



NATIONAL DEFENCE UNIVERSITY-KENYA

**ASSESSING THE EFFECTIVENESS OF STATE-LEVEL FORESTRY
POLICY ON FOREST DEVELOPMENT IN KENYA**

**ABUTO GEORGE OMOLO
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**SUPERVISOR:
DR. PETERLINUS OUMA ODOTE**

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FOR THE DEGREE OF MASTERS OF ARTS IN NATIONAL SECURITY
AND STRATEGY**

DECLARATION

I declare that this research paper titled:

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Abuto George Omolo

(Reg: ND601/0039/2022)

This paper was supervised and approved by the undersigned supervisor

Signature..... Date.....

Dr. Peterlinus Ouma Odote

Supervisor,

National Defence University - Kenya

DEDICATION

This work is dedicated to my dear family members, my spouse Beatrice Akoth, Daughter Lynn Albright, Sons; Dylan Zanders, Maurice Gladwell, Brian Clarkes and Frank Rawlings and to my late Parents and Brother Maurice Otieno Abuto. Further special dedication to Mr. Julius Kamau, EBS and the entire Kenya Forest Service fraternity for supporting me in this academic expedition.

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ABBREVIATIONS

ASFADA	-	Arabuko–Sokoke Forest Adjacent Dwellers Association
ASDS	-	Agriculture Sector Development Strategy
AWPs	-	Annual Work Plans
CBF	-	Community-Based Forestry
CBNRM	-	Community-Based Natural Resource Management
CFAs	-	Community Forest Associations
CFRs	-	Central Forest Reserves
CG	-	Central Government
CHRM	-	Cultural Heritage Resources Management
CIFM	-	Community Involvement in Forest Management
COMIFAC	-	Central African Forests Commission
EAC	-	East African Community
EMCA	-	Environmental Management and Coordination
FAO	-	Food and Agriculture Organization
FCMA	-	Forest Conservation and Management Act
FD	-	Forest Department
FRs	-	Forest Reserves
FRA	-	Forest Resources Assessment
INLUG	-	Integrated National Land Use Guidelines
IUCN	-	International Union for Conservation of Nature

KALR	-	Kenya Agricultural and Livestock Research
KARLO	-	Kenya Agricultural and Livestock Research Organization
KFS	-	Kenya Forest Service
LFRs	-	Local Forest Reserves
LG	-	Local Government
MEAs	-	Multilateral Environmental Agreements
MLHUD	-	Ministry of Lands, Housing and Urban Development
MS-Excel	-	Microsoft Excel
NEMA	-	National Environment Management Authority
NEPAD	-	New Partnership for Africa's Development
NFA	-	National Forestry Authority
NLC	-	National Land Commission
NLP	-	National Land Policy
NGOs	-	Non-Governmental Organizations
NPCH	-	National Policy on Culture and Heritage
NWFPs	-	Non-Wood Forest Products
PAMs	-	Policies and Measures
PES	-	Payments for environmental services
PROFOR	-	The Program on Forests
REDD	-	Reducing Emissions from Deforestation and Forest Degradation
SFM	-	Sustainable Forest Management

SLM	-	Sustainable Land Management
SOPs	-	Standard Operating Systems
SPSS	-	Statistical Package for Social Science
SSA	-	Sub-Saharan African
TFAP	-	Tropical Forests Action Plans
UN	-	United Nations
UNCED	-	United Nations Conference on Environment and Development
UNEP	-	United Nations Environment Programme
UNFCCC	-	United Nations Framework Convention on Climate Change
UNFF	-	United Nations Forum on Forests

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ABSTRACT

An effective implementation of Forestry Policies is critical for ensuring attainment of strategic forest goals for the sustainable socioeconomic development of the Country. Primarily, the provisioning and regulative roles of Forest ecosystems are vital for the resilience of the global productive and industrial sectors of socioeconomic growth and development. This study focused on assessing the effectiveness of Kenya's forestry policies on forest development with the aim of proffering policy interventions to reverse the prevailing loss of vital roles of forests emerging from the increased rate of deforestation. The scoping of the study assessed factors influencing state-level forestry policy on forest development; undertook analysis of critical components of effective implementation of forest policies; and as well, evaluated the impact of the Forestry legal and policy frameworks vital for forestry development and socioeconomic growth in Kenya. The primary and secondary data collection methodology was based on qualitative and quantitative techniques based on stratified sampling survey and analysis. The interpretative aspect of the results was grounded on the conceptual framework developed on the basis of David Easton's system theory and Lindblom's theory of incrementalism. The conceptual framework further borrowed on the concepts in Sadler's Policy Effectiveness Triangle revised by Baker and McClelland (2003) and the Integrated Policy Implementation Model developed by Winther and Nielson (2008). The study findings established that the implementation of Kenya's Forest Conservation and Management Act 2016, the Draft Forest Policy 2014 revised in 2020 and the third version of Forest Strategic Plan 2018-2022 are moderately relevant and moderately effective in spearheading the global, regional and national goals on sustainable forest management and development. However, adjustment of the level of effectiveness of the underlined policy was found necessary thus the following administrative and policy recommendations were proffered; review of the Policy to enhance global and Regional integration and cooperation on topical forestry matters; enhancing linkages and partnerships, particularly on the inter-organization participation in Forestry; revitalizing training and competency development policy to customize distributive fairness and equal opportunity informed by clear training needs inventory; customizing stakeholders' collaborative planning and resource mobilization with a common funding system; establishing Resource Mobilization and Distribution scheme that calibrates fair distributive systems of implementation resources across forest Regions; and enhancing Public-Private partnership in forestry investment and consideration for Tax rebates to prop growth of Wood and Non-Wood Based Forest enterprises, ostensibly in the redistribution of equal socioeconomic growth and national development in forestry across the Country.

CHAPTER ONE

INTRODUCTION

1.0 Introduction

The Study topic examines the levels to which State-Level Forestry Policies influence the attainment of Kenya's strategic forest goal that leverages socio-economic growth in the Country. The fact that Forest is vital for provisioning and regulative services essential for sustenance of the global, regional, and national economies, its exponential rate of deforestation and degradation adversely affects the well-being of the global society at large. Experience affirms that despite a plethora of forest policies having been developed and implemented at the global and state level to ameliorate the adverse effect of loss of forest functions on the economy and environmental resilience, the impact largely appears insignificant hence necessitating the essence of this study assessment.

1.1 Background to the Study

The global forestry debate gained relevance since the first global conference on the human environment was discussed in 1972 followed by the UN Conference on Environment and Development in 1992 and the global Sustainable Development addressing the 17 Sustainable Development Goals 2030 rolled out in 2015. “The global conferences underscored the importance of forests and trees in sustainable development as well, spearheading the Sustainable Development Goals (SDGs) and the mitigation of the prevailing risks of climate change within the acceptable levels and frontiers.¹

¹ FAO. 2022. The State of the World's Forests 2022. “Forest pathways for green recovery and building inclusive, resilient, and sustainable economies. Rome, FAO. <https://doi.org/10.4060/cb9360en>

Forestry plays an important role in society's livelihood and sustenance of provisioning goods and ecosystem services critical for the world's economy, particularly to the extreme poor global rural population. The world is however at a crossroads to address the emerging challenges of the global population bulge projected to increase to 9.7 billion by 2050. The increase in the global population time bombs unsustainable pressure on the consumptive forests and natural resources hence ran away ramifications on the state of environmental wealth.²

“According to the Global Forest Resources Assessment (FRA) 2020) report, the global Forests cover an area of 4.06 billion hectares taking up 31% of the total world’s land area”.³ Africa's forests and woodlands cover 675 million hectares constituting 23% sum of the land area of the continent. Additionally, approximately 350 million hectares take up 13% of the continent's land mass presently categorized under "other wooded land" made up of wooded savannah, thickets, and shrub lands.⁴ The extent of African forests are spread in five distinct sub-region with 37.1% of the African forests found in the central African sub-region followed by 28% found in southern Africa, the East African sub-region coming third with 13.2% of the continent's forest area while the West African accounts for 11.1% as North Africa sub-region following last with 10.5% of the Continent's forest cover area⁵.

In view of the fore therefore, the importance of forests to the global economy is not understated particularly in the provision of global public goods and rural economic

² Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

³ FAO. *Global Forest Resources Assessment 2020: Main report*. Food and Agriculture Organization of the United Nations, Rome. (2020)

⁴ MEA, M. E. A. *Ecosystems, and human well-being: current state and trends*. Millennium Ecosystem Assessment, Global Assessment Reports. (2005).

⁵ Traore, M. and Tieguhong, J.C. 2018. *How Forestry contributes to the African Development Bank’s High 5 Priorities: challenges and opportunities*. African Natural Resources Centre. African Development Bank. Abidjan, Côte d’Ivoire.

development to sustain the society's livelihoods. The Forest sector fulcrums the mainstay of food and nutrition security, revenue generation, poverty reduction, biodiversity resilience, and amelioration of climate stability.⁶

According to the FRA Report 2020, the worth of global forest ecosystem services estimated at USD 7.5 trillion in 2018 constituting 21% of the total wealth of the land Assets. Over half of the global GDP amounting to USD 84.4 trillion generated in 2020 depended on ecosystem services with approximately 662 billion metric tons of carbon constituting over half of the global carbon stock held in soils and vegetation. Reports indicate that the travel and tourism sectors, real estate, and retail had hidden dependencies on ecosystem services through their respective supply chains.⁷

Comparably, therefore, the informal and the formal forest sectors contributed a total worth of USD 1.52 trillion with the formal forest sector contributing approximately USD 663 billion in 2015. However, the formal and informal global forest sector employed 33.3 million global population in 2017–2019 which forestry and logging subsector employed approximately 42% of the African population in 2017-2019 while approximately 19.2 million of the global population were directly employed in the formal forest sector in 2015.⁸

Illustratively, approximately 698 million of the global population were found living below the extreme poverty line in 2021 with 66% of that global extreme poor found in the sub-Saharan African countries. Kenya's population estimated at 18.8 million

⁶ Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

⁷ FAO. *Global Forest Resources Assessment 2020: Main report*. Food and Agriculture Organization of the United Nations, Rome. (2020)

⁸ FAO. *Global Forest Resources Assessment 2020: Main report*. Food and Agriculture Organization of the United Nations, Rome. (2020)

persons was found in that poverty segment in the same period of analysis.⁹ Further, statistics illustrate that 80% of the extreme global poor live in rural areas of which 40% of the World's extreme rural poor fully depended on forests and savannas for a livelihood.¹⁰

However, an estimated 4.17 billion people making up 95% of the global rural population were found living within a 5 Km radius of the global forest in 2019. Out of this, 3.27 billion people representing 75% of the underlined rural population were found living within a 1 km radius of the global forests area with the majority of this population segments found in Africa and Asia.¹¹ The statistics further illustrate that 1.6 billion of the global population are forest resource-dependent, particularly the critical rural majority-poor for their subsistence.¹² The statistics again reveal that about one-third of the smallholders in Sub-Saharan Africa derive 17% of their gross income from trees.¹³

In the face of demonstrating importance of Forests in the sustenance of the global economy and livelihoods, FRA 2020 report establishes that the World lost 420 million hectares of forest area between 1990 and 2020. The report further estimates the rate of global deforestation at 10 million hectares per year compared to the afforestation rate of approximately 5 million hectares of forests per year experienced in the 2015-2020 period of analysis. Categorically, the state of the high rates of deforestation is

⁹Suckling, E., Z. Christensen, and D. Walton. "Poverty Trends: Global, Regional and National." *Development Initiatives* 11 (2021).

¹⁰ United Nations Department of Economic and Social Affairs. The Global Forest Goals Report 2021; United Nations Forum on Forests Secretariat (2021).

¹¹ FAO. 2022. The State of the World's Forests 2022. Forest pathways for green recovery and building inclusive, resilient, and sustainable economies. Rome, FAO. <https://doi.org/10.4060/cb9360en>

¹² United Nations Department of Economic and Social Affairs. The Global Forest Goals Report 2021; United Nations Forum on Forests Secretariat (2021).

¹³ FAO. 2022. The State of the World's Forests 2022. Forest pathways for green recovery and building inclusive, resilient, and sustainable economies. Rome, FAO. <https://doi.org/10.4060/cb9360en>

predominantly in South America and Africa with Europe and parts of Asia experiencing net gains in the 2010 -2020 period of reporting¹⁴

The African continent with forests and woodlands covers of 675 million hectares experiences the greatest global annual forest cover loss at the rate of approximately 3.9 million hectares after South America at 2.6 million hectares per year.¹⁵ An Assessment conducted particularly for the state of tropical forests in Africa establishes that most productive parts of the continent are degenerating into a state of desertification.¹⁶ The assessment further predicts that the trend of desertification in the continent risk decimating the fragile productive forest areas to less than 600 million hectares by 2050.¹⁷

Kenya like other tropical developing countries faces unprecedented deforestation, the inadequacy of provisioning goods, and its regulative services to productive and industrial sectors of the national economy.¹⁸ The threat of desertification in Kenya's scenario is not any different from the global state. FAO Forest Assessment Report 2020 for Kenya's case indicates that the Country's forest rate of deforestation stood at 12,050 hectares per year resulting in a decline of 3.6 million hectares in 2020 compared to its previous state at 3.9 million hectares of forest area in 2000.¹⁹ The ramifications are dire with the greatest repercussions about the state of the global worst security risks to forest resources, food sufficiency, and loss of livelihoods.²⁰

¹⁴ FAO. Global Forest Resources Assessment 2020: Main report. Food and Agriculture Organization of the United Nations, Rome. (2020)

¹⁵ United Nations Department of Economic and Social Affairs. *The Global Forest Goals Report 2021*; United Nations Forum on Forests Secretariat (2021).

¹⁶ UNCCD. The Great Green Wall Implementation Status and Way Ahead to 2030 Advanced Version. Bonn, UNCCD. (2020).

¹⁷ UNEP. GEO-6 Regional Assessment for Africa. Nairobi, UNEP. 2016.

