

# Politics and compliance with the Uganda Forestry Policy 2001

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## Abstract

Forestry policies form a panacea to forest conservation among the developing countries thwarted by non-compliance seen in the pattern of these entities, despite the policies' workability. Punitively enforcement is condemned by non-complaints from regulated communities, a conflict of interest exploited by some politicians. A forensic critic of documents in Uganda Forestry Policy 2001 (UFP, 2001) and related policies covered the background to forestry policies in Uganda; the government regulatory system on conservation of forest resources in Uganda and the impact of politicians on enforcement of the UFP, 2001. It concludes by conceptualizing the key variables viz. compliance and enforcement with politics playing a pivotal role in ensuring that sustainable forest management is achieved.

## Key words:

Compliance, enforcement, natural resources, NEMA, NFA, regulated communities

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## Introduction and Background to the forestry Policy in Uganda

Forest Management is as old as the peopling of the current state of Uganda. Though scientific forest management accrues its genesis from colonialism like in any other developing world, the pre-colonial Uganda's forest management was communal and forests were used as an open access resource. In utilization privileges were extended, primarily to some forest products (Mugenyi, Twesigye and Muhereza, 2005 & www.worldwildlife.org). To strive for sustainability informal policy existed amongst the chieftaincy or kingdoms where, chieftainship had a right to gifting land, forests inclusive, there were a variety of traditional codes and practices also to that effect besides the forests were assets within a cultural setting (Mugenyi et al, 2005, www.worldwildlife.org.& Bikaako-Kajura 2002). This traditional system was halted with the advent of colonization and consequent independence of Uganda. According to the National Environment Management Authority (NEMA) records by around 1890 forests and woodlands covered about 10,800,000ha (45%) of Uganda's land area. Currently, it's about 4,900,000 ha (20%) of the total area of the country (NEMA, 1996 and Ministry of Water, Lands and Environment (MWLE) 2001 cited by NEMA, 2004). This may be attributed to a number of factors which prime among others are; politics of the country, population pressure, a poverty and breakdown in law and order during the periods of civil unrest in the country.

Scientific management of natural resources can be attributed to the works of John Muir (1838-1914) and Gifford Pinchot (1865-1946) John Muir convinced the United States of America (USA) government to establish Semite National Park in 1890 (McKinney & Schoch, 1998 and Eliot, 2009). This therefore meant protecting and preserving the national park with all its biomes, contrary to the current conservationist approach professed by Gifford Pinchot. Conservation in the western world trickled down to the colonies through the western colonial masters. In Uganda the colonialist established forest reserves in order to conserve the erodible forest areas and allow forests to act as the main regulator of the hydrology of an area (Lind & Morrison, 1974 and Vink, 1975). Omara – Ojunga (1992) added that generally in East Africa besides conservation the forest reserves were to supply fuel wood for the Uganda railways in Kenya. Forestry services were created in 1898 with the appointment of the first Director to the Scientific and Forestry Department, and the consequent creation of a department to that effect in Uganda (Olet 1977& Hamilton, 1984). This ushered in scientific conservation methods and oozed out the dominant traditional ones of the silent majority touching the created forest reserves up to date.

In the colonial Uganda the forests were state controlled and not open access as they were in pre-colonial days. The control was through various agreements between the Protectorate Government under Britain and the native authorities as negotiated at the time for instance, the Toro Agreement (1900), Ankole

Agreement (1909) and later Bunyoro Agreement (1933) (Olet 1977 & Hamilton 1984) Olet (1977) added that in 1900 the Forestry Regulations, giving effect to these provisions were enacted and, in 1907, they were replaced by the first Forestry Ordinance. This laid a firm foundation for the creation and development of a permanent forest estate by 1910. Hamilton (1984) and Mupada (1997) claimed that to this effect the first forest reserves in Uganda were gazetted in 1932 facilitated by policies and laws put in place by the colonial government. The boundaries of the forest estates, more or less as they are in present Uganda were established in the 1940s. The boundaries a barred the silent majority from freely accessing the natures gift and lawfully placed these gifts in the hands of the powerful.

