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Title: 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 such possibilities 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 are considered and excluded in these processes? On the one hand, participation has been facilitated by subaltern strategies such as coalition-building among social 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 underlying state-society tensions, with the government partly controlling participation arenas by selective exclusions and inclusions. Finally, the study demonstrates how agricultural and land use interests influenced the law-making agenda, demonstrating the dominance of agricultural interests over the forest sector.

Suggested Reviewers:

Dear editor in chief Professor Michael Woods

I hereby resubmit the revised article **entitled ' Makers and shapers of environmental policy-making: Power and participation in forest legislation in Bolivia'** to be considered for publication in Journal of Rural Studies. I declare that the work described has not been published previously and that the article has not been submitted to any other journal.

Word count including reference list and tables: 10 700 (excluding acknowledgements and revised abstract). The tables are included in the text.

Role of the funding source

This study has been financed by the Norwegian Research Council, grant number 204110. The research council has not had any involvement in the design, collection, analysis or interpretation of data, nor writing the report and not in the decision to submit the article for publication.

Thank you for the time taken to appraise my manuscript. I am appreciative of your constructive comments and thank the commentators for their time and input. In the text attached I go over each comment and note how I addressed each comment. Once again, thank you for your time and service as the editor of Journal of Rural Studies.

Looking forward to hearing from you!

Best regards,

Cecilie Hirsch

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Dear Editor Professor Michael Woods

Please find my answers to the reviewer's and your comments in *italic*.

Editors comments

Dear Ms. Cecilie Hirsch,

Thank you for submitting your revised paper to the Journal of Rural Studies. I have now received comments on the revised manuscript from Reviewer 2, but unfortunately not received a review from Reviewer 1. As such, I have also read the manuscript carefully myself.

As you will see, Reviewer 2 notes that the paper has been improved from the original manuscript, but identifies a number of significant revisions that they consider are still required before the paper can be published. Having read the revised manuscript myself, I agree with Reviewer 2 that the paper would benefit from some re-organization of material and clarification of the connections between objectives, observations and conclusions; however, I disagree with the reviewer's comment that working hypotheses are required for qualitative research, so would ask you to disregard this comment.

I would therefore like to invite you to make one further round of revisions. In particular, I would like you to:

1) Revise the current introduction to split it into two separate sections: a shorter introduction in which you briefly outline the intellectual context and objectives of the paper; and a background or literature review section, in which you introduce the specific context of Bolivia and review the appropriate literature, showing how the research questions that you address in this paper follow from a critique of the literature.

Thank you for this suggestion. I have now split the introduction into two sections as suggested. The introduction has been revised, see lines 3-28, and parts of the introduction have been moved to the background, see lines 159-224. I briefly outline the intellectual context and objectives of the paper are stated in lines 17-20. In lines 30-126 I present a literature review, and I introduce the context of Bolivia starting at line 159. The objectives are now stated after a short introduction of the main intellectual context, and have been further elaborated on in the analytical framework and background, see also lines 221-225. As these sections are organized now, I hope that it is clearer how my research questions follow from a critique of the literature.

I have outlined the result section (line 283), based on the analytical categories presented in the literature review, and assess how coalition building and strategic framings, state responsiveness and spaces for participation and forest governance and land use interests affect participation of subaltern actors in the law-making process.

2) Move the 'Analytical framework' section so it comes before the 'Methods' section.

This has been done, see line 30 →.

3) Read through the paper and make amendments to ensure that there is consistency between the objectives you outline the paper and the topics on which you present observations and draw conclusions. You should make sure that the conclusion refers back to the paper's

objectives or research questions, and that it also clearly summarises the distinctive contribution that the paper makes to the literature.

The analytical framework and the result section are now better aligned. The conclusion has been revised, to clarify better how the paper answer the objectives, see lines 519-607.

4) Make sure that the observations you make in the paper are supported by appropriate empirical evidence.

I have worked through the text and I now refer explicitly to the empirical material, or secondary sources, throughout the text. In all cases when I am referring to my own empirical observations I have made it explicit by stating that this information comes from my interviews (personal communication), observations (coded O1-5) and workshops (coded W1-5).

5) Consult the Guidelines for Manuscript Preparation at the end of this e-mail and check that your revised manuscript conforms with the stated requirements.

This has been done.

I will read the revised paper without sending it back to reviewers and make my final decision. To assist this process, please include with your revised paper a list of changes made in response to the reviewers' comments and explanations for any recommendations that have not been followed.

I would appreciate if you could submit your revised paper by Oct 05, 2016.

To submit a revision, please go to <http://ees.elsevier.com/rural/> and login as an Author.

Your username is: cecilhi@sum.uio.no

If you need to retrieve password details, please go to:
http://ees.elsevier.com/rural/automail_query.asp

On your Main Menu page is a folder entitled "Submissions Needing Revision". You will find your submission record there.

If you decide not to revise your work, please notify us by using the 'decline to revise' link under 'action links' in the editorial system, which you can access by following the login instructions above.

Yours sincerely,

Prof. Michael Woods
Editor
Journal of Rural Studies

Reviewers' comments:

Reviewer #2: The paper has considerably improved. There has been some success in responding to the reviewers' observations, and, as in the first draft, the paper presents a lot of interesting information. However, the manuscript is still not ready for publication and requires major improvements particularly regarding the following deficits:

At some places, now the manuscript presents clear objectives, however, differing ones, and not necessarily those, which the result chapter response to.

Is it to "...explore possibilities and hindrances for subaltern groups' participation..." or "... Assess the importance of coalition building....", or "... Study the responsiveness of state and government bodies...", or "... how overlapping and competing interests may affect involvement of citizens in law-making process..." and so forth? While these objectives may be coherent and may present different analytical levels, the statements (and few) evidences provided in the result chapter, do only partly refer to these.

The analytical framework (see lines 29 →) and the result section (see lines 284 →) are clearly linked to clarify how the results answer the objectives.

Concerning reference to empirical evidence, these have been improved, see my response to the editor.

In fact, section 4.1 completes contextual information about the case study provided in several other places (line 39ff),

Thank you for this observation, as suggested by the editor I have reorganized the paper so to provide the contextual information in the most appropriate place, see lines 159-280. The contextual information referred to in the former 4.1 section has been integrated in the contextual section.

introduces new analytical categories (4.2.1. Positioning and Framing),

Thanks for this observation. Framing has now been introduced as part of the analytical framework, see lines 80-89.

describes coalition-building but fail to analyse the importance (4.2.2.),

4.2.2 as referred to here is part of the analytical framework, and presents the concept. The importance of coalition-building is now explicitly stated, see result section lines 284-323 and in the discussion and conclusion section, lines 518 →.

reports on state responsiveness in different chapters (272ff, 312ff. 4.2.3.), however without providing evidences on the causes,

State responsiveness is first presented as an analytically concept in section 2 line 29, now also with additional references. The limits of state responsiveness is acknowledged, see lines

107-110, and the casues are I explicetly refer to how I use the concept in relation to participation in Bolivia, 220-224.

and introduces another case (4.2.4) not foreseen in the methodological approach.

The case of analyzing the draft law has now been introduced in the methods section, see line 141.

In sum, the study itself despite a promising effort for a clearer analytical focus remains fuzzy, particularly regarding the third conceptual category of "political economy". As in the first draft, very few real evidences are given for the reported observations.