¹⁸ AECOM. Climate Action in the Forestry Sector in Kenya: Status Review (2021).

¹⁹ FAO. Global Forest Resources Assessment 2020: Kenya Report. Rome. (2020).

²⁰ UNCCD. The Great Green Wall Implementation Status and Way Ahead to 2030 Advanced Version. Bonn, UNCCD. (2020).

Further, the State of World's Forest Report 2022 rolled out global pathways to remedy the prevailing state of deforestation and forest degradation focusing on halting deforestation, restoration of degraded lands, and investing in the green value as a guide for the decision-makers at the National and landscape levels. Further, the report focuses on the instrumentation of supportive policies and institutions to support the resilience of rural economies against the pangs of vulnerabilities of climate change.²¹

Scholars have labored into the increased declining state of global and regional forests, particularly in the Sub-Saharan Africa, and Oceania regions.²² Scholarly literature observes that the negative changes in the global forest cover are common in smaller forested countries and predominantly within the tropical low-income countries associated with diverse socioeconomic doldrums and forest policy governance however some with very enabling forest policy frameworks. The literature further finds Authorities in Africa overlooking the forest sector on critical governance issues and decisions.²³ Nott et al, observe that inadequate strategic inter-agency coordination, sibling rivalry, and competing priorities are factors exacerbating threats to forestry development.²⁴ Makame pinpoints the non-implementation of international conventions, treaties, regional cooperation, and integration as weak points of the domestic legal instruments and policy frameworks largely contributing to inadequacy in forestry development.²⁵

²¹ FAO. The State of the World's Forests 2022. Forest pathways for green recovery and building inclusive, resilient, and sustainable economies. Rome, FAO (2022). Available at <https://doi.org/10.4060/cb9360en> retrieved on 2nd August 2023.

²² FAO. Global Forest Resources Assessment 2020: Main report. Food and Agriculture Organization of the United Nations, Rome. (2020)

²³ Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

²⁴ Nott, K., A. Nott, and D. Newton. "A Critical Assessment of the Economic and Environmental Sustainability of the Namibian Indigenous Forest/Timber Industry Concerning Zambia and Angola." *Traffic: Pretoria, South Africa* (2020): 101.

²⁵ Makame, Abdullah. "The East African Integration: Achievement and Challenges." *Great Insights* 1, no. 6 (2012).

However, the instruments of the United Nations Forest Strategic Plan for Forest 2017-2030 were developed to provide a strategic policy Framework for sustainable forest management with a focus espoused in the global Sustainable Development Goals 2030. Kenya in response made considerable strides in the forestry reforms in the area of formulation of forestry-related policies and legal instruments enacted to align with the United Nations global strategic Plan for Forests 2030 of 2017.²⁶ In this endeavor, the country formulated and implemented Draft Forest Policy 2007 later reformulated into Draft National Forest Policy 2014 again revised in 2020 drawing from the instruments of the Forest Act 2005 as amended by the Forest Conservation and Management Act of 2016.

Kenya's Draft Forest policies have consistently therefore been implemented through its strategic plans from the first 2009-2014 version through to the 3rd Strategic Plan 2018-2022 version presently under review, seeking to provide sustainable forest management for the socioeconomic development of the Country. However, a recent assessment established that despite a series of the revered enactments and amendments to the already prohibitive forestry laws, rates of the country's deforestation and forest degradation are steadily on the rise.²⁷

1.2 Statement of the Research Problem

According to FRA 2020 report, the World recorded loss of approximately 10 million hectares per year compared to afforestation rate of approximately 5 million hectares of forests per year in the 2015-2020 period of analysis.²⁸ The loss exacerbates the state of

²⁶ Scrimgeour et al. Climate Finance Readiness: A Review of Institutional Frameworks and Policies in Kenya, Sustainable Environment. (2022)

²⁷ Sifuna, Nixon. "The Legally Permissible Traditional Customary Uses of Wildlife and Forests under Kenyan Law." *Open Journal of Forestry* 11, no. 3 (2021): 292-314.

²⁸ FAO. *Global Forest Resources Assessment 2020: Kenya Report*. Rome. (2020).

Africa's desertification projected to further reduce Forest area from 675 million hectares to 600 million hectares by 2050.²⁹

Several frameworks at the global, regional and landscape have been initiated to reverse the rate and state of desertification. These efforts include the development of the UN Strategic Plan for Forest 2017-2030, Regional Sustainable Forest Management Framework for Africa (2020-2030) under the Africa Agenda 2036 and the Kenya's Draft National Forest Policy 2014.³⁰

However, despite the implantation of the legal and Policy framework the threat to Kenya's state of desertification and deforestation are steadily rising at 12,050 hectares per year. This has led to reduction of forest ecosystem to 3.6 million hectares in 2020 from 3.9 million hectares of forest area in 2000.³¹

This study therefore sought to bridge the knowledge gap on factors that impede the effective implementation of Kenya's Forestry Policy frameworks in containing the rate of deforestation that leads to exacerbated state of desertification.

1.3 Justification of the Study

The exponential rise in Kenya's rate of deforestation is scenario with arising from the elements of factors impeding effective implementation of Kenya's forest policy in in reversing the trend.³² The effects has led to the current rate of deforestation whereby the country loses 12,050 hectares per year leading to serious state of desertification and

²⁹ UNEP. GEO-6 Regional Assessment for Africa. Nairobi, UNEP. 2016.

³⁰ Sifuna, Nixon. "The Legally Permissible Traditional Customary Uses of Wildlife and Forests under Kenyan Law." *Open Journal of Forestry* 11, no. 3 (2021): 292-314.

³¹ UNCCD. *The Great Green Wall Implementation Status and Way Ahead to 2030 Advanced Version*. Bonn, UNCCD. (2020).

³² Mwangi, Esther, Paolo Cerutti, and Robert Nasi. "The Current State of Eastern Africa's Forests." European Union (2018).

loss of livelihoods. The rising state of Kenya's deforestation witnessed the unprecedented reduction of forest area to 3.6 million hectares in 2020, compared to 3.9 million hectares of forest land in 2000.³³ The study therefore purposes actions of the policymakers, practitioners and researchers in the adoption of plausible lenses in addressing knowledge gaps in enhancing effective forest policy implementation. The study further justified from both policy and academic perspectives as below;

1.3.1 Policy Justification

The study of factors affecting the effective implementation of Kenya's forest policy, and their impacts, practically allows the identification of the policy enablers and barriers that are essential prerequisites for effective implementation of state-level forestry policies. This study analyses such factors interplaying in the state-level forestry policies in ensuring the attainment of the strategic goals of sustainable forest management critical for the policy-makers. The study wades into the synthesis of empirical contexts in midwifery in effective policy implementation for field practice. The study further proposes roadmaps for the effective implementation of state-level forestry policies critical for decision-makers, practitioners, academicians, and government authorities in charge of forest governance and management in Kenya.

1.3.2 Academic Justification

Although there is a substantial amount of literature on the implementation of state-level forestry policies, however, the state of world forest cover continued to dwindle. As a result of the rapid World's forest cover loss, there is a need to scrutinize and analyse the trends in finding researched intervention address the worrying state of forestry

³³ FAO. *Global Forest Resources Assessment 2020: Kenya Report*. Rome. (2020).

development in Kenya. In order to achieve this, the study focused on two parts. The first part studies the factors influencing the effective implementation of state-level forestry policies in Kenya. Secondly, the study further analyzes the critical component of the implementation of forestry policies. The study then attempts to evaluate the impact of various related legal and policy frameworks on forest development in Kenya. Through analytical evaluation of best practices based on academic research at global, regional, and local landscape levels. Ideally, the literature established a dismal policy performance in the enhancement of forest development. Part two of the academic justification delved deeper into the contextualization of the effectiveness of state-level forestry policies on forest development in Kenya. The conceptual framework adopted the analytical model of Sadler's triangle and Winter & Nielsen that integrate the policy implementation effectiveness concepts for determination of the efficacy of the findings regarding examining the effectiveness of forest policy implementation.

1.4 Research Questions

1. What are the factors influencing implementation of state-level forestry policy and Forest development?
2. What are the critical components of effective policy implementation of state-level forestry policy and Forest development in Kenya?
3. What is the impact of forest legal and policy frameworks on forest development in Kenya?

1.5 Objectives of the Study

1.5.1 General Objective

To assess the levels of effective implementation of state-level forestry policy on forest development in Kenya.

1.5.2 Specific Objectives

1. To assess factors influencing effective implementation of state-level forestry policy on forest development in Kenya.
2. To analyze the critical components for effective implementation of state-level forestry policy on forest development in Kenya.
3. To evaluate the impact of legal and policy frameworks on effective implementation of state-level forestry policy and forest development in Kenya.

1.6 Literature Review

1.6.1 Evolution of Kenya's Formal Forest Policy

The evolution of Kenya's formal forest policy can be traced back to the early 1900s when the British colonial government introduced the Forest Ordinance in 1904 to regulate the use of forest resources. However, it was not until the 1930s that the first formal policy on forest management was developed, mainly focused on the production of timber for export. In the 1950s, the policy shifted to emphasize the need for forest conservation, and the Forest Department was established to manage the country's forest resources. The government's priority at the time was focused on consumptive forestry

to meet the growing demand for timber, and preservation of forest reserves to protect watersheds.

A revised version of the first official forest policy, known as Sessional Paper No. 1 of 1968, was promulgated in 1957. This policy did not allow for stakeholder involvement in the management of forests, focusing instead on the reservation and preservation of forests on public lands. The Forest Act Cap 385 of 1969 assisted in the policy's implementation. A revised policy and legislation were created in the middle of the 1990s in response to newly emerging difficulties facing the sector; however, the policy was not discussed before the Forests Act No. 7 of 2005 was enacted.

The Forests Act of 2005 made provisions for the management of forests that are not on public lands, as well as for participation in forest management by the community and the business sector. Although the Forests Act of 2005 has been in effect since 2007, the industry is currently experiencing several difficulties that call for a reassessment of the policy and legal framework. Re-aligning to the 2010 Constitution of Kenya, which introduced new structures and requirements for natural resource management, entrenching stakeholder participation and benefit sharing, ensuring that the sector is aware of emerging issues such as climate change, governance, and the development of mechanisms to encourage partnership with communities and others are a few of these.³⁴

1.6.2 National Forestry-related Policies, Laws, Strategies, and Plans

Kenya has created several policies, strategies, programs, and legal instruments to help protect the environment, including:

³⁴ Forest Policy, 2014, Ministry of Environment, Water and Natural Resources, Republic of Kenya. Accessed April 2023 <https://faolex.fao.org/docs/pdf/ken144209.pdf>.

1.6.2.1 Vision 2030

Kenya's Vision 2030, the nation's development strategy, calls for the conservation of natural resources, sustainable management, and the fight against environmental degradation as steps to achieving the social development pillar. By 2030, it seeks to achieve both the Sustainable Development Goals for Kenyans and to transform Kenya into a newly industrializing, "middle-income country" that "provides a high quality of life to all its citizens in a clean and secure environment."

The Social pillar aspires to foster a just, harmonious, and equitable social development in a safe and secure environment, while the Economic pillar attempts to attain and sustain an annual economic growth rate of 10% to increase resources available to address the SDGs. According to Vision 2030, one of the crucial industries for achieving the target of 10% yearly economic growth is agriculture.

It is crucial to transition smallholder agriculture from subsistence to an inventive, commercially focused, and contemporary agricultural industry to achieve this growth. This transformation will be achieved, among other things, by: a) Transforming important institutions in agriculture, livestock, forestry, and wildlife to support agricultural growth; b) Increasing productivity of crops, livestock, and tree cover; c) Introducing land-use policies for better use of high- and medium-potential lands; and d) Increasing the number of irrigated areas in arid and semi-arid lands for both crops and livestock (Vision 2030). Regarding land usage, Vision 2030 observes that land in arid and semi-arid lands (ASALs) and high- and medium-potential regions (HPAs) is still underutilized for agricultural production. Only 60% of the land owned by smallholders is utilized for agricultural production, leaving a large portion of the arable

cropland untapped. It also demands that catchment regions be managed properly and that natural resources and the environment be preserved.³⁵

1.6.2.2 National Land Policy 2009

The new land policy was enacted by the Kenyan government in 2009. With the implementation of this regulation, “trust land” will now fall under the category of “community land.” Additionally, it permits the designation of “community land” and the granting of the title to a certain community group. It outlines a six-step strategy that includes recording and mapping customary land tenure systems, establishing a clear statutory framework and registration procedures, assessing all acquisitions, creating participatory processes, and incorporating traditional dispute resolution methods. The goal of the policy was to uphold communities’ rights to use the resources they rely on. To control access to the land, Community Land Boards (community-elected) were established.

The Policy also acknowledges the unique role of women and permits secondary user access to land, such as for access to water points, drought reserves, or mineral licks. Only land held under 99-year leases was available to non-Kenyans as freehold ownership. A National Land Commission was to receive all public land after it had been discovered, registered, and delivered. For various land uses, a plan is being developed to identify economically sound minimum sizes. To safeguard local populations against exploitation, the government may be able to compel the acquisition of any land with minerals on it. The new Constitution, which was approved in August 2010, has

³⁵ Jane M. Mumina and Mieke Bourne, *Policy Review and Analysis for the Formulation of the Kenya Agroforestry Strategy (2020-2030)*, March 2020. Accessed April 2023 <https://www.ctc-n.org/system/files/dossier/3b/Kenya%20AF%20strategy%20policy%20review%20final%20report.pdf>.

acknowledged and supported these elements and stipulates that land laws should be updated and passed to put the new provisions into effect (Article 68).

Land in Kenya can be categorized as public, community, or private, according to the 2010 Kenyan Constitution. Public land contains all highways, land on which public facilities, and areas held in trust by County Governments. It also includes protected mountains, hills, forests, national parks, rivers, lakes, and other water bodies. Contrarily, community land is described as any land that has been duly registered in the name of group representatives, such as cooperatives, ancestral lands, or any other land that has been designated as such by a parliamentary act. Registered land that is owned by a person under a freehold or leasehold tenure is considered private land. Kenya's system of land tenure has aided in both general development and competitive private entrepreneurship. It also catalyzes a great deal of ethnic, economic, and interpersonal strife. The loss of protected public lands is mostly caused by private land acquisitions, with ensuing effects on water supplies, biodiversity, and ecosystems.

