Techno-bureaucratic Doxa and Challenges for Deliberative Governance: The Case of Community Forestry Policy and Practice in Nepal

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Abstract

Despite repeated pleas for participatory and deliberative governance of environmental resources, there is still a predominance of technocratic values in environmental decision-making. This is especially true in the context of forest management in the Global South where centralised and technically-oriented colonial approaches of the past continue to be reproduced and exclude affected people to have their say and share in forest related decision-making and benefit distribution. Taking a case study from Nepal's Community Forestry Program, this paper shows that despite major shifts towards practices of participatory forestry, the technocratic domination of forest science in governance has taken new and more subtle forms (considered "doxa" – taken for granted forms – after Bourdieu) of control over forestry practices. In this paper, techno-bureaucratic doxa is problematised as a key challenge to deliberative governance, and specific ways are illustrated through which it constrains deliberation in forest governance. Emerging moments of crisis in this doxa are also identified to explore possibilities for greater citizen-public official deliberation in forest governance.

1. Introduction

Despite repeated pleas for participatory and deliberative governance of environmental resources (Fischer 1999; Dryzek 2000; Fischer 2000; Smith 2003, 2005), there is still a predominance of technocratic values and practices in environmental decision-making (Ojha et al. 2005; Backstrand 2004; Pokharel and Ojha 2005). This is especially true in the context of forest management in the Global South where centralised and technically-oriented colonial approaches of the past continue to be reproduced and dominate policies and day to day practices of forest management (Peluso 1992; Shivaramakrishnan 2000; Sundar 2000, 2001; Roth 2004; Sarin 2005). Over centuries, the process of scientisation and bureaucratisation have been "doxic" – a situation in which taken for granted values are enacted automatically in practice, without much questioning, equally by those who are dominant and those who are dominated. As a result of such a culturally embedded techno-bureaucratic approach to forest governance, democratic control of natural resources by citizens has become even more difficult.

There is no dearth of discourse on the problem of technocracy and the need for democratic deliberation. Since the 1980s, there has been an upsurge of decentralised, participatory discourse, policies and practices of natural resource management throughout the developing world (Ribot 2003; Colfer

and Capistrano 2005). Part of this movement is a response to technocratic domination in forest governance. While there is a growing confidence in such approaches to create deliberative spaces for governance, this paper alerts us to the fact that even such participatory approaches are likely to leave the deeply held technocratic doxa (doxa means internalised schemes of perceptions, thought and habituated action) largely untouched, let alone transformed. Taking a case of Nepal where forest policies and practices are considered to be in the forefront of the decentralisation movement in the forest sector, the paper concludes that it is not as easy as is presumed by the proponents of participatory governance to transform techno-bureaucratic control of forest resources and institutionalise genuinely participatory governance practices. While Nepal's community forestry is certainly a participatory innovation in forest governance, with necessary legal and administrative arrangements to facilitate citizen control over forest, analysis of actual practice from the perspectives of critical social science and cultural politics reveal that technocratic domination continues to be enacted in policymaking and governance practices.

The paper is organised as follows. In section two, the debate between science and democracy is reviewed, especially in critical social theory (in the works of Pierre Bourdieu and Jurgen Habermas) and pragmatism (in the works of John Dewey), to develop a framework of analysis. It is emphasised that in deliberative conception of governance the role of scientists is to stimulate the citizen learning process in a mutually accountable way. In section three, a framework is developed for analysing the challenges posed by technocratic doxa by researching the boundary between deliberation and non-deliberative dispositions enacted through what Bourdieu (1991) calls symbolic violence. Section four provides a historical overview of the evolution of community forestry policy and practice in Nepal as a prelude to more elaborative discussion, in section five, of ways through which techno-bureaucratic doxa enact deliberative closure in interaction with civil society. Section six identifies civil society challenges to, and emergent crisis into, techno-bureaucratic doxa, creating possibilities for more active deliberation in forest governance. The last section concludes with key points on conditions and possibilities of cognitive crisis into technocratic doxa, leading to increased possibilities for deliberative governance.

Methodologically, this paper is founded on the practice theoretic epistemology of Bourdieu (1977) and Dewey (1916/66). Having worked as a technical forester (1990-1994) and civil society activist/social scientist afterwards in Nepal's forestry sector, the author has experienced the tension of technocratic doxa both from within (as a forester) and from outside (civil society agent). This paper is based on a reflection of these prior experiences, supplemented by fresh observation of some community forestry cases in 2005. Both Bourdieu

and Dewey emphasise practice or experience as the key process of developing intimate knowledge. Bourdieu's idea of "reflexive sociology" means that sociological inquiry is epistemologically enriching when social researchers point the methods of science towards themselves as participants in the relevant fields of practices under study (Bourdieu 2003; 2004). Likewise, as Dewey holds, "only by direct and active participation in the transactions of living does anyone become familiarly acquainted with other human beings and with things which make up the world" (Dewey 1916/66, 272). I particularly draw on experiences of working with diverse groups of people in the field of community forestry (CF) – from local communities through government officials, policy makers, civil society activists, researchers to international research and aid agencies. The theoretical framework for the study was developed as part of the recent PhD research of the author.

2. Problematising Technocratic Doxa from the Deliberative Ideal

While a positivist, scientistic science[2] was a necessary ideal in the 15th and 16th century Europe to liberate social and political processes from religious myths and the church (Fischer 1998), its journey through European Enlightenment (Escobar 1995), colonialism and more recently to development has eventually met with great resistance. The colonial expansion was made possible through scientific discoveries, and in fact the whole attempt of science was focussed on expanding the capability of western colonists to have access to the non-western world (such as the transport industries). The development "industry" of the post-colonial world also draws its legitimacy from the need to promote modernisation and technological advancement rooted in the spirit of Enlightenment. When environmental concerns were annexed to development in the eighties, the role of science took a new turn to promote western notions of environmentalism (such as wilderness, protected areas), thus ignoring non-western ways of understanding nature in the developing world (Guha 1989). The present day forestry administration in many developing countries, with centralised structures of forest management, is a typical example of how these western notions of science and environmentalism have been embedded in the day-to-day practices of forest governance (Peluso 1992; Shivaramakrishnan 2000).

By the 1980s, a wave of critical epistemological reflections over science and modernity had started. Some argued for complete withdrawal from what remains science now, which is for them nothing but one dominant way of knowing (Latour 1987). Those taking radical post-structuralist position even argue for the "end of reason", authorship, and representation (Rosenau 1991). This approach holds that knowledge is nothing but what the powerful speak

(Foucault 1988), and as such, science is an enterprise of experts rather than an objective procedure of representing truth (Lyotard 1993). Science has thus been trapped into a highly unproductive debate between the defenders of modernism and post-modernism.

Amidst this trap, convincing explanations of the reconstruction of science in governance can be grouped loosely under critical social science and pragmatic approaches. In the critical vein, Habermas sees that the problem of technocratic domination lies in the expansion of the experimental-analytical approach to science (originally employed in the physical world) to the normative-political spheres, and that solution for him lies in bringing instrumental reason within the purview of the communicative reason of citizens (Habermas 1987). Since the normative issues are not always amenable to objectivist analysis of empirical data, such scientific inquiry sought to "settle rather than stimulate" the policy debates by focussing research at empirical and factual levels, independent of normative and interpretive contexts (Fischer 1998). In the pragmatic vein, Dewey (1916/66) argues that the role of experts is to contribute to "cooperative inquiry" of citizens in resolving the problems of democracy. In these lines of thought in linking science with democracy, there are some persuasive normative and analytical foundations of deliberative approach to governance.

The first aspect relates to the ontological presupposition of communicative interactions in human society. As Dewey holds, human society exists through communicative transmissions, and that human relationships are in a continuous process of creation (Dewey 1916/1966, 3). Dewey's argument is that the process of enacting governance cannot be relegated to experts.[3] This conception of society is held by even those who advocate radical post-structuralism. In this vein, Foucault has asserted that discourse – as an ensemble of ideas and discursive resources – has constitutive effect on human agency (Foucault 1988). If communicative interaction is constitutive of society, then deliberation becomes a central process through which ordinary people and scientists can learn together to resolve the problem of governance.

Second, on moral ground, as Habermas argues, it is crucial to meet the criterion of deliberative legitimacy while constituting the norms of a society (Habermas 1996). Much of the policy domain which defines the boundaries of practice is a sort of discursive/communicative arena, in the sense that policy norms result from a discursive response to a problem. Given this discursive nature of policy process, how different groups and individuals draw on various kinds of knowledge in debating policy norm becomes crucial. As Habermas argues, "just those action norms are valid to which all possibly affected persons could agree as participants in rational discourses" (ibid, 107). Such a discursive nature of policy making is widely referred to as deliberation, which is a conscious

exercise of communicative competence by social agents to understand, negotiate and transform human relations. It is a "social process" involving communication of reasons, arguments, rhetoric, humour, emotion, testimony, story-telling, and gossip (Dryzek 2000, 1).

Third, on epistemological ground, as pragmatists argue, including Habermas, there is an inevitable need for the division of labour between ordinary people and scientists (ideally with a continuous dialectical communication link) in order to find a solution that enhances social justice and ecological sustainability. It is not likely that the lay public will be able to resolve all the knowledge problems they face. The substantive depth of information needed before a policy decision is made requires knowledge of scientists, on top of the ordinary knowledge of the citizens (Sabatier 1991). And it is also not likely that a policy question can be fully relegated to scientific resolution (Fischer 2003). What is important is that concerned groups of people or citizens deliberate to define problems and solutions. In such process of deliberation, the role of the expert can be: a) gathering information and analysis, b) maintaining critical communication with the concerned groups of citizens, and c) critiquing the dispositions and worldviews of ordinary people that limits moral inquiry.[4]

Bohman's synthesis of Deweyan pragmatism and critical social science provides useful insights into how scientists and ordinary people can relate to each other in the process of inquiry. He argues for a social control of scientific practice, as autonomous practice of scientists can lead to technocratic rule (Bohman 1999). He identifies the role of expert inquiry in the process of democracy, which can be democratic under two conditions – a) it must establish free and open interchange between experts and the lay public, and b) discover ways of resolving recurrent cooperative conflicts about the nature and distribution of social knowledge. If inquiry is organised in a cooperative way, then Bohman sees a possibility of knowledge thus being owned socially. This would also create a possibility of combining depth (of scientists) and breadth (of ordinary people) dimensions of knowledge in the governance of natural resources.

Fourth, on technical grounds (this is indeed an ontological issue), as complexity theorists argue, two aspects are crucial. First, deliberation between scientists and citizens is inevitable in dealing with issues of governance at multiple geographic scales, involving negotiation of co-production and exchange of environmental utilities. The technical possibility of the simultaneous production of environmental goods at different scales and limited possibility of fully privatising resource arenas of governance (Ostrom 1990) (due to public good nature) require deliberation to take place between social agents occupying positions in different scales. Here, the role of technical experts should be to

stimulate deliberation, rather than prescribe cross-scale relationship. Second, there is an inevitable need for social learning in the attempts to identify appropriate governance arrangements in complex and dynamic contexts that characterise environmental management situations (this is also endorsed by Deweyan pragmatism).