The genesis of forest policies in Uganda can be traced from the 1929 Nicholson report, which recognized the anthropocentric uses of forests, hence creating the need for delimiting and defining forest boundaries (Mugenyi et al 2005) Prior to it the colonial government capitalized on exploiting the forests, establishing ornamental trees on a number of plantation and species trial projects (Olet, 1977). Ostensibly, without consultations with the locals the 1929 forest policy, the first of its kind was crafted. In summation the policy provided for sustainable management of the forests, with an inclination on profitability given the capital invested in the project (Mugenyi et al, 2005 & Olet, 1977). Olet 1977 continued to assert that through it. The Forestry Ordinance was reviewed empowering the Governor to declare any area a forest reserve. Work plans for forest reserves

were drawn up by colonialist. This projected to the independent Uganda, where in 1968, the local government forest reserves were amalgamated with the central government forests. This exploitation by the few at the expense of the obstructed majority was merely laying grounds for opportunity of the latter to come.

The apparent overriding objective for the creation of forest reserves was to create a sufficiently forested estate that would cater for the country's forest products and service needs as reflected from the 1929 Forest Policy (Mugenyi et al 2005). Permits fees and licenses were therefore introduced to allow utilization of the resources; apart from firewood and poles for domestic use given that forest boundaries had been identified evidenced by marks on the ground with numbered posts or some other forms of boundary mark as they are currently. Traditional systems of resource management were to this effect criminalized and a more civilized body of state law was adopted. Worse still armed foresters carefully watched over the reserves (Mugenyi et al, 2005, Kantwi, March 2001 and Hamilton, 1984). This in essence meant that the reserves, which were in the communities' ancestral land became separate entities from them. But the colonialist could use them at will.

The forest reserves in Uganda despite being acquired on agreements as earlier mention laid on controversially acquired land. The process of land acquisition for them was gradual, unsystematic and sometimes crude. In some areas, forest reserves and wildlife protected areas were declared in occupied territories, in

effect denying the holders of the land their proprietary rights. Cases in point are the Batwa whose home was in the Mgahinga and Bwindi Forests, and the Benet community in Tingeyi county, Kapchorwa District occupied areas arbitrarily declared a wildlife protected area (Mugenyi et al, 2005). Currently people encroaching gazetted forest reserves claim the land ownership portrayed by 78.7% of the community living adjacent West Bugwe Forest Reserve, Busia District (Tenywa, March 2007 & Otieno, 2003). With increase in population in Uganda, the need for land by the communities touching forest reserves has escalated thus challenging enforcement of forest policy in the country especially when triggered by politicians.

The independent states, Uganda inclusive inherited, the system of state ownership of all natural resources, continuing the colonial traditions. In this case the state exploits the resources by allocating projects, which people view as benefiting the state, especially people in government, for instance the degazettement of large areas of Namanve (1000ha) and Wabisi-Wajala in Nakasongola District where 8,744ha for industrial expansion. Besides these peri-urban plantations/forest reserves are under pressure, such as Mbale, Soroti, Kabale, Fort Portal, Gulu and Tororo (NEMA, 1998 and Loeffler, Jan 2000) These have ended up setting, conflict between state agents and the community living adjacent to the forest reserves ignited by politicians who capitalize on this campaign for elective posts.

## The Government Regulatory System of Conservation of Forest Resources in Uganda

The formal management of forests in Uganda was institutionalized in 1898 and the Forest Department (FD) had the overall responsibility for managing and safeguarding the forest reserves. Since 1998, FD has undergone transformation into the National Forestry Authority (NFA). The NFA manages Central Forests, Reserves (CFRs) which are 506 in the country and performing other forestry functions under a performance contract with the ministry (MWLE, June, 2003) NFA manages the CFRs in partnership with the private sector, such as companies or firms, non governmental organization, community of Uganda and Local Government in accordance with the National Forest and tree planting Act (NFTA), 2003 (NFA, Dec, 2005). With this all inclusive management one wonders where encroachment oozes in, hence deforestation in Uganda.

