

Woltjer 2002). These goals direct participatory institutions more towards the role that they can play in strengthening or creating governance networks (Sørensen and Torfing 2005), in the wake of the shift from government to governance (Pierre 2000; Arts and Leroy 2006). They are thus aimed at extending and strengthening governance networks that take on functions that the state is no longer willing or able to take on by itself. The aim of instrumental goals of participation then is to change the role of societal actors from bystanders to active participants in policy making, and from those that are demanding action by the state to partners in implementation. Instrumental goals also include the goals of the participants: to promote their stakes and values given a limited amount of time and energy (van der Arend and Behagel 2011). Participants engage in participatory processes to achieve things that would be difficult or impossible to achieve through their private efforts (Fischer 2006). So they operate in an economic sphere, in addition to a public sphere and governance networks. We will describe the field and logic of practice of the public sphere, the governance network, and the economic sphere in more detail in the following section, and let them structure our subsequent analysis.

4.3 Fields and Logics of Practice

The first field of practice that participatory institutions can be seen to work in is the public sphere—the open, visible space of deliberation and meaning-making where interests and perspectives are articulated, exchanged and confronted, issues are put on the agenda, and public opinion somehow emerges. As a field of practice, the public sphere is characterised by voluntary relations based on shared convictions and habits. The fully established organisations and less organised movements in civil society are a crucial element in the ongoing process of group formation, association, and dissociation that is the public sphere. They often articulate interests, values, and viewpoints before these are explicitly expressed or consciously felt by those they seek to represent. Between stakeholder organisations a continuous game of relative positioning may be observed: an ongoing movement of associating and dissociating. Representative organisations engage in public opinion formation, disagreement, taking sides, forging coalitions without ever coalescing permanently with another organization, seeking centre stage for the interests represented, expanding the group they speak for, etc. All this is led by voluntary association, goal achievement, and public visibility as a key logic of practice.

A second field of practice in which participatory institutions are at work is that of the governance network. Unlike the relationships in the public sphere, relationships in policy networks are characterised by mutual dependencies, by sustained direct interaction between actors, and by a certain level of professionalism (van der Arend 2007). These relationships include lobbying, partnerships, and the pursuit of legal options. A central notion in governance thinking is to conceive of governance networks as foci for a new form of public management: network

the aim of introducing new principles or a logic of practice. By designing a space where participation take place, new situations are created that reorder the field of practice by creating new relationships between established positions (e.g. of state and civil society, or between business groups and NGOs). Moreover, the devising of roles, norms, and rules of conduct causes positions to shift or new positions to be created. When a field is reordered according to these new situations and positions, the result can be the emergence of new generative principles in the logic of practice. For example, some deliberative democrats seek to create 'ideal speech situations' through discursive designs that create the role of a facilitator who can mediate between actors and thereby change their relationships to one another (Dryzek 1987).

The field of practice in which actors are situated constitutes a meaningful, unfolding totality, and not a set of isolated and abstractly linked variables such as interests, rules, resources, incentives, or goals (Bourdieu 1990; Sandberg and Tsoukas 2011). That is to say that organisers and participants cannot be fully detached from the roles they play outside of participatory processes, nor can participatory institutions provide isolation from the wider fields of practice in which officials, civil servants, and participants are situated. Such fields of practice inevitably entail an uneven distribution of resources and a diversity of interests that are at odds with each other (Costa 2006). As such, a field of practice in which a logic of practice takes shape will necessarily be characterised by different and probably conflicting principles of action, as well as by power inequalities. Therefore, the idea of a universally applicable model of design is challenged by a practice based approach. The variability and dynamics of the fields of practice in which the design is introduced, and the inevitable shaping of this design in the field of practice make each participatory institution unique. Moreover, we see participatory institutions at work in different fields of practice simultaneously, as they cater for different goals.

We identify two main groups of goals of participatory institutions: democratic and instrumental. Democratic goals that are often ascribed to participation include public acceptance, empowerment, inclusion, consensus building, and deliberation (e.g. Beierle 1999; Rowe and Frewer 2000; Webler et al. 2001; Cooke and Cothari 2001; Innes and Booher 2004, amongst others). These goals are often linked to a specific field and logic of practice. They are aimed at extending and improving the public sphere. When we consider goals such as public acceptance and empowerment, then these can be understood to seek to extend the public sphere in the direction of (and sometimes at the cost of) government. Democratisation of the workplace, neighbourhoods, or the educational system are goals long held by participatory democrats (Arnstein 1969). Goals such as consensus building and deliberation are more aimed at improving or transforming the public sphere, by improving the quality of engagement and deliberation by the public (Fung 2003) and by having arguments take precedence over the positions of actors (Calhoun 1993). As such, democratic goals can be seen to direct the design of participatory institutions towards attempts to change the field and logic of practice in the public sphere.

The instrumental goals we identify entail the improvement of decisions and policies, policy efficiency and efficacy, and goal achievement (Lowndes et al. 2001;

practices by creating spaces where interactions take place and by setting the norms and rules of the game.