In general, Kenya's land issues are expressed rather openly in the National Land Policy. It draws attention to past errors and shows a desire to overcome problems with regard to land. The strategy has an agrarian concentration, placing less emphasis on urban and peri-urban areas. This is especially true regarding the level of attention given to rising urbanization and the need for shelter it poses. Kenya is rapidly urbanizing, and this trend is only expected to continue. Population increase, land pressure, and fast urbanization are all related. According to data from around the world, urbanization is increasing competition and conflict over land in urban and peri-urban areas by driving up demand for land and its price. At the same time, it is anticipated that population growth in metropolitan regions will not slow down. As a result, there is increasing

pressure on rural land as a result of the need to cultivate more food and income-generating crops to sustain the growing population, especially given that the bulk of the population of the country still lives in rural regions.³⁶

1.6.2.3 The National Land Reclamation Policy 2013

The Policy expresses concerns about the severity and reality of land degradation. The policy's main objectives are to safeguard marginal and degraded lands, manage them, and restore them while addressing challenges to land resources such as dwindling water supplies, deteriorating soil fertility, shrinking agricultural lands, and deforestation. The government is obligated to take the following important steps as a result of this commitment: identify and map all degraded lands and put them under a reclamation program; integrate improved indigenous knowledge and the most recent research to manage degraded areas; and create an environment that is conducive to active participation from all stakeholders.

1.6.2.4 National Environmental Policy 2013

The National Environment Policy was also legislated in accordance with the provisions of Kenya's 2010 Constitution and Vision 2030. It aims to give the country's natural resources the framework they need to be planned for and managed sustainably. It acknowledges the various ecosystems that are vulnerable and suggests several policy measures to mainstream good environmental management practices throughout the entire nation's society. It also suggests strong institutional and governance measures to support the achievement of the desired objectives and goals. Forest ecosystems,

³⁶ Jane M. Mumina and Mieke Bourne, *Policy Review and Analysis for the Formulation of the Kenya Agroforestry Strategy (2020-2030)*, March 2020. Accessed April 2023 <https://www.ctc-n.org/system/files/dossier/3b/Kenya%20AF%20strategy%20policy%20review%20final%20report.pdf>.

freshwater, and wetland ecosystems, coastal and marine ecosystems, mountain ecosystems, arid and semi-arid lands ecosystems, land, soils, minerals, biodiversity, wildlife resources, livestock, and fisheries are all included in the policy's support for ecosystem management and sustainable use of natural resources.

The Policy suggests, among other things, promoting and institutionalizing payment for environmental services programs to support catchment protection and conservation about the restoration of water and ecosystems. Additionally, to guarantee the rehabilitation and restoration of wetlands, riverbanks, and lakeshores that have been damaged, and, when necessary, to encourage and assist the formation of manmade wetlands, as well as to involve and empower people in the management of freshwater and wetland ecosystems. The National Land Policy and the Constitution will be implemented in a way that considers sustainable management and conservation of the environment and land resources to address unsustainable land use in urban and rural areas. Additionally, it pledged to support land restoration legislation, advance best practices for efficient and sustainable land use, and engage and empower communities in land management.

The policy committed to creating and implementing a national soil conservation program to stop soil erosion, however, this hasn't happened yet. To maintain soil fertility, it also vowed to assist and promote eco-organic farming. It also pledged to safeguard wetlands, riverbanks, hilltops, and slopes from unsustainable activities to stop soil erosion and environmental degradation. The Policy also aims to engage and empower people in soil conservation by promoting appropriate soil management

practices to prevent landslides, mudslides, floods, and other calamities that are avoidable.³⁷

1.6.2.5 The Draft National Forest Policy 2020

Kenya's woods are crucial for social and cultural values, environmental services, and economic development. They offer useful goods including wood, pulp and paper, poles, and fuelwood for both household and commercial use. Forests are crucial for the preservation of biological diversity, the control of water resources, the sequestration of carbon dioxide, and as a significant home for wildlife. Additionally, a variety of non-wood forest products are produced by forests. The policy acknowledges agroforestry as a practical choice for planting trees on farms and in pastures as well as a tool to increase farmers' cash flow and revenue. The policy's main components are the provision of suitable incentives to encourage the sustainable use and management of forest resources, indigenous forest management, farm forestry, industrial forest development, dry land forestry, the health and protection of forests, private sector participation, and participatory forest management.³⁸

1.6.2.6 National Policy for Northern Kenya and Other Arid Lands 2012

The ASAL Policy is another name for the National Policy for the Sustainable Development of Northern Kenya and Other Arid Lands. By expanding investment in the area and ensuring that the utilization of those resources is entirely compatible with the realities of people's lives, the fundamental goal of this strategy is to facilitate and

³⁷ Jane M. Mumina and Mieke Bourne, *Policy Review and Analysis for the Formulation of the Kenya Agroforestry Strategy (2020-2030)*, March 2020. Accessed April 2023 <https://www.ctc-n.org/system/files/dossier/3b/Kenya%20AF%20strategy%20policy%20review%20final%20report.pdf>.

³⁸ Jane M. Mumina and Mieke Bourne, *Policy Review and Analysis for the Formulation of the Kenya Agroforestry Strategy (2020-2030)*, March 2020. Accessed April 2023 <https://www.ctc-n.org/system/files/dossier/3b/Kenya%20AF%20strategy%20policy%20review%20final%20report.pdf>.

accelerate sustainable development in Northern Kenya and adjacent dry territories. Through Investments in ASAL's sustainable development, improved food security, and less reliance on food aid by the population living there, this is intended to reduce poverty and create wealth. Agro-pastoralists, small-scale farmers, and traders in the ASALs will receive viable incentives as a result of this policy document, which encourages changes in resource distribution to improve equity and access to economic resources. Economic growth, poverty reduction, and inequality are all intertwined with each other. One of the focus areas of this policy framework is improving natural resource management and usage by strengthening pastoral land tenure systems and lowering and controlling risks associated with food and human insecurity, drought, and floods.³⁹

1.6.2.7 The Agriculture Policy 2021

The Policy was formulated to amalgamate all agricultural-related pieces of the policy framework in the dispensation of the Constitution of Kenya 2010. The policy offers a clear road map for achieving the agricultural goals and targets outlined in Vision 2030. It describes appropriate policies to handle the problems now facing the agricultural industry. It offers strategies for the wise use of natural resources, especially water, and land, which are anticipated to increase agricultural output and productivity. It offers guidelines to the national and county governments, outlining the various responsibilities for ensuring household and national food and nutrition security, food safety, increasing agricultural productivity by using appropriate, high-quality, and affordable inputs, facilitating access to premium domestic, regional, and international

³⁹ Jane M. Mumina and Mieke Bourne, *Policy Review and Analysis for the Formulation of the Kenya Agroforestry Strategy (2020-2030)*, March 2020. Accessed April 2023 <https://www.ctc-n.org/system/files/dossier/3b/Kenya%20AF%20strategy%20policy%20review%20final%20report.pdf>.

markets, and minimizing post-harvest losses while promoting agribusiness, value addition, and product development.⁴⁰

The policy acknowledges that low agricultural land availability due to high population densities, soil nutrient depletion as one of the main causes of soil erosion, and a shortage of wood fuel and lumber. Concern over diminishing food security, sustainable agricultural development, and issues with climate change adaptation and mitigation are growing as a result of these issues and the accompanying decline in tree cover brought on by the conversion of forests to human settlements. Agroforestry is encouraged as a solution by the Ministry of Agriculture, Livestock and Fisheries.

The policy states that it is vital to promote the establishment of farm forestry, whereby everyone who owns or occupies agricultural property is required to set up and maintain farm forestry on at least 10% of the land, in any appropriate configuration. These will support the establishment and sustainable management of farm forestry to maintain a minimum farm tree cover of 10% on all agricultural land holdings; carbon sequestration and related environmental benefits; water, soil, and biodiversity conservation; protection of riverbanks, shorelines, riparian, and wetland areas; provision of fruits and fodder; and sustainable production of wood, charcoal, and non-wood products (Agriculture Policy Draft 2019). The goal of the policy on agricultural mechanization is to contribute to agricultural development by creating and utilizing cutting-edge, appropriate, economical, and ecologically safe mechanization technology for the production of crops, animals, and fisheries.⁴¹

⁴⁰ GoK. Agriculture policy 2021. Government Printer, Nairobi, Kenya; 2021

⁴¹ Jane M. Mumina and Mieke Bourne, *Policy Review and Analysis for the Formulation of the Kenya Agroforestry Strategy (2020-2030)*, March 2020. Accessed April 2023 <https://www.ctc-n.org/system/files/dossier/3b/Kenya%20AF%20strategy%20policy%20review%20final%20report.pdf>.

1.7 Conceptual Framework

The conceptual Framework is constructed on the basis of David Easton on System theory and Lindblom's theory on incrementalism. It further explains the phenomenon on the basis of the Sadler's Triangle revised by Baker & McClelland (2003) and the integrated policy implementation effectiveness model by Winther and Nielson (2008).

The Framework integrates and standardizes the contextualized policy implementation subcomponents operating within the socioeconomic environment. It further illustrates the concept of incremental adjustment based on the feedbacks and outcomes that seek to shape the strategic forest policy goals.

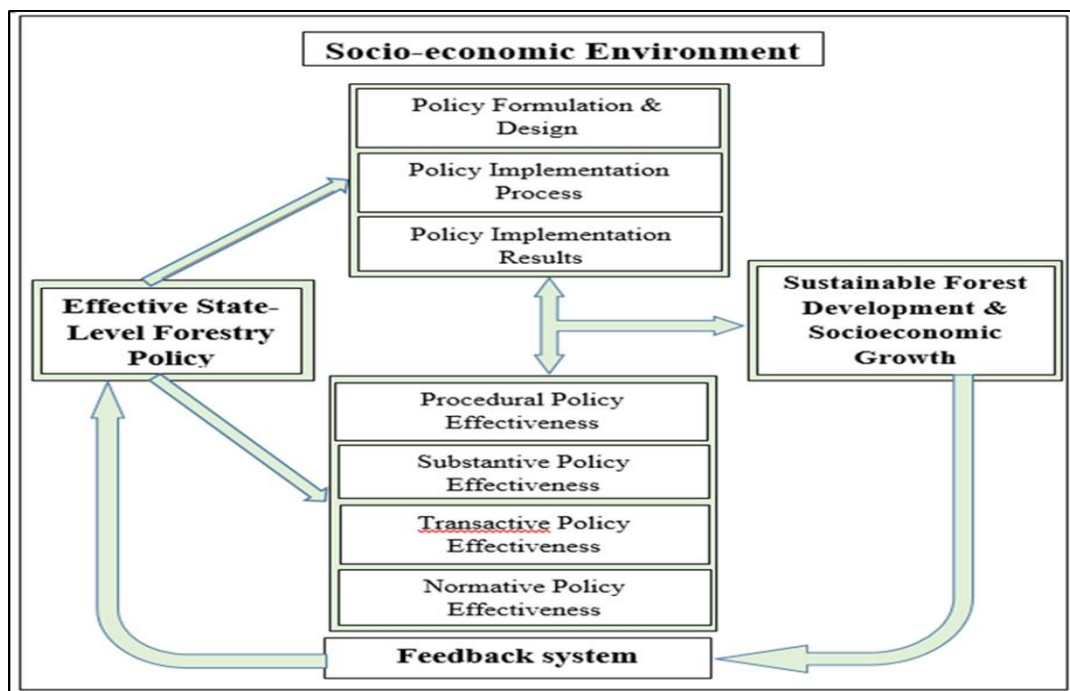


Figure 1: The Conceptual Framework illustrating effective policy implementation

According to Anyebe, System theory institutionalizes an effective interrelationship in the authoritative allocations of values. The theory conceptualizes of interactions

between the sub-systems and supra-systems.⁴² Whereby the supra-system exerts the political demand into the subsystem thus converts them into policies, and decisions and as a result the subsystem gains societal support and legitimacy.⁴³ Again, Abdulsami, links System theory with the feedback system that cyclically shapes the behavior and character on the outcome of political systems.⁴⁴

Further, the theory of incrementalism developed by Charles E. Lindblom in 1950s nuances the concept of gradual adjustment of outcome based on the ideal of rationality in policymaking.⁴⁵ According to Hayes, the concept further leverages on the plurality of Actors and aspect of defensible policy-making processes building on past policies prominently applied in domestic and foreign policymaking and budgeting.⁴⁶ Further, incremental theory has robustness in systematizing gradual adjustments on public policy outcomes of the existing activities, programs, and actions.⁴⁷

In summary, grounded on the system theory the conceptual framework in figure 1 above establishes a system of interactions and standardization of its contextualized policy implementation subcomponents measured on the basis of policy effectiveness standards. Further, based on the incrementalism theory, the framework establishes a feedback system that institutionalizes gradual adjustment of forest policy implementation

⁴² Anyebe, Adam A. "An overview of approaches to the study of public policy." *International Journal of Political Science* 4, no. 1 (2018): 8-17.

⁴³ Dlakwa, H. D. "Concepts and Models in Public Policy Formulation and Analysis Maiduguri: Pylmark Science Limited publishers." (2010).

⁴⁴ Abdulsami, I. "The Concept and Process of Public Policy. A paper presented at the national workshop for chief nursing officers." *Zaria*, Wednesday 3rd June (1987).

⁴⁵ Schoettle, Enid CB. "The Intelligence of Democracy: Decision Making Through Mutual Adjustment. By Charles E. Lindblom.(New York: The Free Press, 1965. Pp. 335. \$7.95.)-The Policy-Making Process. By Charles "E. Lindblom. (Englewood Cliffs: Prentice-Hall, Inc., 1908. Pp. 118. \$2.25)." *American Political Science Review* 64, no. 4 (1970): 1268-1272".