The current classification of Uganda's forests is partly a replica of the forestry ordinance of 1947 which categorized it into three viz. Central Forest Reserve under the control and management of FD, local forest reserves under local authorities who are answerable to the FD, and village forest reserves, which were to benefit the communities (Mugenyi et al, 2005). Currently NFTP (2003) has five classifications which, besides the given includes the private forests and forests forming part of the wildlife conservation. The responsibility of FD has been given to NFA apart from the local reserves,

which are under specific local governments; village forest reserves transformed into community forests these are under the district council and the concerned community. Private forest could be registered with the District Land Board and the registered and licensed owner is responsible. All these are apparently ideal, but practically deforestation is at its apex in Uganda as if no order exists in the country.

The independent Uganda through the 1964 Forest Act, Chapter 246 assumed the colonial management of the forest reserves. The Act concentrated more on the exploitation and less on conservation and sustainability of the protected areas. It did not cover forests and forest resources outside the protected areas apart from tree species like “Muvule” and Mahogany. It was not flexible with the dynamism the country was undergoing such as, decentralization, liberations, privatizations and changing values of currency (Ministry of Natural Resources, 1995 and NEMA, 2001) The same was reflected in the Forestry Policy 1988, which contained limited guidance on principles and strategies for implementation, on forestry outside the gazetted reserves and other roles of stakeholders in conservation such as government, the private sector, rural communities and linkages with other sectors (The Uganda Forestry Policy, 2001). The gap in the current apparently comprehensive forest policy 2001 is the role of politicians, who extraneous deter the expected to be smooth compliance with the policy. Besides, seemingly the colonial administration, the 1964 Forest Act and the Forest Policy 1988, created a big gap between the regulators and regulates creating challenges in effective

enforcement of the forestry Policy 2001 in Uganda.

In Uganda, the government is entrusted with the management of natural resources for the general benefit of the people (Constitution of the Republic of Uganda, 1995, Article 273) Under the law of trust, a trustee holds the legal title to the property, thus by extrapolation, the Uganda government holds the legal title to all CFRs in the country. Therefore, any person or group of persons that appropriate, convert or damage or in anyway alienate any part of a reserve in contravention of the management plan of that particular reserve is deemed to be an encroacher. The government is therefore obliged to legally and morally protect these reserves from all forms if destruction, including encroachment (Mugenyi et al, 2005). Despite the government obligation reports from the forest reserves claim the following evident forms of encroachment in Uganda, do exist; cultivation, cattle grazing, permanent settlements, schools, churches and markets. The same is found in Local Forest Reserve (Jao & Kiyingi, Aug, 2005). The most painstaking issues on such circumstances is where the government is on the eve of the establishment of the given aspects.

In a bid to effectively and efficiently manage the forest reserves in Uganda, the government promulgated the Uganda Forestry Policy 2001 whose ultimate goal is “An integrated sector that achieves sustainable increases in the economic, social and environmental benefits from forests and trees by all the people of Uganda; especially the poor” (MWLE, 2001). There are two higher

level statements established in the policy viz. forestry on government land (Policy Statement N<sup>o</sup>1) and forestry on private land (Policy Statement N<sup>o</sup> 2). It is generally on all inclusive policies, the first of its kind in Uganda, and like the constitution commits the government to conservation and sustainability of the forest resources in the country. The following are some of its performance indicators.

- “-The sustainable use of the resource base,
- The maintenance of vital ecological services and conservation of biodiversity
- The growth of the economy in forest-related business, and,
- The alleviation of poverty amongst the rural and urban population who depend on Forests for their livelihoods”

(MWLE 2001, The Uganda Forestry Policy page. 29).

The framework for the implementation of the Forestry Policy 2001 is the National Forestry and Tree Planting Act (NFTPA) and the National Forestry Plan (NFP). The NFP sets out the long-term investment programme for the forestry sector (MWLE, June 2003). Through the NFTPA a semi autonomous body NFA was formed. Besides the forestry Policy 2001 the following is also concerned; the National Environment Management Policy, 1994, The National Fisheries Policy, 2004, The Tourism Policy 2003, The Land Policy (draft). The Land use Policy (draft), The National Trade Policy (draft). The Water Policy 1995, The Wildlife Policy 1996; The National Soils Policy (draft); District Environment Policies for Arua, Mbale, Busia, Mbarara, Kasese and Kabale; and National Policy on the Conservation and Management of Wetland Resources 1995 (NEMA, 2005). All these policies extra and

interpolate on forest resources, but ironically the estate is dwindling at an alarming rate.