Designing new institutions for public participation entails the creation of new spaces where governmental and societal actors can meet (Cornwall and Coelho 2007) and the introduction of new roles (Rowe and Frewer 2005) that imply certain norms and rules of conduct. Thus, designing institutions for public participation entails two major elements: first, creating a participatory meeting place in space and time and establishing its boundaries (for instance, a series of workshops in a community centre); and second, setting up formal, generally accepted roles, norms, and rules of conduct within these boundaries (e.g. an independent chair, unanimous decision-making procedures, the type of stakeholders invited, certain methods for conflict resolution, etc.). However, as in liberal democracies governmental and societal actors usually already have spaces where they interact, and do so according to established norms and rules, participatory institutions do not so much create practices where formerly there were none, but instead can be considered to be an attempt to change existing practices. In order to understand what these attempts imply, we now describe in some detail how we conceptualise practice.

We understand a practice to be an ensemble of doings, sayings and things, situated in, and performative of, a specific field of activity. Such an ensemble has a logic of practice. When we use the term logic, we do not mean to say that such a practice fully conforms to a set of rules, but rather that 'practice has a logic which is not that of logic' (Bourdieu 1977, p. 109). A logic of practice is able to organise the doings and sayings of actors by means of a few generative principles (Bourdieu 1977). Such principles provide a common sense of how interactions take place (Blackmore 2010). As a logic of practice is defined by its practical relation to a situation, it is most often implicit. The situations that define a logic of practice do not occur at random, but are constituted in a field of practice. A field of practice, on an abstract level, is a system of positions and relationships among positions (Costa 2006). Concretely, actors and institutions occupy these positions by creating spaces, assuming roles, setting norms, and following rules. A logic of practice is implied in the relationships between these positions and cannot be reduced to one of them.

A field of practice and its logic unfold in time and space. In other words, actors and institutions are *entwined* in practice (Sandberg and Tsoukas 2011); they do not come into being separately, but emerge and become real in their mutual relationships (Giddens 1984). This gives practice a certain materiality or embodiment which 'tends to guarantee the "correctness" of practices and their constancy over time, more reliably than all formal rules and explicit norms' (Bourdieu 1990, p. 54, cited in Sandberg and Tsoukas 2011, p. 344). In other words, the spaces, roles, norms, and rules that make up a field of practice tend to fit the principles or logic of practice that govern the doing and sayings that make up a practice as such. What is correct in a practice is therefore not so much an issue of truth or the following of formal rules as it is the fit of a practical logic with the field of practice.

Given our understanding of practice, we view participatory institutions as a deliberate attempt to change the structure of positions in the field of practice with

practice. The disparity that we encounter between the considerable effort invested in organising participation and the negative evaluation of a number of aspects of the resulting participatory processes by societal groups will be fleshed out by showing the tension that unfolds between purposefully designed participatory institutions and the established fields of practice in which participants are situated. We identify three fields of practice, which are (1) the public sphere, (2) the governance network, and (3) the economic sphere, and analyse how or to what extent practices were changed with the introduction of participatory institutions.

The chapter offers a reading of participatory institutions and practices in the context of the implementation of the WFD in the Netherlands at the levels of the nation, river basin, and region. In the following section, we will describe how we understand the linkages between institutions and practices in a practice based approach. Next, we apply this understanding to shed light on the case study that we carried out. The case study is confined to the Netherlands and spans the period from the adoption of the WFD in 2000 up until the publication of the RBMPs in 2010. It addresses both national and regional levels of public participation and was carried out with specific attention to participatory practices. That is to say that we did not follow formal events only, but also examined informal forms of participation. The case study draws on 23 qualitative open interviews conducted in 2008 and 2009, approximately one year after most regional processes had concluded and at the time when the RBMPs were drafted, of which some are cited in the text (see Annex 1). During the interviews the interviewees were asked to give their own historical account of the implementation of the WFD, occasionally being prompted with key events by the interviewer. In addition, the interviewees were asked to give their personal opinion on the implementation process. The interviewees were selected on the basis of their participation in organised participatory processes, presence in governance networks, and snowball sampling. The final section discusses the limits of institutional design. It does so both in terms of the possibility of achieving democratic and governance ambitions by deliberately introducing institutions, and in terms of the extent to which participants view participatory institutions as legitimate. We conclude by offering an answer to the question of whether it possible to ‘grasp’ participatory practices.

4.2 What Participatory Institutions Do

According to Goodin (1996), institutions serve as collective constraints for individual agents and groups who pursue their respective projects. In addition, institutions shape the patterns of human interactions and the results that individuals achieve (Ostrom 1992). Ostrom (idem) defines an institution as the set of rules that is followed by a set of individuals. These rules impact on incentives, which means that institutions operate in an indirect manner to achieve or frustrate outcomes. In other words, institutions are simultaneously enabling and constraining and are never directly concerned with the output of a project or a policy process, but rather with the practices in which these outputs come about. They work on these

number of participatory institutions in order that they might play a key role in the process of implementing the WFD. During an interview conducted by the authors, the national coordinator of the implementation of the WFD in the Netherlands at the time commented on his own role as follows:

Every year we have made governmental notes built up by following the line: first, societal groups, then the bureaucratic considerations, and then the political arena. We have organised everything: [the national consultation body], three times a year the sounding boards in the [sub-river basins], and below that the area based processes.

This structure has been fully directed so that it has become unavoidable [...] for all the groups to be confronted with [public participation]. We fully staged that in order to drag everyone into the process.

The quote shows that participation had been deliberately designed to actively involve all societal groups and that considerable effort was made to organise formal participatory processes.

