



# Social forestry movements and science-policy networks: The politics of the forestry incentives program in Guatemala

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## ARTICLE INFO

### Keywords:

Environmental governance  
Forestry  
Political ecology  
Payments for ecosystem services

## ABSTRACT

In this article I discuss the factors contributing to the drafting and approval of the forestry incentives law (PINPEP) in Guatemala. This is a remarkable law because (a) it is among the few in the country recognizing property rights to land other than private property; (b) it has a stronger focus on subsidies and social benefits than on market mechanisms and; (c) the law is the result of the effort of forestry community organizations. My findings indicate that community organizations can, through their alliances with science-policy networks, participate in law-making and by that, in democratizing environmental governance. My study nuances the role of experts in environmental governance showing that their power and status should be understood as relational and historically contingent. Furthermore, some key and charismatic individuals can act as door openers to link community forestry organizations and science-policy networks. Although the identity of the grassroots organizations that participated in the process of making the law is tied to forestry, these organizations have a long history in the country. This history has been shaped by their experiences in exile and in refugee camps during the civil war as well as by their contact with development assistance organizations.

## 1. Introduction

The idea to implement monetary transfers to forest owners or forest dwellers to promote global forest conservation has become popular in national and international policy-making circles. Programs such as “Payments for Ecosystem Services-PES” and “Reduced Emissions from Deforestation and Forest Degradation-REDD” are good examples of such initiatives. This increased focus on so-called “market-based” mechanisms for nature conservation is in part related to what many have called “the neoliberal turn” in nature conservation, involving also the privatisation and commoditization of nature (Castree, 2004, 2008; McCarthy and Prudham 2004; Mansfield 2004; Bakker 2005; Heynen and Robbins, 2005). Fairhead et al. (2012) observe that there has been an explosion in studies analysing the effects of the neoliberal turn in environmental conservation. They argue that such literature has however tended to adopt a rather uniform position assuming a singular hegemonic project, failing sometimes to analyse the consequences for diverse, differentiated and contingent settings. This paper aims to contribute to a better understanding of how neoliberal ideas are transformed, re-shaped, negotiated and contested in national and local contexts. This paper offers a detailed analysis of a policy making process to reveal the underlying processes at play that contribute to shape the outcomes of the expansion of neoliberal programs in Central America. Investigating the complex interactions between science and

politics allows me to suggest a more nuanced understanding of the conditions under which unexpected alliances and policy outcomes emerge. These alliances might not change radically the position of marginalized actors, but contribute to advance their agendas and to improve their political possibilities in the future.

In 2010, the Guatemalan congress passed the law on forestry incentives for smallholders (PINPEP law, Decree 51-2010). This is a landmark law for various reasons. First, this is one of the few in the country, acknowledging the existence of communal land tenure regimes and recognizing property rights that are not formalized in the National Property Register. Land tenure is a contested issue in Guatemala, a country featuring enormous inequality in access to land and land distribution, where an estimated five percent of the population controls 80 percent of arable land, complicated by insecure land tenure for the majority (Gauster and Isakson, 2007). Second, the approval of the law was pushed by community forestry organizations. Many other proposals for laws promoted by peasant organizations or petitions to reform laws have not had the success that one would expect considering the broad mobilizations behind these initiatives. Third, the spirit of the law focuses on providing subsidies to small landholders for conserving or planting trees in their lands. While the winds of commodification of nature were blowing across Latin America (Aguilar-Støen, 2015a, 2015b; McAfee and Shapiro, 2010) organizations promoting the law excluded ideas related to commodification of environmental services

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<https://doi.org/10.1016/j.geoforum.2018.01.014>

Received 9 February 2017; Received in revised form 8 November 2017; Accepted 24 January 2018  
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and markets from the law's text. The law stipulates that the funding of PINPEP program will comprise between 0.5 and 1% of the annual state's budget. Individuals with properties as small as 0.1 ha and organized groups with up to 15 ha can apply. The PINPEP law is a direct response to the forestry law (Decree 101-96) and the "Forestry Incentives Programme-PINFOR" which directed forestry incentives to properties larger than 2 ha. This in practice excluded 45% of land owners in Guatemala (INE, 2004). The implementation of PINPEP shows that most beneficiaries are located in the north-east and north-west of the country, whereas the PINFOR program has extensively benefited large properties in the north. According to the forestry institute's own estimations<sup>1</sup> between 2007 and 2014, 13,003 projects received subsidies through the program PINPEP. The value of the incentives paid is close to 36 US\$ million for the same period, distributed in 46.5 thousand ha. The program has benefited over 139 thousand people (46% are women). It is beyond the scope of this article to assess the environmental and social impacts of the law and the program, but the program has been distributed in more projects than the PINFOR program (4889 projects between 1998 and 2012) although the latter covers a much larger area (112 thousand ha).