The physical complexity of the environment and the diversity of the social agents make a process of arriving at an arrangement of governance an uncertain and changing process (Colfer 2005). The socio-ecological systems are complex, non-linear, and all planned actions by humans are likely to have results beyond the planned protocol (Gunderson and Holing 2002). In such situation, not only free and open debate (in Habermasian sense) but also a process of continual inquiry is needed (Bohman 1999a). This requires approaching governance as the learning process, much like Dewey's conception of democracy as cooperative inquiry. For Dewey, having learning orientation means to turn "traditional epistemological, moral and metaphysical questions into practical problems" (Bohman 1999b). Pragmatic framing of social problem, for Dewey, is to emphasise ethical and political aspects of inquiry rather than epistemological (Festenstein 2001). Given the complexity of human-environmental system, the need for learning is even more crucial (Colfer 2005), and we may need to treat all policies as experiments for learning (Lee 1993).

Under deliberative scientific approach, the purpose of scientific inquiry should be to "improve the quality of policy argumentation in public deliberation" (Fischer 1998). As Fischer argues, the shift from positivism involves turning from proof or verification to discursive and contextual inquiry so as to provide a normative framing without rejecting the empirical aspect. And knowledge is augmented through the "dialectical clash of competing interpretations" (Fisher 1998). Through processes of deliberation, possibility exists for citizens and experts to reach a consensus concerning what will be taken as "valid explanation" of the problem (Fischer 1998). The role of experts in the public organisations is therefore to manage on-going processes of deliberation and education rather than making and implementing decisions (Reich 1990).

3. Technocratic Doxa and the Possibility of Deliberation

Critiques identify that Habermasian theory of deliberation is too normative (Flyvbjerg 2001), procedural (Gutman and Thompson 2003), and suited to elites (Young 2003). Various authors have drawn on the work of Bourdieu to make the case that "patterned inequalities" (Hayward 2004) and the thick layer of undiscussed disposition within human agency (doxa) (Crossley 2003, 2004) may limit the transformative potential of deliberation. Seen from Bourdieu's

cultural theory of practice, in the contemporary forest governance situation, the positivist scientific outlook has become doxic and entrenched in the realms of thinking and action within the scientific community, as well as the powerful groups who nurture it. This has largely taken the form of what Bourdieu calls symbolic violence (Bourdieu 1991, 170) – a situation when one group (scientists) enjoys undue political privileges without the recognition (or resistance) by the other (ordinary people). In Bourdieu's own language, "symbolic violence" is:

> ... a gentle violence, imperceptible and invisible even to its victims, exerted for the most part through the purely symbolic channels of communication and cognition (more precisely, mis-recognition), recognition or even feeling (Bourdieu 2001, 2).

By blending structuralist and post-structuralist epistemologies of social science, Bourdieu (1998) sought to explain social practices in terms of differentiated social domains in which social agents interact (field), culturally inscribed human agents (habitus) sharing unreflected core of beliefs and schemes of perception and thought (doxa), and the various types of resources that agents can mobilise (economic, social, cultural, economic and symbolic capitals) (Swartz 1997). While field, habitus, doxa, capital, and practice are applied in a combined way for Bourdieu's analysis, this paper focuses on the notion of doxa and symbolic violence in relation to the practice of technocracy or deliberation. For Bourdieu, "doxa is a particular point of view, the point of view of the dominant, which presents and imposes itself as a universal point of view…" (1998, 57). As such, doxa is a vital legitimating element in social practices serving two functions simultaneously – potentially providing a pre-reflective base for enacting symbolic power and symbolic violence, and organising practices. Shared doxa underpin shared social practices in a particular field. Such a shared sense means that little effort is required to organise collective activities: a low transaction cost in economic language or little deliberation in political terms.

This paper draws on the ideas of Bourdieu to understand the conditions and possibility of deliberation, and how the notion of cognitive or symbolic crisis connects deliberation with the notions of habitus, doxa and field. The issue here is how a technocratic doxa opens onto more deliberative processes. Bourdieu has identified that the key factor triggering change in doxa is a dissonance or mismatch between the schemes of perceptions and thought at the individual level and the objective realities of the field. This requires us to go beyond the behaviours of discursive agency of techno-bureaucrats who enact practice, to explain the patterns and practices through the dynamic interface of the doxa and the field of techno-bureaucracy. While Bourdieu himself sees the process of deliberation and linguistic interaction as themselves the site

of strategic rationalities and symbolic violence (Bourdieu 1991), it is taken here that Bourdieun critique of deliberation is itself an avenue to deepen the understanding of deliberation (Hayward 2004; Crossley 2004).

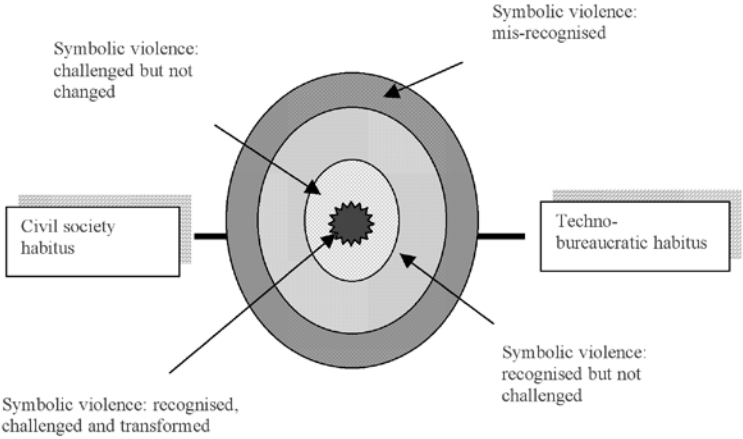
Critique of technocratic doxa does not mean a total endorsement of local knowledge of people on the ground. Local knowledge and practical discourse may be imprisoned within the immediate pressures of survival and naturalised dispositions. In such contexts, Bourdieu defends the role of critical social science as the solvent of doxa and providing an epistemological critique to the accepted beliefs and values (primary experience) of the ordinary people (Bourdieu 1990). But this, when seen in relation to the way science has been so scientised and even bureaucratised, may create further problems of disempowerment of the ordinary people (Cortner 2000). This is especially severe in the cases of misappropriation of environmental resources by the political elites by bureaucratising and co-opting scientific power (Peluso 1992). And if scientific practice is considered as a fully autonomous practice, this will lead to further problems of injustice as the symbolic capital (or symbolic power) of scientific legitimacy is unequally distributed. Even the engagement of scientist after the scope is defined by the citizen is "damaging to democracy as it creates a technocracy that yields great influence in deciding how typically broad policy goals are to be actually realized" (Cortner 2000). Tension therefore remains as to how scientific practice and citizens' ordinary knowledge can be organised in a democratic way, especially when the complex problems of ecological sustainability and socio-economic equity are involved. More importantly from social science perspective, how a situation of symbolic violence is recognised and then challenged in deliberative setting.

Discussed below are four levels of symbolic violence and deliberation, that can potentially exist around the practice of forest governance, dominated by technocratic doxa. It is shown that there is at one extreme a zone of full misrecognition (the outermost ring), which means that the historically constituted hierarchical relations are considered natural and held at the deepest level of unconscious. This is considered as the highest level of symbolic violence, wherein the involved dominated habitus subscribes to the dominant order as fully natural, at the deepest level of doxa. At the other extreme, a doxic domain of power relation may be challenged by dominated groups, and if supported by a favourable economy of symbolic capitals, transformation in social relations might take place (the central star). At the risk of over-simplification, these layers are located in the diagram from the outer to inner layers, in order of intensity of symbolic violence: the more one goes to the outer ring, the more is the symbolic violence, and the less is the deliberation. The differentiation of these layers is for analytical purpose, and in practice, a relation of power or the structure of

symbolic order of a society may constantly shift from one layer to another, never getting fixed to any specific position.

Bourdieu sees at least a few possibilities of doxic practices opening onto deliberation – a) dissonance between habitus and field, b) external epistemological break by activists and intellectuals, and c) reflexivity of the human agents (Swartz 1997; Bourdieu 2001, 37). For him habitus-field dissonance might occur through a number of objective conditions – such as intrusion of other events into the fields, increase in number of field participants, uneven development and conjuncture of crises among different fields, growth in types of capitals, social struggles that expose field doxa necessitating new forms of symbolic domination and new reproduction strategies by agents (Swartz 1997, 217). Indeed, the crisis in techno-bureaucratic doxa (forest officials) is dialectically related to the enhancement of political agency of ordinary people, who are themselves inscribed within a fatalistic doxa, thus accepting the domination by techno-bureaucratic doxa.[5]

Figure 1
Dynamic Frontiers of Symbolic Violence and Deliberation between Civil Society and Techno-bureaucrats



Source: Adapted from Ojha 2006 (after Bourdieu 1991).

This dynamic relation between symbolic violence and deliberation is used to underpin the analysis of the practice and possibility of deliberation in the interface between technocratic habitus and civil society habitus in the context of forest governance.

4. Evolution and Practice of Community Forestry in Nepal

Because of their importance in rural livelihoods as well as state revenues, forests have taken central place in local livelihood practices and national politics in Nepal. Analysts have usefully delineated three ages of forestry in Nepal – privatisation (until 1957), nationalisation (between 1957- late 1970s) and decentralisation (from the late 1970s onwards) (Hobley 1996). Irrespective of these policy shifts, forest continues to play a pivotal role in agricultural systems that support livelihoods of over 80% of the people (FAO 1999). Most of the forest resources in Nepal hills intermingle with farming communities.[6] At the local level, structure of forest access is mediated by local history and indigenous systems, which are themselves contested in different axes of social differentiation – such as caste, ethnicity and gender.

Throughout Nepal's modern history of the past 238 years,[7] the Nepali state has been largely controlled by the Shaha and/or Rana families, except two brief periods of democracy – in the 1950s and in the 1990s. Under their control, the state polity retained a strong feudal character, involving the flow of power from either Shaha or Rana families and flow of economic surplus from the peasant farmers through a network of locally based feudal lords (Regmi 1978). As the state became further modernised after the initiation of planned development in the post World War II era, national bureaucracies assumed the role of political-economic control of the society as per the interests of the ruling elites (Blaikie et al. 2001). Until the Private Forest Nationalisation Act was enforced in 1957 by the nation's first elected government,[8] all forests were controlled by state-sponsored local functionaries (Regmi 1977). Since then a series of legislations[9] were enacted to enforce effective national control over forests by erecting forest bureaucracy and excluding local people. This process of nationalisation of forest was part of the political agenda of extending techno-bureaucratic control of the state powered by the feudal elites. Although it was assumed that taking forest from private groups to the state would enhance people's access to resources, the state created a strong techno-bureaucratic field by instituting stringent regulations. This sought to exclude people in controlling forest resources (Malla 2001).