Even so, the organisation of public participation in the WFD has not been viewed as particularly successful by everyone in the Netherlands. An evaluation of the implementation of the WFD in the Netherlands carried out by Delft University of Technology (Ten Heuvelhof et al. 2010) revealed that officials and civil servants were generally positive and believed that societal groups had been listened to sufficiently, whereas most societal groups did not (Ten Heuvelhof et al. 2010, p. 78). Several societal groups (e.g. those for nature conservation, recreation, and drinking water) have felt frustrated with what the participatory institutions offered and sometimes dropped out of participatory processes. This divergence of opinion and experience is remarkable given the effort invested in organising participation. Other than being remarkable, it also raises the issue of legitimacy. When societal groups become frustrated with participatory institutions and do not feel listened to, this can have detrimental effects on democratic legitimacy (Abelson et al. 2003). Furthermore, when societal groups pursue venues outside of formally organized participatory institutions to accomplish their goals, it can undermine the authority of these institutions (Lowndes et al. 2001).

The diverging valuations of processes of participation led us to question to what extent it is possible to design and organise participation that is not only successful in the eyes of organisers, but is also legitimate in the eyes of participants. Research on participation in water management by Cleaver and Franks (2005) has shown that designers and organisers alike often have an unrealistically high level of trust in the efficacy of participatory institutions (see also De Koning and Benneker, this volume). Moreover, institutional approaches to participation can be criticised for a failure to understand the social, cultural and political contexts in which participation takes place (Cleaver and Franks 2005; Fischer 2006). Accordingly, we set out to find out how the design and organisation of participation in response to the requirements set by the WFD affected participatory practices in water management in the Netherlands. To this end, we apply a practice based approach to the design and organisation of participation. We will focus on what participatory institutions do and how the established practices of participants resist being shaped. By drawing on practice theory, we conceptualise the introduction of new (participatory) institutions as more or less deliberate attempts to change different fields of

Chapter 4

What Institutions Do: Grasping Participatory Practices in the Water Framework Directive

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4.1 Introduction

Under the Water Framework Directive (WFD), which came into force in 2000, EU member states are required to adapt the institutions that organise their water management in accordance with the model of integrated river basin management (Biswas 2004; Rauschmayer et al. 2009). The WFD introduces river basins as the primary unit of management through a number of formal requirements, such as the drafting and reporting of River Basin Management Plans (RBMPs). In the process in which these RBMPs are drafted, informing and consulting the general public is legally required; whereas active involvement of interested parties is to be encouraged. The WFD—in preamble 14—states that public participation is a key factor for successful implementation:

The success of this Directive relies on close cooperation and coherent action at Community, Member State and local level as well as on information, consultation and involvement of the public, including users. (EC 2000, preamble 14.)

Consequently, article 14 of the directive calls for the active participation of societal groups:

Member States shall encourage the active involvement of all interested parties in the implementation of this Directive, in particular in the production, review and updating of the river basin management plans. (EC 2000, article 14.)

Although this is not a *de jure* requirement to organise participation—one can imagine ways of encouraging participation without actually organising it—it is so *de facto* (Rauschmayer et al. 2009), specifically in combination with the reporting requirements stipulated by the WFD. Indeed, in common with most member states, the Netherlands have taken article 14 of the WFD as a strong incentive to design and organise participation: In the years leading up to the publication of the RBMPs in 2010, Dutch government officials have created or modified a considerable

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Papua New Guinea case, in which strong and actively introduced institutions in the end failed to connect to the logic of practice.

The concept of bricolage practices ascribes an important role to local actors, or bricoleurs. Without bricoleurs, introduced institutions cannot be effective or successful. Here lies the main difference with the institutional logic that allocates more attention to structural influences consciously chosen by actors. This chapter argues for a logic of practice in which the behaviour of actors follows certain contingent principles and does so mostly unconsciously. This has various implications for introduced institutions. First, introduced institutions need bricolage to emerge and exist at the local level. Second, introduced institutions need to relate to the local logic of practice in order to have any effect on behaviour. Even though the selected cases were chosen on the availability of data and on the fact that they are clear examples of bricolage practices, they do offer us insights in the practices of bricoleurs in the Global South. In addition, it also leads us to thinking that practices of institutional bricolage can happen in other places in the Global South and Global North as well and that we should not act naively towards them.

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only by rational motives but were also situated in their traditional culture. Instead of just adopting the principles of the ecotourism project, the local community tried to use these principles in order to pursue their own objective of making a stronger claim to the land. The Bolivian example on logging concessions describes the role of social networks when explaining why two types of land claims did not lead to a conflict. Social networks blurred the distinction between the two groups making that claim. As the introduced forest regulations made that artificial distinction, they were subsequently reshaped. The example from the DRC also shows that in the absence of well-functioning institutions, behaviour is situated in commonly accepted and well-established informal practices of issuing timber permits.