It is impeccably clear that the Forestry Policy 2001’s making process was the most participatory and therefore comprehensive in the history of Uganda. This is manifested in the wide range of parties which were involved in its consultation process viz. key agencies, organization and individuals at national, district and local levels, administrators, technicians, NGOs, researchers, large and small scale farmers and other stakeholders. Besides comments were received from central and local government, religious and traditional leaders, national, international and local NGOs There were 4 regional workshops attended by over 1200 people in Mukono (Central), Mbarara (Western), Lira (Northern) and Mbale (Eastern) (MWLE, 2001). It thus looks at almost all aspects of the forest resource conservation and avenues through which deforestation takes place, but no emphasis takes on politicians who apparently are the pivots through which compliance with and enforcement does balance. Besides, it does not show how people who cannot participate in commercial forestry and partnership could benefit from forestry yet interested in the utility of the resources.

NFA as a body in charge of enforcement of the Forestry Policy 2001 has a vision that is “To contribute to a sufficiently forested, ecologically stable and economically prosperous Uganda” (NFA, Dec; 2005). This apparently is realistic, credible and attractive, thus in concomitant with Stacey (2000). It is thus realistic and attractive to have a

sufficiently forested and consequently ecologically stable Uganda, but the ground is not fertile for that due to political interference and encroachment by community living adjacent the forested areas mainly attributed to poverty, ignorance and population pressure. The credibility of the vision is also doubtful given the fact that then FD officials replaced by NFA were corrupt, inefficient and the ineffective on supervision and ill equipped to encounter encroachment (Hamilton 1984). The local committees torching the forest reserves have failed to differentiate the NFA from FD for they function similarly. NFA is perceived by the regulated communities as “*nfa*” a Luganda expression connoting “*am dying*” thus an evidence of strain relations contrary to the Forestry Policy 2001, advocating for partnership/collaboration. These are huddles for NFA to go over, for six years down the road; less is on the ground manifested by mob justice against NFA officials.

NFA (Dec, 2006) has it that implementing sustainable forest management is a crucial strategy. The body's major challenges include, among others getting management, economics right, mobilizing investment in non-traditional areas like compliance with labor and environmental laws, local community development activities and getting the NFA contractors to subscribe to the standards that can be verified independently. These challenges are envisaged when Uganda's forests have been disappearing at an alarming of 2% per year (NEMA, 2002). Tenywa (2007) adds that this is the highest in the world where it stands at 0.18% annually. The

country has been losing about 6000 hectares of trees per month extrapolated to be 72000 hectares as in 2006. At this rate fate of Uganda's 49million hectares of forest cover as per 2006 is at a high risk (NFA, Dec 2006).

NFA has established a Law Enforcement Unit, which is charged with the eviction of encroachers. To that effect the unit has embarked on a three phase strategy; opening the boundaries, sensitizing the people on the importance of forestry, and evicting the encroachers (Mugenyi et al 2005). Occasionally, in a bid to evict encroachers NFA has encountered resistance, for instance from the following CFRs Rwoha (Mbarara); Kakaona (Mukono) and South Busoga Forest Reserve (Mayuge). Despite all the body's endeavors, the number of people building houses, farming and grazing their livestock in the protected forests went up from 180,000 to 220,000 between 2005 and 2006, an increase of 23%. The encroachers, who are increasingly better organized, fiercely resist any attempts by the NFA to evict them (Tenywa, March, 2007) Thus lawlessness manifested in mob action by the community ending up in injuring the NFA officials with an astonishing impunity. This impairs the vision of the Forest Policy 2001.