I understand the process of drafting and approving the PINPEP law, as part of the transformation of environmental governance, 'a set of mechanisms, formal and informal institutions and practices by way of which social order is produced through controlling that which is related to the environment and natural resources' (Bull and Aguilar-Støen 2015:5). Decentralization of environmental governance (see Agrawal and Ribot, 1999: 475) has been the main perspective used to examine forestry issues in Guatemala. This paper contributes to the literature on forest governance in Guatemala but emphasizing policy making processes, in doing so I want to highlight the relevance of studying such processes as political rather than technical ones.

In 1985, prior to the first democratic election to be held in the country, as a start for the negotiation of the peace accords that would put an end to the 36 years-long civil war, a new constitution was promulgated by the Constituent Assembly of Guatemala (Jonas, 2000). The constitution stipulated that eight per cent of the national budget should be transferred to municipalities, later the amount to be transferred to municipalities increased to ten per cent (Gibson and Lehoucq, 2003). In 1996, Guatemalan congress passed a new forestry law that devolved significant authority and financial incentives to municipalities to manage forests within their jurisdiction (Andersson et al., 2006). Guatemala's forestry law is considered by some as one of the most ambitious and innovative ones in Latin America (Andersson et al., 2006, Gibson and Lehoucq, 2003). The forestry law of 1996 created the program of forestry incentives (PINFOR) by which economic incentives are paid to land owners for reforestation or conserving forests. The program targets individual properties larger than 2 ha registered in the National Property Register. According to the forestry institute's own evaluations between 1997 and 2009, 81% of beneficiaries of PINFOR were individuals or private companies (Monterroso and Sales, 2010).

Elías and Wittman (2005) argued that institutional barriers like lack of land titles prevented rural communities' participation in state-subsidized reforestation and forest management programs established by the forestry law. Decentralization of the forestry sector in Guatemala weakened systems of communal management not recognized by the state but communal management has contributed to the protection of communal forests throughout the country and in particular in the Western Highlands. The PINPEP law addresses some of the issues raised by Elías and Wittman (2005). It recognizes communal land property and allows participation with land not registered in the national cadastre but recognized by indigenous regimes.

In this article, I analyse the factors that contributed to make the PINPEP law possible. To do so, I look at alliances that forestry

organizations forged with science-policy networks, and the tactics used by the movement to put pressure on politicians and lawmakers.

## 2. Conceptual and methodological framework

The question of participation has become central to contemporary debates about environmental governance. Participation is assumed to contribute to bridge the gap between scientifically defined environmental problems, and the experience, values, and practices of actors who are at the root of the cause and the solution of such problems. It is also assumed that participation helps clarifying different views and interests contributing to problem definition that are broadly supported by affected stakeholders. Participation also contributes to learning by those involved in decision-making and to improve the quality of decision-making, by establishing commitment among stakeholders (Bulkeley and Mol, 2003). Several criticisms have been raised regarding participation specially for becoming a-political processes that fail to challenge entrenched structural power inequalities (Cornwall and Brock, 2005; Cornwall and Coelho, 2007). Jasanoff (2003) has criticized the trivialization of the participatory process and of its purposes and the focus on formal mechanisms for participation (methods, tools, models) calling for a shift in focus towards the culture of governance and the substance of participatory politics. In this paper, I examine a process in which a social movement claimed a space for participation in the process of law making. Gaventa (2006) defines claimed spaces as those created by less powerful actors, emerging out of sets of common concerns through popular mobilizations or by like-minded people coming together.

My analysis will show the ways in which power relations are central to the control of participation by setting the frame of what is possible to transform and what would go untransformed, even when laws are approved and laypeople participate in the process (Hayward, 1998; Cornwall, 2004a, 2004b).

In addition to forestry grassroots organizations, I pay attention to politicians and experts and their role in the process of passing the law. I use the term expert to refer in this paper, to a person who has skills and knowledge in the field of forestry and whose role and legitimacy to participate in public arenas of decision-making regarding forestry is socially acknowledged. Experts include scientists, technocrats and development cooperation agents.