Bricolage practices are mediators between introduced institutions and the existing logic of practice. They enable situated local actors to piece together different institutional elements. This piecing together can be a very conscious process in which actors strategically select institutional elements that are useful. The example of Papua New Guinea in which the local exploited the idea of ecotourism in order to advance their claims to land illustrates this well. Bricolage practices can also be much more gradual and lead to coexisting and intertwined institutional frameworks for the same forest. The example of logging concessions in Bolivia showed that land claims made for forest management in an already claimed indigenous territory did not lead to a dispute over land. Rather, artisanal loggers were allowed to log in that area, as the indigenes saw artisanal logging as an indispensable and commonly accepted way of life. It did not cause a shockwave of events but simply grew to be that way. In the DRC example, the bricolage practices of loggers were very automatic responses to an institutional framework that had already been reshaped. In the DRC, bricolage practices were a completely embedded fact of life. The bricolage practices in the examples can thus be very conscious practices (as in the example from Papua New Guinea), unconscious (as in the example from the DRC), or somewhere in between (as in the Bolivian case). Conscious practices of bricolage take place when the introduced institution is perceived as too different from embedded institutions and the logic of practice. In unconscious bricolage practices, the introduced institutions are not as distinct or different. These practices can lead to a partial adoption of or compliance with introduced institutions, or to the introduced institutions being rejected. Whatever the outcome, local actors reshape introduced institutions through bricolage in such a way that they 'fit' the local rules, norms, and beliefs. That is to say that even when accepted, introduced intuitions follow a logic of practice, rather than an institutional logic.

This chapter shows that bricolage practices should not necessarily be perceived as negative. Actually, introduced institutions emerge through practices of bricolage. The examples show that conscious practices of bricolage can lead to an embedding of introduced institutions. This was particularly visible in the Bolivian case. In the DRC, where bricolage practices were less conscious, introduced institutions did not have an effect and a continuation of practice was observed. Therefore, introduced institutions need to be strong and actively introduced, in order to elicit conscious bricolage and creativity. Ultimately, the result of bricolage practices depends greatly on their connection or 'fit' with the existing logic of practice. This was seen in the

The example of issuing logging permits in the DRC is an example of bricolage upon bricolage. The introduced institutions—the 2002 Forest Code and the law on decentralisation—aimed to better organise one of the main economic activities in the Oriental province of the DRC: artisanal logging. In reality, these regulations had been reshaped by state officials before they arrived at the local level. State officials were interested in issuing informal logging permits, as this gave them a share of the money being made from logging. The result was an unusual situation in which these introduced but highly informal institutions were met by a local logic of practice. This logic of practice constituted traditional beliefs, social relationships and economic motives. Artisanal logging is a traditional way of logging in Oriental province and is entwined with customary land claims and traditional chiefs. Furthermore, artisanal loggers are not just ‘loggers’, they are situated in a much wider network of relationships with government officials, timber traders, chiefs, or the army. The loggers drew on these aspects to negotiate their logging permits. The result is that the introduced institutions did not lead to a better organisation in the issuing of logging permits. On the contrary, the institutional voids and gaps that existed in these introduced institutions were met and filled in by logics of practice, not only by the loggers, but also by the state officials.

3.8 Conclusions

This chapter started out by stating that research on institutions in local forestry has often focussed on designing and introducing optimal institutions. When these perspectives have been taken, institutions and their working have been analysed in terms of output, efficacy, efficiency and appropriateness. The perspectives depart from the assumption that optimally designed institutions can steer behaviour and imply that actors are rational, recognise the benefits of these institutions and will act according to its rules to obtain the benefits. However, these perspectives do not sufficiently explain why the introduction of designed institutions leads to different outcomes. By embracing a critical institutional approach and using the concept of bricolage practices, this chapter has argued that a focus on actors and their practices provides a more accurate account of what really happens when institutions are introduced to local communities. As shown in the cases, introduced institutions have a hard time influencing the behaviour of local actors. Actors’ behaviour is situated in and follows a logic of practice. Much of the impact of the institutions thus depends on these local actors or bricoleurs and the way they reshape introduced institutions.

The case studies in this chapter have shown that local actors deal with introduced institutions by creating different patchworks of institutions in which emotional, moral, or social rationalities as well as economic rationalities play a role, in order to ensure a social applicability (Koning and Cleaver 2012). The heated arguments about land titles and the gossiping behind the backs of the field officers in the Papua New Guinea case showed that emotions were running high and that people were led not

have to navigate their way through a jungle of informal permits. Some loggers who are influential at the provincial level have received formal permits directly from the governor. Other less powerful loggers have only been able to negotiate permits from a locally based officer that allow them to log a limited timber volume. At least six different levels of government agencies have been identified that issue 'permits' and they each seem to serve a specific type of logger. Some individual loggers have fallen out of grace due to personal or family disputes or for being too mean. These loggers have been unable to respond to the multiple informal 'requirements' and have no access to logging permits. They specialise in avoidance strategies: they log in isolated places, sell timber cheaply in the forest or on the roadside to avoid controls at road blocks, avoid the intensively controlled harbours, concentrate on economically uninteresting timber species, etc.

The artisanal loggers in Mambasa have devised certain ways of dealing with this blurred mix of newly introduced and locally embedded institutions. In response to the multiple local rules surrounding the issuing of permits they used an old law—the 1949 colonial law oriented at industrial loggers only and that had fallen into disuse—to obtain a logging permit. In addition, they also turned to powerful traditional chiefs to ensure their support during the negotiations with government officials. The current Forest Code obliges the loggers to negotiate with the chiefs and then convert their permission into actual logging permits. Certain loggers make use of the military power of the Congolese army or rebel groups in order to avoid the need of having logging permits altogether. Lastly, some of the loggers organise themselves in associations to be accredited as loggers collectively and then several loggers share a single logging permit, which—strictly speaking—is illegal. These associations manage to negotiate the informal fees through their contact with the governor, who is to a certain extent able to control the government services' harassment of the loggers.