The section has been changed, and is now referring to governance. Empirical evidences have been provided for the observations presented, as references to personal communication, workshops and observations.

The citation that "...the participation of subaltern groups in law-making processes is an understudied issue..." from 2005 alone doesn't justify an explorative research approach.

The sentence has been removed.

The information presented in Chapter 3 clearly shows that a lot of conceptual and empirical knowledge is available. Naturally, the state of scientific knowledge should be presented in a review chapter BEFORE the definition of own objectives. This would facilitate the definition of objectives and helps to focus the own study on the issues that have been really analysed. Contrary to the response given, working hypotheses are an essential element particularly in qualitative research.

Thank you very much for this observation. Following the suggestion of the editor, I have reorganized the paper, the literature review is placed in lines 29-126 and it comes right after the introduction. In so doing I hope to clarify the objectives for my study. The objectives are now stated after a short introduction of the main intellectual context, and have been further elaborated on in the analytical framework and background, see also lines 221-225. .

Possibly, the resistance in accepting the existence of a large stock of knowledge on the analysed topics is one of the main hindrances for presenting a scientifically acceptable paper. Only such a review allows the identification and definition of research needs, and provides the opportunity for a meaningful discussion on the contribution of own empirical findings to the scientific debate.

Thank you very much for this comment. I realize that the past structure of the paper made it difficult for me to communicate my command on existing literature. As suggested by the editor I have reorganized the paper so that I now present a literature review in page 29--126. I have also added relevant literature, to reflect that there is large stock of knowledge on the topic of participation.

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

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1 **Makers and shapers of environmental policy-making:**

2 **Power and participation in forest legislation in Bolivia**

3 **1. Introduction**

4 The way forests are governed affects marginal groups' livelihood, rights, access to land and
5 resources, and social and cosmological life (see e.g. Sunderlin et al., 2005; Larson et al., 2007;
6 Larson et al., 2008). Several academics argue for increased attention to marginalized groups
7 possibilities to participate in environmental policy- and decision-making (see e.g. Forsyth,
8 2005;2009; Demeritt 2015, Perreault et al., 2015; Cornwall, 2011; Smith and Pangsapa 2008;
9 Haarstad and Campero, 2011; Peet and Watts, 2004), a call to which this article attempts to
10 respond. Approaches to participation range from instrumental ones related to participation as
11 means to share knowledge and information, secure sustainability and cost-effectiveness,
12 increase legitimacy and the quality of policies and outcomes, to those related to social justice,
13 citizenship perspectives and participation as a right (Demeritt, 2015; Cornwall 2011; Smith
14 and Pangsapa, 2008). Bolivia, a country with vast forest areas, was one of the first countries
15 in the world to test out legislation to institutionalize participatory development in the 1990s
16 (Medeiros, 2001). The country has recently enshrined in law constitutional provisions for
17 public participation in governance (Schilling-Vacaflor, 2010; CPEPB 2009). The objective of
18 this article is to assess the possibilities and limitations for subaltern groups to be 'makers and
19 shapers' of new forest legislation in Bolivia (Cornwall and Gaventa 2001), and the interests
20 that are prioritized in the process. I do so by employing ethnographic qualitative methods
21 within a political ecology approach (cf. Perreault et al., 2015), focusing on two subaltern
22 groups (cf. Green 2002). The study acknowledges the need to combine environmental and
23 social justice concerns in addressing changing rural contexts (see e.g. Smith and Pangsapa
24 2008). In the next section the analytical framework is presented, followed by the methodology.

25 I then introduce the Bolivian context, before presenting the findings. I relate the possibilities
26 and limitations for participation to coalition-building and framing of demands ‘from below’,
27 coupled with state responsiveness, control of participatory arenas and different interests
28 influencing forest governance and the legislative agenda.

29

30 **2. Participation in environmental governance**

31 Participation has been widely studied, related to issues such as development, project planning,
32 community-based initiatives, policy-making, governance and implementation (see e.g. Cooke
33 and Kothari 2001; Hickey and Mohan, 2004; Cornwall, 2011, Haarstad and Campero, 2011).

34 Here I will present some overall arguments from the literature, and relate these to the field of
35 environmental governance, defined here as “a set of mechanisms, formal and informal
36 institutions and practices by way of which social order is produced through controlling that
37 which is related to the environment and natural resources” (Bull and Aguilar-Støen, 2015:5).

38 Instrumental approaches to participation have largely been used by governments and project
39 implementers to obtain legitimacy for projects or policies, and have been criticized for not
40 leading to substantial changes, for serving the interests of the powerful few and for co-opting
41 and manipulating groups (Cook and Kothari, 2001; Hickey and Mohan, 2004). Others argue
42 that participation can increase the quality of the policies/science, based on the knowledge and
43 experience of the actors involved (Demeritt, 2015). The move towards ‘participation’ in
44 the 1980s and 1990s as part of decentralization and privatization policies was largely focused
45 on concrete arenas, projects and programmes outside of the state and public sphere (Bliss and
46 Neumann, 2008; Cook and Kothari, 2001; Stiefel and Wolfe 2011). These initiatives have
47 been criticized for not addressing structural inequalities and for not creating avenues to
48 influence policy and decision-making (see e.g. Pacheco 2006).

49

50 Normative approaches point that participation is a right, a part of citizenship, and an end in
51 itself with transformational potential (see e.g Hickey and Mohan, 2004), and resemble
52 arguments for procedural and distributional justice (Paavola, 2004.). Procedural justice refers
53 to the recognition and involvement of different groups' interests, needs and rights in planning
54 and decision-making (Paavola and Agder, 2002). To paraphrase Arnstein (1969; 2011:3),
55 participation refers to "the redistribution of power that enables the have-not citizens, presently
56 excluded from the political and economic processes, to be deliberately included in the future".
57 Citizenship perspectives (see e.g. Smith and Pangsapa 2008) often focus on enhancing the
58 position of excluded groups in decision-making processes combining concepts of entitlements
59 and obligations. Applying this argument to the forest sector, communities and other
60 marginalized groups have a right to be involved in the design of forest policy as effected
61 citizens or as indigenous peoples. Their participation may lead to important inputs for how
62 forests should be governed to support their rights and livelihoods, and consequently for the
63 sense of being included (Pavoola, 2004). The 'transformative' turn in the participation debate
64 in the 2000s (Hickey and Mohan; 2004) renewed the emphasis on citizenship, and the
65 importance of getting participation 'back in' in state and public spheres (Gaventa, 2004;
66 Cornwall, 2004; Cornwall and Coelho, 2007; Cornwall 2011). Scholars argue that
67 participation should be seen as a dual process including both collective action and
68 mobilization from below, coupled with enabling policies and inclusion in planning and
69 policy-making (see e.g. Haarstad 2012; Gaventa, 2004; Cornwall, 2004; Hickey and Mohan,
70 2004). Collective action can enhance participation through mobilizations and social pressure
71 directed towards the state (Gaventa 2004, Cornwall 2011), as well as contain projects of
72 autonomy and resistance. As such, participation depends on the strategies, will, and capacity
73 of civil society actors to mobilize (Cleaver, 2012). Coalition-building among social groups
74 and organisations; between social organisations and figures within government and

75 bureaucracy; or with academics; technocrats or professional associations, can work to
76 strengthen joint demands and facilitates access to relevant processes, spaces, resources and
77 knowledge (ref. “power with”, Lukes, 2005). The adoption of a common discourse
78 (i.e. ‘discourse coalition’, Hajer, 2005:302) in which different objectives and viewpoints
79 overlap, can reinforce joint demands. Collective actors can share and create common framings
80 (Snow, 2012) or “environmental narratives”. These are defined as repetitive patterns of
81 environmental explanation and socio-environmental relations, to advance certain interests and
82 values, and to provide direction (see Roe, 1991; Agder et al., 2001; Wolford and Keene,
83 2015). Collective framings and positioning in debates can inspire and legitimize actions, and
84 work as shared understandings of a problem and its solutions (Snow and Benford, 2000).
85 Environmental narratives and framings are not static, and may change according to contexts.
86 On the other hand, coalition-building and strategic framings may also work as exclusionary
87 for other identities, groups and interests that do not have access to influence narratives or be
88 part of coalitions, and by that blur intra-community differences and power relations (see e.g.
89 Cleaver, 2012).