Efforts to share power over forest control with local people started in 1978, when Panchayat[10] forest regulations were instituted as the early form of

community forestry. This was done at a time when there was a realisation that forest bureaucracy was unable to protect forest without engaging local people. This was echoed by Monarchical Panchayat system's strategy to thwart growing anti-Panchayat resistance by offering some economic and symbolic spaces in the local Panchayat. In the mean time, pressure from donors on decentralisation was also growing in favour of a shift away from the notion of centralised practices of planned development.

During the seventies, Himalayan degradation was projected as a crisis (Eckholm 1976), which created increased moral pressures on the Western governments to contribute to conservation of the degrading Himalayas. This led to an environmental turn of development discourse away from an emphasis on infrastructure and technology transfer (Cameron 1998). Nepal's strategic geopolitical situation (being located between China and India) and fragile environmental condition attracted bi- and multilateral donors (Metz 1995),[11] who took forestry and environment as the key element of integrated conservation and development projects.

Several international agencies assisted the Nepalese government to formulate the nation's most comprehensive Master Plan for the Forestry Sector (MPFS), which lucidly stipulated conditions and possibilities of conservation and management of the country's forest resources. Although largely prepared by foreign experts, MPFS clearly set out participatory and decentralised development imperatives to guide the management of forests resources (HMG/N 1988). It emphasised participatory approaches to forest management, identifying community forestry as a prioritised program area for meeting livelihood needs of the people. It suggested active measures from these perspectives to halt the degradation of forest resources. At a time when MPFS was finalised and formally adopted by the government (1989), the people's on-going movement for democracy culminated in the promulgation of multi-party democracy in the country. The decisions of the new government further strengthened the regulatory framework of community based forest management in line with MPFS.

The most significant regulatory development in support of CF was the enactment of the Forest Act in 1993 by the first elected parliament after the 1990 people's movement, which guaranteed the rights of local people in forest management (GON/MFSC 1995).[12] Nepal became the world's first country to enact such a progressive forest legislation allowing local communities to take full control of government forest patches under a community forestry program (Malla 1997; Kumar 2002). By the end of 2005, there were about fifteen thousand Community Forest User Groups (CFUGs) nationally, managing over a million hectares of forest areas, bringing about one third of the country's population

under CFUG system.

Since 1990, the process of community forestry has been increasingly promoted by an expanding public sphere – a wide range of civil society organisations, including the nation-wide network of CFUGs, media organisations, and independent research networks and platforms. Almost all CFUGs are part of the nation-wide network, Federation of Community Forestry Users, Nepal (FECOFUN), which is a key player in forest policy debate (Ojha 2002; Ojha and Timsina 2006). These groups have further politicised the practice of forestry and in many respects provided a deliberative bridge between people and the state. But the thin notion of democratic accountability in the multi party political system (with five yearly election of local and national governments and with limited deliberative links in between) provided room for techno-bureaucratic doxa to enact rules without deliberative links with concerned groups of people. Despite the elected government and parliament being in place, a series of government orders (at ministry and department level) have been issued limiting the legal rights of local people.[13]

In the mean time, a growing body of evidence indicates that the success of community forestry program is mixed on both livelihoods (Malla 2000; Malla 2001) and ecological dimensions. Evidences suggest that marginalised groups have often lost their legitimate share, as CFUGs have largely been captured by the local elites (Paudel 1999; Agarwal 2001; Ojha et al. 2002b; Neupane 2003), despite donor and government strategies of poor focussed community forestry. Community forests are under a more protectionist approach to management without considering the productive potential and market values (Pokharel and Nurse 2004). Both passive or timber-oriented management of community controlled forests have also had little qualitative impact on biodiversity (Acharya 2004).

Central to these concerns is the ways through which forest bureaucrats and local forest users negotiate knowledge and political power pertaining to the policy and practice of forest management (Malla 2001; Nightingale 2005; Ojha et al. 2005). Some have even argued that there is a "backlash" (Shrestha 2001) or "betrayal" (Mahapatra 2001) by forest bureaucracy, and warned that community forestry has now been in "danger" (Shrestha 1999). While these reflections point to a deliberative gap between citizens and forest bureaucrats, there is still a paucity of studies which link and interpret evidences on how technocratic doxa constrains deliberative practice in forest governance.

The case of Nepal community forestry policy and practice thus offers an interesting context to study the enactment of techno-bureaucratic doxa and deliberative possibility for three reasons. First, a very progressive forest legislation has emerged allowing local people to take control of government

forests. Over 25 years of experience in this approach would provide insights into when and how techno-bureaucratic doxa can give way to deliberative possibility, and when not, and why. Second, Nepalese society represents a typical case of social inequality which harbours non-deliberative dispositions in governance. Third, community forestry in Nepal has evolved through and continues to engage a wide range of actors locally and internationally, which enables us to explore deliberative possibility at different scales. In the next section, a range of practical evidences of continuing enactment of technocratic doxa in community forestry practices are presented, followed by an analysis of crisis in technocratic doxa and emergence of deliberative possibilities.

5. Technocratic Doxa in Participatory Forest Policy and Practice: The Case of Symbolic Violence

Despite participatory change in policies and programs in Nepal, within the rubric of community forestry, closer analyses reveal that forestry practices, in a variety of ways, are subordinated to the doxa of technocrats who found their way into the field of forest/people interface as part of the evolution of the modern state. Different doxic foundations of symbolic violence are identified through which techno-bureaucratic habitus create enclosure in deliberative processes. These attributes can be understood as taken for granted beliefs and self-interested orientations (doxa), which are constantly reconstructed in practice, without much questioning by the people, who often have to bear the consequences of such practices. Five key aspects of techno-bureaucratic doxa, with varying levels of symbolic violence or deliberative possibility, are identified below.

5.1 Bureaucratisation of Knowledge

Bureaucratisation and officialisation of forestry knowledge creates deliberative closure in forest governance. The entire practice of the forestry profession in Nepal is by and large within the government bureaucracy. This is the case of a bureaucratised form of scientific practice, and science is used in an authoritarian mode. Even after the establishment of community forestry, government forestry knowledge has remained mandatory rather than a matter of choice for local people, and in order to receive and negotiate such knowledge, local people often have to pay illegal and unaccounted rents to the techno-bureaucrats.

In a CFUG with a pole stage Sal forest in the central middle hills of Nepal,[14] government forest rangers advised the group to undertake thinning so that the Sal[15] trees would grow faster. The group is close to Kathmandu valley, and because of easy road access, many of the small farmers in the area have started to cultivate vegetables as cash crops, such as beans, cucumber and others, which

need small supporting sticks. Before a CFUG was organised, the forest was de facto open access and the farmers could collect sticks without any restrictions. While the open access condition was apparently not a desirable option for forest management, as far as the production of forest was concerned, it matched the needs of the local people (i.e. production of small sticks). But after the establishment of the CFUG in the mid-1990s, the technical forestry staff developed a forest management plan which prescribed clearing of all bushes/ inferior species in the Sal forest. When the bushes were cleared, the forest became a clean monoculture of Sal trees as per the wishes of the forest officials. This action is partly grounded on the scientisitc doxa of timber oriented forestry, and partly in the interests of maximising commercially valuable products of forests, so that forest officials could draw a part of it as a technical allowance (discussed below). But the majority of the land poor farmers who were trying to earn a living through the production of cash crops no longer had a supply of small sticks from the forest. At the time of the field study, on average, each household needed about 1000 sticks per year. This means that the forest could have better remained as bushy and shrubby for them but they could not argue against official forestry knowledge during planning and decision-making. The actual practice of deliberation during planning was very limited, and it was dominated by the technical prescriptions of the forest rangers. This illustrates how government forestry knowledge is being imposed, without any deliberative interaction with local citizens. This forestry doxa seems to still resemble original nineteenth century German forestry which was the main source of forest science worldwide. Scott (1998, 15) remarks on the German forestry of that time:

> The fact is that forest science and geometry, backed by state power, had the capacity to transform the real, diverse, and chaotic old growth forest into a new, more uniform forest that closely resembled the administrative grid of its techniques. To this end, the underbrush was cleared, the number of species was reduced (often to monoculture), and plantings were done simultaneously and in straight rows in large tracts.

While the above case suggests how bureaucratised practice of forestry knowledge may work against the interests and wisdom of local people, the very practice of enacting this knowledge may involve additional costs on the part of people in the form of rents – locally known as bhatta (technical allowance) or even ghus (bribe). From preparing a forest management plan to undertaking forest harvesting, CFUGs have to hire government forest officials who are offered a "technical allowance" for the job.[16] Even when CFUGs do not need any technical support, they must hire this service from the "official" technicians. It is not up to the people to decide if they need any technical support and look

for competent service providers outside of the government. In forest resource assessment and calculation of sustainable yield, it is learned that the holders of official technical knowledge openly negotiate rents for the level of timber extraction to be authorised.[17] As Bhattarai (2006, 159) reports:

> One government forestry official has admitted to taking as much as Rs. 125,000 (US $1736) for conducting a forest inventory. In the case of Laligurans CFUG located in Danabari – Ilam….although the group was registered in 1997, a Ranger (DFO staff), former executive committee chairperson and contractor took most of the fund raised from timber sale, amounting to around Rs. 3,100,000 (US $43,055).

This case in eastern Nepal, where high value Sal forests are being managed by CFUGs, indicates that the forest officials are using official technical knowledge as the legitimate and unquestioned basis to extract rent, often in collusion with the local elite. In cases where CFUGs refused to pay such rents, they had to face non-renewal of their forest management plans by the DFOs (Dhital et al. 2002). This is considered a common practice in Nepal.

5.2 Symbolic Notion of Haakim

Construction of forest officials as haakim (patrons) of people in Nepali culture has legitimised the official decisions, prescriptions and ideas as authentic and paternalistically valid. Literal meaning of haakim is boss, but in the Nepalese context boss is much more feudalistic than a western, neo-liberal counterpart.[18] One can clearly see the notion of haakim or patron-client relations being enacted in deliberative interaction between local people and the forestry staff in Nepal – such as in greeting,[19] verbal dominance, occupation of physical space, all creating a hierarchy of relations between the two. Indeed, to varying degree, forest officials, including the lowest rank staff are considered as a distinct class of privileged people, with sarakari (government) positions, power and padhai-lekhai (education). This symbolic relation legitimises rents and other material benefits which the forest officials draw from CFUGs, which are also internally prepared to service their patron. CFUG leaders are usually prepared to keep the forest officials happy by providing a range of benefits and honours – from providing prabhidik bhatta (technical allowance) to offering them due respect in the meetings and assemblies by projecting them as chief guests.