The case of logging permits in the DRC is an example of what happens when institutions are reshaped even before they are introduced to local communities. A report by Global Witness (2007) mentions multiple reasons why this has happened in the DRC; these include the absence of a provision in the introduced institutions of how to become accredited as a logger—which left accreditation to the discretion of the governor—and the absence of a definition of the type of forest in which artisanal loggers may operate. These institutional voids and gaps leave not only the state officials but also the loggers with room for manoeuvre. The loggers respond to this situation by making use of their position in the economy of Oriental province and the local institutions that are embedded in practice. Artisanal logging is highly lucrative and regarded by state officials as more important than sustainable forest use and conservation. Moreover, artisanal logging has always been the only type of logging providing timber to the local markets, as industrial logging companies export all the timber they log. In addition, artisanal logging is believed to be part of the traditional livelihood in Oriental province. And finally, the presence of traditional chiefs as strong negotiators in the issuing of permits is another important aspect in the bricolage practices of loggers. Loggers make use of this traditional power to strengthen their logging rights.

were also situated in a well-established, traditional way of using the forests, lasting social relationships between artisanal loggers and indigenous communities, and local pragmatic norms and beliefs. Consequently, the introduced institutions were thus met by this logic of practice. The final result is a patchwork of a variety of rules, such as Forest Law, and Land and Reform Law (which are different legal instruments), local social forest associations and indigenous forest use, and of NGO norms, and the embedded logging practices in the lowlands of Bolivia.

3.7 Issuing Logging Permits in the DRC

In the DRC, the 2002 Forest Code and the 2008 decentralisation law gives provincial governments more say about artisanal logging activities in their regions. Artisanal logging involves the logging and processing of trees in the forest by means of a pitsaw or chainsaw. Under these newly introduced regulations, the provincial governor has the power to accredit loggers and to issue them with artisanal logging permits for 50 hectares of forest. Furthermore, the national Ministry of Environment, Nature Conservation and Tourism (MECNT) is supposed to register all logging permits issued in the country but has no competency to issue artisanal logging permits itself.

Every year, the MECNT draws up a list of artisanal logging permits issued in the country. The list of small-scale logging permits for 2010 does not feature a single logging permit issued in Oriental province (northeast DRC). In this region, however, artisanal logging is a major economic activity. In Oriental province, loggers supply timber not only to the local markets but also regional markets that link the DRC with Uganda, Rwanda and Kenya (Benneker et al. 2012). Despite what the MECNT list suggests, most loggers do operate with some kind of logging permit. Logging is highly lucrative and state officials are very interested in issuing these permits, either formally or informally. All kinds of permits are issued in return for payment. For example, logging permits have been issued by the MECNT, even though it is not authorised to do so. Other logging permits allow portable sawmills to be used, although legally, only pitsaws and chainsaws are allowed. Also, logging permits are 'inherited' by one person from another. Most of these 'permits' are not issued by the governor, nor are the loggers accredited by the governor. The permits are often simple receipts showing that the loggers have paid certain fees or taxes in order to log a certain volume of timber or to log in a certain forest area. These documents are nevertheless accepted as valid by loggers, timber traders and the government officials who control timber transport. The issuing of timber permits in Oriental province has thus become a dynamic process characterised by locally embedded regulations and norms and a great interplay between loggers and state officials.

For a group of loggers in Mambasa in Oriental province, this means that they have to respond to introduced institutions that have already been reshaped by state officials. Formal logging permits are inaccessible to most of these loggers and they

Although *Indigena* did not see any problems with the logging association, they did recognise the importance of their indigenous identity as a means to get their land claims formalised. As they did not want to lose the NGO's support in this matter, they continued to publicly articulate their indigenous identity in order to strengthen land claims, and to appeal to the concept of 'noble savage'. They portrayed themselves as the indigenes the NGO wanted them to be, in favour of forest conservation, communal forest use and sharing benefits equally. However, at the same time they continued their activities with the logging associations and welcomed other indigenous communities in forest management and timber logging as well.

The way these events unfolded—the collaboration between *Indigena* and the association, and the collaboration of *Indigena* with the NGO—can be explained by taking into account the institutions embedded in practice and the practical considerations of the members of *Indigena*. The indigenes argued that those who work hard to get something have the right to benefit from it. Therefore, it was commonly regarded as appropriate that the artisanal loggers were welcome. In addition, the different identities of the artisanal loggers and indigenes as entrenched in the two laws were largely illusory: most artisanal loggers were also indigenes and both groups of people were equally involved in artisanal logging. Moreover, the involvement of the indigenous population in logging activities had been a reality for decades: logging was believed to be part of the traditional livelihood. Finally, the relation between the indigenous population and the logging service providers was strong, and had for decades enabled people to gain money from timber sales. Excluding logging from the artisanal loggers would significantly impact on the logging activities of the indigenous as well. The apparently surprising shift from association to indigenous community was thus merely practical. The continued collaboration with the NGO and taking an ideological stand were also practical considerations: the people did not want to lose the assistance of the NGO in their land claims.