90

91 Several scholars underline the importance of openness and willingness to share power to
92 enhance and facilitate participatory processes (Cornwall, 2004; Gaventa, 2006; Schonleitner,
93 2004). According to Moore and Teskey (2006:3), 'a government/public authority is
94 responsive if it makes some effort to identify and then meet the needs or wants of the people'.
95 State responsiveness includes how government/public authority facilitates citizens' access to
96 state agencies, information, resources and social services, with increased attention to
97 previously ignored claims (Gaventa and Barrett, 2012). Responsiveness is influenced by state
98 accountability, transparency, mechanisms for engaging citizens and attitudes of state-society
99 engagement (Gaventa and Barrett, 2012). At the core are power relations, defined here as the

100 mechanisms that shape and control “spaces of participation” (Hayward, 2000; Gaventa, 2006;
101 Cornwall 2004). ‘Invited spaces’ refer to spaces initiated by the powerful, such as government
102 and public agencies, where certain interests, rules and ideas set the framework for who is
103 invited and what knowledge and demands are to be included or excluded. ‘Claimed spaces’
104 refer to spaces created from below and led by civil society’s demands for inclusion. In
105 between, we find a set of relations which I here call ‘collaborative spaces’, including those
106 arenas that combine initiatives from civil society with state responsiveness, with the
107 possibility for transformation in procedural and distributional justice. I acknowledge that state
108 responsiveness has limitations, related to resources and state capacity, and as affected by
109 different and conflicting interests both within the state apparatus and by different state-society
110 coalitions (Wolford and Keene, 2015; Jessop 2007).

111

112 Scholars have pointed to the importance of viewing participatory processes as taking place in
113 wider governance arenas, affected by a spectrum of contrasting interests, structures of
114 governance, political economic relations and dominant discourses (Tarrow, 1994; Cornwall,
115 2004; Gaventa, 2006; Forsyth 2005; Haarstad and Campero, 2011). Emergent forms of
116 environmental governance involve a range of actors and interests beyond the state, across
117 scales and sectors. This includes those related to access to land and resources, such as
118 academics, NGOs, grassroots organisations and private actors, including technicians and
119 companies. Pacts over natural resources management established among these sectors result
120 in hybrid and contested governance arrangements (Cleaver, 2012; Bulkeley, 2005; Lemos and
121 Agrawal, 2006). As noted by Forsyth (2005), forest policies frequently have clear or
122 concealed relationships with other political objectives and interests regarding access to land
123 and resources. As Hecht (2014:1) argues, forest dynamics in Latin America are influenced by
124 a range of factors, including historical relations and colonial legacies, social pressure, social

125 policies, new government agencies, markets, migration, international policies and the
126 commodification of nature.

127

128 **3. Methods**

129 To evaluate participation in environmental policy-making processes, I undertook multi-sited
130 and multi-scaled ethnographic fieldwork in Bolivia in 2011, 2012 and 2013 (Paulson and
131 Gezon, 2005; Marcus, 1997; Denzin and Lincoln, 2011). I have collected qualitative data from
132 local forest communities, as well as from regional and national policy processes related to
133 forest governance. Methods included semi-structured interviews with different actors in the
134 forest sector, group discussions, observations and participation in relevant events (see Table
135 1), as well as a mapping of actors involved in drafting proposals for new forest legislation
136 (see Table 4). I have had extensive interaction with the National Indigenous Forest
137 Association (AFIN), a grouping of 150 affiliated indigenous community forest organisations
138 formed in 2005, operating commercial forest management in indigenous territories in the
139 lowlands. The ethnographic material has been triangulated and complemented with
140 information from secondary sources such as organizational documents and legal documents.
141 An analysis of a draft proposal from 2013 was conducted to identify whose overall demands
142 and interests had been included. The struggles of social collectives to shape new forest
143 legislation have received particular attention. Narratives and framings about forest governance
144 have been identified from documents, interviews and group discussions. I use the term
145 ‘indigenous’ to refer to collectives with communal land rights (or with historic claims for
146 such) organized collectively around ethnic identities, and ‘peasants’ as those organized in
147 peasant unions, although these identities are interchangeable. This study has aimed to capture
148 the essence of the organisations’ demands as presented in collective mobilisations and
149 documents, and does not detail on divergent positions within communities and organisations,

150 based on, for example, gender, class and age. It should be noted that the law-making process
 151 has not been completed as of 2016. The bulk of the field data is from 2011-2013 when the
 152 draft proposal was under preparation, and has been updated with relevant happenings from
 153 2013-2016.

154 **Table 1 Overview of data collected**

Methods	When	Information collected
1. Workshops		
Indigenous and peasant local leaders and representatives from Beni (W1) and Santa Cruz (W2)	2012	Local experiences and demands for changes in the forest legislation, relations with public agencies
NGOs, forest professionals and AFIN, La Paz (W3)	2012	Experiences with the current forest regime, input for a new forest law, global forest policies
Forest community organisations from AFIN, national meeting in Guarayos, Santa Cruz (W4)	2012	
NGOs, forest professionals and AFIN, La Paz (W5)	2013	Reactions to Law 337 'Support to Food Production and the Restitution of Forests'
2. Visits to indigenous communal lands		
La Paz: Tacana Santa Cruz: Guarayos, Chiquitano Beni: Chacobo Pachuara, Cavineño, Tacana Cavineño and Multiétnico	2012	Experiences with the forest regime and demands for change, relations with authorities/state/NGOs
3. Semi-structured interviews		
Over 100 interviews with the forest authorities (ABT), indigenous organisations, forest community organisations, migrant peasant unions, government actors (Ministry of Environment and Water, Vice Presidency), NGOs, forest professionals, academics	2011-2013	Experiences with the forest regime, inputs to a new forest regime, efforts to participate in the law-making process
4. Observations		
CIDOB VIII indigenous march (O1)	2011	Demands to the government, TIPNIS conflict
CIPCA seminar (O2)	2012	Full draft proposal discussed, Ley Integral de Bosques
Land and Territory meeting with peasant organisations, Cochabamba (O3)	2012	Land rights, peasant movement's demands
Meeting between Ministry of Environment and Water, Vice presidency and CSCIB (O4)	2012	Inputs to the new forest legislation
National workshop for the regional indigenous forest organisations in AFIN, Tumusapa (O5)	2012	Challenges and cooperation in the forest sector
Document analysis		

155
 156 In the analysis below I refer to empirical sources as personal communication, workshops (W)
 157 or observations (O) or directly citing the documents reviewed.

