



Review

Can authority change through deliberative politics? Lessons from the four decades of participatory forest policy reform in Nepal



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ABSTRACT

Based on the review of relevant literature, this paper investigates how forest authority is produced or reproduced in the course of forest policy change, by drawing on the past four decades of participatory forest policy reform in Nepal. We analyze various waves of deliberative politics that emerged in different contexts related to the Himalayan crisis, the flow of international aid for conservation and development projects, civil conflict and democratic transition, and most recently the policy responses to climate change. The analysis shows how such deliberative politics contributed to the change or continuity of conventional authorities around forest policy and practice. It shows that despite notable participatory policy reform, the conventional authority has become further re-entrenched. Based on this analysis, we argue that efforts to understand forest policy change can be more meaningful if attention is paid to whether and how deliberative politics emerge to challenge the hegemonic claims to power and knowledge about resource governance practices. Such approach to policy analysis can open new possibilities for understanding democratic policy reform by explicating the nuances of deliberation and policy politics occurring at multiple scales.

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1. Introduction

Globally, forest sector governance has been subjected to a variety of historical shifts in policy paradigms—from sustainable management in the seventies, through livelihoods forestry in the nineties, and to carbon forestry in the recent years. In the developing world, and particularly in South Asia, forest policy-making has remained an important part of state making and related processes of control and exercise of power and authority (Shivaramakrishnan, 2000; Yufanyi Movuh and Krott, 2011; Krott et al., 2013). Shaped by international discourses, a multitude of policy narratives have surfaced in Nepal over the past five decades. These narratives, conceptualized in this paper as *waves of deliberative politics*, have emerged in a variety of contexts including the Himalayan crisis in the seventies, the subsequent flow of international aid for the conservation and development, civil conflict and democratic transition, and more recently climate change. These waves have led to various forms of policy change, usually with claims of having deepened the participatory governance towards addressing community

livelihoods (Hobley, 1996). But they have also led to new and more subtle forms of authority in forest governance.

Notwithstanding many subtle forms of recentralization (Ribot et al., 2006; Ojha et al., 2009), a key policy outcome over the four decades in Nepal is that forest authority—exercised by unelected rulers and techno-bureaucratic agencies—is being increasingly shared with the local communities dependent on forest for livelihoods. Moreover, the field of policy game itself has widened, with increasing number of non-state actors getting involved in policy debates (Ojha et al., 2007; Devkota, 2010). Yet, the outcomes of such progressive policy reforms have remained limited, especially in relation to livelihoods and equity (Thoms, 2008). At times, such reforms have generated more heat than light, without giving rise to any legitimate policy solutions, such as in the case of large block forests in Nepal's low lying areas, called Terai (Satyal Pravat and Humphreys, 2012). Within the guise of participatory reform, conventional forms of power and authority endure. What is more perplexing is that the widening participation of civil society in forest governance has also experienced democratic *cul de sac*, reflected in the depoliticization and the NGOisation of civil society movement (Shrestha and Adhikari, 2011). Yet there is limited attention by both research community and policy makers on whether such unfolding

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deliberative politics has made any significant contributions to the change of underlying forest authority in Nepal.

This paper is based on the reviews of literature discussing the links between deliberative politics and the formation and transformation of techno-bureaucratic authority in Nepal. In Nepal's forest policy development, deliberative politics, involving processes of conflicts, negotiation and consensus building, has been centrally linked to, or shaped by techno-bureaucratic authority, which emerged in the colonial blending of forest science and bureaucracy to govern forests, and which became stronger in and through the process of state expansion (Blaikie et al., 2001). This authority continues to lend legitimacy to centralized, technical and timber oriented forest management. Much of the deliberative politics that has unfolded in Nepal's forest policy domain is related to this authority (Nightingale and Ojha, 2013). This paper also advances a framework of deliberative politics in understanding policy change over time and brings international discourses and local political contexts as the key drivers of policy deliberation. Through this, we aim to offer new insights into the possibility of transformative changes in policy development and practice. Such an approach can also be helpful in understanding why policies so often fail to achieve intended outcomes, and at times even produce counter-intentional results. Apart from the review of articles and policy documents, this paper draws on the experiential reflections and institutional memory of researchers cum practitioners over policy process in Nepal's forest sector (Banjade, 2013; Sunam et al., 2013).

The next section traces the conceptual basis and the significance of historically framed approach to the analysis of deliberative politics and authority. Section Three offers a synopsis of forest policy changes in Nepal over the last four decades and how authorities were implicated through a variety of deliberative politics. In Section Four, we analyze different forest policy waves and the deliberative politics around them, and through this, we explore how various forms of forest governance authorities are contested and reproduced. Finally, we draw conclusions on whether, how and to what extent deliberative politics can change authority over forest governance.