In conclusion, the La Paz case on logging concessions in indigenous territory showed that the introduced institutions—the Land Reform Law and the Forest Law—based the allocation of land and forest user rights on types of forest users defined in terms of both ethnicity and occupation. People were considered to be either indigenes or loggers. In practice, the distinction between these groups was artificial and led to practices of bricolage. This explains why the *Indigena* organisation did not deem it necessary to exclude all non-indigenous inhabitants from the region from benefiting from the forest resources in their territory. As the example showed, the inhabitants of the *Indigena* territory could easily shift from their identity as artisanal loggers to their identity as indigenous people in order to claim user rights over a same patch of forest. Furthermore, the indigenous groups aligned with the land reform law and norms of the facilitating NGO for the sake of claiming, defending, and strengthening their rights, but seemed to become more pragmatic when constructing local arrangements for forest use. They did not consider it necessary to strictly follow the 'discourse' of the noble savage who engages in conserving activities only. Furthermore, the indigenous inhabitants

officially recognised these claims and prohibited all land transaction in the recognised areas whilst formalising the claims. The 1996 Land Reform Law also ensured indigenous people had exclusive forest user rights in their territories, which means that no other actors may have forest user rights in these territories.

In the north of the department of La Paz in Bolivia, an indigenous organisation *Indigena*¹ used the Land Reform Law to claim formal land rights over their traditional territory. They thereby also secured exclusive forest user rights over the forest resources in this area. At the same time, a group of artisanal loggers living in the same area organised themselves into an association and requested a municipal forest concession under the provisions of the Forest Law. The association of artisanal loggers submitted their demand for a municipal logging concession, and to speed up the process conducted a forest inventory and drew up a forest management plan in anticipation of the formal approval of the concession. The targeted forest area, however, turned out to be located in the indigenous territory claimed by *Indigena* and could not be given as a concession to the association of artisanal loggers. The overlapping claim on the forest set off different reactions by both groups.

First, the association of loggers decided to change its legal identity from ‘association of artisanal loggers’ into ‘indigenous community’, as most of the members of the association were of indigenous descent anyway. This formal change in identity of the association functioned well, and the newly established ‘indigenous community’ managed to get access to exactly that same forest area they had previously demanded as a municipal concession. In this way, the artisanal loggers did not lose all the investments they had made in the forest inventory and forest management plan. Second, the indigenous organisation *Indigena* started to collaborate with the artisanal loggers and did not oppose the overlapping land claims. *Indigena* rather encouraged the association to legally engage in forest management and timber exploitation. *Indigena* did demand that the association make some changes in the list of members before switching its identity to ‘indigenous community’, however: all non-indigenous members who did not actually live in the region (i.e. truck owners, timber traders) had to give up their membership.

However, *Indigena* was assisted by an NGO in the formulation and submission of its land claims under the Land Reform Law. This NGO opposed the increase in logging activities in the indigenous territory and also resisted the presence of non-indigenous members in the newly established ‘indigenous community’. The precepts of the NGO were that the indigenous population should engage in forest management activities collectively, share all the benefits, engage in conservation practices rather than logging, and exclude all non-indigenous people from benefiting from ‘indigenous’ resources. These institutional norms of the NGO were implicitly connected to the Land Reform Law and therefore also introduced to the indigenous communities.

¹ A fictitious name.

on paper, thereby creating a document, increased the importance of land claims. The problem in this area was that the land claims of the different groups overlapped. Traditionally, this would probably have been solved through warfare, but the NGO presence, their plans, and the Conservation Areas Act suddenly provided the landowners with a legal and less drastic tool. Very creatively, the inhabitants tried to make use of this tool to pursue their objectives.

The case shows that the introduced institutions of the ICDP did not achieve their original objectives of conservation and reduction of poverty. Instead, they were strategically used in the pursuit of other, internal objectives based on a local logic of practice. This logic consisted of a combination of economic motivations (survival strategies), embedded institutions (customary land claims) and traditional power. Interestingly, different identities were drawn upon to embed certain institutional elements that were considered useful. First, villagers drew on their identity as forest conservationists, an image of them as 'green people', to lead the NGOs into believing they were interested. During the project, the traditional identity as landowners situated in a culture of warfare surfaced. In this example, the bricolage practices were very colourful; they were a performance in which the community pretended to have a green image whereas in fact they had a different agenda. The detail in which this performance was presented was intriguing, as the inhabitants of the Lakekamu Basin were able to fool the frequently visiting field officers for years. The ecotourism project in the Lakekamu Basin failed to meet its objectives because the logic of practice proved to be stronger than the intervention. This was so because the local actors were deeply situated in their social norms, traditional beliefs and social networks. By following the introduced institutions, local people would 'run the risk' of losing land, losing authority or social relationships, and losing access to gold. The institutional logic of the project—based on conservation through collective income generation—did not take account of this logic of practice and failed to change it.