Fieldwork in Guatemala was conducted between April and October 2013. I carried out a total of 27 interviews. Interviewees included representatives from grassroots and second tier community forestry associations, congressmen and women, public servants from the Ministry of Agriculture, Cattle and Food (MAGA) and from the National Institute for Forests (INAB), non-governmental organizations, forestry cooperatives, members of the national network of forestry associations, public servants from different municipalities, the office for defence of indigenous peoples, academics, one representative from the Forestry Union that is part of the Chamber of Industry and member of the business peak association Coordinating Committee of Agricultural, Commercial, Industrial and Financial Associations-CACIF.

Questions asked during the interviews included an account of the events that lead to the formation of the network of forestry grassroots organizations, the activities in which this network was involved to promote the law, the goals pursued by the organization interviewed and the aspirations in relation to the law. In the case of congressmen and women, questions included the reasons for their support of the law and the different negotiations that took place within the congress prior to the approval of the law. In the case of the private sector, issues addressed included their view about the law and the process and their involvement in the law approval. During the interviews with technocrats I also asked about their academic and ethnic background.

In addition, I reviewed secondary sources like newspapers and magazines, websites of different organizations and documents published by academics (but that are not academic publications). By

<sup>1</sup> <http://www.inab.gob.gt/Paginas%20web/Pinpep.aspx>.

combining the different sources of empirical material, I identified actors sharing narratives as well as similar positions held or expressed at critical junctures during the process of law making, and in some cases earlier during the careers of technocrats. I identified two different science-policy networks that interact with or influence the network of forestry organizations. This network of forestry organizations self-identify as such. I use the term “network” to refer to a coalition of actors (individuals and organizations) who share values, interests and practices; they are part of a social system in which actors develop durable patterns of interaction and communication aimed at specific issues (Bressers et al., 1998). Ideas, values and resources circulate within networks, and in this way networks set the limits of how reality is to be understood and acted upon. With “science-policy” networks, I want to highlight that I am referring to interactions between groups of people and organizations that are involved in the co-production of knowledge and social order, and that through such interactions control the production and promotion of specific knowledge or framings and enjoy privileged access to policy-making spaces (Forsyth, 2003). I analyse technocrats and experts, and their organizations as members of networks and their access to politician as part of the resources they can mobilize to advance their agendas.

### 3. Findings and analysis

#### 3.1. Co-existing networks

A group colloquially known as “*la rosca forestal*” (the forestry inner circle) has been influential in the forestry sector of Guatemala particularly since the 1990s (*la rosca* is a term widely used in Guatemala to refer to a closed group of people who can influence particular organizations or sectors). *La “rosca forestal”* is a group of mostly mestizo males of urban origins who attended the public San Carlos University in the 1980s. Since they met at the university, they have pursued repeated, enduring exchange relations with one another in many arenas, including their private lives. Most of them had as their mentor a pioneer in the field of forestry in the country, who established a branch within agronomy studies dedicated to natural resources management. After graduating from San Carlos University most of them pursued graduate degrees in forestry, natural resource management or public policy in European, North American or South-American universities. Members of “*la rosca forestal*” occupied high level offices in the government of Alvaro Arzú (1996–2000) such as high level offices in the ministry of Agriculture; the National Council of Protected Areas-CONAP and the National Forestry Institute-INAB. Others lead influential environmental NGOs and after some time some of them entered academia.

“*La rosca forestal*” is a network that concentrates considerable power in the forestry sector of the country. The network also includes international NGOs and scholars. Based on several of my interviews, both members of the network and others, consider that the most important legacy of this network is the Forestry Law (Decree 101-96), and the institutional and policy arrangements created by the law (i.e. the forestry incentives program “PINFOR” and the National Forestry Institute).

Although never reaching the highest political levels in the bureaucracy of Guatemala, another network is relevant. I call this one “*los técnicos*” (the technical group). It consists of mostly males, both mestizo and Maya, of rural origins most of who studied the career of forestry engineer in a regional centre of San Carlos University, in Huehuetenango. Upon completing their studies in Huehuetenango, some pursued graduate degrees in CATIE in Costa Rica.

Members of this network have worked in technical positions in most of the institutions led by the members of the “*la rosca forestal*” network, and importantly, many of them work or have worked in the local offices of INAB. Aside from ethnicity and origins, ideological differences separate the two networks. These differences are evident in for instance the understanding of the causes of deforestation, the roles of the state,

the private sector and local communities in forest conservation. “*Los técnicos*” emphasize the role of broader structural forces in agricultural expansion to explain deforestation and stress the state and of rural communities in forest conservation, whereas “*la rosca forestal*” emphasizes the role of poor communities in deforestation and of private actors and markets in forest conservation.