It is apparent that illegalities in the forest reserves were limited before the 1960's, which could be attributed to law population pressure, the legitimacy of the policy, effective enforcement and apparently no political pronouncements to that effect. It became a widespread problem after the economic war. NEMA (2001) reported that since the economic war, large stretches of erstwhile virgin

forest have been encroached for both farming and settlements. Both NEMA (2001) and Hamilton (1984) agreed that the following forest reserves were immensely affected; South Busoga Central Forest Reserve, Mabira Central Forest Reserve and Mt. Elgon Forest Reserve among others. Currently as earlier mentioned they do it with impunity.

### **The impact of Politicians on Enforcement of Forest Policy in Uganda**

Policy in its broadest sense can refer to programmes, strategies, plans and their implementation, resulting from public or collective decision making (Thomson, 2000 cited by Means & Josayma, 2002). Ndemere (2007) has it that a policy is the outcome of politics implement by the state within different sectors of society. Thus, it is the totality of procedures and principles of actions aimed at achieving specific goals. It can also be viewed as a generally accepted and purposeful course of action, which has important consequences for a large number of people and a significant amount of resources. O’Riordan (2000) gave a summation of the definition of a policy adopted by this paper as, a course of action or principles adopted or proposed by a government. Policies are often put in place, then immediately fine-tuned to fit a new problem or altered in the light of a sudden discovery of unexpected information. This dynamism is evident in Uganda’s forest policies of 1929 and 1988 (MWLE, 2001). Thus ostensibly policies are dependent on politics on both promulgation and enforcement.

Several organizations concerned with environmental policies believe that enforcement is a set of actions that governments or others take to achieve compliance within the regulated community and to correct or halt situation that endanger the environment or public health (U.S Environmental Protection Agency (E. PA), 1992; Canada March 2001 & Uganda’s MWLE Nov; 2005) EPA 1992 viewed compliance as the full implementation of environmental requirements. The International Network for Environmental Compliance and Enforcement (INECE) (April 2008, Draft) claimed that compliance is a behavioral response to regulatory requirements or conformity with the law. This paper takes enforcement as strategies aimed at achieving compliance with a forest policy in Uganda. Thus the strategies includes the following:- creating requirements that are enforceable; knowledge of one subject to requirements and setting programme priorities; monitoring compliance; responding to violations, clarifying roles and responsibilities; and evaluating the success of the program and holding program personnel accountable for its success (EPA, 1992 & MWLE, Nov 2005). Important risky for enforcement officers in Uganda is responding to violations which entails evictions from the forest reserves is often affected by politics in the country.

Central in the enforcement and consequent compliance with Uganda’s Forest Policy is politics, especially in central forest reserves. According to Hornsby (2000) politics “is the activities



involved in getting and using power in public life, and being able to influence decisions that affect a country or society”. Thus to him a politician is a person who is good at using different situations in an organization to try to get power or advantage for him/her self. Cardinal in these definitions is the term power viewed by Jordan and O’Riordan (2000) as the ability to achieve a desired outcome. Ndemere (2007) adds that it is the capacity to control or change the behaviour of others; an attribute very vital in politics. It often takes place through the action of certain interests achieved at the expense of other interests, thus justifying why politics are often conducted by pressure group lobbies, or coalitions creating a strategy for getting their way. By exercising power at various stages in the process, individuals and organizations can facilitate, delay or prevent the development of resource policies. Politics comes into play when an agency refuses to acknowledge or address an issue, concerning the management of the resource (Jordan & O’Riordan, 2000 and Ndemere, 2007).

Jordan and O’Riordan (2000) characterized five important attributes of politics as follows; that it is an activity about decision making, involves power, occurs within communities and social network, and is everywhere. According to Dietz and Hoogervorst (2009) politicians in the process of setting social objectives have a crucial position and tasked to:-

- “-Assess which preferences citizen have for environmental utilization’
- Set the relative weights of needs competing for the only limitedly available environmental goods, and
- Translate the high priority preferences into concrete social objectives for

environmental utilisation”

Thus, they are depicted as omniscient, perfectly knowing how transactions prevent welfare, increase and knowing how this can be corrected or prevented (Ibid 2009). This aspect is worsened by their fame, charisma and special expertise, making environment suffer in case of conflicts.