158

159 **4. Participation and Forests in Bolivia**

160 Forests make up almost half of the land area in Bolivia (ca. 50 million hectares) of which 80
161 percent is located in the lowland area (Cuéllar et al., 2012). Almost half of the population
162 identifies as part of one of the 36 recognized indigenous groups (INE, 2012), of which the
163 majority lives in the highland and valley areas, and smaller groups are spread over the
164 lowlands. Peasant and indigenous identities have been used interchangeably in struggles for
165 recognition, rights and land (Gotkowitz, 2007). Rural residents were granted land and
166 organized into peasant unions after the revolution in 1952, becoming a powerful political
167 force in the highlands (Albó, 1996; 2002). In the 1970s, the peasant organisations
168 Confederation of Unions of Intercultural Communities of Bolivia (CSCIB) and Unified
169 Syndical Confederation of Rural Workers of Bolivia (CSUTCB) were formed. In the 1980s
170 and 1990s, the indigenous identity was revitalized with increased international attention to
171 indigenous rights coupled with local struggles for recognition (Postero, 2009). The lowland
172 indigenous organisation Confederation of Indigenous Peoples in Bolivia (CIDOB) was
173 formed in 1982 with support from donors and Non-Governmental organisations.

174

175 Participation has been used and contested in different ways throughout the Bolivian history,
176 and has gradually been expanded and redefined since the country returned to democracy
177 (Haarstad and Campero, 2011). Mobilizations for land rights led to the legal establishment of
178 indigenous communal lands (TCOs) in the 1990s (Medeiros, 2001), and access to land and
179 forests was improved for communities and local actors (Pacheco, 1998; 2006). The 1990's
180 participation policies integrated social organisations into the governance structure of the state,
181 decentralized power and led to greater involvement of civil society in public affairs (Lopez,
182 2007). However, these policies were blamed for reorganizing past racist exclusions (Postero,
183 2009) and for limiting participation to prescribed parameters of a state methodology
184 (McNeish, 2006:227) and state designed organisational forms (Medeiros, 2001).

185 Decentralization processes were criticized for providing limited autonomy and access to
186 decision-making arenas for local actors (Kaimowitz et al., 2001; Pacheco, 2006; Pacheco et
187 al., 2011). Participation has largely been understood by former governments as a right to be
188 informed or to collaborate, without involving citizens in final decisions (Haarstad and
189 Campero, 2011). For example, the Law of environment from 1997 is limited to recognizing
190 the right to be informed (art. 93), and the right to participate in management (art. 92).

191

192 **4.1 Changes in the 2000s**

193 During the 2000s large mobilizations took place in Bolivia, many of which were related to
194 land and natural resources, with both indigenous and peasant organisations at the forefront of
195 the struggles (Perreault 2008; Postero 2009). The five largest indigenous, peasant and native
196 organizations were brought together in the so-called Unity Pact in 2004, forming an important
197 alliance which brought the Movement for Socialism (MAS) and president Evo Morales to
198 power in 2006. The MAS' ascension to power led to an important shift in political leadership
199 and the state bureaucracy, where peasant and indigenous organisations, NGOs and leftist
200 professionals entered the arena (Zimmerer 2015; Haarstad, 2012; Postero, 2010). With the
201 land reform starting in 2006, land has been allocated to peasants and indigenous communities
202 (Fundación Tierra, 2011; Zimmerer, 2015). Peasant and indigenous organisations in the Unity
203 Pact were active in the making of the new Bolivian constitution in 2007-2009 (CPEPB 2009;
204 Garcés, 2011; Schilling-Vacaflor, 2010), the drafting of the law of Mother Earth in 2010-2012
205 (Zimmerer, 2015), and the MAS government has aimed to institutionalize relations with
206 popular organizations by holding regular conferences with their representatives (Haarstad and
207 Campero, 2011).

208

209 The new constitution strengthens indigenous and collective rights, supports the inclusion of
210 marginalized groups in environmental governance and recognizes the rights of the nature
211 through the concept of Mother Earth. Mother Earth in Bolivia originates from Andean
212 indigenous cosmologies, and refers to balanced human-nature relations and reciprocity
213 between people and the environment (see e.g. Zimmerer, 2015). However, the concept is
214 contested among both academics, organisations and state actors, and has been filled with
215 different content (see e.g. Zimmerer, 2015; Lalander, 2014). Participation is defined as a
216 political right in the constitution (CPEPB, 2009), as part of citizenship, and the constitution
217 enshrines ‘collective law-making’, referring both to the consultation of civil society and their
218 active involvement in the drafting of laws (CPEPB, 2009). The Law 144 for Productive
219 Agricultural Community Revolution (2011) guarantees the participation of peasant,
220 indigenous and native groups in forest management (art. 10). These changes have led to a new
221 context in which one could assume greater state responsiveness to social demands and
222 collaborative spaces. This study contributes to empirically examine how and whether this new
223 context of newly won rights and political changes, improves possibilities for participation and
224 state responsiveness in environmental policy-making.

225

226 **4.2 Contradictions in Bolivian environmental governance**

227 Critics points to the contradictions in the current government’s policies (2006-) and the new
228 constitution (2009), with a renewed focus on natural resource extraction and industrialization
229 one the one hand, and indigenous and nature’s rights on the other (Bebbington, 2013;
230 Gudynas, 2013; Haarstad 2012). The MAS government has expanded the state’s presence in
231 rural areas, through resource extraction, infrastructure development, production initiatives,
232 social projects and increased control activities (García Linera, 2012; Zimmerer, 2015;
233 Bebbington, 2013). Certain state interventions have led to protests locally, nationally and

234 even internationally, such as the plans to build a road through the national park and
235 indigenous territory Isiboro Secure (TIPNIS) (see e.g. McNeish, 2013). The government
236 promotes the expansion of the agricultural frontier as part of the ‘integrated and sustainable
237 management of forests’ and ‘food sovereignty’ (Pacheco, 2014), but the contents of these
238 ideas are still vague and are subject to ongoing discussion (W3 2012). The Law of Mother
239 Earth (2012) foment an integral approach to forest management acknowledging its different
240 functions, and prohibits the transfer of land use from forest to other uses, but also allows
241 exceptions for ‘projects of national interests and public utility’.