The environmental sector in Guatemala was restructured in the 1990s parallel with the peace negotiations. The origins of the National Forestry Institute (INAB) can be traced back to the National Forestry Action Plan for Guatemala, sponsored by the Food and Agriculture Organization FAO (Birner and Wittmer, 2006). INAB was created as an autonomous decentralized institution by the forestry law in 1996. The INAB is governed by an Executive Board comprising a representative from the Ministry of Agriculture, the Ministry of Finance, the council of municipal governments, a representative from the universities that offer a degree in forestry, the forestry chamber (member of the CACIF the private’s sector umbrella organization) and one from the association of environmental NGOs. Some argue that INAB is a successful example of “collaborative governance” in which the private sector and civil society join the public sector, noting nevertheless that indigenous and rural organizations are excluded from the arrangement (Birner and Wittmer, 2006). This exclusion remains a contention point. The organizations that launched PINPEP had tried –unsuccessfully– to make grassroots organizations part of the board, but there has been resistance by the INAB and the members of the board, who often argue that making changes to the text of the law is a cumbersome process.

Also in the mid 1990s a program called “community forests” (BOSCOM) was launched and later incorporated to INAB. This program, which represents the visions and efforts of “*los técnicos*” set the path for PINPEP. BOSCOM rendered visible other regimes of land property (i.e. collective rights) as well as other forestry practices and institutions (i.e. community forestry). The restructuring of the sector also involved devolving some functions to municipalities. With the establishment of INAB, the country was divided in nine regions each with its own regional office. Regions are divided in sub-regions with local offices. This process of institutional restructuring to some extent gave power to “*los técnicos*” network. Further as a result of the Peace Accords and Guatemala’s ratification of the ILO 169 Convention on the rights of Indigenous people, a new cadastre law was passed in 2005 (Decree 41-2005). This law recognizes communal property to land by indigenous and mestizo groups. The tensions and opportunities that the networks and processes described above generate are linked to processes of local organization to which I turn below.

#### 3.2. Strengthening local organization

In 2005, the Dutch development cooperation agency in Guatemala funded a project of forestry incentives for community forestry. Part of the idea behind the project was that it had to target those excluded by the property rights and size requirements of the PINFOR program, and that it had to be implemented in areas of high poverty with food security as one of its aims. The Dutch cooperation provided about US\$ 7 million and the Guatemalan government provided US\$ 3 million between 2005 and 2012. This new project was called “PINPEP” and inspired the content of the law that later would be known as the PINPEP law.

This project was led by a forestry engineer from Huehuetenango, educated at the regional centre of San Carlos University in the same city, who had worked in regional offices of INAB since 1998. His contact network with local forestry organizations was broad and his experience with municipal forestry offices was solid, and he understood local forestry organizations from a vantage point. Local forestry organization started to gain public attention through the project and very importantly, local organizations and individual actors started to trust the initiative backed by the state. During various interviews with community leaders and forestry technicians, it was mentioned that local

people were initially sceptical to the PINPEP project, as they feared that a state-backed project could harm their interests and exacerbate the already vulnerable situation of their land ownership. However, as they started to receive money and technical assistance their trust in the project and in INAB increased. The interest in the project was overwhelming to the degree that the original funds were insufficient to provide incentives to all of those who applied and were qualified. Through municipal governments, the PINPEP director organized a meeting in 2006 to discuss ways to increase the budget of the project to reach as many people as possible. The process of strengthening local forestry organizations has to be placed within the post war context I describe below.

Civil society organizations flourished after the signing of the peace accords in Guatemala. A solid organizational dynamic existed during the civil war, the radical wing of the Catholic Church, and to some extent the cooperative movement in the 1970s, fostered local forms of organization (Pearce, 1998). Many of the better organized communities were the target of repression and would eventually be uprooted by the war. The refugee camps in Mexico became later the scenario where new organizational dynamics grew, with the support of international NGOs. At the same time, women and indigenous peoples were able to overcome their marginal roles and gained experience in negotiations and project development (Stølen, 2007). With the negotiation of the Peace Accords, the voices of women and indigenous peoples found new, though limited, political spaces where they could express themselves. The stronger outcome of the participation of indigenous peoples in the peace process is the Accord on the Identity and Rights of Indigenous Peoples signed in 1995, which recognizes Guatemala as a “multi-ethnic, culturally plural and multilingual country” (Pearce, 1998) and the signing and ratification by Guatemala of the ILO 169 Convention in 1996. Many of the grass-root organizations that would eventually become forestry organizations had their origins in the 1970s, others are indigenous authorities that were revitalized with the peace process, and there are also cooperatives with long histories. This goes to show that although their identity as “forestry” organizations is relatively new; their existence is not.

