

# Advocating for Change? How a Civil Society-led Coalition Influences the Implementation of the Forest Rights Act in India

CLARE BARNES, FRANK VAN LAERHOVEN and PETER P.J. DRIESSEN\*

*Utrecht University, The Netherlands*

**Summary.** — Forest policy implementation is a political endeavor involving both state and non-state actors. We observe that civil society organizations (CSOs) often federate into civil society-led coalitions (CSCs) in order to shape forest policies in their favor. They appear to be successful in doing this during the policy design phase but we know little about whether they are able to see through to implementation the changes they have put in motion. Analyzing CSC strategies during policy implementation could help to explain variation in the extent to which forest policies are successfully implemented. This paper analyzes the strategy choices and potential impact during policy implementation of a loose CSC comprised of CSOs, activists, people's movements, researchers, and lawyers that advocates for the full implementation of the Forest Rights Act in India. Drawing from the Advocacy Coalition Framework's focus on belief systems, complemented by insights from political ecology and civil society/social movements literature, we develop a framework to analyze CSC strategy choices. Our analysis is conducted at the national level and in two states, Andhra Pradesh and Odisha. We employ qualitative research methods, including 38 interviews with CSC and non-CSC members, and a comprehensive analysis of the main CSC list-serv and 1000 relevant English language newspaper articles. Our study reveals that the CSC employs a range of conflictive and collaborative strategies in its attempts to influence state-led implementation processes, at both national and state levels. It draws on a loose, heterogeneous network with ability to connect internally and a clear moral justification of its involvement in FRA implementation. However the diverse range of views on the implementation issues held by CSC members, lack of dedicated funding for coordination, limited legitimacy in the eyes of some state actors and a constricting wider institutional setting, impedes the CSC's ability to make coalition-level strategy decisions. Our results lead us to argue that CSCs are undoubtedly active in forest policy implementation at the national level and in the two states analyzed, though limited coordination of strategies potentially restricts their impact on the policy implementation process.

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## 1. INTRODUCTION

The implementation of forest policies that have the potential to significantly impact large swathes of forests and the lives of the millions of people depending on them, can hardly be seen as an apolitical endeavor. Yet, the political nature of forest policy implementation remains understudied (Kashwan, 2013; Krott *et al.*, 2014). While forest policies are primarily the responsibility of states, civil society organizations (CSOs), in their many forms, have the potential to significantly affect their implementation (Blaikie & Springate-Baginski, 2007). They often federate into groups to increase their chances of doing so. This paper aims to advance our understanding of the strategy choices of civil society-led coalitions (CSCs) in their attempts to influence forest policy implementation at the national and sub-national levels. CSCs can be formed by various CSOs including Non-Governmental Organisations (NGOs), people's movements, community based organizations (CBOs), activists, unions, plus researchers, lawyers, and journalists. Their members share beliefs on whether a policy should be implemented and engage in non-trivial forms of collective action to shape policy implementation in their favor (Sabatier & Weible, 2007). We define policy implementation here as “what happens between an apparent intention on the part of the government to do something, or to stop doing something, and the ultimate impact in the world of action” (O'Toole, 2000, p.266). We focus on *forest* policy implementation as these policies affect often conflicting environmental, social, and economic interests which has led to political struggles between states and CSOs at international, national

and local levels (Arts & Buizer, 2009; Blaikie & Springate-Baginski, 2007).

The traditional view of policy implementation as a distinct, technical activity which follows a politically laden policy design phase comprising deliberations over policy problems, goals and instruments, has been widely criticized (Lester & Goggin, 1998; O'Toole, 2000; Torenvlied & Thompson, 2003; Van Eerd, Dieperink, & Wiering, 2015). Rather, policy implementation should be seen as a continuation of a political process, involving debate and struggles between a multitude of state, non-state actors and target groups, each attempting to shape implementation according to their own beliefs and interests (Blaikie & Springate-Baginski, 2007; Clement, 2010; Hill & Hupe, 2002; Kashwan & Lobo, 2014; Sabatier & Jenkins-Smith, 1999). While political attention at the center moves on to the next agenda item (termed by Hill and Hupe (2002) as *early* policy-making), the politics of policy implementation (or *late* policy-making) gets underway across a plethora of diffuse decision-making arenas, often at sub-national governmental levels (Pollard & Court, 2007).

Civil society scholars raise the need for rigorous analysis of the potential of CSOs to affect change in policy processes (e.g., Bebbington, Hickey, & Mitlin, 2007; Edwards, 2009). They observe that CSOs often federate into loose coalitions to promote collective goals (Edwards, 2009; Hertel, 2015; Krinsky & Crossley, 2014; Lecy, Schmitz, & Swedlund, 2012)<sup>1</sup>. This common goal (such as advocating for or against a particular legislation or infrastructural project) spurs a diverse set of actors,

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who bring their own networks, interests, and approaches, to engage in collective action. Most empirical research of these CSCs has been directed at *early* policy-making, especially their capacities to successfully raise issues up the political agenda and affect policy changes at national (Hertel, 2015) and international arenas (Berlin, 2009; Pattberg & Widerberg, 2015). Comparatively less is known about what these coalitions do once the policy they advocated for or fought against is being implemented (e.g., Lele & Menon, 2014; on the Chipko movement in 1970s India; Gupta, 2014), i.e., during the politics of *late* policy-making.