⁴⁶ "Hayes, Michael T. *The limits of policy change: Incrementalism, worldview, and the rule of law*. Georgetown University Press, 2002".

⁴⁷"Dye, Thomas R. *Understanding public policy*. Pearson, 2013".

outcomes thus ensures enhanced levels of attainment of the forest strategic goals on forest development and socioeconomic growth of the Country.

1.8 Research Methods

1.8.1 The study area

Kenya is located at 1°00'N 38°00'E measuring 582,650.2Km² with the land area measuring approximately 569,140Km² and water mass of approx. area of 11,227Km² composed of 47 Counties. The study area is characterized by unique physical features including mountains, plateaus and coastlines on the Indian Ocean predominated by mangroves, the high potential areas inhabited by complex forests ecosystem, woodlands and bushlands predominantly found in low potential areas. The arable land area is 9.8% with an estimated 0.9% of the arable land potentially under permanent cropping while permanent pasture area occupying 37.4% of the total land. Further, the dry and less fertile areas of the landmass is found dominated by arid and semi-arid climates as well as the deserts of Chalbi and Nyiri of the northern parts of the study area.

The study area is categorized into ten (10) distinct Regional forest conservation areas each categorized with consideration of ecological characterization and geographical distinctness majorly charged with responsibilities of forest policy coordination. The study area is further divided into forty-seven (47) administrative County conservation areas for ease of policy implementation, down to Forest stations, the smallest forest management and protection units.

1.8.1 Research Design

This research adopted the pragmatic type of research design that involved the triangulation of the aspects of the integrated variables of the model in answering the research question. The preference of the design was based on the views of Creswell and Clark on pragmatism as a paradigm that is robust in bridging the scientific and structuralists perspectives in social science study⁴⁸. Denzin and Lincoln held the same view and further describe paradigm as it applies in social research to philosophical assumptions on sets of belief that shapes the worldview actions of researchers⁴⁹, as was used by Kuhn Thomas to discuss generalized shared beliefs and values on nature and knowledge of reality by specialist⁵⁰. On that basis, therefore, the researcher underscored the robustness of in-depth analysis and comprehensiveness that was key in enabling the study to delve into establishing the effectiveness levels of state-level forestry policies on forest security and socioeconomic development in Kenya. The target population (County Forest Officers) dealing with policy implementation was studied. The design is appropriate for the study as it enabled the researcher to capture critical issues, opinions, and views expressed by County Forest Officers dealing with policy implementation. This was integrated with ground research which was used to collect and collate data from individuals. This study assumed that a pragmatic type of research design would help the researcher in understanding the policy formulation, implementation process, and implementation results, of the integrated policy implementation theoretical model by Winter & Nielson, which is the conceptual framework that underpinned this study.

⁴⁸ Creswell, John W., and Vicki L. Plano Clark. *Designing and Conducting Mixed Methods Research*. Sage Publications, 2017.

⁴⁹ Denzin, Norman K., and Yvonna S. Lincoln, eds. *The Sage Handbook of Qualitative Research*. Sage, 2011.

⁵⁰ Kuhn, Thomas S. *The Structure of Scientific Revolutions, 2nd enl. ed.* University of Chicago Press, 1970.

Both quantitative and qualitative methodological approaches were used. Whereby the quantitative (primary data source) approaches involved surveys and the administration of questionnaires while the other flip of the qualitative approach concerned the secondary data from resource literature reviews. These designs were preferred because they helped the researcher to collect data and evaluate the state-level forestry policies in Kenya, the effectiveness of their performance, as well as their impact on forest security and development.

1.8.2 Population and the Sample Size

The sample population was targeted to administer a questionnaire to a population frame of forty-seven (47) Counties within the study area. Each County formed a possible sample from which the primary data was obtained. The sample comprised of County Forest conservation offices targeting the County forest conservators charged with the responsibilities of forest policy implementation.

1.8.3 Determination of Sample Size

The researcher adopted the formulae proposed by Yamane (1967) for the computation of the sample size required to establish the appropriate proportion of the population to be sampled. The procedure followed a stepwise approach whereby the population (N) size consisting of 47 possible sampling units (Counties) was determined. All the prerequisite statistical decision parameters were considered and determined. The statistical 95% degree of confidence level, with normal distribution critical values of 1.96 was applied. The sample proportion of 50% was also applied to enable the sample size computation purposed of the sample size. While the expected error margin was set at a 5% level of precision (e), in which a sample size of 42 was computed as illustrated in the calculation below using the Yamane (1967) formulae.

Formulae;

$$n = \frac{N}{1 + N(e)^2}$$

$$47 / 1 + 47(0.05)^2 = 42$$

Where:

n= Sample size,

N= Population size

e= Level of Precision

1.8.4 Sampling and Sampling Procedures

The study adopted the stratified random sampling method commonly referred to as proportional or quota random sampling due to its robustness in capturing different shared population attributes and characteristics that were required in this study. The target population was stratified into 10 subsets (regional forest conservation areas) that formed the strata referred to in this research as forest regional conservation areas, responsible for coordinating the counties on the implementation of forest policy. Each region (stratum) is made up of a frame of possible sampling units all of which are headed by forest officers responsible for the actual implementation of forest policy.

The study applied a disproportionate sampling stratification method in the allocation of the possible sampling (Counties) to each stratum, due to differences in the size of possible sampling units in each stratum (Region) upon which the computed 42 sample sizes were allocated.

Table 1: summary of the sample size allocation using the Disproportionate sampling Method

Strata (Forest Regions)	Nairo bi	Nyan za	West ern	Ma u	Nor th Rift	East ern	Centra l Highla nds	Co ast	Nort h East ern	Ewas o Nort h	Tot al
Stratum size	2	6	4	5	6	6	6	6	3	3	47
Sample Size	2	5	4	5	6	5	5	5	3	2	42

All the target populations (Counties) in each stratum were pooled together after which a sampling unit(s) (County) was drawn for the administration of the questionnaire. However, five (5) Strata had all their sampling units considered due to their small size geographical spread, and ecological attributes.

1.8.5 Data Collection

Before embarking on the data collection, the researcher ensured that complete terms of reference were drawn and agreed upon between the researcher and the respondents. There was a signed letter of introduction specifying the amount of time the researcher would take to complete the study. Secondly, a work plan outlining various tasks, such

as the research process, time frame for each task, parties that were to be involved in the research, and their tasks were drawn. The data for this study maximized the use of both primary and secondary data collections. Primary sources included interviews which were semi-structured and structured. Some of the primary data was obtained from reviewing Kenya forestry reports and key interviews by administering questionnaires. The study used interviews, online or physical surveys, and observations. The questionnaire forms for the primary data were administered to various respondents. Primary data was both qualitative and quantitative, sampled through closed structured questionnaire data on elements of national forest policy. At the same time, secondary data was obtained through a desktop, of data obtained from the literature review.

1.8.6 Data Analysis and Result Presentation

Data presentation includes the process of packaging the collected information, putting it in order, and structuring the main components in a way that the findings can be easily and effectively communicated.⁵¹ The primary data was fed into the Microsoft excel software to facilitate cleaning and coding after which the data exported to SPSS for analyses. The descriptive frequency was generated, summarized and variables categorized to determine the central tendency. The analyzed data was triangulated using empirical secondary data. The analyzed data was presented in the form of tables, pie charts, scatter diagrams, and bar charts.

1.8.7 Nature and composition of the Respondents in the study

The respondents for this study were sampled from Kenya Forest Service Officers charged with the Forest Policy implementation at the County level. The data for this

⁵¹ Jankowicz A. D., Research Methods in Social Science; 6th ed. London: Thomson Learning, (2002).

analysis was acquired by way of an administered questionnaire. The returned questionnaires were from respondents comprising 70% male and 30% female, 97.4% were falling within the 45-60 years age bracket and the remaining 2.6% were from the 18-35 years age bracket. Over 44.7% of the respondents had over 6 years of experience, while 34.2 % had 2 years and below in the implementation of forest policy in their current stations of duties. Despite 31.6% of the respondents having served in not more than 1 station, handling forest policy implementation, close to three-quarter of the total respondents in this case categorized into 18.4% that have served in more than 6 stations, while 15.8% of them have served in 3 - 5 stations and 28.9% served in 1 to 2 stations, basically interacting with different forest policy situations across the Country.

1.8.8 Hypothesis of the Study

This study tests the following Null hypotheses:

1. There exist factors that significantly influence the effective implementation of state-level forestry policy and forest development in Kenya.
2. There exist critical components that significantly affect the effective implementation of state-level forestry policy on forest Development in Kenya.
3. The legal and policy frameworks significantly impact on the effectiveness of state-level forestry policy and forest development in Kenya.

1.9 Scope and Limitation of the Study

The Scope of the study was focused on the regional Forest Conservation areas and County Forest Offices as the study's requisite referent operational level within the Kenya Forest service organization structure charged with the responsibilities of policy

implementation. However, the study faced myriad of limitations ranging from inadequacy of secondary and empirical data for analysis given that the topic of study ventured on a relatively new area of research. The limitation of time and resources was also a major factor on the researcher's ability in reaching out to the respondents for in-depth-interviews

CHAPTER TWO

FACTORS INFLUENCING IMPLEMENTATION OF STATE-LEVEL FORESTRY POLIC ON FOREST DEVELOPMENT IN KENYA

2.0 Introduction

The chapter analyses the Global and Regional issues that influence State–Level policies on sustainable forest management. The chapter further analyses the trends in forestry policy and forest development at the global and regional scale and draws inferences to its linkage with the state of forest management in Kenya in relation to the relevance and effectiveness in implementation of forest policies.

2.1 The Global and Regional State of Forestry Policies

For the past four decades, the forestry debate has risen to the top of political and policy concerns all across the world. The alarming state of deforestation and forest degradation, as well as the ramification of the loss of various benefits that forests provide, many of which transcend across borders, have elicited the current global debate on forest conservation. The World has actively engaged Countries on Forestry Policy instruments since the 1992 Rio de Janeiro United Nations Conference on Environment and Development (UNCED).⁵²

2.1.1 The current state of Global and Regional Forestry Policies

As a result, Countries have exclusive approaches to Forest Policy in the management of Forests due to the changing circumstances of the societal demands for forest products

⁵² Lawrence Dale Teeter, Benjamin William Cashore, Daowei Zhang, *Forest Policy for Private Forestry: Global and Regional Challenges*. CABI, 2002, p. 9.

and services. Spectacularly, the present forest management goals cover a wide range of forest products and ecological services.⁵³ However, the UNEP Report of 2010 takes cognizant of pressure piled by other competing land uses on tree resources that erode the vitality of ecological services to the Productive sectors of the global economy.⁵⁴

The State of World's Forest Report 2022, articulates the topical three global pathways focusing on halting deforestation and maintenance of forests, restoration of degraded lands and expansion of Agroforestry and sustainable utilization of forests and building green value chains the appropriate for decision-makers at the National and landscape-level. The report categorically advocates for supportive policies and institutions for the enhancement of the resilience of rural economies against the associated planetary vulnerabilities of climate change.⁵⁵

According to Shono and Jonsson, sustainable forest management is key to Sustainable Development Goals (SDGs) 2030, particularly in SDG Agenda "15" Life on Land is an integral part of global Forest and landscape restoration. Agenda "15" is also important for the principles of the UN Forest Strategic Plan for Forest 2017-2030, a strategic Framework for sustainable forest management with an overarching focus on halting deforestation and Forest Degradation.⁵⁶

The FRA Report 2020, shows an overall positive change in the global forest cover, however regional areas including Southern Asia, Northern Africa, sub-Saharan Africa,

⁵³ MEA, M. E. A. (2005). Ecosystems and human well-being: current state and trends. Millennium Ecosystem Assessment, Global Assessment Reports.

⁵⁴ United Nations Environmental Programme, (2012). Linkages between Kenya's forest regulating services and the rest of the economy. Available at http://www.unep.org/dewa/Portals/67/pdf/UNEP_Kenya_Forest_linkage.pdf. Retrieved on 25th July 2023

⁵⁵ FAO. The State of the World's Forests 2022. Forest pathways for green recovery and building inclusive, resilient, and sustainable economies. Rome, FAO (2022). Available at <https://doi.org/10.4060/cb9360en> retrieved on 2nd August 2023.

⁵⁶ Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

and Oceania indicate a worrying negative trend.⁵⁷ Notably, the positive trends of global forest area are unevenly distributed and influenced by larger forested countries compared to smaller forested countries under the effect of a wide range spectrum of socioeconomic regional diversity, varying types of ecosystem, and governance regimes with the variedly complex status of Forest policies. Many of the smaller forest countries wallowing in the negative global trend in sustainable forest management are predominantly in the tropical low-income countries with the actual existence of enabling frameworks and a high proportion of designated forest areas for conservation.⁵⁸

2.1.2 The Past Trends of Global and Regional Forestry Issues

The discussions crystallize the historical trend on the Global Forestry policy Agenda that was only first discussed at the 1992 UN Conference on Environment and Development (UNCED). The conference re-oriented the World view and shifted forest policy primarily from the consumptive aspect of forest resources to the ecological importance of forests. In many past instances, the inadequacy of comprehensive global policy virtually slowed progress on global forestry management and development as much forestry management was considered a Country specific commitment.⁵⁹ At present, however, the United Nations Forum on Forests (UNFF) developed a global strategic plan for the Forest 2030 framework based on specific global goals and targets.⁶⁰

⁵⁷ FAO. Global Forest Resources Assessment 2020: Main report. Food and Agriculture Organization of the United Nations, Rome. (2020)

⁵⁸ Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

⁵⁹ Chaytor, Beatrice. "The Development of Global Forest Policy: An Overview of Legal and Institutional Frameworks." *International Institute for Environment and Development (IIED) and the World Business Council for Sustainable Development (WCBSD), London, UK* (2001).

⁶⁰ UNFF. Strategic Plan for Forests 2030, The State of the World's Forests 2018, FAO, Rome (2019).