Since the 1980s, the role of NGOs and civil society organizations was thought to be crucial for development around the world, because NGOs had knowledge and skills that many governments lacked. International Financial Institutions like the World Bank started to press governments to include NGOs as development partners in the 1980s and this is particularly the case in Guatemala (Bräutigam and Segarra, 2007). In the 1990s at the time when the Peace Agreements were negotiated, many European based NGOs became preoccupied with gender relations, indigenous peoples’ issues and environmental questions. These concerns were reflected in NGO project funding, and is one of the factors explaining the funding that the PINPEP project received.

In 2008 the then leader of the local office of IUCN was a forestry engineer formed within the “community forestry” tradition, he and his team raised awareness about the importance of fostering spaces in which subaltern actors can participate in better conditions. The “Growing Forest Partnership-GFP” was launched in 2008. It was an alliance between FAO, the International Union for the Conservation of Nature (IUCN) and the World Bank that funded an initiative to create meeting arenas for communal forestry actors in Guatemala. Through GFP’s project several workshops and meetings were organized, the final outcome was the establishment of the “Alliance of Community Forest Organisations-ACFO”. The alliance is composed of eleven second tier organizations representing local organizations from all over the country including about 400 local forestry organizations with a membership close to 100,000 people. The alliance produced already in 2008 a first draft of the PINPEP law.

Between 2008 and 2010 ACFO and its members launched an intense lobby campaign to gain support to the law. They engaged municipal authorities, who are closer to their constituency and they approached congress representatives from their departments belonging to different

political parties. The initiative gained considerable support across all political parties but its approval was constantly delayed. After the draft bill had been approved in the second hearing in the congress (the final approval requires three hearings) the process stopped. The day that the third hearing was scheduled representatives from ACFO occupied the congress to put further pressure for the approval. The law was finally approved on November 17th 2010. This was the only occasion in which the forestry movement engaged in contentious politics.

### 3.3. Explaining the passing of the law

#### 3.3.1. The role of politicians

Perhaps one of the main reasons why the law received support in the Guatemalan congress is that the law in practice did not challenge the *status quo* regarding land distribution/property rights. Approving the law and implementing the PINPEP program did not demand making institutional changes either. The law is seen by all I interviewed as complement to the PINFOR programme with no challenge to the forestry law, which is highly appreciated by all in the establishment. Proponents of the PINPEP law accepted to maintain unchanged the organization of the board of the forestry institute, which was and continue to be, a disputed issue. The representative from the forestry chamber told me that even when they opposed the PINPEP law at the beginning, they decided to support it when community forestry organizations dropped the demand to change the composition of the board. Community forestry organizations saw this concession as a necessary tactic to achieve a larger goal. With tactic here I want to highlight power asymmetries in the forestry sector. My understanding of tactic is inspired by De Certeau (1984). Tactics are actions deployed from a position that resist power, it is usually launched in the space occupied by the subaltern and as such it must play on and with a terrain imposed on it and organized by the logic and the law of the powerful (De Certeau, 1984). A tactic usually takes advantage of and depends on opportunities that arise at particular conjunctures; tactics depend on “cracks in the wall” that emerge at certain points and that are not under the control of the powerful. The law was passed in 2010 just before the electoral year started, congressmen and women I interviewed referred to the pre-electoral environment in which the law was passed. They assumed that supporting the law could help them to gain votes. Guatemala has a particular record regarding the high turnover among parties and as such, elected representatives may take with them the support they receive during one election to the next party that offers them a better bargaining position once in office. For example, one of the congress representatives I interviewed was from one party (GANA) when the law was proposed; she was elected with that party in 2011 and then moved to another party (LIDER) to which she belonged when I interviewed her. GANA was the largest single opposition party in the 2008 elections with 37 congressmen. In 2010 the party had only 26 representatives whereas the LIDER party started with 12 representatives in 2008 and had 25 in 2010 (Asies, 2010). Another congress representative I interviewed is from the former guerrilla left party URNG formed after the peace accords. He also stressed the social function of the law and the program; he candidly said that the law will not challenge the privilege of the powerful. The following statement represents an often-cited argument for the approval of the law used by all categories of my interviewees. “I think that they [the corporate forestry sector] saw that it was an issue that would not affect their economic interests, also because they already have their programme which is PINFOR”. Both the GANA/LIDER and the URNG representatives were elected for the department of Huehuetenango and both are acquaintances of some of the members of the “tecnicos” network.