242

243 The national Forest and Land Authority (ABT) was created in 2009. New forest policies
244 include increased state control over forests and the dismantling of private concessions
245 (Supreme Decree 0726), the institutionalisation of community forestry (Supreme Decree
246 29643) and land distribution from public land, including settlements in forest areas (Supreme
247 Decree 0257). New initiatives have been implemented to foment agro-forestry, and new
248 production projects have been initiated. As recent studies indicate forest governance is
249 contested in Bolivia (Arteaga 2010; Müller et al., 2014). With decades-long lack of state
250 control, illegal logging activities are widespread, and private forest concessions areas and
251 management plans introduced with the Forest Law in 1996 have not been subject to state
252 monitoring (see e.g. Müller et al., 2014). A market-oriented and technical forestry model still
253 prevails as part of the 1996 forest legislation, and homogenous instruments are implemented
254 across cultural, socio-economic and biological heterogeneous contexts. The land reform of
255 1996 institutionalized a bias towards the agrarian sector. Land is defined as having economic
256 and social function (FES, Spanish acronym), which in practice has prioritised activities such
257 as agriculture and cattle ranching (Müller et al., 2014). Today, approximately 200,000
258 hectares of forests are lost annually, mainly due to cattle-ranching (50%), large-scale

259 agriculture (30%), and small-scale agriculture (20%) (Müller et al., 2014). 24 percent of
 260 forests are on indigenous land (Müller et al., 2014). Communities are vulnerable to illegal
 261 logging and unequal relations with intermediates and private companies (see e.g. Becker and
 262 León, 2002). Of all management plans in 2011, 60 per cent of these were on indigenous lands
 263 (ABT, 2011). Private companies interact in direct contracts with communities, which bear the
 264 responsibilities and risks for the management plans. The management plans require the use of
 265 approved forest technicians. Companies largely control the forest value chains, including the
 266 pricing, transport and refinement of logs, as well as the forming of contracts with the
 267 communities (Arteaga, 2010; personal communication IPHAE, 2012). Lack of technical
 268 support and exclusionary procedures make communities dependent on external actors to meet
 269 financial and administrative requirements (see also Becker and León, 2002; Pacheco, 2006;
 270 W4 2012). Unequal land distribution and the legal insecurity of land in the highlands, along
 271 with the government's settlement programs, have led to continued migration to the lowlands.
 272 Approximately 70 per cent of the rural population in Bolivia are highland peasants, which are
 273 increasingly land-poor, as their land has been subdivided over generations since 1952
 274 (Achtenberg, 2013). In 2012 there were 298 indigenous territories titled in Bolivia, with the
 275 largest ones in the lowlands. Migration creates pressure on forests, protected areas and
 276 existing indigenous territories (Fundación Tierra, 2011; Morales et al., 2013). What I
 277 described above forms the backdrop for the discussions for new legislation affecting the forest
 278 sector. Table 2 sums up relevant policy changes for the forest sector and participation in
 279 governance.

280

281 **Table 2 Relevant policy changes**

Period	Relevant forest policies and laws	Participation
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1990s	Land reform 1715 (INRA, 1996), recognizing native communal lands (TCO) and requiring economic and social function (FES) Forestry Law 1700 (1996), introduced private concession system and forest management plans	The law of Popular Participation 1996 Decentralization Cultural recognition of indigenous peoples
2000s	Mobilizations for more inclusive natural resource governance and benefits for the people	Demands for a Constituent Assembly
2006 →	Law 3545 Agrarian Reform (2006) Supreme Decree 29643, Community Forest Organizations (2008) Supreme Decree 0257, Human Settlements Fund (2009) New constitution (CPEPB, 2009) Supreme Decree 443, National plan for reforestation and forestation (2010) Law 144 Productive Agricultural Community Revolution (2011) Law 071 Rights of Mother Earth (2011) Law 300 Mother Earth and Integral Development for Living Well (2012) Law 337 Support to Food Production and the Restitution of Forests (2013)	Participation recognized ‘in the formulation of state policies’ and ‘in the collective development of laws’ (art 241-242), and citizens can initiate legislation (art 162) Law 341 (2013), Participation and social control. Stipulates that citizens can ‘present legal initiatives or other norms’, and are obliged to support the legislative organ in the ‘collective construction of laws’ (art 9) Law 3760 Rights of Indigenous Peoples

282

283 4.3 Coalition-building and strategic framings

284 Based on new policies for forest management and the new constitution (CPEPB, 2009),
285 discussions started for a new forest law in 2009-2010 (see Arteaga, 2010; CEDLA, 2011).
286 The organized migrant peasants in CSCIB and the indigenous forest community organisations
287 in AFIN have actively attempted to influence the making of new forest legislation, and have
288 employed different strategies to do so. Their strategies involve coalition-building across
289 scales, as well as framings of their demands (see Table 3). By engaging in coalition-building
290 through AFIN, local forest community organizations have accessed new channels of influence,
291 such as meeting arenas with public authorities and joint arenas to share knowledge and form
292 joint demands, as confirmed by interviews with AFIN (2012). These channels have
293 facilitated collective negotiations with the forest authorities locally and regionally,
294 cooperation with NGOs, and strengthened the organisations as a common force nationally
295 (W4, 2012; O5, 2012; AFIN, 2012). Alliances between NGOs and grassroots organisations,
296 also exemplify how specific demands for a new forest regime have been framed and advanced.

297 At the World Peoples Conference for Climate Change and the Rights of Mother Earth,
298 indigenous peoples' participation, visions and knowledge in forest governance was
299 highlighted, and market-oriented mechanisms and forest plantations were rejected (Peoples'
300 Agreement, 2010). During the time I was engaged in participant observation in the TIPNIS
301 indigenous march in 2011, it became evident that the indigenous organisations had demands
302 related to new forest authorities with local knowledge and competence, as well as less state
303 control, requirements and bureaucracy in forest management.

304

305 Coalition-building has been important in developing concrete proposals for new forest
306 legislation. Inputs to new forest legislation were developed by NGOs such as Center for the
307 Investigation and Promotion of the Peasantry (CIPCA) together with associated local
308 communities; the migrant peasants (CSCIB); the lowland indigenous organisations (CIDOB);
309 and forest community organizations in AFIN, as confirmed by my observations and
310 interviews. CIPCA organized a range of local and national workshops in 2011 and 2012
311 (CIPCA, 2012c), and created a full law proposal with the help of legal experts that was sent to
312 the Ministry of Environment and Water, government advisors and assembly committees
313 (CIPCA, 2012a). The forest community organizations in AFIN organized workshops in 2010,
314 and in alliance with NGOs and CIDOB, promoted their demands in national assembly
315 committees and to the Ministry of Environment and Water (W4 2012; CEDLA, 2011b;
316 personal communication AFIN 2012). Based on inputs from regional and local workshops
317 and with the help of a legal expert¹, the migrant peasants from CSCIB developed a law
318 proposal of their own in 2012. The close political alliance between the migrant peasant
319 movement and the MAS government (see also Fontana, 2014), facilitated a creation of spaces

¹ the former director of the National Program for Climate Change, Carlos Salinas

320 to advance their inputs, such as joint workshops with the Forest Directorate and meetings with
321 ABT (personal communication ABT, 2012), the Ministry of Environment and Water and the
322 Vice-presidency (O4).

323

324 The ways demands are framed and adapted to different scales have been an important factor
325 for the positioning of the organisations' in the debate. Demands for pricing of wood, planning
326 of forest management and state follow-up of existing regulations – have been directed
327 towards local offices of ABT (AFIN document, 2010; W4 2012). Despite the prevailing
328 scepticism to the current forest legislation, workshops with forest community organisations
329 (2012) also revealed that many of these organisations support commercial logging due to the
330 income it provides. Forest management plans have also been used as a stepping-stone to
331 formalize land rights (ABT Riberalta, 2012). The community organisations demand support
332 to control activities such as illegal logging and the entrance of third parties into their
333 territories, independent community forest technicians and community companies (AFIN W3,
334 2012). Demands have also been directed to the ministries and to the legislative assembly
335 committee, including issues that are poorly addressed in the existing legislation, such as
336 territorial control, indigenous autonomy, and diversified forest governance. Indigenous
337 territorial organisations are experiencing increased pressure on their land, and fear migrant
338 peasants' entrance (CIDOB, 2012). In their narrative, their roles as 'protectors of nature' and
339 forest stewards, based on collective indigenous models, are contrasted with the migrant
340 peasants who are strategically framed as 'destroyers of nature', 'individualistic', 'capitalist'
341 and 'intruders' into their areas. The community organisations expressed an ambivalent
342 position towards the state, both as a protector of communities' interests, and a threat to their
343 territories through extraction projects (personal communication AFIN, 2012). The forest
344 community organisations were largely critical of private companies and intermediates that

345 control the economic and legal processes, and promote the launching of indigenous
346 community forest businesses. Discussions with forest community organisations (W4, 2012)
347 also revealed disagreements on whether to support the commercialised wood management
348 system. Finally, a topic of concern was internal distribution of forest income, and decision-
349 making processes internally (W4, 2012; O5, 2012). Women, in specific, have blamed the
350 structure and workings of the forest community organisations for excluding them (personal
351 communication women group Guarayos, 2012).

