Makers and shapers of environmental policy making: Power and participation in forest legislation in Bolivia

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ABSTRACT

The objective of this paper is to assess the possibilities and barriers for subaltern actors' participation in environmental policy making. To discuss this issue I focus on the case of the creation of new forest legislation in Bolivia and the involvement and influence of actors such as indigenous forest community organisations and migrant peasant organisations in the process. How can subaltern actors be makers and shapers of environmental policies, and whose interests and demands are considered, included and excluded in these processes? The case study demonstrates that on the one hand, participation has been made possible and facilitated by subaltern strategies such as coalition building among different actors and strategic framings of their demands, combined with public and government agencies' responsiveness and the creation of 'collaborative spaces'. On the other hand, participation has been limited by fragmented processes for inputs, selective inclusions and exclusions of actors and underlying state-society tensions. Finally, the study illustrates how agricultural and land-use interests have influenced the law-making agenda and the development of recent policies affecting forest areas.

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1. Introduction

The way forests are governed affects marginal groups' livelihoods, rights, access to land and resources, social and cosmological life (see e.g. Sunderlin et al., 2005; Larson et al., 2007, 2008). Several academics argue for increased attention to marginalised groups' possibilities to participate in environmental policy and decision making (see e.g. Forsyth, 2005, 2009; Demeritt, 2015; Perreault et al., 2015; Cornwall, 2011; Smith and Pangsapa, 2008; Haarstad and Campero, 2011; Peet and Watts, 2004; De Castro et al., 2016), a call to which this article attempts to respond. Approaches to participation range from instrumental ones related to participation as means to share knowledge and information, secure sustainability and cost-effectiveness, increase legitimacy and the quality of policies and outcomes, to those related to social justice, citizenship perspectives and participation as a right (Demeritt, 2015; Cornwall, 2011; Smith and Pangsapa, 2008; Hickey and Mohan, 2004). Bolivia, a country with vast forest areas, was one of the first countries in the world to test out legislation to institutionalise participatory development in the 1990s (Medeiros, 2001). The country has recently enshrined constitutional and legal provisions for public participation in governance (Schilling-Vacaflor, 2010; CPEPB, 2009). The objective of this article is to assess the possibilities and limitations for subaltern groups to be 'makers and shapers' of new forest legislation in Bolivia (Cornwall and Gaventa, 2000), and the interests and demands that are prioritised in the process. I do so by employing ethnographic qualitative methods within a political ecology approach (cf. Perreault et al., 2015; Robbins, 2004), focusing on two subaltern groups (cf. Green, 2002). The study acknowledges the need to combine environmental and social justice concerns in addressing changing rural contexts (see e.g. Smith and Pangsapa, 2008). In the next section the analytical framework is presented, followed by the methodology. I then introduce the Bolivian context, before presenting the findings. I relate the possibilities and limitations for participation to coalition building and framing of demands 'from below', coupled with state responsiveness, control of participatory arenas and different interests influencing forest governance and the legislative agenda.

2. Participation in environmental governance

Participation has been widely studied, related to issues such as development, project planning, community-based initiatives, policy making, governance and implementation (see e.g. Cook and

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Kothari, 2001; Hickey and Mohan, 2004; Conrwall, 2011; Haarstad and Campero, 2011). Here I will present some overall arguments from the literature, and relate these to the field of environmental governance, defined here as 'a set of mechanisms, formal and informal institutions and practices by way of which social order is produced through controlling that which is related to the environment and natural resources' (Bull and Aguilar-Støen, 2015:5). Instrumental approaches to participation have largely been used by governments and project implementers to obtain legitimacy for projects or policies, and have been criticized for not leading to substantial changes, for serving the interests of the powerful few and for co-opting and manipulating groups (Cook and Kothari, 2001; Hickey and Mohan, 2004). Others argue that participation can increase the quality of the policies/science, based on the knowledge and experience of the actors involved (Demeritt, 2015). The move towards 'participation' in the 1980s and 1990s as part of decentralisation and privatisation policies was largely focused on concrete participatory arenas, projects and programmes outside of the state and public spheres (Bliss and Neumann, 2008; Cook and Kothari, 2001; Stiefel and Wolfe, 2011). These initiatives have been criticised for not addressing structural inequalities and for not creating avenues to influence policy and decision making (see e.g. Pacheco, 2006; Hickey and Mohan, 2004).