In May 2005, in a CFUG gathering of Nawalparasi district in the central Terai region of Nepal, a forest ranger[20] came and announced that their group had been selected as a pilot site for testing new wellbeing criteria under a Livelihoods and Forestry Programme (LFP) funded by DFID. He said to the local CFUG

members in a meeting "all you have to do under this scheme is to develop some criteria of wellbeing and then divide the 700 households associated with the group into rich, medium and poor". The author was familiar with the group's initiatives on wellbeing ranking and support to the poorest groups. The group indeed already had such criteria, had identified the poorest groups and even constructed small houses for the 25 poorest households, apart from providing other assistance in goat farming, and skill development. The author looked at the face of the CFUG chairperson to read his reaction, but he was nodding to endorse the ranger's proposal without any question. A reflection later revealed that because of the ranger's authority and influence, the chairman did not ask ranger to first look at the progress and then build up the needed processes (as that would mean disrespect to the ranger). Asked why he did not mention the wellbeing ranking and associated initiatives of the group to the forest ranger, a leader of the CFUG said:

> Well, he might feel unhappy so I just avoided it. We just wanted to allow him what he wants to do irrespective of whether that adds any value to our group, simply because we want to avoid any possible harassment by rangers in forest harvesting.

Here, the haakim relation has undermined the potential of deliberation between the forest ranger and the local people, which could have significantly altered the scope and strategy of the wealth ranking initiative. A more deliberative strategy of the forest ranger as well as the local people could have explored all innovative processes going on in the group, and then identified any gaps that needed to be addressed. While the haakim's relation of power helped the ranger to intervene without being challenged by the local people, the non-deliberative action of the ranger was further entrenched by the lack of deliberation in planning and project selection on the part of the program which engaged the ranger to undertake the well-being ranking pilot project.

The symbolic notion of haakim becomes further entrenched in deliberative events with local people. CFUG assemblies are a prominent forum for local people to deliberate rules and practices of forest governance, while at the same time negotiate power with local forest officials. Generally, each CFUG holds an assembly of its members every year, to discuss rules of forest governance, and also invites forest officials as guests to participate. An observation of the December 2005 annual assembly of Chautari CFUG in Nawalparasi district indicates that the division of symbolic space is inherently reflected in the way physical space (and therefore power to create effects by words and utterances) was distributed in the sitting arrangement, and the naming of categories of participants. DFO and rangers were termed as special guests and were seated

in the chair in the dais in front of hundreds of forest users who sat on the floor. This way of dividing space and categorising people created, right from the beginning, a sense of inherent differentiation – forest officials constructed as guests are to be respected, given special time to "address" the meeting, and this is something that is understood and un-debated.

And it is a common practice that all chief guests – from the capital city of Kathmandu to village level gatherings – arrive at the meeting late, showing they are busier than others, and creating conditions for as many of the people as possible to greet him or her on arrival, breaking the chit-chat of ordinary people waiting for the guests. Through these strategies, bureaucratic habituses reinforce their own symbolic position, which is endorsed by others without questioning. This momentum of symbolic distinction continues through the meeting and discussion. This is what happened in this assembly – the chief guests arrived two hours later than agreed (and this is again a process of enacting superior symbolic capital in the name of business), demonstrating that they have the power to halt the functioning of the group by making the latter suddenly stand up from the floor in greeting the entry of the chief guests.

High ranking forest officials in the Ministry of Forest and Soil Conservation tend to view themselves as policy makers, and this perception is also to a significant degree shared by others. In one multi-stakeholder meeting in Kathmandu recently, when there was a question of NGO involvement in the community forestry programme, a high level forest bureaucrat declared:

> we at the Ministry are preparing the NGO guidelines which will soon come into force and then there will be no confusion.

There were several NGO representatives included in the meeting but none of them questioned how an NGO guideline could be a legitimate policy instrument without the involvement of NGO representatives in the process of its creation. He spoke authoritatively, without fear of getting questioned on the legitimacy of an action affecting NGOs, and also without any sense of guilt or shame at not having invited the NGO representatives in the process. It was all natural for him to exercise policy making authority. And so natural for the civil society to confine their reaction to some moments of disgust and irritation rather than to question publicly, ignoring or even violating the rules of the forum – in relation to who is allowed to speak, when and for how long.

Over the course of 230 years of bureaucratisation and five decades of modernisation/scientisation, hakim and expert habituses have been rooted in a significant sphere of Nepalese society – education, environmental governance, the economic system and the like (Blaikie et al 2001, 42, 99; Dangal 2005). While the haakim habitus treats himself/herself as the member of a class superior to the

ordinary citizen, the expert doxa (which this habitus draws on) sees things from technical rationality, considering the language and knowledge of local people as vague, unsound and un-scientific. Until the 1950s, the Nepali state controlled by some feudal elites called Rana, engaged local landlords as the agents of the state to co-opt peasants and extract agricultural surplus (Regmi 1978). The feudal lords were given different forms of land known locally as birta and jagir. Today's techno-bureaucratic doxa still retains the jagir doxa, which means that it has the right to extract rent from the area to which it is assigned (Pradhan 1993). Pradhan argues that "an examination of the present day jagir culture in Nepal will reveal that after 1950, the various ministries, departments and state corporations became the new *jagirs*. These lucrative *jagirs*, Pradhan argues, became prolific as the foreign aid and grants grew in the name of development.

It can thus be inferred that haakim relations – a special form of hierarchical relations between people and techno-bureaucrats nurtured through the feudalistic political economic system – continues to create symbolic violence in deliberative interactions between local people and the techno-bureaucrats.

5.3 Liberal View of Democratic Legitimacy

Thinkers of deliberative governance consider the contemporary liberal democratic practices – primarily comprised of periodic elections of government or parliament – as being too thin to allow collective learning, and erecting measures of restraint for public benefits (Dryzek 2001; Habermas 1996). Such a thin view of democratic legitimacy has enhanced the possibility of techno-bureaucratic control and provided discretionary power to techno-bureaucrats to distort the legislative will and authoritatively control citizen rights and autonomy. In the post 1990 period of democratic governance in Nepal, representatives of the people in parliament were to a significant degree autonomous from the monarchy that has controlled the nation's polity since the middle of eighteenth century. But evidence indicates that there has been little deliberative link between the people and their representatives once they were elected (Baral 2001). Political leaders have been guided more by the "administrative will" of the respective line ministries rather than by "public will" (as stressed in the ideal of deliberative democracy). This was partly because of the collusion of the private interests of the political leaders and bureaucrats, and partly because of the liberal democratic doxa (a belief in election without adequate deliberative links between citizens and leaders) in which representatives are considered entitled to make any decisions on behalf of the larger mass of people.

In such a situation, forest techno-bureaucrats capitalise on this democratic legitimacy that neutralises the resistance of the radical agency of local people

and resurrects bureaucratic power. People of the Nawalpur area of Nawalparasi district organised protests in 2003-5 against the DFO demanding handover of community forests to the CFUGs despite restrictive government orders. In the area, around a dozen CFUGs were formed to protect patches of Sal forest. When the CFUG activists asked why the DFO was not willing to recognise the community forest, the forest official replied:

> This is not something we decided ourselves. You all know that we have a democratic system, and you people elect the Members of Parliament and the government. It was actually the decision of the elected government in 2000 to which we are obliged. The 2000 decision of the government does not permit us to hand over forest areas which you demand as community forests. So we are simply respecting the orders of the government which you elected.[21]

Apparently, this suggests a bureaucratic loyalty to the democratic government. But this is not always the case. There are many situations, where DFOs have handed over forest areas as community forest. My intention here is not to evaluate the appropriateness of handing over forest as CF, but to reveal a specific form of legitimacy which techno-bureaucratic doxa enacts in constraining deliberation in forest governance. This is the legitimacy of democratic control, through which they demand recognition of competency to interpret and enforce the decisions or laws made at the higher levels. The main implication of this is that techno-bureaucrats enjoy huge amounts of discretion in policy decisions and implementation, while at the same time the affected people think that they have a limited basis on which to question such actions (which ultimately rest on the decisions of democratic government).

Such bureaucratic discretion is enacted in a variety of ways. Forest officials sometimes delay implementing a regulatory provision that devolves state power to people (such as registration of a new CFUG), and speed up those that are related to penalising forestry offences (such as if a community school is established on government forest land [22]). They have at times reduced or twisted the rigour or original spirit of the regulatory decision (such as violation of Forest Act 1993 by the orders of Forest Department and Forest Ministry).[23] Sometimes, they create unnecessary hassles to discourage the political agency of the people (such as in issuing a number of instructions on forest harvesting in existing CFUGs). They even argue openly against legislation passed by the parliament. They selectively interpret the same regulatory provisions according to their own interests. They intentionally de-recognise the civil society networks that can potentially challenge the legitimacy of bureaucratic hegemony.[24]

A reflection of these discretionary powers of techno-bureaucrats can be seen in the discrepancy that exists between the legal and practical autonomy

of a CFUG. Although a CFUG is recognised as a perpetually self-governed institution,[25] in practice there is a very limited sense of independence from the District Forest Office (DFO). Despite the significant level of autonomy granted by the Forest Act 1993, autonomous rights have been distorted by instruments and orders of the forest bureaucrats.[26] Here they drew their legitimacy or symbolic power through their allegiance to democratic government – a claim that what they do is to implement law, without any question from civil society.

An analysis of Chautari CFUG of Nawalparasi district revealed that the following restrictions were imposed by the DFO in practices: 1) although the DFO is required to provide needed technical assistance for free as and when needed, in practice CFUGs have to spend tens of thousands of rupees as bhatta (allowance), which is informal and not accounted for in the administrative system of the Department of Forest; 2) the DFO has instructed people not to bring logs to the sawmill outside of the CFUG, thus discouraging the utilisation of timber resoruces; 3) the presence of forestry staff during forest utilisation (along with bhatta) is compulsory thus undermining the self-confidence of CFUGs; 3) although the Forest Act 1993 allows CFUGs to engage non-governmental and private service providers, in practice, DFOs do not recognise or encourage NGOs to work with CFUGs, especially in the direction of empowerment of the group. None of these restrictive orders and actions are founded on deliberation between the officials and the CFUGs.

An even more important avenue of bureaucratic discretion is seen in the processes of creating government orders and directives, as part of implementing legislative or government decisions. An example of such a directive created at the techno-bureaucratic level is the Forest Inventory Directive of 2000. As part of the order, the Ministry of Forests and Soil Conservation (MFSC) instructed all DFOs as well as CFUGs to undertake a detailed inventory of community forest while prescribing harvest levels of forest products. The idea of techno-bureaucrats was to ensure sustainable harvesting by limiting the extraction within the limit of annual increment of the forest. A technical guideline was prepared for the assessment of growing stock and increment. Since then, it has been mandatory for DFOs and forest rangers to follow the guideline while handing over a forest to a community or renewing the forest management operational plan of existing CFUGs. Since implementing this order entailed a need for a significant amount of extra effort, knowledge, and skills on the part of both forest users and forest experts (mainly the field level forest rangers working with DFOs), the process of hand over of many new community forests was delayed or even halted. Also, the delay in the renewal of expiring operational plans led to the suspension of CFUG use rights and management interventions (Dhital et al. 2002; Ojha 2002). This created a strong sense of resentment and

frustrations among local people and civil society. While the value of technical knowledge and tools can definitely add to the effectiveness of community forest management, the issue here is who determines what type of technical sophistication should be actualised and how. The techno-bureaucratic habitus saw itself as the only competent actor to decide what needs to be done and how to ensure the sustainability of the forest management system. If there was open deliberation between forest officials and the diverse groups of forest users on the problem of ensuring sustainability, different strategies and policy direction could have been identified. This policy move is reported to have weakened the hard-earned trust between the government and communities, leading ultimately to far-reaching consequences both in terms of sustainable forest management and community livelihoods (Dhital et al. 2002).