3.6 Logging Concessions and Indigenous Territory in Bolivia

Artisanal or small-scale logging has been an important income-generating activity in all relatively easy accessible forest areas of Bolivia for decades. Artisanal logging—timber logging in which the log is processed with a chainsaw in the forest, to facilitate timber extraction from the forest—used to be prohibited. In 1996, two institutional rules were introduced to local communities in Bolivia: a new Forestry Law and the Land Reform Law. The 1996 Forestry Law recognised the existence of the small-scale artisanal loggers and proposed to give them formal access rights to the forest. Artisanal loggers were requested to organise themselves in local social associations through which they would be able to request a municipal logging concession and engage in logging in a legal and sustainable manner. In the same year, the 1996 Land Reform Law acknowledged the rights of indigenous people to formally claim land rights over the areas they traditionally occupy. Most indigenous organisations formulated land claims, and the government

that the villagers tried to use the ecotourism project and the plans to conserve the Lakekamu Basin for completely different purposes than the NGOs had intended. The project was designed to create awareness, stimulate participation, and strengthen the local organisation in charge of conservation activities. However, it misjudged the local dynamics and socio-cultural context. Whereas the NGOs assumed they were dealing with a homogenous community, the four hamlets actually represented four different social-cultural groups—clans—engaged in long-lasting disputes and feuds on customary land boundaries. The NGOs found themselves in the middle of a tug-of-war between the four clans.

The establishment of a nature reserve through the Conservation Areas Act provided an almost perfect mechanism for all clans to make formal claims to these disputed areas of land. As land titles were customary and had never been put on paper, the clans were eager to have any piece of paper drawn up by an outsider that would clarify land rights—even if that paper was merely a hand-drawn map used by the NGOs to facilitate the discussions on the location of the nature reserve. It was generally believed that the map chosen by the NGO would settle the land conflict once and for all. This was an important issue, as the clan that was able to make that claim on land would then certainly increase their authority over others. The issue of authority was of particular importance for them, as these four groups shared a long history of disputed land titles and access. Furthermore, it would add more weight to their tradition of settling these disputes through warfare.

The initial interest in the economic opportunities offered by the project was genuine. Livelihood opportunities were limited in this remote area and people felt the need to have a cash income. When ecotourism proved to not bring in any cash, people reverted to an already existing way of making money that the NGOs had overlooked: alluvial gold mining. Gold mining added additional pressure on the existing disputes over land boundaries, as land ownership was important to define which river belonged to whom and who had access to which gold. After a few years of trying, and weary of the on-going disputes, the NGOs left the Lakekamu Basin without having achieved any success: the nature reserve had not been created and ecotourism had never got going.

The ecotourism/conservation project was met by strategic bricolage practices of local actors. In these practices, the objectives of the ecotourism project and legislation on conservation were met with local practices of reshaping that entailed gossiping, play-acting and even faking interest. By pretending to be very conservation-minded, local actors conned the NGOs into believing that the project was a success—until these NGOs discovered the traditional and economic factors that were playing a role. In this area, the issue of power through landownership has always been important. For the local actors, land ownership has traditionally been considered a yardstick of power: the more land you own, the more powerful you are. Clan leaders were considered to be the ‘fathers of the land’: the ultimate landowners who then subdivided the area among the clan members. Land ownership was also of economic value, especially as there was gold to be found in rivers. Therefore, making claims on the land was vital. Here, map drawing was important, as these maps became ‘proof’ for land claims: putting something down

3.5 Forest Conservation and Development in Papua New Guinea

Early 1990, two NGOs introduced the idea of an ecotourism project to a local community in the Lakekamu Basin: a vast area (2,500 km²) of lowland rainforest. As the area was relatively uninhabited, this project mainly dealt with four hamlets clustered around an airstrip. The three aims of this project were: first of all, to conserve forested area under the Conservation Areas Act of Papua New Guinea; second, to provide inhabitants with an alternative source of income through ecotourism; third, to establish a local biodiversity research institute and a nature reserve. This combination of conservation and local economic development was then known as ICDPs: Integrated Conservation and Development Projects.

Initially, the ecotourism project was met with enthusiasm and great interest by the local community, as they welcomed this alternative potential source of income. After the kick-off, the villagers quickly built a guesthouse near the airstrip. They appointed and instructed guides to lead future tourists around. The airstrip was cleaned and the villagers expectantly awaited the tourists. But none came. The Lakekamu Basin is very difficult for outsiders to reach and there were no facilities such as running water or electricity. As time passed, the guesthouse was used only by the occasional researcher or visiting family and friends. In other words, hardly any income was generated through ecotourism. As the guesthouse stood in someone's garden, the little income it generated went straight to the owner of that garden and was not shared. This went against the ideals behind ICDPs, namely that communities as a whole—not just one or two individuals—would be offered an alternative income. The NGOs reacted by trying to reunite the inhabitants by organising meetings and workshops on local organisation.

When the local people found out that there was no income to be made from the project and that possible future income needed to be shared by everybody, they started to criticise the project. Through gossiping and naming names, the villagers complained about the project to each other. Suddenly, field officers of the NGOs were linked to stories about crime or alcoholism. However, these criticisms were hidden and not openly expressed to the field officers. After a while, not only field officers were blamed but also other villagers. For example, the owner of the guesthouse was portrayed as too greedy and certain other villagers as simply too lazy to make the project work. Slowly and steadily, but unknown to the NGOs, discussions became heated. On the surface, it appeared that the villagers still supported the project as they appeared to remain interested in ecotourism and conservation. Consequently, the NGOs continued their work—oblivious of what was actually going on—and started to discuss the possibility of establishing a nature reserve in the Lakekamu Basin. The local people responded to these discussions by participating in meetings on the location of this reserve and maps of the area were drawn to further facilitate this discussion.

