some other issue, have helped build women's self-confidence and experience in collective functioning and promoted a sense of collective identity. They have also increased women's ability to deal with government agencies, improved male perceptions about women's capabilities, and brought about some change in social norms that earlier confined women to the domestic space. The response below is fairly typical:

Men used to shut us up and say we shouldn't speak. Women learned to speak up in a *sangathan* [group]. Earlier we couldn't speak up even at home. Now we can be more assertive and also go out. I am able to help other women gain confidence as well. (Woman leader to author, Vejpur village, Gujarat, 1999)

These experiences are not dissimilar to those of many other rural women's groups across South Asia, which also indicate that group strength, external agency support, and activities that enable women to make a visible contribution (especially in monetary terms) can alter social norms and perceptions and increase the social acceptance of women in public roles. But in many villages, separate women's savings groups have also sharpened gender segregation in collective functioning. Often women's savings groups are seen as "women's groups" and the CFGs as "men's groups." Also, separate women's savings groups do not adequately challenge unequal gender relations or noticeably change the dynamics of *mixed*-group functioning. In other words, forming separate women's groups may well be a necessary condition, but it is not a sufficient one for women's effective participation in the CFGs.

For effective integration, more concerted efforts appear necessary. In a few cases, NGOs working with both women and men have sought to integrate all-women savings groups with the CFG. For instance, India Development Service, an NGO in rural Karnataka, encourages women's savings groups to discuss CFG functioning, collect CFG membership dues, and persuade women to join the CFG. As a result, in several of its villages, some 80 to 90 percent of the women in the savings groups are now in the CFG general body.<sup>26</sup> Bringing this about, however, has taken many years of persistent effort and trust building between the NGO, the women, and the villagers.

An alternative approach—one yet to be tried, I believe—could be to form a women's subgroup within each mixed CFG. Such a subgroup could first meet separately to discuss women's specific forest-related concerns and then strategically place these concerns before the full CFG meeting. This could also enable female EC members to better represent women's interests within the CFG.

26. Personal communication in 1998 from Pratibha Mundergee, then a staff member of this NGO.

Finally, any group, including a CFG, is likely to be affected not only by its immediate locale but also by the wider context of structural and cultural inequalities within which it is located. For instance, both participation and distributional equity are affected by the preexisting inequalities predicated on the caste and class of women's households, as well as on gender. These inequalities are unlikely to decline substantially within the parameters of CFG functioning. For instance, greater participation in CFGs alone is unlikely to notably improve the economic endowment position of women vis-à-vis men or of the poor vis-à-vis the rich. Also, as long as gender inequality in economic endowments remains entrenched, women will remain in a considerably weaker bargaining position in the family relative to men (Agarwal 1994; 1997b). To change this, more wide-ranging measures to enhance the access of women and of poor and low-caste households in general to land or other assets are likely to be needed.

## Conclusion

CFGs are a significant example of how new institutions of governance can take one of two paths: that of challenging embedded and hidden social inequalities such as those of gender and caste, or that of ignoring these preexisting inequalities and, in the process, further embedding them. The first path consciously seeks to enhance access and open new doors; the second implicitly continues to restrict access. We see examples of both types among the several thousand CFGs in existence in India and Nepal today, determined largely by the nature of external interventions. The majority of CFGs have been gender exclusionary rather than inclusionary. Although most have done quite well in regenerating forests (at least in the short term), they have been less successful in bringing about women's participation in decisionmaking, or in ensuring gender equity in the sharing of costs and benefits from forest protection. As a result, they have also failed to tap the full potential of the collective effort in terms of improvement in forest condition. My analysis shows that for more participatory, equitable, and efficient outcomes, we will need changes in factors such as rules, norms, perceptions, and the pre-existing structural inequalities in endowments and attributes of women's households and of women themselves.

As argued here, it is useful to conceptualize such change within a bargaining framework, and to act on the factors that will strengthen women's bargaining power with the State, the community, and the family. This has been achieved to some degree through the intervention of external agents, especially NGOs, which in some cases have acted both directly and indirectly—indirectly especially by forming separate women's savings groups at the village level to enhance women's self-confidence and collective strength. At the same time, the analysis cautions that such separate women's groups can also lead to greater gender segregation unless conscious steps are taken to integrate women's savings groups with mixed CFGs. An alternative or complementary approach would be to form women's

subgroups within each CFG to strategically induct women's concerns into CFG decisionmaking. In either case, these are only a few steps among the many that will be needed to transform mixed CFGs into more accessible and gender-egalitarian institutions, and so bridge the gap between the vision and the practice of local environmental governance.

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### 3

## *Access to Government in Eastern Europe: Environmental Policymaking in Hungary*

SUSAN ROSE-ACKERMAN

In a democracy, politicians and other policymakers are supposed to be accountable to voters.<sup>1</sup> But even in a direct democracy, not everyone will agree on the best policy. Even after dialogue and discussion, citizens may disagree about what to do, so that states need acceptable procedures to resolve conflicts. Voting rules are one way to make public choices, but they may leave some citizens in a systematically disadvantaged position. The system may be fair in the technical sense of treating all voters equally, but substantively unfair if some are usually in the minority and seldom see their preferences prevail. Even if a policy is approved with no negative votes, it may have vastly disparate impacts on different groups of citizens and may lock in an unequal status quo.

Problems of unfairness and injustice multiply in real polities where direct democracy is not feasible. Elected officials enact laws, and political appointees, civil servants, and judges implement the law. Any of these actors may make choices that are biased against certain groups, particularly those with few resources or weak political organization. Even if officials seek to be fair and evenhanded in administering the law, they may not have the necessary information to assess the needs of the population. To help remedy both of these problems, citizens need to be able to

1. This chapter is based on Rose-Ackerman (2005), which includes fuller citations and information about interviews conducted in the fall and winter of 2002–03 in Hungary.