After two years, as a result of growing deliberative challenges by civil society over the impractical and top-down approach to improving forest management, the Department of Forests (DoF) decided to review the 2000 forest inventory order. Officials at the DoF appeared to be more deliberative in reviewing the guidelines. They formed a taskforce to examine the issue and held a series of consultations with members of CFUGs and civil society. But even when the overall process is consultative, the actual quality of deliberations was found to be limited. An illustration of this is given below.

It was a big conference hall in the five-star Everest Hotel in Nepal's capital city of Kathmandu on March 10, 2004. Over 50 participants, representing forest officials, NGO activists, representatives of local citizens managing community forests and staff of donor-funded community forestry projects, were seated in a round table arrangement. The event was a national level consultative workshop to reformulate and revise a policy directive on assessment and inventory of community forests. A formal inaugural session was over, with the secretary of the Nepal Ministry of Forest and Soil Conservation having delivered an inaugural speech. In a usual way, he inaugurated the workshop, delivered a pre-written speech, and then faded away. Coming next was a presentation by a taskforce on the consultation process which had consulted diverse groups of social agents in relation to community forestry in Nepal eliciting advice on format, content and processes of a revised "forest inventory guideline" over the past several months. The taskforce was constituted by the Department of Forests with representatives of forest officials and staff of donor projects. The taskforce was constituted in response to the widespread criticism of the previously issued forest inventory guideline for taking technocratic and impractical postures, and undermining the dynamic and progressive evolution of community forestry over the past two decades. One of the members presented the findings of the consultation meetings through a LCD projector.

The author was present as one of the participants. Listening to the whole presentation, it appeared to the author that the proposed guideline was going to override the provisions of rights of local citizens as instituted in the Nepal's Forest Act 1993, which provides a significant level of autonomy to CFUGs in forest management. The way the taskforce organised the scope and content of the proposed guideline – prescribing or proscribing every bit of forest management action at the CFUG level – indicated that it was going to become another restrictive and regulatory type of intervention, rather than a true "guideline" – which guides, enables, sensitises, and facilitates thinking and action on how to go about doing forest resource assessment and planning in a multi-stakeholder environment. When comments were solicited after the presentation, the author commented:

> it looks like it is going to be a legally binding document but to me a guideline means something which guides and facilitates but is not a law-like arrangement to be observed strictly. Shall I ask the forum to discuss and clarify what it is going to be like?

Although the question was directed to the plenary for open discussion, the senior forest official chairing the session intervened himself:

> Yes this is a legally binding document. If this is not obligatory, there is no use in formulating it.

The author did not further argue on the political legitimacy of such binding provisions, overriding the Parliamentary Act, partly because the plenary structure of the session was not meant for one-to-one dialogue, and partly the author declined to express what was potentially going to bring unhealthy relations between the author and the official, who have had good professional relations. The author rather looked around in the big plenary – if there was anyone to challenge the views, but found none unfortunately. In fact the chairperson had already invited another commentator on what appeared to the author to be a trivial technical issue. The question and response thus clarified that the guideline was going to have all the power of a binding regulation.

After some time there was a lunch break. The author went closer to some of the colleagues working with donor forestry projects and who have been active members of the task force. "Your question was valid but the consequences became counter-productive" – said a staff member of one of the Community Forestry Projects, " because the forest official got an opportunity to clarify that it is a binding document, and that no one agued against him means that the guideline is actually going to be a legally binding document". The author asked

why they hadn't intervened in the discussion, and got a reply that they couldn't argue against the view of a senior forest officials in such a public setting, though they said they were completely against the view of the official. Several other representatives of various organisations with whom the author took lunch shared the same feeling.

This case illustrates that despite the opening up of spaces for civil society in national policy processes in the post-1990 period, the practices of policy making have continued to be strategically manipulated and captured by bureaucratic habitus due to their procedural capacity to exclude or co-opt other voices. Even when legislators truly capture the sense of public opinion, in several instances, the intent and will of the law prepared by the parliament has been consistently distorted by the subsequent decisions by various layers of the government (Timisina et al 2004; Cameron and Ojha forthcoming; Pokharel and Ojha 2005), and sustains deliberative inequality between ordinary people and bureaucratic authorities (Dangal 2005).

5.4 Cognitive Colonisation

Still another dimension of deliberative closure is cognitive and linguistic colonisation through the cultivation of scientific forestry language and corresponding de-recognition of alternative knowledge systems. The symbolic construction of how forest should be understood, and how roles should be defined among diverse agents is a key aspect in the structuring of deliberative processes. CF is operated according to the approved plan, which is written in forestry language, not always intelligible to local people. An analysis of CFUG operational plans revealed that the language styles and formats of the plans largely represent the technical-scientific styles of foresters rather than the practical strategy of local CFUGs, and as such were not accessible to most of the literate members of the community. The local language of understanding forest and planning its management significantly differs from the theoretical and technocratic doxa of the forest officials. Their management doxa is rooted in taking control of nature through a dominant and manageable product such as timber, towards which the entire silvicultural wisdom has been concentrated since the colonial times. A key management intervention suggested in most CFUG plans is "thinning". In silviculture, a branch of forest science concerned with growing trees, thinning is mainly concerned with cutting the inferior trees with a view to providing greater crown space for the preferred trees so that timber volume is maximised. In many instances, villagers have different and unique sets of forest products needs, not only timber. So application of thinning as a forestry concept in many situations does not serve the purpose of local people,

especially poor and marginalised groups (as was mentioned in section 5.1).

The language of technical thinning indeed hides a form of bureaucratic control. In November 2005, the author observed thinning practices of Sundari CFUG in Nawalparasi district. The part of the forest where thinning was undertaken is an old growth Sal forest. With some training in technical forestry, the author could see that Sal trees were mature and over mature, below which there was a flush of regeneration waiting for light and growing space. New seedlings and saplings were thin and weak due to a shortage of growing space. In such situations, both common sense and technical wisdom would suggest a strategy of gradual removal of older trees in favour of younger saplings. But the actual thinning operation undertaken as per the prescriptions of the operational plan appeared just opposite. Forest users were thinning saplings in the under storey, while leaving the over mature trees intact. The uppermost crown layer of the forest was very thick, allowing little light to penetrate into the ground floor. In such a situation, thinning saplings without cutting big trees could hardly improve the forest. Also, the economic value of mature trees would only degenerate with delay in harvesting. The author curiously asked the leaders of the CFUG who were leading the thinning operation why they confined cutting to the sapling level, without removing any over mature trees. An old man replied:

> yes you are right but we are not allowed by *ban karyalaya* (DFO) to cut big trees as long as they are alive. We can remove only *dhala pada* (fallen) and *sukeko* (dried) trees. We cannot amend our *karya yojana* (forest management plan) without the approval of the DFO, who did not allow us to remove even these over mature green trees. We have to wait till they die naturally.

The kind of techno-bureaucratic control found in this case of forestry practice indicates that the wisdom of forest science is manipulated and distorted for bureaucratic control. Local forest users appeared to recognise this domination but have failed to challenge it decisively. In situations where local CFUGs have sufficiently challenged the techno-bureaucratic domination, they have been able to make wiser use and management of forest resources.

In the discourse of forest governance, dominated by techno-bureaucratic language, people are not recognised as citizens, but as objects, and at best, upabhokta (users) – with an entitlement limited to use and complain over the quality of the finished product, but not with a right to define, own and alienate the resource. Even when legislation guarantees autonomy to the CFUG, the construction of people as "users" has allowed a symbolic basis for the forest officials to intervene time and again (Britt 2001), through verbal and written instructions that reduce the autonomous space of the citizens. In the low lying

Terai region where blocks of high value government Sal forest exist, people in relation to such government forest are far from being citizens, but are constructed variously as sukumbasi (those who have occupied forest "illegally"), atikramankari (encroachers – those who clear land for cultivation in a secret way), kanvariya/kandhe (those who carry small poles on their shoulder and sell in the local market), daure ("illegal" fuelwood collectors and sellers), and the like. More recently, the language of conservation and biodiversity are being injected into the discourse, further demanding unquestioned centralisation of control of forest, for ensuring future and global benefits. All these identities and symbolic categories, and the particular division of labour in relation to forest control and use, are constructed by techno-bureaucrats and constrain deliberative possibilities.

In addition to the construction of people as agents in relation to forestry practice, techno-bureaucratic habitus has also structured the process of deliberation itself. In August 2005, the author had an opportunity to participate in a multi-stakeholder task force (comprised of FECOFUN, NGOs and forest officials) to explore the possibility of reconciling the interests of immediate and distant users in forest governance in the eastern Terai district of Morang. In Morang, and more generally in the Terai, there is a debate over how people living close to forest areas and those living away from the forest towards the Indian border can together share management responsibility and rights over forest resources.[27] Dozens of CFUGs have been established in the northern belt of Morang but because of this tension, forests have not yet been handed over to any groups.

The team visited the district, where over 65 CFUGs (out of which 41 are just registered without legal control over the forest) have divided the forest blocks and protected them from further deforestation or removal of trees. They have registered CFUGs with the local DFO, demanding a complete handover of forest as CF as per the Forest Act 1993. The DFO's response was that the way CFs were organised excluded the people from the south, and a fundamental rethinking of institutional design was needed before a forest could be handed over as a CF (personal communication with DFO, Morang, August 2005). We held discussions with people at various points in a north-south cross section – far south, middle and the far north. In Morang, all forests exist in the northern belt, and the southern belt was devoid of natural forest.

Unlike the arguments of the forest officials, it was found that people in the south were not keen to be part of the day-to-day management of forests in the north, some 20 km away from their village. They seem to be content with some support in establishing plantations or some mechanisms to buy timber at a reasonable market price. In a group meeting at Rangeli bazaar in the South in

which above 30 local men and women participated, an elderly local man said:

> We never expected the communities in the north to provide us forest products here. We indeed anticipated some support in establishing plantations in waste lands around our own village.

His views were in stark contrast to what forest official had assumed.

The people in the north, controlling forest, were also ready in principle to share part of the incomes and forest products with the people living in the South. In the gathering at Letang (in the north of Morang district) when the author asked in the meeting of local people and the task force, a leader responded publicly:

> We are prepared to provide 20-25% of forest products and revenue to the groups in the southern belt. This is not a problem at all. We need someone to facilitate this negotiation and then we want the forest to be handed over to the CFUG as soon as possible.