Politicians, play an increasingly critical role in environmental governance in general through; deciding the passing of the Acts, policies, how environmental regulations are enforced, protection of vulnerable ecosystems and assistance offered to manage resources in the proximity of local users (Anderson, Gibson and Lelaucq, 2005). Ideally, policies are proposed by the citizens to politicians who in passing them legitimize them (Ndemere, 2007). Surprisingly, environmental issues rarely in Uganda receive a political airing, especially not in pre-election periods, simply because no politician can subsume analysis and solutions into simple, tabloid dimensions (Jordan & O’ Riordan, 2000). In Uganda, for long there has been confusing government policies coupled with irresponsible political statements seeking cheap popularity. Thus, over 80% of encroachments in Uganda’s forest reserves have the backing of politicians who usually trade forest reserve land for votes (Jao & Kiyingi, Aug; 2005). These apparently irresponsible statements arise from gaps not addressed in either Acts or Policies hence deter enforcement of forest policy.

In Uganda due to poverty, ignorance, proximity and population pressure, the communities touching the forest resources, have chosen to listen to

political pronouncements both local and national levels. They thus disregard professionals in forestry with a perception that they are detractors (Natusiimira, 2007). In this case professionals are seen as anti-development and anti-people besides being ill-advisers. Anderson et al (2005) have it that politicians in general are worried about staying in power. To this effect, according to Dietz and Hoogervorst, (2009) a politician can choose to follow his/her own convictions and beliefs despite his/her knowing that it would convince a sufficient amount of voters. Due to their charisma, diplomacy and persuasive skills they end up succeeding in reducing initial opposition in society, articulated in leading newspapers, magazines and television programmes and expressed by mouth pieces of best organized interest groups. A testimony to this in Uganda is when encroachers' population, which was 180,000 in 2004/05, increased by 23% following a presidential directive to halt evictions of encroachers from gazetted reserves in 2006 (Alweny, 2007 & Nsangi, 2006). This de-legitimizes policies enacted by them, hence boomeranging enforcement of forest policies.

Anderson et al (2005) in a research carried out in Bolivia and Guatemala established that conventional impediments to successful policy implementation or lack of training and administrative capacity, thus impairing compliance with natural resource protection responsibilities. Besides that Ndemere (2007) added that it is imperative that natural resource managers be concerned about both resources and people. To him, natural

resource policy objectives must be closely related to the general objectives, attitudes and values of society itself. It is true that NFA in Uganda employs qualified personnel for forestry service, but the predicament is that they are few compared to the area to be governed. This number cannot counteract what politicians do exploit for instance the relationship between the environment and society being two-way. The way the regulated communities think about and respond to "objective" environmental resources is itself deeply political. Due to failure to explicitly draw attention of the regulated communities, there are often unending struggles between the communities and government agencies whose perceptions of the management of resources are competing over appropriation of benefits (Jordan & O' Rordan, 2000 and Ndemere, 2007). Thus, when communities turn hostile to NFA's few officials ostensibly with a silent political backing as in South Busoga Central Forest Reserve, 13 central forest reserves in Kibale district, Kiboga, Mukono and Luwero districts in Uganda, the mobilization is perfect (Nsita, 2006).

In order to harmonize enforcement of environmental policies and Acts in Uganda there is an Inter-Ministerial Policy Committee (IPC) composed of eleven cabinet ministers as a supreme organ of NEMA. This is chaired by the Prime Minister. The IPC provides policy guidance and co-ordinates environmental issues in various sectors and liaises with cabinet on issues affecting the environment generally. Besides this NEMA has a Board of Trustees, which oversees the implementation and successful operation

of a policy and function of NEMA (NEMA, 2004). At district level through decentralization policy, there is a provision in the Uganda's Local Government Act 1997 which involves devolution of powers from the central government in the district and other lower councils. The district council is the highest level in the district to ensure the integration of environmental issues in the development planning process. The district environmental committees established through NEMA guidelines, in consultations with the district local councils are expected to ensure that environmental concerns are integrated in the district plans and projects, formulate bylaws, promote the dissemination of environmental information and prepare the district state of environment reports annually (NEMA 1998). Through the Forest Act 2003 N<sup>o</sup>. 16.1 it is within their prerogative to seek for reclassification of any forest reserve within their political jurisdiction (The Republic of Uganda, 2003). This therefore puts politicians at a central point in enforcement of policies and by laws they pass contrary to what is on the ground.