Normative approaches point that participation is a right, a part of citizenship, and an end in itself with transformational potential (see e.g Hickey and Mohan, 2004), and resemble arguments for procedural and distributional justice (Paavola, 2004). Procedural justice refers to the recognition and involvement of different groups' interests, needs and rights in planning and decision making (Paavola and Adger, 2002). To paraphrase Arnstein (1969, in Cornwall, 2011:3), participation refers to 'the redistribution of power that enables the have-not citizens, presently excluded from the political and economic processes, to be deliberately included in the future'. Citizenship perspectives (see e.g. Smith and Pangsapa, 2008) often focus on enhancing the position of excluded groups in decision-making processes combining concepts of entitlements and obligations. Applying this argument to the forest sector, communities and other marginalised groups have a right to be involved in the design of forest policy as affected citizens or as indigenous peoples. Their participation may lead to important inputs for how forests should be governed to support their rights and livelihoods, and consequently for the sense of being included (Paavola, 2004). The 'transformative' turn in the participation debate in the 2000s (Hickey and Mohan, 2004) renewed the emphasis on citizenship, and the importance of getting participation 'back in' in state and public spheres (Gaventa, 2004; Cornwall, 2004, 2011; Cornwall and Coelho, 2007). Scholars argue that participation should be seen as a dual process including both collective action and mobilisation from below, coupled with enabling policies and inclusion in planning and policy making (see e.g. Haarstad, 2012; Gaventa, 2004; Cornwall, 2004; Hickey and Mohan, 2004). Collective action can enhance participation through mobilisations and social pressure directed towards the state (Gaventa, 2004; Cornwall, 2011), as well as contain projects of autonomy and resistance. As such, participation depends on the strategies, will, and capacity of civil society actors to mobilise (Cleaver, 2012). Coalition building among social groups and organisations; between social organisations and figures within government and bureaucracy; or with academics, technocrats or professional associations, can work to strengthen joint demands and facilitates access to relevant processes, spaces, resources and knowledge (ref. 'power with', Lukes, 2005). The adoption of a common discourse (i.e. 'discourse coalition', Hajer, 2005:302) in which different objectives and viewpoints overlap, can reinforce joint demands. Collective actors can share and create common framings (Snow, 2012) or 'environmental narratives'.

These are defined here as repetitive patterns of environmental explanation and socio−environmental relations, which can be used to advance certain interests and values, and to provide direction (see Roe, 1991; Adger et al., 2001; Wolford and Keene, 2015). Collective framings and positioning in debates can inspire and legitimise actions, and work as shared understandings of a problem and its solutions (Snow and Benford, 2000). However, environmental narratives and framings are not static, and may change according to contexts. Coalition building and strategic framings may also work as exclusionary for certain identities, groups and interests that do not have access to influence dominant narratives or be part of coalitions, and by that blur intra-community differences and power relations (see e.g. Cleaver, 2012).

Several scholars underline the importance of openness and willingness to share power to enhance and facilitate participatory processes (Cornwall, 2004; Gaventa, 2006; Schonleitner, 2004). According to Moore and Teskey (2006:3), 'a government/public authority is responsive if it makes some effort to identify and then meet the needs or wants of the people'. State responsiveness includes how government/public authority facilitates citizens' access to state agencies, information, resources and social services, with increased attention to previously ignored claims and rights (Gaventa and Barrett, 2012). Responsiveness is influenced by state accountability, transparency, mechanisms for engaging citizens and attitudes of state-society engagement (Gaventa and Barrett, 2012). At the core are power relations, defined here as the mechanisms that shape and control 'spaces of participation' (Hayward, 2000; Gaventa, 2006; Cornwall, 2004). 'Invited spaces' refer to spaces initiated by the powerful, such as government and public agencies, where certain interests, rules and ideas set the framework for who is invited and what knowledge and demands are to be included or excluded (Cornwall, 2002, 2004). 'Claimed spaces' refer to spaces created from below and are led by civil society's demands for inclusion (Cornwall, 2002, 2004). In between, we find a set of relations which I here call 'collaborative spaces', including those arenas that combine initiatives from civil society with state responsiveness, with the possibility for transformation in procedural and distributional justice. I acknowledge that state responsiveness has limitations, related to resources and state capacity, and as affected by different and conflicting interests both within the state apparatus and by different state-society coalitions (Wolford and Keene, 2015; Jessop, 2007).

Scholars have pointed to the importance of viewing participatory processes as taking place in wider governance arenas, affected by a spectrum of contrasting interests, structures of governance, political economic relations and dominant discourses (Tarrow, 1994; Cornwall, 2004; Gaventa, 2006; Forsyth, 2005; Haarstad and Campero, 2011). Emergent forms of environmental governance involve a range of actors and interests beyond the state, across scales and sectors, including academics, Non-Governmental Organisations (NGOs), grassroots organisations and private actors, technicians and companies. Pacts over natural resource management established among different sectors result in hybrid and contested governance arrangements (Cleaver, 2012; Bulkeley, 2005; Lemos and Agrawal, 2006). As noted by Forsyth (2005), forest policies frequently have clear or concealed relationships with other political objectives and interests regarding access to and control over land and resources. As Hecht (2014:1) argues, forest dynamics in Latin America are influenced by a range of factors, including historical relations and colonial legacies, social pressure, social and rural development policies, new government agencies, markets, migration, international policies and the commodification of nature.