The impression was that even a slightest form of negotiation such as this indicates that people – of both north and south – are quite close to agreement, while the techno-bureaucratic habitus continuously obstruct deliberation and keeps the situation hanging. The DFO was also present in the Letang meeting, and local people asked for reactions of the DFO. The DFO insisted "we need to devise ways for fair distribution of forest products before we can hand over". His notion of "fair" confused the people. He appeared to retain authority by defining "fair" in terms of bureaucratic procedures, without subscribing to facilitating outcomes of negotiation among the people themselves. The author also did not find him keen to explore (as neither DFO nor his staff asked this question to the villagers) people's views on what could be a "fair" arrangement of distribution. Researchers who spent more time than me in the field indicated that the DFO registered the CFUG to entice them to protect government forest but is more interested to retain government control over the forest. While the desirability of having a "fair" rule of sharing benefits can not be denied, the question is: should this be decided by a technocratic habitus or should local people be allowed to participate in defining the arrangement of forest governance?

This kind of techno-bureaucratic doxa is quite entrenched at all levels. As first class forest official[28] in Kathmandu commended the work of the Morang DFO thus:

> at least Mr X (Morang DFO) has kept the people confused. Other DFOs do not have that capacity and many people from the Terai are coming to me as a delegation.[29]

The Kathmandu based senior forest official was lauding the tactics played by the Morang DFO. This indicates a conjoint of views among forest officials working at different levels, powered by techno-bureaucratic doxa. The disposition of officials is to hang, delay, "confuse", and avoid risks in making any concrete efforts towards deliberative governance initiatives.

5.5 Reductionist Forest Science

The narrow and reductionist sense of forestry science, even when pursued in a deliberative way, has very limited potential to improve policy deliberations at different levels of forest governance. If forest management involves some form of inquiry into the links between ecosystem and social organisation, then the question becomes how a democratic approach to social inquiry can be set up that allows free interchange of scientific and lay views in a free and open manner. In resource analysis and planning, for instance, forest officials promote their theoretical doxa of precision and generic methods, rather than stimulate CFUG deliberations over possible strategies of forest management which suit local needs and conditions.

In a CFUG in the central middle hills district of Baglung, recently the author observed a forest ranger suggesting a thinning formula to forest users:

> measure the girth, multiply by sixteen and measure that distance between the two trees; this would give the distance between the trees to be retained, and cut all the trees that come in between.[30]

This is basically a generic rule of thinning that the ranger has learnt, and if he gives this training to all forest users, and if they also apply the same formula, all community forests of Nepal would look perfectly similar after some years, irrespective of species, community needs and environmental conditions. Here the positivist epistemological doxa reflects a belief in a generic formula, without recognising the need for development of knowledge that matches with context – such as the forest types and needs of the villagers. And since forester habitus is dominant in relation to the ordinary users, what he suggests is legitimate and needs to be followed in the practice of forest management.

As a forester in the early 1990s, the author has himself experienced a technical dilemma in advising a CFUG which had a plantation forest of Alder at pole stage. It was in the eastern hill district of Dhankuta, where the author worked as a forest ranger in the district forest office. The author was invited by the CFUG to provide technical advice on forest management. The author visited the forest with a group of local forest users to discuss the thinning (cutting of some trees to allow growing space to others). The pole size trees were too dense, and the

author suggested undertaking heavy thinning so that the remaining trees could grow with sufficient expansion of the crown. What follows is a brief discussion between the author and the villagers:

> **The author:** well, your forest is too dense for the saplings to grow. You see the crown is overlapping, and the saplings are thinner than they could be. So you need to undertake heavy thinning so that the remaining best individuals will have sufficient growing space both in the air and the soil.

> **CFUG leader**: Of course you are right in your scientific point of view. But if we remove all of what can be removed in one go, then we will have a problem with fuelwood in subsequent years. So our strategy is to remove trees gradually so that every household can get at least a few *bharis* (bundles) of fuelwood every year. So we will cut only a few poles this year, so that we will have some left for the subsequent years too.

The village leaders did not accept the author's technical suggestion. The author was preoccupied with the notion of maximising timber volume, by offering the growing space to a few select individual trees. The technocratic assumption was that it is actually the commercial value which the villagers want to maximise. On the contrary, the villagers were concerned with ensuring a steady supply of fuelwood. This is not just a question of timber versus fuelwood. It is about matching societal needs and the ecological composition of the forest, over a span of time. For foresters, keeping forest dense and not doing adequate thinning is not scientific, and also not economically optimal. This indicates a misfit between the theoretical doxa of the forester and the practical sense of the local people. Scientific professionals, in this case foresters, tend to formulate opinion or advice by "bracketing of all theses of existence and all practical intentions..." (Bourdieu 1998, 127-128). The challenge is how practitioners of science become prepared to engage deliberatively with the common sense of ordinary people, and enrich the technical-analytical process within the communicative reason of the people concerned with the problem.

At a broader scale, this kind of mismatch between the practical sense of local people and scientific views of foresters can be found in the ways massive plantations were established in the hills of Nepal, responding to the perception of a Himalayan crisis in the late 1970s. International experts and local forestry officials worked together to establish plantations in many hill districts in Nepal. These plantations comprised species such as pine and alder that were easy for the technical staff to establish. In the 1990s, when such plantations were brought under community management, local people gradually changed pine forest into a broad-leaved forest composition.[31] For the local people who draw

their livelihoods through a dynamic interface between forest and agriculture, multi-species broad-leaved forest are essential to meet their diverse needs of fuelwood, animal bedding, agricultural implements, fodder, and small timber of various size and quality specifications.

6. Challenging Technocratic Doxa: Deliberative Innovations

While the previous section discussed the orthodoxy of techno-bureaucratic habitus, this section focuses on how non-deliberative orthodoxy is being subjected to more active deliberative possibilities in forest governance in Nepal. Emerging practice of deliberation entails two dialectically related processes – intensifying civil society response as a result of their recognition and challenge of symbolic domination by technocratic doxa, and consequent reflexivity and deliberative behaviour of technocratic habitus. This has been also accompanied by a range of deliberative forums at different levels of forest governance where techno-bureaucratic doxa has been questioned by more deliberative demands of citizens. Such forums have also been crucial in triggering self-reflexivity within the techno-bureaucratic habitus and this contributed to more deliberative engagement with people in forest governance.

6.1 Possibility of Deliberative Challenges from Civil Society

Civil society in a Habermasian sense stands in opposition to the apparatus of the state (Habermas 1996, 366-372), and potentially shares a concern (to different degrees) that any public or state restraints on ordinary people can be more legitimate and optimise private and public concerns if developed through deliberative processes (Chambers 1996). Much of the non-deliberative techno-bureaucratic dispositions in forest governance are actually legitimated upon the largely fatalistic doxa of ordinary people, who take for granted the top-down, paternalistic exercise of power by techno-bureaucratic habitus. Such fatalistic orthodoxy means that civil society habitus does not necessarily recognise its deliberative potential, and therefore accepts, unknowingly, the symbolic violence exercised by techno-bureaucratic habitus.

Two categories of civil society are identifiable in relation to community forestry governance – a) those who seek to exercise rights and duties over forest management, and b) those who seek to promote participatory governance of forest resources, without necessarily claming rights from forest resources. The communities around forest are also differentiated into the typical hierarchy of Nepalese society along the lines of caste, class, gender and ethnicity. There are poor users/women who depend heavily on forests, have knowledge of specific aspects of forests but can hardly influence the policy of the CFUG.

These groups have a subordinated habitus which allows them to accept the dominated position as normal, resulting from their fate or karma.[32] Generally in Nepalese communities, local elites take over the roles of leaders of local groups, as they consider local community level spaces as a rewarding engagement. The fatalistic habitus of the poorest groups – and their dependence on the goodwill of the local elites – means that they are less likely to come forward to exercise their political agency especially against the politicians or technical officials. Civil society outside of forest user groups includes NGOs which can also be categorised according to various doxic stances they adopt – activist NGO versus professional NGO. While the field based activist NGO habitus is preoccupied with the issue of local rights and activism, the professional NGO habitus in the capital city of Kathmandu is attuned to planning, programming and budgeting of activities before they can actually get into the field of action.

A CFUG head supported by a bilateral forestry project in Kavre district for over two decades said that, in a question to describe their relations with the lowest unit of Forest Department (Range Post), their CFUG is "under" the Range Post (Ojha et al. 2002). This means that they are unquestionably inclined to accept themselves as subordinate to the government officials. Staff of the corresponding range post also confirmed that if they do not directly supervise the forest management operations in the community forests, then the local CFUGs are likely to carelessly undertake harvesting operations, apparently indicating that the staff are the supreme protector of forests in the community controlled areas.

Nevertheless, civil society habitus is becoming increasingly radicalised and beginning to recognise hitherto misrecognised forms of techno-bureaucratic control of the public forest domain. Enhancement of deliberative agency in civil society habitus has taken both everyday forms of resistance, to use Scott's (1985) words, as well as radical political movements in Nepal. In everyday life, the dominated habitus tends to gain critical consciousness of the social experience of domination, and even the rituals can provide a means of such resistance (Skinner and Holland 1998).

Within a period of 10 years – between 1990 and 2000 – civil society in the forest sector has become an important player in forest governance in Nepal. As a result, the monopolistic control of techno-bureaucratic habitus in forest governance has been questioned. This is reflected in civil society actions foiling a number of attempts of techno-bureaucratic habitus to enact regulations or institutions of centralised or privatised forest management without deliberating with affected people – to name a few, attempts on privatisation of forest in Bara district, second amendment in the Forest Act 1993 to allow forest officials more power over community forest, technocratically designed Operational Forest

Management Plans (OFMP) in Terai districts, and imposing high royalty on forest products from community forests.

Although community forestry was initially kicked off by government with support from donors, in later years this has been actively sustained and promoted by a vibrant public sphere – emergence of a wide range of civil society organisations, including the nation-wide network of forest users (FECOFUN), media involvement, and independent research networks and platforms for analysing critically the practices of techno-bureaucratic domination. With 14 thousands CFUGs around the country, covering one-third of the 24 million people of Nepal, the forestry sector is probably one of the most vibrant spheres of civil society activism in Nepal. The federation of forest users has become a powerful player in forest governance. As of May 2005, FECOFUN has formally constituted district federations in 71 (out of 75) districts and has established ad-hoc committees in three additional districts (Ojha 2002b). Along with NGO alliances, it has brought citizen perspectives into the policy-making process that used to be dominated by the techno-bureaucratic habitus. Federation building has consolidated the power of people who depend on forests, and contributed to the reorientation of power relations between government authorities and local communities. The relationship has begun to change from the traditional patron-client modality to equal stakeholders. The new power relations have made unilateral and controversial government decisions virtually unenforceable, thus underscoring the importance of pluralistic dialogues, deliberations and negotiations in forestry.