Globally, forest legislation is the primary tool used by the state to control forests. The Global policy-makers narrowly regarded legislation solely for the declaration and preservation of forest reserves and establishment. Regulation of timber extraction, identification of endangered species, and protection orders for private estates were stark examples of common provisions. The policing duties of forestry departments have been at the center with much focus elaborately directed to prohibited forest uses, the management of offenses and fines as well, and the authority of forest officers.⁶¹

Further, the Forestry debate had strong linkages with the several convention and treaties, the most critical, the Convention on International Trade in Endangered Species, the World Heritage Convention, and other agreements signed before the Rio Earth Summit all included forests as a significant part of their agreements. The Earth Summit ignited worldwide discussions that focused primarily on the management, protection, and sustainable growth of all types of forests. One of the most controversial issues in Rio was the negotiations between the participating countries on the forest issue. When considering the transboundary, regional, and global elements of forests, it is clear that national and sub-national forest policies are no longer isolated from the discussion of international forest policy and a broad geographical framework. In addition to the environmental benefits and services that cross international borders, several international agreements and treaties address forest-related issues. The countries that have ratified these agreements have already vowed to maintain particular international norms and rules. To facilitate international trade in items produced from sustainably managed forests, for instance, the adoption of some internationally recognized standards and performance indicators. The recent progress in the formulation of criteria

⁶¹ Alden Wily, Liz, and Sue Mbaya. "Land, People, and Forests in eastern and southern Africa at the beginning of the 21st Century." *The impact of land relations on the role of communities in forest future*. Nairobi, IUCN-EARO (2001).

and indicators of sustainable forest management by several regional procedures and the consistency between these processes are examples of how international talks have an impact on national forest policies and practices.⁶²

Another global breakthrough under the United Nations Framework for Climate Change (UNFCCC) debate centered on the Reducing Emissions from Deforestation and Forest Degradation (REDD+) mechanism under which several nations are in the inclusion of a post-2012 climate change regime. The goal of REDD+ is elaborate on Policies and Measures (PAMs) outlined in the national REDD+ plan under the national proxy indicators. The REDD+ policies are set in compliance with the United Nations Framework Convention on Climate Change (UNFCCC). REDD+ participating Countries within tropical forests benefit from decreased emissions and increased carbon stocks based on reference levels. The REDD+ mechanism incentivizes the tropical forest countries in benefiting by active participation in the REDD+ inclusive policy-making.⁶³

2.1.3 Africa's Trends on Forestry Policies

Africa is one of the regions illustrated under the Global Forest Resource Assessment (FRA) 2015 with negative changes in sustainable forest management. The Forest trends in Northern Africa and Sub-Saharan Africa fall within the socioeconomic spectrums and complex characteristics in terms of ecosystem diversity and varied forest policy governance regimes.⁶⁴ Environmental conservation and forestry development in particular, take the centrality in the Africa Agenda 2063 in seeking to reverse the

⁶² Lawrence Dale Teeter, Benjamin William Cashore, Daowei Zhang, *Forest Policy for Private Forestry: Global and Regional Challenges*. CABI, 2002, p. 9.

⁶³ Angelsen Arild, *Realizing REDD+: National Strategy and Policy Options*. Denmark: CIFOR, 2009, p. 15

⁶⁴ Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

devastating degree of land degradation of the continent through sustainable use and restoration of the terrestrial ecosystem as well as combating desertification. The African Agenda commits to restoring the sub-Saharan and Sahel ecosystems of an estimated area of 200 million hectares under the Green great wall initiative of 2007 which therefore require a deliberate policy framework.⁶⁵

According to the Food and Agriculture Organization (FAO), Africa's forests and woodlands are estimated to cover 650 million hectares or 21.8% of the continent's land area. However, recent data places the African forest area at 675 million hectares or 23% of the overall land area of the continent. Additional estimates of 350 million hectares or 13% of the continent's land mass) of "other wooded land made up of wooded savannah, thickets, and shrub lands predominantly found in a huge volume of trees in rural landscapes⁶⁶.

The distribution of the African forests and woodlands are however unevenly spread across the Continent's five sub-regions and countries resulting in significant imbalances in the demand for and supply of forest-derived goods and services. Accordingly, the proportion of the forest estates spread across the five sub-regions spread consisting of 37.1% found in Central Africa, sub-region, 28% found in Southern Africa, 13.2% in Eastern Africa, 11.1% of the Forests found in West Africa and 10.5% of the forests found in North Africa sub-region. Notably, North and West Africa sub-regions are the least forested largely due to the extreme aridity conditions.⁶⁷ However, studies show

⁶⁵ Mansourian, S., and N. Berrahmouni. Review of Forest and Landscape Restoration in Africa 2021. Food & Agriculture Org., 2021.

⁶⁶ FAO. 2016a. Global forest resources assessment 2015. How are the world's forests changing? Second edition. Rome.

⁶⁷ Traore, M. and Tieguhong, J.C. 2018. How Forestry contributes to the African Development Bank's High 5 Priorities: challenges and opportunities. African Natural Resources Centre. African Development Bank. Abidjan, Côte d'Ivoire.

that the rate of Africa's forest area unprecedentedly declined by 2.8 million ha annually between 2010 and 2015 at a much higher rate than in any other continent in the World.⁶⁸

Studies further reveal that Africa's forest sector is presently under extreme constraints to resiliently sustain its socio-economic development potential in several Countries on the continent. Virtually, the sector is heavily challenged by weak forest and land-use policies and ineffective implementation of good policies, unsustainable forest management, and the pressure of competitive land-use sectors, political conflict, and instability. In addition, many Countries in Africa accord the Forest sector with lesser priority on the national planning consideration for resource allocations thereby exposing it to degrading governance issues and decisions. Again, the paucity of vibrant private forest sectors participating in promoting public-private partnership growth.⁶⁹

As a result, the African Union Commission spearheaded the recognition of the vitality of Africa's forests in the fundamentals for the attainment of the Africa Union 2063 Agenda. The Commission initiated the Sustainable Forest Management Framework Africa (2020-2030) that envisions Africa's zero deforestation and forest degradation initiative through sustained forest protection, and the promotion of collaborative cross-sectoral and transformative restoration of forest ecosystems that ensures prosperity, food security, and resilience. The framework, therefore, underpins supporting the survival of millions of livelihoods through the sustenance of the continent's productive

⁶⁸ FAO. 2016a. Global forest resources assessment 2015. How are the world's forests changing? Second edition. Rome .

⁶⁹ Traore, M. and Tieguhong, J.C. 2018. How Forestry contributes to the African Development Bank's High 5 Priorities: challenges and opportunities. African Natural Resources Centre. African Development Bank. Abidjan, Côte d'Ivoire

and industrial sectors particularly in the agriculture, tourism, energy, and water sectors alongside its provisioning and regulative ecosystem functionalities.⁷⁰

According to Mwangi, Countries within the East African Communities sub-region have put in place forest legal frameworks some with devolved authority and governance cascaded at sub-national levels.⁷¹ The EAC undertakes sector policy and legislative reforms to structurally reverse the forest degradation case approaches unique to each Country's priorities. In Kenya's case forest policy and legal framework established institutions that focus on the preparation and implementation of management plans as well as support the development of community and private forestry including benefit sharing.⁷²

2.2 Case Studies

This part showcases levels and state of the forest at different transition curves within a set of governance systems of management within the global and regional spheres with the case studies of Malaysia, Bolivia, Cameroon, Indonesia, Tanzania, and Vietnam Southern Africa (Mozambique) and Uganda

2.2.1 Malaysia

In Malaysia, forestry policies have always been considered important development concerns. The contribution of forests and trees in the improvement of quality of life, environmental conservation, and protection as well as sustainable agricultural growth has been acknowledged since the very first proclamation of Malaysian forestry policy.

⁷⁰ African Union Commission. The Sustainable Forest Management Framework for Africa (2020-2030). African Union, Addis Ababa, Ethiopia (2020)

⁷¹ Mwangi, Esther, Paolo Cerutti, and Robert Nasi. "The Current State of Eastern Africa's Forests." *European Union* (2018).

⁷² Mwangi, Esther, Paolo Cerutti, and Robert Nasi. "The Current State of Eastern Africa's Forests" *European Union* (2018).

Through supplying land, jobs, chances for income generation, non-timber and timber products for local and international consumption, as well as by building small-scale, forest-based companies, forestry plays a complementary role in rural development. Community and social programs in the nation that focus on restoring degraded land show connections between environmental protection and restoration. The many forest laws and regulations permit access to the resource, particularly for indigenous people and forest residents.

The inter-agency land capability categorization and natural resource appraisal programs, which are overseen by the nation's Economic Planning Unit, have facilitated inter-policy communication and cooperation. Additionally, there are opportunities for the corporate sector and regional organizations to get involved in policy-making and forestry development. The forestry industry frequently faces obstacles in its attempts to improve policy implementation and solve issues due to a lack of support. The Sixth and Seventh Malaysia Plans have identified numerous particular challenges in Malaysian Peninsular that need to be resolved. A National Land Use Plan, training and manpower, a comprehensive database for managing forest resources, increased contractor capacity and accountability, marketing, a long-term supply of raw materials, silvicultural treatments, appropriate harvesting systems, maximum utilization, modernization of plant, reorganization of the wood-processing industry, defeating the Anti-Tropical Timber Campaign, and the development and conservation of Forest Recreation Areas.

Reduced harvest levels and log exports, scientific, sustained yield management of commercial forest reserves, improved plantation management, strategic sectoral planning, levels of royalty rates, alternatives to export revenue, the capacity of the Forest Department, controlled use of state land forest areas, a strengthened forest

industry, stabilization of shifting cultivation, enhanced soil, water, and nature conservation are Sabah's main areas of concern. The management of natural forests, plantations, wood production, log export and processing, forest conservation, and wildlife management are all being addressed in Sarawak as standards for effective implementation are being produced.⁷³

2.2.2 Bolivia, Cameroon, Indonesia, Tanzania, and Vietnam

Snapshots from Bolivia, Cameroon, Indonesia, Tanzania, and Vietnam outline key processes and challenges in national REDD+ processes. The case studies reflect ongoing debate and discourse in these countries among the different actors with interests in REDD+. These include different government institutions at national and sub-national levels; international, national, and local environment and development NGOs; affected communities; the private sector; and international donor organizations. The five countries differ in important ways. They cover different stages on the forest transition curve. Bolivia could be considered as being early in its forest transition, with more than 50% forest cover and relatively medium rates of deforestation. Indonesia, Tanzania, Cameroon, and Vietnam all have forest cover on 40% to 50% of their land, but Indonesia has had much higher rates of deforestation during the past two decades. Tanzania and Cameroon have lower rates, but above average rates of tropical deforestation, while Vietnam has reported an increase in overall forest cover however deforestation is reportedly taking place at sub-national levels. The governance systems also differ, but all have gone through or are amid decentralization processes, except Cameroon, where decentralization is still at a very early stage. Tanzania has a very long history of decentralized planning. In Indonesia, this process has been underway for a

⁷³ Food and Agriculture Organization of the United Nations, *Forestry Policies of Selected Countries in Asia and the Pacific*, Issue 115 of FAO Forestry Paper, ISSN 0258-6150, Food & Agriculture Org., 1993.

decade but is facing challenges, especially in the forest sector. Bolivia began a decentralizing process in the 1990s but has seen recent changes toward market skeptical governance systems, which will also affect its position in international REDD+ debates. Vietnam is in a process of decentralization, but power and planning authorities have not yet fully arrived at the local level. The country's governance structure remains rather centralized, but efforts to empower local communities are underway.⁷⁴

2.2.3 Southern Africa (Mozambique)

Mozambique development plan that was developed at the third FRELIMO party congress in 1977. This was the time before economic reforms, also known as the time before the economic structural adjustment program (pre-ESAP period). The primary agricultural approach generally stayed the same during this period, with estate farmers primarily producing for both local and export markets while smallholder farmers produced mostly for their own needs and the domestic market. The latter saw higher production as a result of agricultural intensification, while the real estate industry experienced strong productivity development. The institutional, technological, and price differences between estate/commercial farmers, state monopolies, and cooperatives on the one hand, and smallholder farmers on the other, were also maintained by governments. As a result, the latter was deterred from making any significant agricultural investments, and the peasants were encouraged to keep mining the land and the few remaining forests and trees.⁷⁵

⁷⁴ Arild Angelsen, *Realising REDD+: National Strategy and Policy Options*. Denmark: CIFOR, 2009, p. 30.

⁷⁵ Godwin Kowero, Bruce M. Campbell, Ussif Rashid Sumaila, *Policies and Governance Structures in Woodlands of Southern Africa*. Indonesia: Center for International Forestry Research. 2003, p.83.