Processes of implementing forest policies encounter various implementation issues leading to them not achieving their intended goals (Clement, 2010; Fleischman, 2014; see Hill & Hupe, 2002, for theoretical perspectives on “implementation deficits” as coined by Pressman and Wildavsky). So, it appears that CSCs struggle to see through to full implementation the changes they have been so successful at putting into motion. What happens then to these CSCs post policy enactment? *What strategy choices do CSCs make to influence forest policy implementation, why and with what potential effect?*

To answer this question, we take as a case study the CSC attempting to influence the implementation of The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereafter FRA) at national and state levels in India. This Act marks a major shift toward the recognition of forest dwellers’ individual and/or community rights to the land they have inhabited for generations and as will be argued later, can provide an illuminating case of CSC strategy choices in policy implementation processes. Several authors have analyzed the CSC which advocated for the FRA and was involved in its design and drafting (see Kashwan, 2013; Kumar & Kerr, 2012; Springate-Baginski *et al.*, 2009) but a systematic analysis of the strategy choices of the CSC during *policy implementation* has yet to be conducted. It is particularly interesting to take the FRA as a case, given current wider debates on the relevance of tenure security for international forestry programs, such as REDD+ (see Resosudarmo, Atmadja, Ekaputri, Intarini, and Indriatmoko (2014) for an analysis of tenure security as a precondition for effective REDD+ implementation, Sunderlin *et al.* (2014) for a discussion on vertical integration of national and local level efforts to reduce tenure insecurity, and Ravikumar, Larson, Duchelle, Myers, and Gonzales Tovar (2015) for the horizontal governance challenges of reducing tenure insecurity). Our analysis contributes to this discussion through increasing our understanding of how such forest tenure policies themselves are implemented. It is therefore relevant for scholars interested in CSCs and policy implementation, especially policies affecting forest tenure.

## 2. BACKGROUND TO INDIAN FOREST GOVERNANCE AND FRA

During the colonial era in India, the rights of forest dwellers were usurped in the name of centralized commercial forestry. Post-independence forest policies (such as the Wildlife Protection Act of 1972 and Forest Conservation Act of 1980) continued to label forest dwellers as “encroachers” on forestland (Aggarwal, 2011; Blaikie & Springate-Baginski, 2007). Though there had been earlier agitations, it was when the Ministry of Environment and Forests misinterpreted court orders in 2002 and started a mass eviction drive of those living in forests, that the contestation surrounding forest dwellers’ rights really gained momentum (Springate-Baginski,

2009). Grassroots people’s movements ultimately federated into a coalition with like-minded activists, left-leaning politicians, and academics under the national-level banner Campaign for Survival and Dignity (CSD) (Kumar & Kerr, 2012) and demanded a “comprehensive replacement of the oppressive control of the forest bureaucracy on forested tribal homelands by restoring democratic control over forest governance to statutorily empowered village assemblies” (Sarin & Springate-Baginski, 2010, p. 6). The CSD faced fervent opposition from a lobby group of “fortress conservation” wildlife organizations and individuals (Springate-Baginski, 2009) who claimed in the media that granting rights to forest dwellers will lead to biodiversity loss (Aggarwal, 2011; Kashwan, 2013; Kumar & Kerr, 2012). Kashwan (2013) also identifies a third group advocating in favor of community-based conservation.

The FRA was finally passed in 2007, with the accompanying rules enacted in January 2008. It includes (i) provisions on the individual and community rights that can be claimed, (ii) the process for claiming these rights, which starts with communities forming a Forest Rights Committee to verify claims, and (iii) the empowerment of right-holders for conservation and protection of the land or resources granted (Saxena, 2010).

## 3. ANALYTICAL FRAMEWORK

### (a) *Justifying our focus on CSCs*

There is strong empirical evidence that actors in a policy subsystem (such as surrounding the FRA) aggregate themselves into coalitions to advance their mutual goals (e.g., Edwards, 2009; Sabatier & Jenkins-Smith, 1999; Springate-Baginski, 2009). Krinsky and Crossley (2014) argue that social movements in particular are often conceptualized as networks of activists and/or organizations, which can overlap with policy networks. Similarly, Tilly (2005, p.61) argues that “constituent units of claim-making actors often consist not of living, breathing whole individuals, but of groups, organizations, bundles of social ties” leading to the blurring of state/non-state boundaries (Deo & McDuie-Ra, 2011; Springate-Baginski, 2009). In the Advocacy Coalition Framework (ACF) literature, coalitions have been empirically identified and analyzed in controversy-ridden natural resource policy sub-systems, similar to the subject of this paper (for example, Matti & Sandström, 2011; Weible, 2005; Winkel & Sotirov, 2011). Two characteristics broadly define a coalition: their members *share policy beliefs* which are normative beliefs that project an image of how the subsystem ought to be and they engage in a *non-trivial degree of coordination* (Sabatier & Weible, 2007).

While coalition members share policy beliefs, they may display heterogeneity in (i) their views on particular issues or means to address problems in policy implementation (ACF calls these secondary beliefs, see Weible, Sabatier, & McQueen, 2009), (ii) the types of organizations, networks, and overlapping or complementary coalitions they are part of (Kumar, 2014), and (iii) their personal interests for reaching the mutual goal (Kumar, 2014). The degree of coordination within a coalition can range from strong (e.g., developing and implementing a common plan) to weak (monitoring each other’s actions and responding with complementary strategies) (Sabatier & Weible, 2007). Coordination can encompass varying forms (Weible *et al.*, 2009). For example, Matti and Sandström (2011) analyze coordination as the sharing of information and the seeking of advice.

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