352

353 For the migrant peasants, forests are largely seen as areas for possible cultivation and business
354 opportunities to improve and diversify their livelihoods (interview CSCIB, 2011). The
355 migrant peasants build their arguments for gaining access to forest areas on their rights to land
356 and perceived future role as food producers and entrepreneurs protecting and managing
357 forests. They connect their demands for land to the food sovereignty discourses of the
358 government, and in line with the government agricultural policies (CSCIB, 2012; O4, 2012).
359 This shows the power of agricultural interests in forest politics, and the prominent role the
360 government has assigned to agriculture in development. Organisations are thus indirectly
361 restricted to act within a certain development model. The migrant peasants have also recast
362 themselves as ‘forest managers’, and call for a redefinition of forests and forms of access,
363 promoting a role for themselves in agro-forestry, forest plantations, community industries and
364 reforestation activities. The migrant peasants want to keep the state at arm’s length
365 (interviews ABT, 2012), preferring local community control to replace state control (O4,
366 2012). They fear policies that will exclude them from forest areas. Scepticism was also
367 framed towards indigenous communal organisations involved in forest management with
368 private companies (O3, 2012). Migrant peasant, with limited access to land, view large

369 indigenous territories in the lowland as unjust, compared to the small land plots in the
 370 highlands (O3 2012; see also Fontana, 2014).

371

372 These framings reflect the tensions that exist between the migrant peasant movement and
 373 lowland indigenous organisations, which have also limited a broader coalition between the
 374 two. There are also commonalities in the demands of the indigenous and peasant
 375 organisations, related to the diversification of forest management, recognizing the variety of
 376 functions that forests serve, and forms of agro-forestry that benefit the communities. Table 3
 377 presents these general positions and strategic framings. It should be noted that in practice,
 378 these boundaries are blurred, and also continuously changing.

379 **Table 3 Positions and strategic framings**

Framings	Indigenous forest organisations	Migrant peasants
Own role	protectors of nature historical forest stewards	food producers and entrepreneurs future forest managers
Enemies	Peasants as ‘destroyers of nature’, ‘individualistic’, ‘capitalist’, ‘intruders’. Private companies and intermediates Government’s extractive projects	indigenous territories or protected areas, large forestry companies, agro-business
State’s role	Protector Support to indigenous autonomy	Support to community control and production projects
Joint demands	Diversification of forest management	

380

381 **4.4. State responsiveness and spaces for participation**

382 State and government actors have facilitated the creation of some arenas to collect inputs for
 383 the forest legislation. In interviews (2012), representatives from ABT, the Forest Directorate
 384 and the Ministry of Environment and Water, expressed the importance of gathering inputs
 385 from affected actors. ABT set up a technical committee in 2011 together with NGOs,

386 indigenous organisations and private entities (CIPCA, 2011). The process was reinitiated by
387 the Vice Presidency in 2012. Four working groups were established, including the forest
388 authorities, the ministry, national and international experts, and processes to hold hearings
389 were initiated regionally. Interviews and observations showed how engaged bureaucrats
390 invited civil society actors to attend meetings, or encouraged written inputs from grassroots
391 organisations (personal communication Forest Directorate 2012; O4, 2012; see Table 5). ABT
392 was responsible for regional consultations regarding the new legislation, and regional ABT
393 offices were instructed to gather inputs from relevant stakeholders (personal communication
394 ABT Riberalta 2012). However, observations in Riberalta and interviews in Cochabamba
395 demonstrate how the process of involving civil society actors was poorly planned and
396 fragmented. The regional meetings organized by the forest authorities (ABT) were announced
397 late or were cancelled, and only certain actors participated (observation Riberalta, 2012;
398 personal communication director of Technical Forest College ETSF, 2012). Only the peasant
399 migrant organization CSCIB was formally invited by the ministry and the technical-judicial
400 committee of the Vice Presidency to give input in the initial phase (O4 2012), and workshops
401 were organized between regional offices of ABT and local peasant unions (personal
402 communication, ABT Beni, 2012). According to the Forest Directorate (personal
403 communication 2012) the involvement of the peasant organisations was a directive from the
404 government, and the forest directorate was used as a channel for dialogue with the migrant
405 peasant coordinating organization (CSCIB) (personal communication Forest Directorate
406 2012). Access to the ministry depended on certain engaged bureaucrats, a channel vulnerable
407 to selective relationships and high staff turnover (personal communication Forest Directorate,
408 2012). During the course of this study, the people in the roles of both the forest director and
409 the deputy minister were changed three times, clearly affecting the relationship with civil

410 society organizations (personal communication AFIN 2012, Forest Directory 2012). Table 3
411 shows the different sequences in the law-making process.

412

413 **Table 4 Sequence in the law-making process**

2008	National policy for integral management of forests (MDRAyMA, 2008)
2009	New National Constitution (CPEPB)
2010	Proposal for a forest law
2011	ABT technical commission established
2012	Process reinitiated by Vice Presidency The law was set on the agenda of the Plurinational Legislative Assembly in October 2012
2013	Draft law discussed in the National Assembly
2014	Defined as a priority by MAS
2015	Election year – MAS and President Morales win the election
2016	Forest law on list over laws to be passed in 2016

414

415 The involvement of lowland indigenous organizations was influenced by the ongoing conflict
416 in which indigenous organizations mobilized against the government project for building a
417 road through the national park and indigenous territory Isiboro Secure (TIPNIS) in 2011 and
418 2012 (observations 2011; 2012), without proper consultation and environmental studies. The
419 conflict had severe consequences for the relationship between the government and the
420 lowland indigenous organizations (see also McNeish, 2013), and communications between
421 ABT and CIDOB was stalled (personal communication CIDOB, 2012). The Deputy Minister
422 of Environment withdrew from his position in 2010 and his team followed suit in protest over
423 political pressure to approve the environmental license for the road construction. This
424 significantly affected the channels for dialogue between the ministry and the lowland
425 indigenous organizations, and the indigenous movement split in two branches: one
426 government-friendly and the other opposed to the government's TIPNIS approach (McNeish,
427 2013). The 'government-friendly' part of CIDOB was invited to give input to ongoing law-
428 making processes (personal communication CIDOB, 2012), and AFIN, who proclaimed to be

429 neutral in the conflict, was also kept as a dialogue partner, especially at regional levels with
430 ABT (personal communication AFIN, 2012).