In Uganda, the government is entrusted with the management of natural resources for the general benefit of the people (The Republic of Uganda 1995, Article 273). In Management, the parliament's authority by law is expected to provide measures intended to protect and preserve the environment from abuses, pollution and degradation, and to promote environmental awareness (Ibid, 1995). The role of parliament and by extrapolation government protection of natural resource reserves is under the law of trusts, where a trustee holds the

legal title to the property (Mugenyi, et al 2005) Abuse of the legal title to the property in natural resources reserves is experienced among others by encroachment. Encroachment manifests as earlier mentioned in the forest reserves. It is contrary to section 32 (1) of NFTP (2003) which lists them as activities prohibited in the forest reserves, unless permitted in accordance with the forest management plan.

The politicians in Uganda like elsewhere exploit local communities' ignorance to crave for support as they degrade the environment. This is in line with the Anderson et al (2005), who claimed that it is theoretically accepted that the more affluent and educated members of society are, the more environmentally aware and active they will be. According to Dietz and Hoogervorst (2009) each politician either opportunistically seeking private benefits or paternalistically striving for a better world is forced to relent to votes' needs in the competition for the public favor. Thus voters do replace politicians who are irrelevant by their judgment. To this effect environment suffers most given free access to it. In Uganda, according to Nsita (2006) in the country's 2006 general election campaigns, politicians promised the land desperate and unsuspecting electorate, that they would change the boundary and the gazette the areas of some of the forest reserves for them. Such promises are in most cases accompanied by allegations that NFA officials harass local people; conduct illegal evictions and other false allegations. This does not always depict the time lags between political pronouncements and apparent results, for by the time the mess is discovered,

the politicians would have left the offices (Ibid, 2009). The electioneering period in most developing countries, put the trust the government has on forest policy at stake, thus de-legitimatising it as seen in Uganda.

Encroachment in Uganda has its genesis from a chief politician, President Iddi Amin's call for people to double their production following the departure of the Asians and the declaration of economic war. This officialised encroachment in the country by then (Hamilton, 1984). Characteristically, the regulated communities are always meekly skewed towards political allegiance and personalities. Uganda's current president has always directed the NFA to stop all evictions which have always been a set back, worsened by there being no clear guidelines on evictions settlement and compensation of the culprit. Thus, many people have made their way back to the forest reserves in large number (Tenywa, March 2007). There is evidence that main politicians don't comply with privatization demands of forest reserves in Uganda, where specific trees are to be planted; instead they planted commercial and food crops in the forest reserves (Lumu, July 2007). It has also been observed that politicians dubbed "Private developers" and other politically backed encroachers were destructive to the reserves. The painstaking issue then is the legitimacy of the policies, acts, and the constitution passed by these apparently elusive politicians.

## Conceptual Framework

From the literature reviewed the concepts at interplay are three viz. compliance, enforcement and politics for appropriate management of forest resources in Uganda. There relations are as explained below. The cardinal aim of any environmental policy on natural resource is sustainable management of natural resources. This is achieved by compliance with the rules and regulations stipulated in the policy by regulating communicates living adjacent the reserves. But due to poverty, ignorance, population pressure, arbitrary establishment of the reserves and other push factors, the regulated community eyes the resources at their proximity with nostalgia given the open access. They thus encroach them through, illegal exploitation, farming in the area, settlement, grazing and the next with a backing of the Politicians as shown in the framework. This calls for enforcement.