The congressmen that brought the law to the forum in the congress belonged also to the party GANA only that they were elected for the departments of eastern Guatemala. This was another tactic from the community forestry movement. The group of mayors from the GANA from the eastern part of Guatemala, as a response to pressure from

forestry organizations of that region, joined forces to approach the congressmen from the same party and ask support for the law. One of the reasons was that a high number of municipalities from that region (eastern Guatemala) were municipalities in which people had received economic incentives from the pilot PINPEP program, connected to the aim to support food security by the Dutch-funded project. In 2001 a newspaper presented a piece about hunger in the eastern department of Chiquimula in which 41 persons died. While hunger is unfortunately nothing new in rural areas in Guatemala, this was perhaps the first time the media documented it in that part of the country, called subsequently “the dry corridor”. Since 2001, hunger linked to the dry corridor in eastern Guatemala has been inscribed in the collective imaginary of Guatemalans. During interviews, congressmen, people from INAB and leaders of the community forestry movement explained to me that since the PINPEP pilot project had a focus on food security and poverty alleviation, they thought the representatives from this part of the country could use good arguments if they presented the law as a tool to fight hunger and poverty. Further, many of my interviewees referred to the drought in eastern Guatemala and linked it to lack of trees in the mountains, as such, a program like PINPEP appeared to offer a win-win situation: it would combat deforestation and it will help to mitigate poverty and hunger.

### 3.3.2. The role of technocrats

Some scholars from “los técnicos” network engaged with the International Forestry Resources and Institutions (IFRI) research network and with the Centre for International Forestry Research connected with the launch of BOSCOM. Between 1996 and 2002 the Latin American Faculty of Social Sciences (FLACSO) was a partner of IFRI as a “Collaborative Research Centre”.<sup>2</sup> Also a program of rural and territorial studies was established at San Carlos University. The network has produced significant knowledge about communal forestry in Guatemala using and adapting conceptual and theoretical tools developed by the IFRIs group. This new and innovative knowledge soon became attractive to development cooperation agencies. It also provides the claims from grassroots organizations with certain legitimacy, particularly about environmental issues. As argued by various scholars, knowledge and knowledge production are embedded in power and political struggles; knowledge is created by people within particular institutions with situated and partial perspectives and consequently the questions science aims to answer are biased and respond to partial interests (Harding, 1986; Haraway, 1988; Forsyth, 2003) knowledge production is relevant to legitimize certain social orders (Mignolo, 2002). The network that engages “los técnicos” and international research institutions question some dominant narratives about forests and deforestation in Guatemala. This is particularly so regarding the causes of deforestation and the role of local and indigenous communities. An example here helps to advance my argument. A Maya scholar from San Carlos University told me the following about their research:

*“When one talks with specialists on forestry issues they would talk about timber volumes, deforestation, reforestation, but never about the symbolic value of forest to indigenous and rural communities... structural forces in Guatemala have displaced and dispossessed these communities from their lands... logically the pressure on natural resources is high and perhaps that is why, in [circles] related to the environment [Ministries and INAB] there is always a tendency to blame the poor communities for deforestation... particularly indigenous people, they [environmentalists] talk about firewood use, they talk about communal property [to put the*

*blame] but our research has made visible the contribution that local communities make to manage and conserve forests... our studies have focused on property to the land, we have shown that there are many land tenure regimes in Guatemala in which forests exist”.*

An issue raised by the “los técnicos” network and by community forestry leaders, was the exclusion and inequity rooted in the PINFOR program. Given that PINFOR was targeted exclusively towards private property lands larger than 2 ha the great majority of small-holders and community foresters in Guatemala were *de facto* excluded. Furthermore, according to my interviews with community leaders and researchers from the “technicians” network, agro-forestry systems and their cultural, environmental, social and economic roles were rendered invisible by the PINFOR program. Certain definitions of what constitutes a forest and its functions have a higher status than others. Furthermore, the hierarchical organization of concepts are tacitly accepted by actors engaged in policy-making to the degree that it seems unnecessary to question or challenge that hierarchical order. For instance, the forestry law defines forest as “the ecosystem in which trees are the dominant and permanent species” and classify forest into three categories “(1) natural forests without management that originate from natural regeneration with no human influence; (2) natural forests under management that are subject to forestry practices and; (3) natural forests under agroforestry management in which forestry and agriculture are practiced together” (Article 4). However, the objectives of the PINFOR program implicitly exclude the third type of forests. The objectives of the program are directed to improve and maintain forestry for commercial and industrial timber production. Furthermore, from the definitions provided in the rules and regulations of PINFOR the vision of its crafters can be identified, namely, the understanding of forestry as “scientific forestry” intended to facilitate management and extraction (cf. Scott, 1998). The research produced by the “los técnicos” network questions dominant narratives in relation to property rights to the land and the cultural, economic, social and environmental roles of the third category of forests in the law. In this category, industrial timber production is not the most important goal; rather it sees forests as intrinsically linked to rural and indigenous livelihoods. The knowledge produced by this network and their access to politicians contributed to the way in which the law was framed allowing the inclusion of agroforestry systems.