2.2.4 Case of Uganda

Since gaining independence in 1962, Uganda's forest management has undergone a cycle of decentralized and re-centralized periods. Changes frequently resulted from public affairs management programs implemented by various administrations. Forest management in Uganda was primarily a public concern up until the late 1990s, and it was largely restricted to forest reserves (FRs). Before 1967, there existed a thriving local government (LG) forestry service that managed local forest reserves (LFRs), particularly in the kingdoms that had developed robust, well-coordinated governmental structures since colonial times. The LGs then had the authority to determine the areas' top development priorities. However, some of the forest reserves were still managed by the central government (CG). A republican constitution, which essentially consolidated all of the government's decision-making powers, was enacted by the Ugandan government in 1967. As a result, all LFRs were converted into central forest reserves (CFRs). The government began implementing its decentralization strategy in 1993. Additionally, forest reserves were decentralized. But it soon became apparent that the LGs were not yet prepared to fully assume their duties for forest management. They required money to fund more essential initiatives like decentralized health, water, and education. They began to harvest the forests as a result, paying little attention to their intended management. A new constitution was approved by Uganda in 1995. This constitution fully supported the decentralization policy of 1993, although it was divided on forest management. The National Forestry and Tree Planting Act of 2003 kept things as they were in 1998, but this time it separated the Forest Department (FD) into a National Forestry Authority (NFA), which has some autonomy. The NFA was established with the obligation to administer CFRs solely, whereas the FD had been in charge of all forestry-related matters in the nation. Along with these changes in forest

management, public administration reforms also had an impact on land tenure systems.⁷⁶

2.3 Overview of Kenya's Forestry Statutes

The first documented formal forestry statute enacted in Kenya was the Ukamba Woods and Forest Regulation of 1897 legislated under the British colonial crown. The Regulation mainly focused on the sustenance of the supply of fuel wood for the running and maintenance of the Uganda railway and locomotives. It established forest plantations within one mile of each side of the railways then under the management of the railway's administration and placed all other forests outside the railway's administration under the colonial administration.⁷⁷ Later, the East African Forestry Regulations published in 1902 established the Forest Department that legislated forestry functions under the authority of first Kenya's Chief Conservator of forests. The regulation chiefly conscripted the Authority and its legal instruments on the gazettement and de-gazettement aspects of the forest reserves, enforcement, and imposition of sanctions on forest offenses.⁷⁸

However, due to changing circumstances and needs, the Regulation was then amended by the Forest Ordinance of 1941 commenced in 1942 as Cap 385 of the Laws of Kenya. The ordinance primarily entrenched the instruments for the creation of nature reserves within forest reserves. The provisions served to restrict the consumptive use of forest resources and further established the Forest Advisory Committee charged with spearheading the formulation of forest policy for the guidance on the establishment of

⁷⁶ Abwoli Y Banana, Patrick Byakagaba, Aaron JM Russell, Daniel Waiswa, Allan Bomuhangi, *A Review of Uganda's National Policies Relevant to Climate Change Adaptation and Mitigation: Insights from Mount Elgon*. Indonesia: Center for International Forestry Research, 2014, p. 10.

⁷⁷ Logie, J. P. W., and W. G. Dyson. *Forestry in Kenya: A Historical Account of the Development of Forest Management in the Colony*. Colony and Protectorate of Kenya, 1962.

⁷⁸ Matiru, Violet. "Forest Cover and Forest Reserves in Kenya: Policy and Practice." *IUCN, Nairobi* (1999).

plantation forestry for timber production. The Ordinances were again to be amended in 1949 and 1954 to adjust to circumstantial lessons of the Second World War under the influence of the Swynnerton plan of 1954 linking the rehabilitative afforestation programs of the highly degraded African agricultural lands.⁷⁹

The Forest Act provisions reorganized and transitioned forestry responsibilities from the colonial administration to political leadership under the cabinet minister in charge of forestry.⁸⁰ The Act had to undergo several revisions from the penultimate times of independence in 1962 and later in 1982 and 1992. The revision of the Act served to reinvigorate the non-consumptive and utilization of consumptive aspects of forest conservation and management within the gazetted forests reserve and estates.⁸¹

It is notable that at the close of the 20th century, Kenya faced the brunt of agitations for forest policy reforms that culminated in the finalization of the forestry master plan of 1994. The project buttressed key paradigms of the legal and organizational aspects of Kenya's forestry sector leading to the repeal of the Independence Forest Act Cap 385 in the year 2005.⁸²

The enactment of the Forest Act 2005 that came into effect in 2007 was a widely consultative engagement with critical players in the field of forestry. The Act therefore anchored on the thematic linchpins of the master plan subsets focusing on domestic

⁷⁹ Ofcansky, Thomas P. "Kenya Forestry under British Colonial Administration, 1895–1963." *Journal of Forest History* 28, no. 3 (1984): 136-143.

⁸⁰ Logie, J. P. W., and W. G. Dyson. *Forestry in Kenya: A Historical Account of the Development of Forest Management in the Colony*. Colony and Protectorate of Kenya, 1962.

⁸¹ Mwangi, Esther. "Colonialism, Self-Governance, and Forestry in Kenya: Policy, Practice, and Outcomes." Retrieved August 26 (1998): 2016.

⁸² Kenya Forestry Master Plan (Project), and Kenya. Ministry of Environment. "*Kenya Forestry Beyond 2000: An Overview of the Kenya Forestry Master Plan.*" (1994).

socioeconomic forestry development and instrumentation on MEAS, International conventions, and treaties as well as the regional and sub-regional commitments.⁸³

However, the Act was to be further amended by the Forest Conservation and Management Act (FCMA) 2016 ostensibly to realign with the dispensation of the promulgated Constitution of Kenya 2010. The realignment ostensibly operationalizes Article 69 which gives the primacy of sustainability to ensure sustainable management and conservation of environmental resources and equitable benefit sharing.⁸⁴ The Act, therefore, expanded the mandate and obligations of overseeing the sustainable development, conservation, and management of all types of forests in public, community, and private lands for socioeconomic development.⁸⁵

The Act further provides for the subsidiary powers to the cabinet secretary for purposes of the regulations of forestry functions in the service of implementing the statute.⁸⁶ Nevertheless, it is notable that Kenya has a plethora of over 77 forestry-related fragmented statutes and policy frameworks, most importantly the National Land Use Policy 2017, National Environmental Management and Coordination Act 1999, Water Act 2016, Wildlife Conservation and Management Act 2013, Agriculture, Fisheries and Food Authority Act 2013.⁸⁷

2.4 The Trends in Kenya's Forestry Policy Development

⁸³ Ongugo, P.O. & Mugo, E. 2007. *The New Forests Act. 2005: Is It an Incentive or a Disincentive to PFM Implementation in Kenya?* A paper presented to the 1st National PFM conference, 6–8 June 2007, Kenya Forestry Research Institute, Headquarters, Nairobi Kenya.

⁸⁴ Kenya, Laws. The Constitution of Kenya: 2010. Chief Registrar of the Judiciary, 2013.

⁸⁵ Government of Kenya (GoK). "Forest Conservation and Management Act, 2016. Kenya Gazette Supplement No. 155 (Acts No. 34)." (2016).

⁸⁶ Sifuna, Nixon. "The Legally Permissible Traditional Customary Uses of Wildlife and Forests under Kenyan Law." *Open Journal of Forestry* 11, no. 3 (2021): 292-314.

⁸⁷ Mathu, W. "Forest Law Enforcement and Governance in Kenya." *A Paper Prepared for the East African Community-led Regional Process in the Framework of the Ministerial Declaration, Yaoundé, Cameroon, October 16 (2007): 2003.*

Decades before the Berlin conference declared Kenya a colonial British protectorate in 1895, forests in Kenya were sustainably conserved and managed through systems of customs and taboos enforced by the institution of religious and cultural traditional council of Elders.⁸⁸ The traditional systems however limited the consumptive use of forests to firewood collection and grazing upon which any contravention attracted serious customary sanctions and fines. In some communities, forests were communally owned and assigned to the immediate neighboring clans for management in trust but based on the customary functions approved by the leadership of the clan Elders.⁸⁹ The customary system under certain circumstances for the Agrarian communities around considered the practice of shifting cultivation strictly practicable at a distance not exceeding two miles into the forests.⁹⁰ However, the traditional customary systems suddenly crumbled with the advent of colonial political systems of administration,⁹¹ the alienation of land to the white settlers and the massive conversion of sizeable African natives into Christianity as well as the introduction of the Western systems of education soon after the declaration of Kenya as a British protectorate empire in 1895.⁹²

The birth of Kenya's forestry policy practices therefore closely linked to the ancient systems foretold customary forest management systems in the medieval and the adoption times of the Hutchings forestry guidelines in 1909 under the colonial administration.⁹³ According to Mwangi, Kenya under the colonial administration

⁸⁸ Ofcansky, Thomas P. "Kenya Forestry under British Colonial Administration, 1895–1963." *Journal of Forest History* 28, no. 3 (1984): 136-143.

⁸⁹ Ongugo, Paul O., David Langat, Vincent O. Oeba, James M. Kimondo, Benjamin Owuor, Jane Njuguna, George Okwaro, and Aaron JM Russell. "A Review of Kenya's National Policies Relevant to Climate Change Adaptation and Mitigation: Insights from Mount Elgon." (2014).

⁹⁰ Logie, J. P. W., and W. G. Dyson. *Forestry in Kenya: A Historical Account of the Development of Forest Management in the Colony*. Colony and Protectorate of Kenya, 1962.

⁹¹ Sifuna, Nixon. "The Legally Permissible Traditional Customary Uses of Wildlife and Forests under Kenyan Law." *Open Journal of Forestry* 11, no. 3 (2021): 292-314.

⁹² Ofcansky, Thomas P. "Kenya Forestry under British Colonial Administration, 1895–1963." *Journal of Forest History* 28, no. 3 (1984): 136-143.

⁹³ Ofcansky, Thomas P. "Kenya Forestry under British Colonial Administration, 1895–1963." *Journal of Forest History* 28, no. 3 (1984): 136-143.

endured streaks of successive enactment of forestry statutes between 1902 to 1954 period however without attempted legislation of a formal forest policy for implementing the legal instruments.⁹⁴

The establishment of a Forestry Advisory Committee in 1941 and the creation of the Development sub-committee in 1945 made paradigms to the quest for forestry policy development. The paradigm shift culminated in the formulation of the first legislated white Paper No 85 of 1957 which was heavily influenced by the prioritized thematic issues of the Swynnerton plan of 1954 thematic rehabilitative of the degraded African agricultural land through afforestation and re-afforestation program.⁹⁵ The White Paper was later re-promulgated at independence into Sessional Paper No 1 of 1968 with broad principles of forest management through reservation for ecosystem services, recreation, and development of plantation forestry geared towards the provision of the common good.⁹⁶

After years of outcry on the pervasive plunder of forest resources, the clamor for forest policy reforms heightened with the roll-out of the Tropical Forests Action Plans (TFAP) that championed the restructuring of forest governance to stem the predominance destruction of forests within the tropical countries.⁹⁷ This gave the lead to the initiation of the comprehensive policy reform processes started in 1991 culminating with the development and finalization of the Kenya Forestry Master plan of 1994. The plan broadly established the basis for the mainstreaming of forestry in the national Agenda

⁹⁴ Mwangi, Esther. "Colonialism, Self-Governance, and Forestry in Kenya: Policy, Practice, and Outcomes." Retrieved August 26 (1998): 2016.

⁹⁵ Ofcansky, Thomas P. "Kenya Forestry under British Colonial Administration, 1895–1963." *Journal of Forest History* 28, no. 3 (1984): 136-143.

⁹⁶ UCN. 1996. Forest Cover and Forest Reserves in Kenya: Policy and Practice. IUCN Eastern Africa Program, Issue in Conservation.

⁹⁷ Ongugo, Paul O. "Participatory Forest Management in Kenya: Is There Anything for the Poor." in Proceedings: International Conference on Poverty Reduction and Forests. 2007.

thus laying the foundation for legal reforms to address the socioeconomic challenges then bedeviling the forestry sector.⁹⁸

The forestry Master plan and the legal reforms ushered into the enactment of the Forest Act 2005 and the formulation of the draft forest policy anchored in the thematic linchpins of the forestry master plan leverages sustainable forest conservation and national socioeconomic development. The draft forest policy eventually received cabinet approval in 2007 in readiness for the final parliamentary legislative processes that were however never actualized.⁹⁹

Kenya's draft Forest Policy Sessional Paper No 9 of 2007 has attracted several revisions through 2014 to the recent draft National Forest Policy of 2020. In addition, implementation of Kenya's draft forest policies is executed through strategic plans initiated through the first strategic plan 2009-2014 to the just concluded Strategic plan 2018-2022 is the third since the inception of the forestry strategic planning.¹⁰⁰

2.5 Chapter Findings

2.5.1 Chapter Analysis

The analysis of the current state of Kenya's forestry policies reflects the level of Global and Regional debate on the alarming state of deforestation and degradation and the accompanied loss of forest benefits.¹⁰¹ Countries in the World apply different Policies of Forest management due to changing circumstances and unique societal demands for

⁹⁸ Kenya Forestry Master Plan (Project), and Kenya. Ministry of Environment. "Kenya Forestry Beyond 2000: An Overview of the Kenya Forestry Master Plan." (1994).

⁹⁹ Ongugo, P.O. & Mugo, E. 2007. *The New Forests Act. 2005: Is It an Incentive or a Disincentive to PFM Implementation in Kenya?* A Paper Presented to the 1st National PFM Conference, 6–8 June 2007, Kenya Forestry Research Institute, Headquarters, Nairobi, Kenya.

¹⁰⁰ Sifuna, Nixon. "The Legally Permissible Traditional Customary Uses of Wildlife and Forests under Kenyan Law." *Open Journal of Forestry* 11, no. 3 (2021): 292-314.

¹⁰¹ Lawrence Dale Teeter, Benjamin William Cashore, Daowei Zhang, *Forest Policy for Private Forestry: Global and Regional Challenges*. CABI, 2002, p. 9.

forest-based products and services.¹⁰² UNEP Report of 2010 identified sweeping actions on factors that undermine the ecological integrity and vitality of forests supporting the Productive and industrial sectors of the global economy.¹⁰³ Scholars link such factors with the effect of unaccustomed forest policies, varied types of ecosystems, wide socioeconomic spectrum, and weak forest governance regimes.¹⁰⁴

The United Nations Forest Strategic Plan for Forest 2017-2030 provides a strategic Framework for sustainable forest management with an overarching focus on halting deforestation and Forest Degradation espoused in the global Sustainable Development Goals 2030.¹⁰⁵ Further, the State of World's Forest Report 2022 proposes three global pathways with the particular aim of halting deforestation and maintenance of forests, restoration of degraded lands and expansion of Agroforestry and sustainable utilization of forests and building green value chains as a mitigating guide for the decision-makers at the National and landscape-levels. In addition, the report advocates for supportive policies and institutions to enhance the resilience of rural economies in mitigating the planetary vulnerabilities of climate change.¹⁰⁶

However, the recent FRA Report 2020 recorded an increase in the forest cover in many regions of the World except in Southern Asia, Northern Africa, sub-Saharan Africa, and Oceania regions that still reported a negative state of forest cover change.¹⁰⁷

¹⁰² MEA, M. E. A. (2005). Ecosystems and human well-being: current state and trends. Millennium Ecosystem Assessment, Global Assessment Reports.