431

432 As interviews with NGOs (personal communication CIPCA, 2012; IPHAE, 2012; FAN, 2012)
433 show, they were treated ambiguously in the process. Some NGOs that collaborated with the
434 government were invited to give their input to the drafting process (personal communication
435 IPHAE, 2012). On the other hand, the government rejected influence from certain NGOs. As
436 an advisor in CIPCA stated in 2012 (personal communication): “The government was not
437 very responsive as they prefer direct contact with the grassroots organizations, and the NGOs
438 are left out”. This NGO scepticism has also been confirmed in official statements by the
439 government, especially by Vice President Álvaro García Linera, who claims that NGOs are
440 not representative and suggests that they are working for external interests (see e.g. García
441 Linera, 2011). Instead, the government calls for public participation primarily through
442 grassroots movements, and has argued that NGOs should not be meddling with internal
443 political issues (Garcia Linera, 2015). This position of the government is however not applied
444 to all NGOs and thus certain NGOs are left standing in a weaker position to influence such
445 processes. This is especially so with NGOs who have been vocal in opposition to government
446 infrastructure and extraction projects.

447

448 **4.5 Forest governance and land use interests**

449 In 2012 and 2013, assembly commissions, relevant ministries and state bodies, the technical-
450 judicial team of the Vice Presidency, and regional organisations from Beni, Pando and Santa
451 Cruz, participated in national negotiations for the new forest law (CIPCA, 2013a; Camara de

452 Senadores, 2013; see Table 4 for actors involved). The result of these negotiations was a draft
453 bill titled “Forests and Soils” (*Anteproyecto de Ley de Bosques y Suelos*) (CIPCA, 2013b).
454 The draft bill was finally sent to the president in October 2013. An analysis of the draft law
455 demonstrates attempts to reduce the power of private forest companies, recentralization and
456 increased state control, the inclusion of community interests, especially those articulated by
457 the peasant organisations, and a renewed focus on integrated forest management with food
458 sovereignty and agroforestry as important elements. It establishes the non-commodification
459 and non-privatization of environmental functions, but at the same time supports the continued
460 commercialization of forest and non-forest products. Interculturality, participation and
461 community management elements are included, coupled with centralized forest management.
462 The proposed bill facilitates forest management undertaken by both indigenous communities
463 and peasants organisations, and diverse forms of forest uses and functions are acknowledged,
464 especially for ‘food security with sovereignty’. The draft legislation suggests that all
465 companies operating in the sector must be placed under public control, which will focus on
466 food security, national production, and state forest lands. Furthermore, it suggests that all
467 community forest businesses would be nationalized under the state as ‘public-community
468 companies’, and forests are defined as both natural forests and plantations. These indicate
469 some of the priorities made for new forest legislation, with attempts to reconcile agricultural
470 and forest protection interests, national and local interests.

471

472 During the process of drafting the forest bill another law with implications for forest areas
473 was enacted. The government engaged in negotiations with the agribusiness sector in the
474 lowlands of Bolivia in 2012 (personal communication ABT Santa Cruz, 2012) and in the
475 beginning of 2013 the law 337 ‘Support to Food Production and the Restitution of Forests’
476 was passed. The official goal of the law is to deal with areas of illegal forest clearing that

477 occurred between 1996 and 2011, and to engage land owners in food production and forest
478 restitution. Large landowners are only required to pay limited fines for the illegally deforested
479 areas and retribute 10-20 per cent of the lands with reforestation. The rest of the land will go
480 under a plan for ‘food production’. Smallholders were exempt from these requirements, and
481 will only have to pay the low fines. The speedy progress of this law illustrates the
482 government’s prioritization of agricultural interests, as well as its focus on keeping the
483 peasant movement content. The law was criticized by lowland indigenous organisations and
484 NGOs. They blame the law for legalizing deforestation and changes to land use that are
485 contrary to the Mother Earth Law, and for giving the agribusiness sector an effective amnesty
486 for their historic responsibility for deforestation (W5, 2012; CIPCA, 2013c). Organisations
487 were disappointed that land which in their opinion should have been returned to the state
488 instead remained in the hands of private landowners, while the government continued to
489 distribute protected forest land (CIPCA, 2014d). The expansion of the agricultural frontier to
490 secure food production has drawn further criticism. Opponents argue that these areas will
491 largely be used for agro-export and soy production by a growing peasant elite (see also Høiby
492 and Zenteno Hopp, 2015), that far less land is needed to secure domestic food production
493 (Suárez Añez, 2011) and that family agriculture is a more important contributor to food
494 production than large scale agri-business (CIPCA, 2015b). The prioritization of agro-
495 industrial interests was further confirmed in July 2013 at the national meeting for the Agro-
496 industrial sector (*Encuentro Agroindustrial Productivo*). Powerful actors from the industrial,
497 and agro-industrial sectors, as well as the Vice President Álvaro García Linera, attended the
498 meeting (IBCE, 2013). The event reaffirmed the importance of food and agricultural
499 production, with Law 337 as one of the prime mechanisms for governing the intersection of
500 agriculture, food production and forest governance. Organisations continued to promote a
501 new forest law in 2014 (CIPCA, 2014), and the MAS government included the approval of a

502 forest law as part of its agenda. However, in 2014, the then- director of ABT and active
503 promoter of the new forest law Cliver Rocha, was unexpectedly replaced by Rolf Kohler, an
504 agrarian engineer from Beni (CFB, 2014), and the law process was left behind. At the Summit
505 for Agriculture and Livestock (*Cumbre Agropecuaria Sembrando Bolivia*) in 2015, which
506 brought together private sector interests and government representatives to set the agenda for
507 the future of the agro-livestock sector – and in the government’s plan for future development
508 (Law 650) –priorities were also clearly stated (CFB, 2015). These include the expansion of
509 allowed forest clearing (5 to 20 ha per property), an extension of the period to meet the
510 economic and social function (FES) requirements from 2 to 5 years, as well as a guarantee to
511 distribute public lands to indigenous, natives and peasant communities. As of September 2016,
512 the forest law has still not been passed, despite continued calls for progress (CIPCA, 2015;
513 Camara de Diputados, 2015), indicating both the conflicts of interest in the forest sector, and
514 the prioritization of other interests and values, particularly related to agriculture and land use.

515 **Table 5 Actors involved in the making of a new forest law**

Actor	Actor Name	Role in forest sector	Role in law-making process
State	The forest authorities (<i>Autoridad de Fiscalización y Control Social de Bosques y Tierra - ABT</i>)	Control of forest management and permissions for clearing	Collecting input at regional levels, technical advisors at national level
	The Ministry of Water and Environment	Forest conservation, reforestation, forestation	Overall policy development
	The Ministry of Rural Development and Land	Development of rural areas, land distribution	Input on land issues
	National Institute for Agricultural and Forest Innovations (INIAF)	Investigation and innovations in agriculture, forest and food production	Input
	The Ministry of Foreign Affairs	International forest, food and climate policies	Input
	The Forest Directorate	Developing regulations and implementing projects	Direct contact with actors in forest sector
	The Vice Presidency	Law-making coordination	Took the initiative to reinstate the forest law in 2012