Unexpectedly, the meetings aimed to define the location of the nature reserve turned into heated discussions about access to land and landownership. What happened was

in order to show that bricolage practices occur in different socio-cultural and historical backgrounds, (2) to cover a variety of institutional frameworks affecting local forest use, to show that bricolage practices happen, irrespective of the type of institutional arrangements that are introduced and (3) to cover a time-span of over ten years in order to show that bricolage practices are not something of the here and now. The objective of this research was to disclose bricolage practices and to shed some light into why they occur. Therefore, the chosen cases are not selected to yield generalizable data on institutions and actors. Rather, they are critical in the sense that they undercut the overly functionalistic belief in institutions; they are extreme to the point that they clearly show practices of institutional bricolage. The data collected on these cases are qualitative in nature and mainly engendered by interviews and observations. According to Ritchie and Lewis (2003, p. 216):

...qualitative explanations attempt to say why patterns and outcomes in the data have occurred. These explanations may use causal logic in a loose, non-universal, non-deterministic sense, but the logic is not based on linear variable analysis. They rarely cite a single cause or reason, but set out to clarify the nature and interrelationship of different contributory factors or influences.

Qualitative research is therefore most suitable for research on bricolage practices, as our objective is to understand the social complexity of forest use. To study practices of bricolage, the researcher must locate the interface of institutions and actors that is the critical intersection where changes are likely to be located (Long 2001; Cleaver 2002). It is at this intersection that bricolage practices can be found. This intersection is most visible where and when local traditions and norms are challenged by newly introduced institutions. Research on bricolage practices thus requires an understanding of existing institutions and needs to follow the introduction of new institutions. The researcher will notice the bricolage practices in everyday situations, activities and sayings. This implies that bricolage researchers need to be guided by a hunch, a feeling of being on to something, and to explore this without worrying about narrow and pre-drafted criteria for research.

The three studies drawn on in this chapter were therefore carried out by means of ethnographic fieldwork with in-depth case studies. These in-depth studies involved long sojourns in the field. To ensure comprehensive descriptions, data was collected by a combination of extensive interviews and participant observation. The examples of bricolage practices in this chapter are based on information gathered under different research projects in different countries. The case in Papua New Guinea is an example of an ICDP framework in which an ecotourism project was introduced to a local community in the Lakekamu Basin. This research entailed spending eight months in the field in 1999 and 2000 (Kalwij and de Koning 2000). The Bolivian case is based on PhD research projects conducted 2003–2009 in the lowlands of Bolivia on community forestry and local forest use (Benneker 2008). The case in the DRC is based on the analysis of several studies by university staff and students, government officials and NGOs of artisanal timber logging in Oriental province in the northeast of the country. The results of these studies are to be published in a book (see Benneker et al. 2012).

cultural and political resources that are available to people. As such, institutions are not pre-existing ‘things’ but the results of what people do, and to exist they need to be continually reproduced or re-enacted by people (Lund 2006). Consequently, no one factor (or group of factors) is sufficient to explain their success. Rather, institutional processes are dynamic, play out through very different forms in varying contexts, and elude institutional design (Koning and Cleaver 2012).

Key in institutional bricolage is the role of the local actors also known as bricoleurs. The roles and rules for natural resource management are devised not only by introduced institutions, but are equally or more so influenced by routines, overlapping social identities, moral world views, and by conscious and non-conscious psychological motivations (Cleaver 2012). Therefore, bricolage practices are not just creative processes in which every outcome is possible: they are situated in social life and shaped by routines, traditions, social norms, or culture (Long and Long 1992, 2001; Bevir 2005). By using the concept of situated agency we wish to focus on the enabling and constraining effects of structures on agency. Giddens (1984) and Long (2001) have written extensively on the actor capable of processing social experience and responding to changes. Equally, bricolage situates the actor within a network of social relationships and institutions embedded in practice in which he or she responds to introduced institutions. Newly constructed institutional patchworks therefore reflect common notions on taken-for-granted ways of doing things, already accepted and well-worn practices and organisational arrangements, or devices to ensure social applicability (Koning and Cleaver 2012).

In conclusion, instead of focussing only on formally designed institutions, bricolage practices emphasise the piecing together of rules, norms, and beliefs that constitute a logic of practice that situated bricoleurs follow, usually unconsciously. Bricolage practices can best be seen as mediating between newly introduced institutions and an already existing logic of practice. As mentioned, a logic of practice is not automatically changed by introduced institutions. Through bricolage practices, local actors can reshape the introduced institutions to better relate them to existing practices. This allows them to react, for example, to new forestry legislation and at the same time not to abandon their traditional practices. By creatively constructing a new institutional framework for forestry in which the old is spliced to the new, local actors are key to changing a logic of practice. The following examples will show this creativity when new institutions are introduced to local communities.

3.4 Examples of Bricolage Practices From Different Parts of the World

To illustrate how local people deal with introduced institutions aimed at improving the use and conservation of forests, three examples of how local bricolage practices are given. They are drawn from different parts of the world: Papua New Guinea, Bolivia, and the Democratic Republic of Congo (DRC). We have selected these examples (1) to cover different regions (Oceania, South America and Africa)