## 4. Discussion

Ideas and initiatives regarding economic incentives to forest conservation, due to the ecosystem services forests provide, are part of the neoliberal trend of privatization and marketization of public goods, of the state and its functions as well as the expansion of the frontiers of commodification of nature. However, as the case presented here shows, the often-assumed hegemonic understanding of economics and development that characterize neoliberalism, might hold an unsteady position in key institutional sites, within particular sectors. The broad mobilization of community forestry organizations and the eventual approval of the PINPEP law shows that certain ideas and concepts, like “Payment for Environmental Services” can be transformed and adapted through negotiations among different groups. In the case I present here, such notions were then adopted in public policy through the actions of charismatic individuals in a context in which competition between different interest groups exist (see also Larner and Laurie, 2010). The PINPEP program created by the law shares some similarities with “Payment for Environmental Services” programs in the region. For instance, the Costa Rican PES program pays landowners on a per hectare-of-forest base through a contract for several years. PINPEP shares with the Mexican PES the inclusion of agroforestry systems. Both programs, like the PINPEP, are administered by the national forestry authority. It is not strange that PINPEP shares some similarities with both, since Costa Rica and Mexico were early testing grounds for PES (Burstein

<sup>2</sup> IFRI is a research network consisting of 14 collaborative research centers (CRCs) around the globe. The network’s goal is to examine how governance arrangements affect forests and the people who depend on them through conducting research that can help policy makers and forest users design and implement improved evidence based forest policies. IFRI was initiated by Nobel laureate Elinor Ostrom. <http://www.ifriresearch.net/>.

et al., 2002; Brown and Corbera, 2003). Indeed, during interviews, these two PES programs were mentioned by all categories of actors as sources of inspiration. Research on both the Mexican and the Costa Rican PES programs has showed that despite being presented as a “market-mechanism” in reality the programs are financed through taxes (McAfee and Shapiro, 2010, Matulis, 2013). Fletcher and Breitling (2012) suggest that a significant gap exist between the neoliberal vision of the PES in Costa Rica and its actual practice. In the Costa Rican case, as recent research demonstrates, the use and adoption of the “PES discourse” was a maneuver to comply with conditionality imposed by international financing organizations to the country in the 1990s (Blackman and Woodward, 2010). PINPEP shares with the Ecuadorian “Programa Socio-Bosque-PSB” a focus on poverty alleviation and the inclusion of private and collective land tenure regimes (Krause and Loft, 2013). The PSB is also funded by the national budget. Similar to various pilot PES projects in Nicaragua, PINPEP was initially supported by international development cooperation (Aguilar-Støen, 2015a, 2015b; Van Hecken et al., 2015). The concept of ecosystem services also gained considerable traction thanks to the Millennium Ecosystem Assessment process in the early 2000s. The focus on ecosystem services was pushed by international conservation NGOs working in Latin America.

This study also shows that neoliberal ideas and initiatives related to the commodification of nature do not simply spread from the global North to the global South. Rather they are re-made through dynamic North/South relations (cf. Jessop, 2002) and through negotiations at different scales. These relations take particular forms for example in development projects, which involve development cooperation agencies (in my study the Dutch development cooperation agency), international NGOs (in my study IUCN), government institutions, international research institutions and local organizations.

Kothari (2005:426) writing about development experts argues that “experts are agents that act in consolidating unilinear notions of modernizing progress”. Furthermore, through their agency experts embody unequal relationship between “First” and “Third” Worlds and between donors and aid recipients and, exemplify the process through which development is located within institutionalized practices. The production of development experts legitimize their interventions through the value that is attached to their particular technical skills, reinforcing classifications of difference between for example the “developed” and “developing” worlds (Kothari, 2005). Kothari in her analysis refers in particular to foreign experts working in developing countries. Expanding these ideas to include other dimensions, I suggest that in the rubric of “experts” one could include those technocrats in Guatemala who are urban white or mestizo men and who attended European or North American universities. The racialized hierarchy that organizes the Guatemalan society contributes to create distance and reinforce difference between urban white/mestizo experts and indigenous and rural peoples and organizations. Kothari (2005:428) also argues that experts are able to reinforce the legitimacy of their role by claiming to possess the latest and more advanced expertise and that that superior knowledge relies on constant renewal of technical language and methods. As my case shows, not all “experts” share the same values and visions about forest and community forest organizations. The other group of experts involved in forestry in Guatemala, those who are of rural origins and indigenous or mestizo, although not transforming their subordinate position within governmental institutions, can challenge the dominant position of the first group. This happens both through their own engagement with grassroots organizations as well through their engagement in wider scientific networks, as I suggest above. Alliances between “experts” and social movements contribute to give legitimacy to some of the claims of the latter (Aguilar-Støen et al., 2016). Although as this study shows, that does not necessary means that key decision-making spaces will be transformed. A point of contention between community forestry and industrial forestry, since the drafting of the forestry law has been who will be part of the board of the forestry institute. Membership in the board would mean that community