In mid 2006, FECOFUN was leading a campaign demanding participatory management of forest in Nepal Terai. The civil society leaders of the campaign were found to recognise and challenge even the subtle forms of techno-bureaucratic domination in forest governance. The founding chairperson of the FECOFUN, while addressing a gherau (sit-in protest) recently outside of the Department of Forest office said:

> Forestry staff, whose salary is covered by people's taxes, are working against the people, and the forest minister is actually piggy-backing these corrupt forest officials and working against the people. But all these will be defeated by the power of the people. We no longer accept the control of forest by officials without involvement of the affected people.[33]

While such radical civil society actions have contributed to the creation of deliberative spaces in the interface between civil society and the state, there are challenges regarding inclusion and deliberation within civil society. An important barrier to deliberation occurs when certain groups of people get associated with particular forms of discourse and policy alternatives, and over

time, such associations become objectified – a kind of egoistic and emotional attachment, with little propensity to change through debate and argumentation. Community forestry, which started in the hills and heralded widely acclaimed success, became reified as the icon of some avant-garde civil society agents, and was resisted by those who have been excluded symbolically and economically. The author had an interaction on the position of FECOFUN with respect to CF in the Terai:

> **Author:** do you really think that what was successful in the hills can equally be successful in the Terai? Don't you think the organisational structure of the CF may need some change to fit the Terai situation, without compromising the principle of local control?

> **FECOFUN leader**: we know that the hill model of CF cannot be copied in the Terai but if I say that CF needs to be rethought, I will be sidelined by my colleagues within FECOFUN. So I must upheld the notion of CF without any compromise.

FECOFUN workers' social space is grounded in the field of CF, and if the boundary of it is challenged, then they feel threatened. While there are a few agents who are reflective, they are still constrained by the possible loss of social capitals. The nascent form of alternative critical thinking can find its full expression in practice only if there is concurrent change in the rules of the game – accept crisis and reward non-traditional models of representing reality.

This failure of avant-garde civil society activists of CF to recognise the need for more inclusive governance has been a strong legitimating ground for techno-bureaucratic habitus to resurrect control in the name of regional equity and inclusion, and a more conservative legal arrangement in the name of Collaborative Forest Management has been initiated (which provides 25% compared to 75% of the benefits in CF). This conservative shift in policy is largely created at the techno-bureaucratic level without much influence from the recent political regression in Nepal (especially after 2002 when the King dismissed elected government and took power).

6.2 Crisis in Techno-Bureaucratic Doxa

Apart from direct deliberative challenges by civil society groups concerned with forest governance, the techno-bureaucratic doxa is facing a crisis on a number of fronts both within and outside of the field of forest governance. Some of these include :

- radical challenge to feudalism overflowing to techno-bureaucratic doxa – diminished symbolic power of state officials, emergence of critical civil society,

- growth of markets for cultural capital (academic interface, development jobs),

- international obligations mandating participatory policy processes (such as the Convention on Biological Diversity),

- growing market value of Non-Timber Forest Products and inability of traditional timber oriented forest science to maintain scientific dominance,

- a wider post-structural epistemological movement challenging the notion of universal objective and scientific truths, a growing body of feminist critiques of masculine forestry doxa, and growing recognition of the symbolic violence of techno-bureaucrats.

The first aspect of the crisis relates to the emergence of radical critique, through peaceful civil society movement and armed insurgency, to the traditional notion of the state which harboured techno-bureaucratic control over civil political life. As part of the overall weakening of the state following the Maoists' "people's war" over the last decade, the symbolic power of state authority has been deteriorating. There are even cases of forest officials abducted and lower staff killed by Maoists in the country. While such violence cannot be endorsed, the Maoist threat has definitely helped to dissolve the techno-bureaucratic doxa. But there is no reason to believe that it will result in transformation of this doxa into sustained deliberative behaviour.

The second aspect of the crisis in techno-bureaucratic doxa comes from the growing economy of particular forms of cultural capital which foresters can acquire, augment or transform – such as by orienting oneself to participatory forestry approaches and selling those skills as consultants, development project staff or even NGO professionals. As a result of such changes, and the consequent response of technocratic habitus, there are even instances of highly bureaucratic DFO who have evicted sukumbasi (squatters) from Terai forests later becoming university lecturers or senior social development specialists and managers of bi-or multi-multilateral projects, inside the country or outside. The economy of cultural capital has been augmented mainly by the flow of developmental resources, as the eventual source of purchasing such capital is donor money. There are, however, also instances of forest officials taking a more professional entrepreneurial turn. Many of those who successfully nurtured and

traded cultural capital (such as educational levels and professional skills) have left government positions, and there has been little institutional change as a result of this. Donor projects have spent significant amounts of their resources on "strengthening the institutional capacity" of the MFSC and the Department of Forests, and the effect has been only at the level of the individual, not at the institutional level. So there is every reason to doubt how the economy of cultural capital has a causal effect on the institutional effectiveness of the techno-bureaucratic field, which continuously nurtures and reproduces techno-bureaucratic doxa in forest governance practices.

Third, the value of technical forestry knowledge is becoming obsolete in the changing context, and this is being felt at wider societal levels. On the one hand, forest management is becoming more and more participatory and pluralistic, and on the other, there is very limited systematic research and learning initiatives by forestry institutions in Nepal (Acharya 2005). On the wider level, the positivist epistemological foundations of forestry are being subjected to the post-structural critique of pluralism and difference. The practice of participatory management is providing insightful reflections on the limits of and the need for radical revisions of the orientations and approach of traditional forest science.[34] There is a wide consensus on the need to explore science around Non-Timber Forest Products, which range from medicinal herbs to wild bush meat – things that were not the focus of traditional forest science. In this situation, the lack of adaptive research initiatives means that the technical knowledge legitimacy of forest officials is dwindling, or becoming increasingly irrelevant. While in the short run, it will have favourable impacts on opening up deliberative spaces, in the long run, it is not clear how deliberative scientific practice is sustained to back up citizen learning and enhance technical efficiency in forest management.

Still another source of crisis in techno-bureaucratic doxa is because of the increasing interfaces of the field of forestry with the field of social science. There has been a significant upsurge of social and political scientists doing research in or otherwise creating deliberative interface with the field of forest governance. They have entered as development project experts, civil society activists, researchers, consultants, trainers and extensionists. As a result, technocratic habitus has met with day to day critique and challenge from these new participants in the field. As one former DFO remarks

> I used to patrol the forest in the Terai but after training on community oriented management of forest, I realized the past mistakes, and since then have devoted myself to the new, participatory approach to forest management. For all this significant change in my thinking, I credit some social scientists who provided me the necessary reorientation training.[35]

Another possibility of crisis in technocratic doxa comes from the emergence of cross-institutional forums and alliances or epistemic/learning communities, which have proliferated in the recent years. Although such forums and alliances are largely because of the interests of those involved, they have at times helped to forge a dialectical clash between techno-bureaucratic doxa and other modes of thinking and action. Reformist techno-bureaucrats have often demonstrated their reflective agency, and linked themselves with civil society activists in policy deliberation. Sometimes when radical civil society activists challenge techno-bureaucratic habitus in open forums, the latter admit their dominating practices. In one instance, a DFO admitted that an additional clause in the CFUG operational plan was illegal and unjustified.[36] Likewise, feminists' critique to masculine forestry doxa has just begin to emerge (Gurung 2002), and there is a possibility of a gradual breakdown of the masculine foundations of techno-bureaucratic forestry. So deliberative possibilities are in part dependent on how technocratic doxa is brought to diverse forums to be challenged by competing world views.

The persistence of technocratic doxa as the dominant driver of forestry practices is partly because of the lack of the emergence of radical and deliberative civic-political habitus in the field of forestry, which was virtually confined to technocratic doxa until 1990. The initial spaces for civil society were actually kicked off by international pressures, and later endorsed by the post 1990 parliamentary era. But the situation has changed in the post 1990 political environment. A nation-wide federation of CFUGs has emerged playing a central role in policy debate. Several NGOs have started to work exclusively in the forest/people interface. The ultimate push for this comes from the change in the strategy of donors, largely under the rubric of thickening of social capital and neo-liberal rolling back of the state, it is not clear how an "activist state" emerges to preserve the public and collective values of forest governance.

7. Conclusion

This paper has problematised techno-bureaucratic doxa in relation to deliberative governance of forest under Nepal's community forestry programme, which is widely hailed as an important example of participatory innovation in forest governance. It is shown that techno-bureaucratic doxa, enacted by forest officials, experts and staff of government forest department, continues to reproduce itself in the practice of community forestry, constraining deliberative governance processes in a variety of ways. While there are definitely some transient moments in which techno-bureaucratic doxa has given rise to more active deliberative possibilities – such as in the formulation of legislation that

transferred bureaucratic power to local people concerned with the management of forest, the regularised tendency is to renew and sustain technocratic doxa in more subtle forms of forest governance practices. At least five key aspects of techno-bureaucratic doxa can be identified which constrain deliberative process:

- Bureaucratisation and officialisation of forestry knowledge leading to exclusion of alternative producers of knowledge, and making technical prescriptions mandatory to local people
- Construction of forest officials as haakim (patrons) of local people thus legitimising the official decisions, prescriptions and ideas as authentic and paternalistically valid
- Liberal democratic legitimacy of techno-bureaucratic control creating discretionary spaces to create extra-legal and operational instructions without deliberative interface with concerned groups of people
- Cognitive and linguistic colonisation through the cultivation of scientific forestry language and corresponding de-recognition of alternative knowledge systems
- Positivist epistemological stance (narrow and reductionist) of forestry science becoming too prescriptive with less potential to stimulate local forest management planning

These aspects of techno-bureaucratic doxa are manifested in practices and outcomes of forest governance. Whereas Forest Act 1993 guaranteed CFUG autonomy, several administrative decisions and practices have undermined it. This administrative discretion was possible because most of the legislation passed by the parliament contains clauses which allow unlimited discretionary space to techno-bureaucrats, and such provisions have often been used to distort the spirit of the original legislation (Bhattarai and Khanal 2005). In a wide range of policy and management decisions, the views of technical officials are accepted as unquestionable truths – from designing forest management systems at the local level to defining rights, conditions and processes of establishing and running a community forest. On some occasions, techno-bureaucrats have been able to extract extra-legal personal rents from the citizen controlled forest areas. This has helped to enhance alliances between local elites and techno-bureaucratic habitus, further marginalising the disadvantaged groups. Even on ecological sustainability aspects, the timber oriented forestry practices promoted by traditional forestry doxa have failed to contribute to qualitative enhancement

of biodiversity.