2. Framing the analysis: deliberative politics in relation to forest authorities in Nepal

Although participatory policy reform has become almost a universal virtue of democracy, how policy process unfolds along the participatory journey is rarely explored. Understanding policy change requires paying attention to how power and authority emerge and are questioned (Arts and Tatenhove, 2004; Arts and Buizer, 2009), and how conditions of legitimacy emerge to underpin particular policy options and their enforcement (Cohen, 1997). Policy processes cannot be fully understood without looking at the temporal dynamics of deliberative politics. While descriptive approach to history can be equally ahistorical in understanding contemporary policy dynamics, a carefully crafted historical analysis can greatly enrich the explanations of policy processes (Pierson, 2005). It is in this context that the dynamic links between authority and deliberative politics can be a useful analytical lens.

Research into forest policy change in Nepal has ignored how deliberative politics unfold over time and authorize or de-authorize particular forms of power. For example, one study explores institutional changes (Gautam et al., 2004); another exposes the link between what political leaders and forest bureaucrats do, but without recognizing wider deliberative politics (Bhattarai et al., 2002). Still another study looks at the influence of external drivers to policy—such as external developmental narratives related to basic needs and neoliberal reforms, but with very limited linkages to the culturally embedded local agency (Guthman, 1997). Some have examined legislative changes related to privatization, nationalization and decentralization (Hobley, 1996), paying little attention to the ways authorities were challenged or reproduced through immanent deliberative politics. Still others have shown how particular regimes of forest governance have emerged such as community forestry

(Acharya, 2002) and protected areas (Heinen and Shrestha, 2006) as being disjointed area of policy analysis, without referring to the politics of authority surrounding these changes. Malla (2001) identifies some aspects of deliberative politics around forest policy change and continuity, but does not offer the analysis of how forest authorities face and respond to the waves of discourses and deliberative politics. Springate-Baginski and Blaikie (2007) examine the politics between local people and the state in the evolution of forest policy, and yet overlook how the entrenched forms of power can open to deliberative politics. Blaikie and Sadeque (2000) have recognized some aspects of deliberative politics in policy change—when they frame the national environmental policies as an outcome of negotiation between international agendas promoted by a variety of players as well as the one resulting from the interplay of political and bureaucratic interests and professional styles. This study extends the work of Nightingale and Ojha (2013) who have attempted to explain forest governance through analyzing politics of authority. Here we focus on historical unfolding of deliberative politics and their effect on the forest governance authorities.

Our approach interrogates the way deliberative politics unfolds over time, both within the context of preexisting regimes of authorities, and the unfolding deliberative space in the national political field. Deliberative politics combines the ideas of contentions in the work of Tilly and Tarrow (2006) and deliberation as potential way for creating legitimate power relations in Habermasian sense (Habermas, 1996; Dryzek and Niemeyer, 2010; Fischer, 2006). In this paper, deliberative politics is defined as contestations and argumentations involving rational debates as well as explicit resistance around particular forms of authorities regulating collective resources. By authority we mean power considered legitimate (Sikor and Lund, 2009), and deliberative politics can become an important way through which certain forms of power can become legitimate or illegitimate. Authority and deliberative politics are thus interlinked in any policy process, and together offer a conceptual handle to navigate how certain interests and forms of power and patterns of influence are legitimized or contested.

A simplified view of our analytical approach is presented in Fig. 1, where deliberative politics around forest authorities is seen to take place in relation to the dynamics in the global environment-development field as well as national political field. The notion of field conveys the meaning of strategic action arena where social actors contest for value, resources, power, and knowledge (Fligstein and McAdam, 2011). Likewise, here we see policy in a broader sense than the 'tangible pieces of legislations and regulations' (Hecl, 1972) to include both processes and outcomes.

3. Waves of deliberative politics

Policy change in Nepal's forestry is not always an outcome of internal deliberation among the forest players in the country or mere exercise of an established authority. Policies have instead resulted from a number of deliberative waves, which we define as particular threads of policy discourse, political articulations and institutional framing, involving particular groups of actors and excluding others, often with some identifiable policy outcomes. Between 1970s and 2010, we have identified at least six different waves of deliberative politics. Irrespective of the origins, these waves offer interesting sites to explore the working of forest authorities and the possibility for democratic change in such authorities.

Our analysis does not trace back the origins of deliberative politics deep into the history of Nepal, but focuses on the most prominent politics that emerged in the Post-World War II development era and in the wake of Himalayan crisis. The first wave of policy politics, 'afforestation wave', from our perspective, emerged when an environmental crisis was projected in the mid-70s (Eckholm, 1976). This elicited conservation concerns globally, followed by an upsurge of international funding to Nepal's forest department to create plantations, and then develop a new rule to engage local governments called *Panchayat* in

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