forestry organizations could be in a better position to grant rights and not only be the recipients of rights granted by others. The struggle to gain a sit in the board is however not over.

Several authors suggest that countries in Latin America have been frontrunners in implementing PES programs (among others, see for example Pagiola et al., 2005). In many cases the launching of these programs has been supported by development cooperation agencies and the World Bank and studies have focused on studying participation in PES programs and projects once these have been established (for example Kosoy et al., 2008; Van Hecken et al., 2015; Krause and Loft, 2013; Rios and Pagiola, 2010 among others). Others have studied the scope of participation in decision making within projects once those have been established (eg. Corbera et al., 2007, Aguilar-Støen, 2015a). Thus, we know little about participation before projects start. As suggested by previous studies (McAfee and Shapiro, 2010) the design of PES projects entail political choices about who and in which geographical locations, will have access to benefits from natural resources. My case shows, that in a context in which ideas related to market mechanisms seem to be dominant, alliances between grassroot organizations, technocrats and politicians can challenge such ideas and open opportunities for alternative social orders.

## 5. Conclusion

In this article I have discussed the factors that made the forestry incentives law possible and its remarkableness. Among the remarkable features of the law is the fact that it recognizes other property regimes to the land than private property; second it has a stronger focus on subsidies and social benefits than on markets and forestry production and lastly the law was the result of the effort of community organizations.

My research suggests that although in a broader sense the law was approved simply because it did not challenge the *status quo* regarding structural asymmetries like land distribution and land tenure or, exclusion from governing bodies (i.e. the board of the forestry institute), the process to draft the law, its approval and implementation has benefited a number of poor people in Guatemala. One of the most obvious benefits of the law, apart from its economic impact, is that it contributed to the strengthening of social organization in rural Guatemala. Further, the case study presented here also reminds us that the law can be used to bring about change, albeit limited. The community forestry movement in Guatemala showed high degree of organization, probably because civil society in the country has been strong and organizations have long histories of resistance. Changing donor agendas though influenced the new identities adopted by these organizations after the signing of the Peace Accords. Community forestry organizations also showed the ability to carefully assess their tactics and used contentious politics sparsely and combined with lobbying and dialogue. Even when ideas like Payments for Environmental Services within a market logic, as win-win alternatives to alleviate poverty and conserve forests (Wunder, 2008, Pagiola et al., 2005; McAfee and Shapiro, 2010) seem to be hegemonic at the global level, law-making may provide spaces for resistance and change.

My study shows that participation in environmental governance occurs within wider social, political and historical contexts in which both global and transnational ideas and discourses and local experiences and aspirations meet. I have also nuanced the role of experts in environmental governance showing that their power and status should be understood as relational and historically contingent. As I discussed above, certain charismatic individuals might act as door openers to link community forestry organizations with science-policy networks and as such contribute to improve the conditions under which rural people participate in policy-making. The improvement of such conditions relates to a good extent to the ability to have command over key notions and knowledge that are relevant in a political conjuncture, for example the links between hunger, climate change and forestry in my case study.

Participation in law-making as my study shows can be opened through alliances between grassroots organizations and experts something that could enhance the democratization of environmental governance. However, participation might remain constrained to “receiving rights” rather than to make social organizations able to take part in granting rights. The struggles of community forestry organizations in Guatemala are however not over, the experience they gained through the process of making the law might be useful for them in the future.

## Acknowledgments

I would like to thank all the interviewees who participated in my research. Special thanks are due to Armino Tomás for his generosity in sharing his views and experience with me. This article was supported by the Norwegian Research Council, Project Number 204110. I would also like to extend my gratitude to three anonymous reviewers who provided constructive and inspiring comments that helped me improve this paper, the time they used in reviewing the paper and the well argued and constructive criticisms are highly appreciated.

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