But what should be done when deliberation is obstructed by the deeply held non-deliberative dispositions of bureaucratic and scientistic forest officials? Deliberative spaces are less likely to be expanded significantly by emphasising the notions of radical participation (Mohan and Hickey 2004) or citizenship (Gaventa 2002) as they rely too heavily on the pre-existing confidence of people in civil society, without considering the structural differentiations and their differential effect on deliberative competencies of different groups. At the theoretical level, socio-cultural constraints to deliberation are now beginning to be recognised (Young 2003), and solutions are being explored in the agency – structure interface. Fung (2005) proposes "deliberative activism" as a strategy to oppose inequality to the extent of deliberative closure. Fraser (2000) argues for relocating politics from "redistribution to recognition" so that questions and deliberation start on the very foundations of identity and symbolic power which legitimises and structures politics of material assets. Lee (1998) argues for realignment of unequal rights to cultural creation – including the construction of identities and roles. But again the question is how agents on the ground become radicalised and begin to recognise symbolic violence enacted by techno-bureaucratic doxa and engage in more active deliberative processes.

In Bourdieu's sociological language, deliberative practice is triggered by a dissonance between habitus and field that triggers crisis – that is, when accepted ways of thinking and action fail to match social realities. This sounds sensible given the fact that the enactment of technocratic doxa, for the most part, is beyond the discursive agency of both people and techno-bureaucrats – tuned according to the logic of neoliberal democratic accountability (limited election of political leaders) and the process of cultural production of patron-client relations in Nepali society. Given the doxic nature of techno-bureaucratic practice, rooted in the regularities of the field and the structure of access to symbolic resources (such as prestige, status, honor, power), ordinary people are less likely to challenge the non-deliberative dispositions of techno-bureaucrats. Likewise, there is also limited possibility of techno-bureaucrats becoming self-reflective on the dominating practices, and then giving spaces to ordinary people, unless some crisis into the immanent cognitive and motivational structure triggers reflection (as was found during the widespread perception of the Himalayan crisis).

In times of widely perceived crisis, both citizens and techno-bureaucrats may become more reflective and mutually deliberative. In such critical moments of increased deliberation, social agents are more likely to engage in the process of what Dewey (1916/1966) calls "cooperative inquiry" to find solutions for the crisis. Evolution of community forestry policy in Nepal was triggered by a

sense of a Himalayan crisis, leading to changes in legal and macro-institutional processes, but the techno-bureaucratic doxa remained the same, if not further entrenched. Initial efforts to address Himalayan degradation through establishing plantations without the involvement of local people failed, as these interventions did not allow local people to be the active agents of change (Gilmour and Fisher 1991).

In the post 1990 era, civil society gained greater symbolic space to challenge the techno-bureaucratic practices in a diversity of ways. But because of the highly differentiated nature of Nepalese society, radical deliberative processes themselves often become the enterprises of some avant-garde civil society agents, who then seem to take a non-deliberative approach within their own constituency. Kathmandu-centric, formal and often top-down civil society processes are an example of this. The potential of civil society to challenge techno-bureaucratic doxa therefore resides to a large extent in the quality of internal deliberation. This means that the public sphere of forest users is itself problematic, and we need to explore the cultural politics of deliberative process – including how the capacities and competence of assigning meanings are distributed in the discursive space (Fischer 2006).

The case of Nepal indicates that the techno-bureaucratic doxa is meeting with crisis on a number of fronts both within and outside of the field of forest governance. Some of these include – growth of markets for cultural capital (academic interface, development jobs), radical challenge to feudalism overflowing to techno-bureaucratic doxa – diminished symbolic power of state officials, emergence of critical civil society, and a wider post-structural epistemological movement challenging the notion of universal objective and scientific truths. But the effect of these crises on deliberation depends on how these changes in the "field" situations eventually trigger critical self-reflexivity within techno-bureaucrats and politicians, and also, in the mean time, augments deliberation among all concerned. There are instances of individuals enacting techno-bureaucratic doxa responding to crisis at the individual level (such as leaving jobs within Ministry of Forest and Soil Conservation and its departments) but there is little effect on the institution as a whole, where a relatively conservative form of techno-bureaucratic doxa continues to dominate the practice of forest governance.

Given the doxic nature of interaction between techno-bureaucrats and ordinary people in forest governance, critical social science should also be considered part of the deliberative process, as it helps in the critique of structurally embedded doxa, and the external social conditions affecting the exercise of agency in practice. Social scientists cannot just wait until a political consensus (among the diverse groups of citizens) is reached on how a scientific

inquiry is to be organised. Indeed, there is a role for critical social scientists to reveal dominating doxa and unequal distribution of capitals that prevent egalitarian deliberative processes. So it is contended that the role of science is not confined to undertaking technical analysis but also critiquing existing doxa that enacts domination (although there equally remains a chance of science being co-opted by the powerful). But certainly, there is a danger that science in bureaucratised form – as in the case of forestry in Nepal – can further constrain deliberative possibilities of governance.

Notes

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1. Although what constitutes science and scientistic method have been a matter of constant debate, the dominant mode of science is what is referred to as logical positivism and empiricism, which seek to develop predictive generalisations through falsification or verification of hypothesis, by collecting "objective" facts.
2. Dewey differentiates between "transactional" and "interactional" processes. Whereas the interactional process assumes that individuals have an autonomous existence before interaction, transactional processes envisage the creation of both individuals and groups in society through the processes of transmission (Dewey and Bentley 1949; 104, 134). To clarify their point, they use examples from physical sciences. Newtonian physics holds that mass exists prior to gravitation force, and the analogy to human society is that individuals exist prior to and independent of communicative interactions. This corresponds with interactional perspective. Unlike Newton, Dewey and Benteley argue, Einstein found out that mass and energy are interconvertible – that is transactional. Transactional existence of an entity means that the entity is in the constant process of constitution. Dewey's conclusion is that "when communicative processes are involved, we find in them something very different from physiological process; the transactional inspection must be made to display what takes place, and neither the particles of physics nor those of physiology will serve" (ibid., 134).
3. Absolute dependence on, and romanticisation of, local knowledge is also problematic (Sillitoe 1998), as local knowledge is inscribed within the day to day pressures of livelihoods and the larger socio-political structure that shape learning.
4. See Ojha (2006b) for the link between fatalistic habitus and technocratic habitus, and how the latter create symbolic violence upon the former.
5. Nepal is predominantly a mountainous country, with only about one-fifth of the area as low-lying plains (as low as 60m from sea level), where some block natural forests exist.
6. The present day Nepal was unified by the predecessors of the present King (Shaha dynasty) from smaller principalities in the middle of eighteenth century.
7. A limited democracy was achieved after popular struggle against feudal rulers called Rana in 1951 but again the King took all power dismissing the elected government in 1961, enforcing a partyless Panchayat system, which ended in 1990 again after a popular struggle.
8. Two laws are noteworthy here – Forest Act 1961 and Forest Protection Special Act 1967. The latter even authorised local forest guards to shoot people using forest illegally.

9. Panchayat system was headed directly by the king. It has three tiers of elected body of Panchayat politicians – Village Panchayat, district Panchayat and National Panchayat. Despite election, the real power was derived from the monarchy (Joshi 1966).
10. Initially World Bank and FAO, then a group of bilateral and international actors influenced national government towards the process of devolution of forest governance.
11. Article 26 says that local people, once organised as Community Forest User Group, will have unalienable rights over forest. They can use 100% of the benefits generated. The group remains perpetually self-governed and autonomous.
12. Elsewhere, I worked with colleagues (Timsina et al 2004) to analyse policy making practices to understand the nature and extent of deliberation between forest scientists and ordinary people, and have found very limited deliberation behind the decisions and practices (Ojha et al. 2006). We found out that out of the 15 policy decisions made during 1998-2004, only in two decisions – which were indeed supportive rather than fundamental – there was some degree of public debate.
13. The case is update from Ojha and Bhattarai (2001).
14. Sal is a high value timber species found in South Asia. Much of the Colonial Indian silviculture was focused on Sal forest management, developing models of management that maximised timber.
15. Personal communication with Sundari and Chautari CFUGs in Nawalparasi district.
16. Personal communication with Kamal Bhandari, ForestAction Nepal. See also Dhital et al. (2002).
17. Bista (1991) discusses at length how Nepalese society is embedded in the culture of feudalism, a key aspect of which is that ordinary people, who are expected to unquestionably obey and respect the views and instructions of officials. In the case of forestry, see Pokharel (1997) and Thoms (2004).
18. Two specific ways in which power is reflected in greeting practice in Nepali are – who does *Namaste* (a Nepali word parallel to good morning/afternoon) first to whom (a less powerful should first do Namaste to the more powerful), and which of the five second person pronouns are used to address the person.
19. A field based staff Department of Forest with intermediate level forestry education.
20. Personal communication with a forest official, May 2005, Kathmandu, Nepal.
21. Personal communication with a CFUG activist in Nawalparasi district.
22. A supreme court decision in 2001 declared decisions made by techno-bureaucrats void as they were found to go against the constitution and Forest Act 1993 (Khanal 2003 (2006)).
23. In one instance, a district forest official challenged an active and radical CFUG chairperson, who was also the chair person of district level network of CFUG (FECOFUN), to resign from either CFUG or FECOFUN (personal communication, Thankur Pandey, FECOFUN district chair person, Nawalparasi, May 2005).
24. Article 26 of the Forest Act 1993.
25. Hari Neupane, a veteran forest rights activists in Nepal comments how such legal rights are distorted by forest officials: "In Nepal forestry sector, law (made by parliament) is cut by rules (made by government), rules by directives (made by forest departments), directives are cut by circulars (instant written orders issued by the head of departments), and circulars by telephone orders (public speech 2005)".
26. Community forestry policy has largely been a successful strategy in the hills of Nepal, and there is still a lack of established policy and institutional arrangement for the governance of block forests of the low-lying Terai region.
27. Civil service code of Nepal has a provision of four classes of forest officials – third, second, first and special. A first class official heads central department or the division within the MFSC, and therefore a powerful departmental decision making authority.
28. I recorded this in Community Forestry Learning Groups meeting in which senior officials of

MFSC and NGOs come together to discuss community forestry issues. The view of the official came just before the meeting started formally, while waiting for some members, doing a usual chitchat in the zero hour.

29. See Ojha (2002a).

30. Personal communication with forestry officers of Nepal-Australia Community Resource Management Project (Shambhu Dnagal) and Nepal Swiss Community Forestry Project (Dinesh Paudel) in 2000 and 2005 respectively.

31. Bista (1991) says that Karma is "a belief system that posits that one's circumstances have been determined by a supreme deity; that their lives have been fated" (p77). It is believed that on the sixth day of birth a god called Bhavi comes at night to write the fate of the baby which is then enacted as the karma of the person.

32. Hamro Awaj, A publication of FECOFUN vol 3, No 1, August 2006.

33. There has been already an appreciation of this need outside of forest bureaucracy, in the professional circles, and concepts such as participatory forest management and monitoring, new silviculture and new ways of forestry are being discussed (Hobley 1996; Malla et al. 2002).

34. Personal communication, an ex DFO, April 2005.

35. Personal communication with an NGO activist, Krishna Paudel who had an encounter with the DFO, May 2005.

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