¹⁰³ United Nations Environmental Programme, (2012). Linkages between Kenya's forest regulating services and the rest of the economy. Available at http://www.unep.org/dewa/Portals/67/pdf/UNEP_Kenya_Forest_linkage.pdf. Retrieved on 25th July 2023

¹⁰⁴ Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

¹⁰⁵ Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

¹⁰⁶ FAO. The State of the World's Forests 2022. Forest pathways for green recovery and building inclusive, resilient, and sustainable economies. Rome, FAO (2022). Available at <https://doi.org/10.4060/cb9360en> retrieved on 2nd August 2023.

¹⁰⁷ FAO. Global Forest Resources Assessment 2020: Main report. Food and Agriculture Organization of the United Nations, Rome. (2020)

Scholars observe that the increase in the global forest cover is much more pronounced in regions with large forested countries compared to smaller forested countries. Scholars further attribute the disparity to the effect of diverse forest policies, wide socioeconomic spectrum, varied types of ecosystems, and forest governance regimes. In addition, the observation of regions recording negative global trends in sustainable forest management is surprisingly predominant within tropical low-income countries, many with enabling forest conservation frameworks and properly designated forest areas.¹⁰⁸

The analysis of historical trends of Global and Regional Forestry Issues demonstrates that at the global scale, Forest management Policies and commitments have been largely Country specific. Such scenarios have led to a lack of comprehensive global policy and slowed progress on global forestry management and development.¹⁰⁹ In the past, Global policymakers merely regarded forestry legislation as a management tool for the declaration and preservation of forest reserves and establishment specific to Countries.¹¹⁰ However the recent effort by the United Nations Forum on Forests (UNFF) developed, a unifying Global Strategic Plan for Forest 2017-2030 framework particular at addressing specific global forest goals and targets.¹¹¹

Earlier before, the Rio Earth Summit had escalated global discussions, and agreements highlighting the World on the importance of forest conservation and carbon sinks.¹¹²

¹⁰⁸ Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

¹⁰⁹ Chaytor, Beatrice. "The Development of Global Forest Policy: An Overview of Legal and Institutional Frameworks." *International Institute for Environment and Development (IIED) and the World Business Council for Sustainable Development (WCBS)*, London, UK (2001).

¹¹⁰ Alden Wily, Liz, and Sue Mbaya. "Land, People, and Forests in eastern and southern Africa at the beginning of the 21st Century." *The impact of land relations on the role of communities in forest future*. Nairobi, IUCN-EARO (2001).

¹¹¹ UNFF. Strategic Plan for Forests 2030, The State of the World's Forests 2018, FAO, Rome (2019).

¹¹² Lawrence Dale Teeter, Benjamin William Cashore, Daowei Zhang, Forest Policy for Private Forestry: Global and Regional Challenges. CABI, 2002, p. 9.

More so, the Reducing Emissions from Deforestation and Forest Degradation (REDD+) mechanism under the United Nations Framework for Climate Change (UNFCCC) revolutionized the debate on climate change regimes and concepts.¹¹³ More debate on forestry had strong linkages and relevance to Conventions and Treaties, particularly the assemblages of the Convention on International Trade in Endangered Species, and the World Heritage Convention that came into force before the Rio Earth Summit.¹¹⁴

The state of Africa's Forest cover has been identified under the Global Forest Resource Assessment (FRA) Report 2015 on a negative trend, with the decline more pronounced in the Northern and Sub-Saharan Africa sub-regions.¹¹⁵ Notably, the distribution of the African forests and woodlands is patchy across the five sub-regions of the continent resulting in significant imbalances in the demand for and supply of forest-derived goods and services. As a result, the imbalance places Africa's forest sector under extreme pressure to resiliently sustain its socio-economic development potential in several Countries on the continent.¹¹⁶

According to scholarly literature, Africa's Forest sector majorly faces challenges of factors that range from forest and land-use policies, weak forest governance and implementation of policies, political conflict, and instability. Further, many African states and governments accord the forest sector lesser attention to national planning resulting in inadequacy in resource allocations hence largely overlooked on critical

¹¹³ Angelsen Arild, *Realizing REDD+: National Strategy and Policy Options*. Denmark: CIFOR, 2009, p. 15

¹¹⁴ Lawrence Dale Teeter, Benjamin William Cashore, Daowei Zhang, *Forest Policy for Private Forestry: Global and Regional Challenges*. CABI, 2002, p. 9.

¹¹⁵ Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

¹¹⁶ Traore, M. and Tieguhong, J.C. 2018. *How Forestry contributes to the African Development Bank's High 5 Priorities: challenges and opportunities*. African Natural Resources Centre. African Development Bank. Abidjan, Côte d'Ivoire.

governance issues and decisions. The challenges lead to the lethargy of private forest sectors' participation in public-private partnerships in forestry.¹¹⁷

Additional Scholarly work further illustrates the cases of the East African Countries that managed to put in place forest legal reforms with its framework cascaded to the sub-national levels. The East Africa Community's legal frameworks however spearhead Country-specific forest sector reforms focused on halting deforestation and forest degradation. Kenya's Forest legal reforms, in particular, initiated reform of institutions with an emphasis on the development of management plans, building the community capacity and private sector on forestry, and accrued benefit sharing.¹¹⁸

Kenya has a long historical journey with its Forestry Statutes, its first formal forest statute, the Ukamba Woods and Forest Regulation was enacted in 1897.¹¹⁹ Later, followed the East African Forestry Regulations published in 1902 that established the first Forest Department under Chief Conservator of forests. The regulations centered their Authority on the gazettement and de-gazettement of the forest reserves, enforcement, and imposition of sanctions on forest offenses.¹²⁰ However, the Regulation underwent several amendments through to Cap 385 of 1942 which was later restated at independence in 1962.¹²¹

After years of agitation for forest reforms, the finalization of the forestry master plan in 1994 birthed the enactment of the Forest Act 2005 that anchored the thematic linchpins

¹¹⁷ Traore, M. and Tieguhong, J.C. 2018. How Forestry contributes to the African Development Bank's High 5 Priorities: challenges and opportunities. African Natural Resources Centre. African Development Bank. Abidjan, Côte d'Ivoire

¹¹⁸ Mwangi, Esther, Paolo Cerutti, and Robert Nasi."The Current State of Eastern Africa's Forests" European Union (2018).

¹¹⁹ Logie, J. P. W., and W. G. Dyson. Forestry in Kenya: A Historical Account of the Development of Forest Management in the Colony. Colony and Protectorate of Kenya, 1962.

¹²⁰ Matiru, Violet. "Forest Cover and Forest Reserves in Kenya: Policy and Practice." IUCN, Nairobi (1999).

¹²¹ Ofcansky, Thomas P. "Kenya Forestry under British Colonial Administration, 1895–1963." Journal of Forest History 28, no. 3 (1984): 136-143.

of the forestry master plan and the MEAs, as well, the regional and sub-regional commitments.¹²² The Act was later amended by the Forest Conservation and Management Act (FCMA) 2016 giving effect to Article 69 aspirations and the primacy of the Constitution of Kenya 2010 on highlights of sustainable use of natural resources and equitable benefit sharing.¹²³

In addition, Kenya boasts over 77 forestry-related laws and policy frameworks focusing on sustainable forest conservation and management.¹²⁴

Kenya's Forestry Policy historical Development first emerged in the medieval periods of the customary forestry systems practiced in the ancient times before Kenya become a British colony in 1895 and later, the adoption of the Hutchings forestry guidelines in 1909 under the colonial administration.¹²⁵ Despite a series of enactment of a handful of forest ordinances and laws under the colonial administration, little attempts were made for the legislation of a formal forest policy.¹²⁶ However, the first Kenya's formal forest policy, the White Paper No 85 of 1957 was later enacted in the wake of the Second World War under the influence of the famous agricultural Swynnerton plan of 1954.¹²⁷

The white paper was later re-stated at independence into Sessional Paper No 1 of 1968.¹²⁸ After years of agitation for forest reforms, the development of the Kenya

¹²² Ongugo, P.O. & Mugo, E. 2007. The New Forests Act. 2005: Is It an Incentive or a Disincentive to PFM Implementation in Kenya? A paper presented to the 1st National PFM conference, 6–8 June 2007, Kenya Forestry Research Institute, Headquarters, Nairobi Kenya.

¹²³ Sifuna, Nixon. "The Legally Permissible Traditional Customary Uses of Wildlife and Forests under Kenyan Law." *Open Journal of Forestry* 11, no. 3 (2021): 292-314.

¹²⁴ Mathu, W. "Forest Law Enforcement and Governance in Kenya." A Paper Prepared for the East African Community-led Regional Process in the Framework of the Ministerial Declaration, Yaoundé, Cameroon, October 16 (2007): 2003.

¹²⁵ Ofcansky, Thomas P. "Kenya Forestry under British Colonial Administration, 1895–1963." *Journal of Forest History* 28, no. 3 (1984): 136-143.

¹²⁶ Mwangi, Esther. "Colonialism, Self-Governance, and Forestry in Kenya: Policy, Practice, and Outcomes." Retrieved August 26 (1998): 2016.

¹²⁷ Ofcansky, Thomas P. "Kenya Forestry under British Colonial Administration, 1895–1963." *Journal of Forest History* 28, no. 3 (1984): 136-143.

¹²⁸ UCN. 1996. Forest Cover and Forest Reserves in Kenya: Policy and Practice. IUCN Eastern Africa Program, Issue in Conservation.

Forestry Master Plan of 1994 ushered in the enactment of the Forest Act 2005 and the formulation of the draft forest policy Sessional Paper No 9 of 2007.¹²⁹ The Draft Forest Policy 2007 has since undergone revisions into the Draft National Forest Policy 2014 to its latest revised version of 2020. However, the Draft Forest Policy(s) have continually been implemented through Strategic Plans with its inaugural version of 2009-2014 through to the recently concluded version of 2018-2022.¹³⁰

2.5.2 Relevance and influence of the Kenya's Forest Laws, Policy, and Strategic Plans.

This part delves into analyzing the relevance and influence of the implementation of Kenya's forest conservation and management Act 2016, the Draft National Forest Policy 2014 revised in 2020, with its recently concluded Strategic Plan 2018-2022 version. in relation to the global and regional forestry issues.

The results as shown in Figure 2 below, indicate that 55.3% of the respondents agreed that the Forest Conservation and Management Act 2016 is moderately relevant and at the same moderately effective in promoting sustainable Forest management. Another 44.7% of the respondents however agreed that the underlined forest law is very relevant and at the same time very effective under consideration of the same context.

In another analysis of the relevance and effectiveness of Draft National Forest Policy 2014 revised in 2020, results illustrate that 57.9% of the respondents agreed that the policy is moderately relevant and moderately effective in sustainable forest management. Another 36.8% of the respondent however feel that the policy is very

¹²⁹ Ongugo, P.O. & Mugo, E. 2007. *The New Forests Act. 2005: Is It an Incentive or a Disincentive to PFM Implementation in Kenya?* A Paper Presented to the 1st National PFM Conference, 6–8 June 2007, Kenya Forestry Research Institute, Headquarters, Nairobi Kenya.

¹³⁰ Sifuna, Nixon. "The Legally Permissible Traditional Customary Uses of Wildlife and Forests under Kenyan Law." *Open Journal of Forestry* 11, no. 3 (2021): 292-314.

relevant and very effective in promoting sustainable forest management. Conversely, 5.3% of the respondents feel that the policy is not relevant and not effective in promoting sustainable forest management.

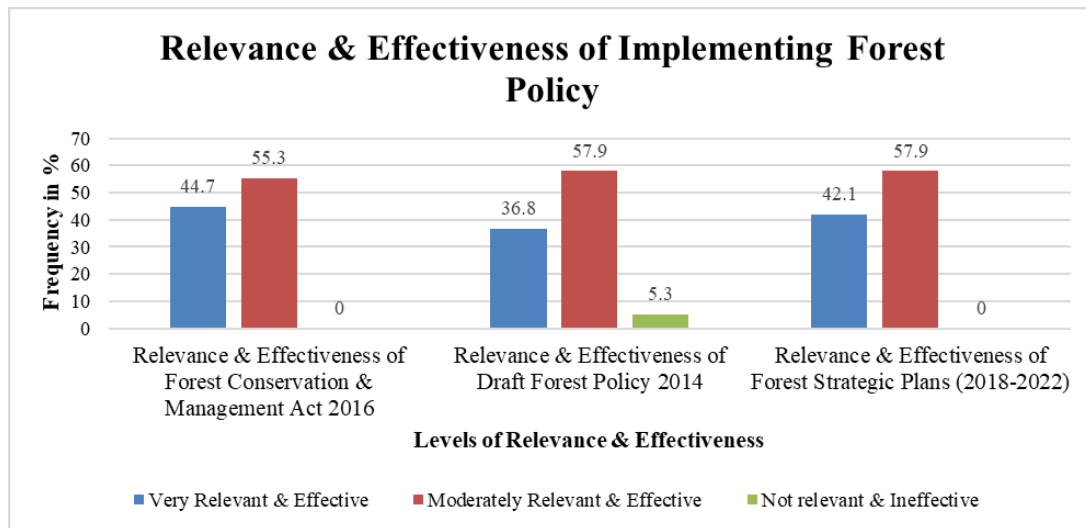


Figure 2: Level of relevance and effectiveness on forest policy implementation

Separately, the analysis of the relevance and effectiveness of Forest Strategic Plan 2018-2022 is now under revision, the results indicate that 57.9% agreed that the strategic plan is moderately relevant and moderately effective in influencing sustainable forest management. Another set of 36.8% of the respondents however feel that the strategic plan is very relevant and very effective in promoting sustainable forest management.