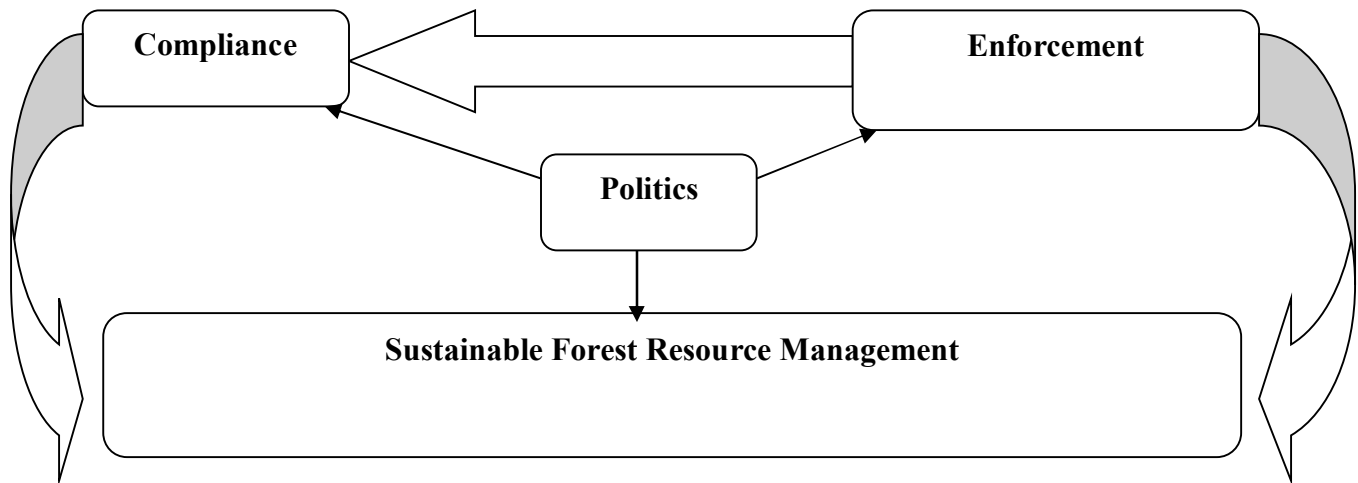
The government agencies are the sole policy enforcers on forest resources in Uganda and these include, NFA, NEMA and UWA. They work in line with, the constitution, policies and Acts of parliament. Thus, in their strategy they, punish, evict, and fine the encroaches as punitive approach. They also promote compliance with, monitoring, compliance assessments, voluntary compliance programs, and creating public awareness. But their role is disregarded by the regulated communities, especially during the elections when engineered by the politicians, viewing them as detractors and anti-development. This has always marred their work, hence encroachment with impunity negatively affecting

sustainable resource management as seen in the conceptual framework diagram.

Politicians de-legitimize policy by their pronouncements to the pathetic regulate community as seen above. Ironically, they make the constitution and pass both policies and Acts governing the forest reserves. But given their charisma, boldness and need to stay in power cajole the regulated communities against compliance by criticizing the mode of enforcement. Thus mob justice is common on policy enforcers hence deforestation. This is contrary to the Legitimacy Theory as postulated by Tyler 1990 (Ivanora, 2002). Besides, it is contrary to the oaths they take to abide

by the constitution. This makes the role of politicians in compliance with and enforcement of environmental policies central as seen in the conceptual framework.

All the given concepts interplay to discomfort forest resource management manifested in deforestation. In this case deforestation is taken to mean devagation of trees without replacement-contrary to sustainable utilization of the forest resources. In Uganda forests are diminishing at a faster rate. Thus, there is a need to comply with the policies as non-compliance affects the forest resources negatively as below.



A Conceptual Framework for Compliance with and Enforcement of a Forest Policy  
Source. Researcher's Perception.

## Conclusion

In developing countries, it is crystal clear that politics pay a vital role in compliance and enforcement of environmental policies. Politics viewed as the activities involved in getting and

using power in public life, and being able to influence decisions that affect a country or society (Hornby 2000) is misused to extraneously curtail both compliance and enforcement of environmental policies. This is evident in pre-electoral periods. Thus the single sided flow of the arrows in the conceptual framework given in this paper. Politicians downplay the fact that environmental issues span beyond the political period manifested in long

regeneration periods of the affect natural resources, for instance, President Amin's mess three decades ago is still being felt in Uganda. This calls for the legitimatization besides effective enforcement of environmental policies so as to attain sustainable forest resource management in the country which has no political bias or affiliation hence indiscriminately affect all citizens.

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