Elected organs	National Assembly Commissions	Responsible for creating, changing and passing legislation	Involvement of stakeholders
Indigenous organisations	Confederation of Indigenous Peoples in Bolivia (CIDOB)	Many indigenous communities live in and are dependent on forest areas	Developed a chapter for the new forest law
	National Indigenous Forest Association (AFIN)	Indigenous forest community organisations involved in forest management	Developed a document with a range of input to the forest law
Peasant organisations	Confederation of Unions of Intercultural Communities of Bolivia (CSCIB)	Highland and valley people who migrate to the lowlands, organized in peasant unions	Developed a full forest law proposal with the help of a legal expert
NGO	Centre for the Investigation and Promotion of the Peasantry (CIPCA)	Technical and economic support to community forest management	Developed a full forest law proposal
Private actors	Forest Chamber (<i>Camara Forestal</i>), private association of forest companies	Involved in commercial forest management	Marginal role
Experts	Academics Universities Forest professionals	Expertise	Advisors to the official draft proposal, as well as for the organisations

516

517 **5. Discussion and conclusion**

518

519 In this article, I have attempted to assess participation in environmental policy-making, by
520 focusing on the case of creating new forest legislation in Bolivia, and the involvement of
521 subaltern actors in the process. I have identified both possibilities for participation, as well as
522 limitations, and the interests that have been prioritized in these processes. Civil society
523 struggles in Bolivia have led to changes in the constitution and in legislation, where there has
524 been a shift from merely participation as information, to participation in the making and
525 shaping of policies (cf. Cornwall and Gaventa, 2001). My findings and analysis indicate that
526 participation has been facilitated by coalition-building and the strategic framing of demands
527 ‘from below’, coupled with state responsiveness. Coalition-building both among local

528 community organisations, and with actors such as NGOs and legal experts, has enabled
529 community organizations to strengthen and negotiate their demands for changes in the forest
530 legislation (cf. Gaventa and Barrett, 2012). These alliances have expanded the capacities of the
531 organizations to advance their demands at different scales and to connect to official spheres
532 with considerable technical and legal resources (see also Kröger, 2011). The study also
533 demonstrates how subaltern actors adapt to changing policies and power relations, by using
534 different framings (see also Aguilar-Støen, 2015). The use of framings and narrative strategies
535 has worked as a means to legitimize and position subaltern actors in the debate about the
536 rightful forest managers (c.f. Roe, 1991). Migrant peasants have been able to advance their
537 demands through a discourse coalition (cf. Hajer, 2005) with the authorities. Many of the
538 demands expressed by these organisations were included in the draft law. The position of the
539 migrant peasants also confirms that peasants are moving beyond identities as agricultural
540 producers and rural workers, and into new arenas of forestry and environmentalism (c.f.
541 Hecht, 2014). The indigenous forest organisations simultaneously support and challenge the
542 current government administration (see also Zimmerer, 2015), and act at different scales with
543 different framings, underlining the collaborative force of the gathering of the forest
544 community organisations under one umbrella.

545

546 There are also indications of openness and responsiveness among bureaucrats, public agencies
547 and within the government which contribute to foment and facilitate participation (cf.
548 Cornwall and Coelho 2007). The social organizations have been ‘invited in’ (cf. Cornwall,
549 2004) to give inputs to the forest law-making process, through ABT consultation meetings,
550 workshops with the Forest Directorate and the initiatives of the Vice presidency for collecting
551 inputs, creating a sense of procedural justice (Paavola, 2004). Attempts to establish
552 collaborative spaces have been made, for example between the peasant movement and public

553 agencies such as the forest directory and the forest authorities. The formalization of a
554 collaboration between AFIN and the forest authorities (ABT) indicates a responsiveness to
555 parts of their demands (personal communication AFIN, 2016).

556

557 There are further a number of limitations. Participation is largely directed to the organized
558 civil society of grassroots organisations, potentially excluding other non-organized groups,
559 such as women and elderly who do not have the same capacity to participate (see also
560 Haarstad and Campero, 2011). In the processes, there is also an increased professionalization,
561 which increases the organisations dependence on technicians to formulate their inputs.
562 Furthermore, there is a lack of mechanisms for whom and how to involve affected parties, and
563 the extent and forms of involvement seems contingent on the willingness of engaged
564 bureaucrats. Turn-overs in ministries and public agencies are also a threat to processes of
565 involvement. NGOs have been selectively involved, and there has been a bias towards
566 facilitating collaborative spaces for the peasant movement. The disapproval of parts of the
567 indigenous movement after the TIPNIS conflict, has led to a selective involvement (c.f. Cook
568 and Kothari, 2001), where a part of the movement has been excluded from such processes.
569 Tensions have emerged between different visions for, and identities tied to, the territories,
570 land and resources, as well as between local autonomy and the desire for a centralized,
571 sovereign state (see also Fabricant and Gustafson, 2011). The discursive strategies of the
572 organisations also run the risk of pitting migrant peasants against indigenous communities,
573 and by that covering over the underlying contested property issues that need to be resolved,
574 and preventing the forming of a joint force for a new forest regime.

575

576 Finally, findings indicate that strong interests to control land use and related decisions-making
577 processes have affected the prioritization of the new forest legislation, exemplified with the
578 passing of legislation that largely benefits agricultural actors and the lack of approval of the
579 new forest legislation. This also indicates an ongoing conflict between conservation,
580 agriculture and land use interests, and points to future challenges in combining these. I have
581 demonstrated above how participatory processes in environmental policy-making do not
582 happen in a vacuum, and that underlying political-economic relations have affected the
583 prioritization of legislation affecting forest areas and also the inclusion and exclusion of
584 specific interests (c.f. Lukes 2005; Forsyth, 2005). I contend that subaltern actors’
585 participation in the law-making process is vulnerable to powerful interests related to land use,
586 extraction, agriculture and governmental priorities (see also Haarstad and Campero, 2011),
587 and demonstrate how these interests can influence the environment of others (Bryant and
588 Bailey, 1997:39; Lukes; 2005). With the lack of a joint agreement in Bolivia for how to
589 govern the forests and who the rightful forest managers are, the trees will continue to be cut
590 down. Equitable, just and sustainable forest management will depend on efforts to obtain
591 territorial justice and land distribution in the future, as well as addressing structural problems
592 and power imbalances in the forest and land use sector.

593

594 These findings have implications for our understanding of how rural landscapes are formed,
595 and highlight that forests are turned into new sites of contestation over access to land areas,
596 resources and livelihoods, power and meaning (Hecht, 2014). Economic and social interests,
597 migration and new policies lead to new forms of rurality which affect the autonomy of rural
598 people. The findings further have implications for international policies related to climate and
599 forests, such as involving communities in initiatives for Reducing Emissions for Deforestation
600 and forest Degradation. New forms of rurality demand analyses that move beyond places,

601 across scales and spaces, where the rural-urban division becomes blurred and where
602 categories such as agricultural-forest, local-regional and national-international are intertwined
603 (ibid). Political ecology analyses respond to this complexity, underlining the importance of
604 multi-actor, multi-sited, interdisciplinary and cross-scalar studies. The study also points to the
605 need for future studies on the challenges ahead in securing the livelihoods, food and land for
606 peasant and indigenous communities, combined with environmental protection and
607 sustainable management.

608

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615

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Highlights

- Some participation was facilitated in the Bolivian law-making process
- Participation was fragmented and selective and contingent on engaged bureaucrats.
- Peasant organisations' participation in the process was prioritized by state bodies
- Powerful agricultural and land use interests affected the forest law-making process