2.6 Conclusion

Globally, several factors influence the implementation of forest policies that largely is Country-specific due to changing circumstances and unique societal demands for

forest-based products and services.¹³¹ Such factors include; diverse forest policy regimes, types of ecosystems, wide socioeconomic spectrum, the Country's level of income, and weak forest governance.¹³² Virtually, the historical trends of Global and Regional Forestry Issues demonstrate Forest management Policies and commitments at the global scale have been largely uncoordinated and Country specific. The scenarios have led to a lack of comprehensive global policy and slowed progress on global forestry management and development.¹³³

Further, the situation in Africa's case faced additional limiting factors particular to forest and land-use policies, political conflict, and instability. Another grim factor concerns the low level of recognition of the Forest Sector in the national planning, resource allocations, critical governance issues and decision-making as well as the lethargy of Private Forest Sectors' investment in public-private partnership in forestry.¹³⁴

Such factors demonstrates Kenya's historical lag in the development of Forest laws since the enactment of its first formal forest Regulations in 1897.¹³⁵ In essence, despite series of enactments and amendments of forest ordinances and laws little influence was evident for legislation of a formal forest policy up to 1957 when its first formal forest policy was promulgated which was only restated in 1968.¹³⁶ Interestingly, the

¹³¹ MEA, M. E. A. (2005). Ecosystems and human well-being: current state and trends. Millennium Ecosystem Assessment, Global Assessment Reports.

¹³² Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

¹³³ Chaytor, Beatrice. "The Development of Global Forest Policy: An Overview of Legal and Institutional Frameworks." *International Institute for Environment and Development (IIED) and the World Business Council for Sustainable Development (WCBSD)*, London, UK (2001).

¹³⁴ Traore, M. and Tieguhong, J.C. How Forestry contributes to the African Development Bank's High 5 Priorities: challenges and opportunities. African Natural Resources Centre. African Development Bank. Abidjan, Côte d'Ivoire (2018).

¹³⁵ Logie, J. P. W., and W. G. Dyson. *Forestry in Kenya: A Historical Account of the Development of Forest Management in the Colony. Colony and Protectorate of Kenya*, 1962.

¹³⁶ Mwangi, Esther. "Colonialism, Self-Governance, and Forestry in Kenya: Policy, Practice, and Outcomes." Retrieved August 26 (1998): 2016.

Country's forest management yet again operates under a Draft Forest policy since 2007 that has severally undergone revisions from the Draft National Forest Policy 2014 to its latest revised version of 2020.¹³⁷ Most importantly, it's notable that the Country boasts over 77 inter-sectoral pieces of forestry-related legislation and policy frameworks all focused on sustainable forest conservation and management.¹³⁸

In summary, the results indicate that the majority (55.3%) score indicates that the application of the Forest Conservation and Management Act 2016 is moderately relevant and effective in influencing sustainable Forest management. Another majority (57.9) score further indicate that the implementation of the Draft National Forest Policy 2014 revised in 2020 is moderately relevant and effective in influencing the same context of the underlined forest management. Separately, another majority (57.9%) indicate that the implementation of the Forest Strategic Plan 2018-2022 now under revision, is again, moderately relevant and effective in influencing sustainable forest management.

The implication of the analysis establishes that Kenya's Forest laws, policy, and strategic plans are all but moderately relevant and again moderately effective in influencing the country's and by extension the global and Regional sustainable forest management and development due to the factors postulated by Traore, and Tieguhong in 2018. Kenya's trend in the inability to the legislation of formal forest policy is an additional limiting factor influencing critical forest governance decisions, resource allocation, and scale of the vibrancy of Public Private Partnerships in forestry hence

¹³⁷ Sifuna, Nixon. "The Legally Permissible Traditional Customary Uses of Wildlife and Forests under Kenyan Law." *Open Journal of Forestry* 11, no. 3 (2021): 292-314.

¹³⁸ Mathu, W. "Forest Law Enforcement and Governance in Kenya." A Paper Prepared for the East African Community-led Regional Process in the Framework of the Ministerial Declaration, Yaoundé, Cameroon, October 16 (2007): 2003.

risks of lowering the degree of the relevance and effectiveness of the forest legal instruments operating at the state level.

CHAPTER THREE

COMPONENTS OF EFFECTIVE IMPLEMENTATION OF STATE-LEVEL FORESTRY POLICIES

3.0 Introduction

The Chapter Examines the components of the implementation of state-level forestry policies on forest development and socioeconomic growth based on empirical concepts proffered by different scholars. The effectiveness of policy implementation has been described by many scholars on account of various concepts and contexts. The instances of Bullock Richard allusion depict it as frames of feedback on the impact of deliberate actions on outcomes which involve strategic allocation of scarce resources affecting critical issues.¹³⁹ Further, Xu Yunfei et al. observed that policy implementation effectiveness relates to the degree of the realization of the organizational strategic goals and objectives.¹⁴⁰ Again, Li Hao et al related the effectiveness of policy implementation with the realization of set goals and outcomes.¹⁴¹

3.1 Analysis of Policy Implementation Models

The analysis interlinks the concepts of Sadler's policy Effectiveness Triangle Revised by Baker & MCelland in 2003 and the Integrated Policy Implementation Model developed by Winther and Nielson in 2008.

3.1.1 Sadler's Policy Effectiveness Triangle Model

¹³⁹ Bullock, Richard. Theory of Effectiveness Measurement. (2006). 188.

¹⁴⁰ Xu, Yunfei, Jian Zhao, Qifeng Fang, Han Wang, Dan Wang, Bingxin Zeng, and Youzi Wang. "The Theory and Method of Organizational Effectiveness Evaluation." In 2022 8th International Conference on Humanities and Social Science Research (ICHSSR 2022), pp. 2419-2423. Atlantis Press, 2022.

¹⁴¹ Li, Hao, Joyeeta Gupta, and Meine Pieter Van Dijk. "China's Drought Strategies in Rural Areas along the Lancang River." Water Policy 15, no. 1 (2013): 1-18.

Sadler, Barry published the policy effectiveness Triangle model in 1996 originally applied in the evaluation of practice on the performance of Environmental Assessment (EA).¹⁴² Later, Baker and McLelland 2003 revised the Triangle model to illustrate the policy effectiveness of Strategic Environmental Assessment (SEA).¹⁴³ The efficacy of evaluation criterion of the effectiveness of SEA has successfully been replicated across countries in the evaluation of policies in varied fields and contexts.¹⁴⁴

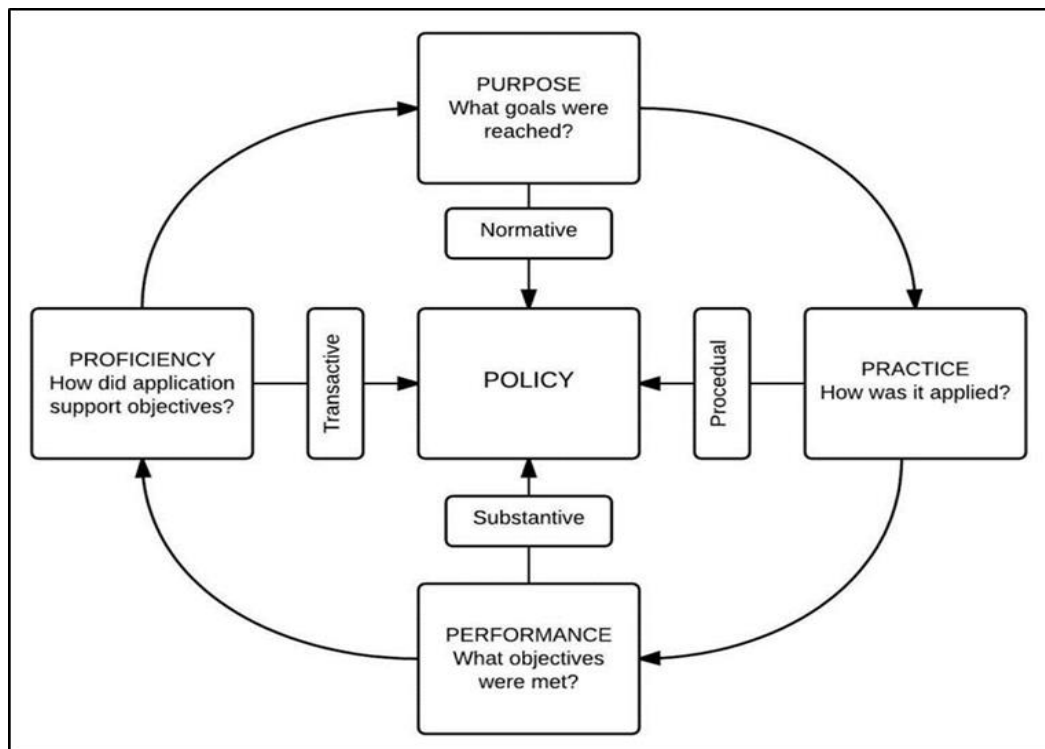


Figure 3: The Revised Sadler’s Policy Effective Model

The revised model in Figure 3 above was expanded by Baker and McLelland, 2003 to further capture the analysis of SEA's policy effectiveness on a four-structure principle. The structure embodies the procedural effectiveness that evaluates the conformance of

¹⁴² Sadler, Barry. “Ex-post Evaluation of the Effectiveness of the Environmental Assessment.” *Environmental Methods Review: Retooling Impact Assessment for the New Century* (1998): 30.

¹⁴³ Sadler, Barry. “Some Future Directions for Policy-Level SEA.” *Strategic Environmental Assessment at the Policy Level* (2005).

¹⁴⁴ Cashmore, Matthew, Richard Gwilliam, Richard Morgan, Dick Cobb, and Alan Bond. “The Interminable Issue of Effectiveness: Substantive Purposes, Outcomes and Research Challenges in the Advancement of Environmental Impact Assessment Theory.” *Impact Assessment and Project Appraisal* 22, no. 4 (2004): 295-310.

policy implementation processes and principles. Secondly, the analysis of the substantive effectiveness determines the ability of the policy to attain the set objectives. Thirdly, the transactive effectiveness analyses the efficiency in resource allocation, and lastly, the normative effectiveness applied while evaluating the policy impact and outcomes on policy implementation goals and objectives.¹⁴⁵

3.1.2 Integrated Policy Implementation Model

The Winther and Nielson Integrated Implementation model illustrated in Figure 4 below fusions the policy formulation design and the implementation processes as well as the implementation results. The model evaluates the interdependence and the inter-relatedness of aspects of social and political variables and systems of the implementation interactions subsisting within the socioeconomic policy environment.¹⁴⁶ The substantive effectiveness criterion implements the policy goals and objectives that embody strategic planning and programming of the policy implementation.¹⁴⁷ It regulates values in decision-making and frames collaboration and stakeholder engagements.¹⁴⁸

¹⁴⁵ Baker, Douglas C., and James N. McLelland. "Evaluating the Effectiveness of British Columbia's Environmental Assessment Process for First Nations' Participation in Mining Development." *Environmental Impact Assessment Review* 23, no. 5 (2003): 581-603

¹⁴⁶ Winter, S. "Offentlig Forvaltning i Danmark-Implementering og effektivitet. (Public Administration in Denmark-Implementation and effectiveness)." (1994).

¹⁴⁷ Zhang, Jie, Per Christensen, and Lone Kørnøv. "Review of Critical Factors for SEA Implementation." *Environmental Impact Assessment Review* 38 (2013): 88-98.

¹⁴⁸ Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualising the Effectiveness of Impact Assessment Processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

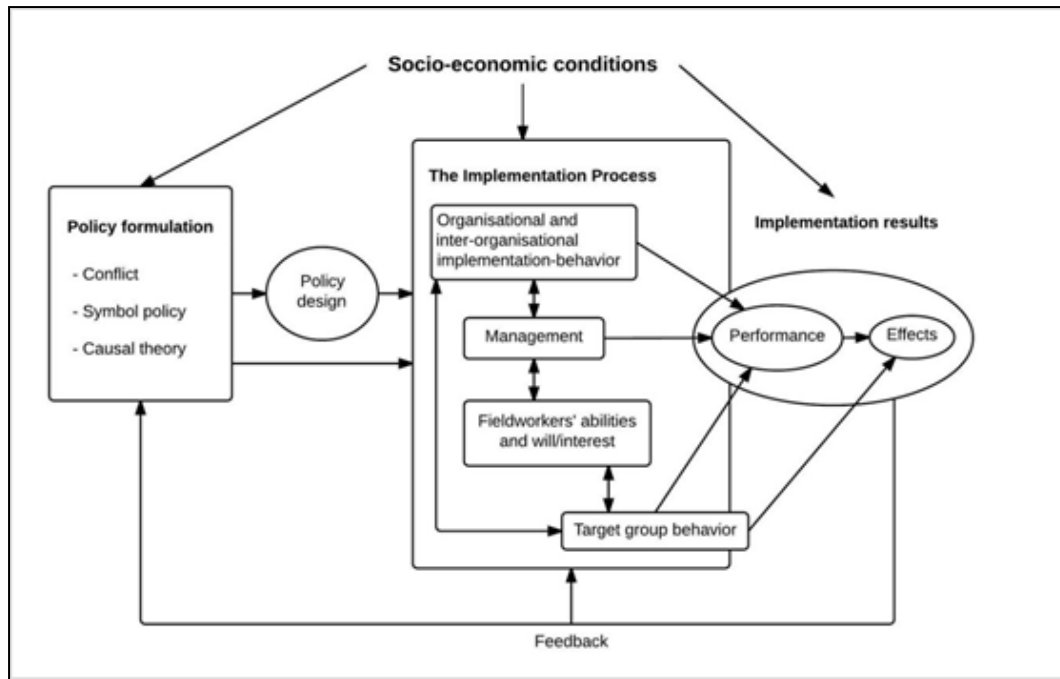


Figure 4: The Winther & Nielson Integrated policy Implementation Model

The procedural effectiveness concept grounds the policy implementation process on the principles and practice in the attainment of the planned outcome.¹⁴⁹ The policy procedural effectiveness digs into setting the implementation standards and methods for meeting the goals and objectives.¹⁵⁰ The transactive effectiveness evaluates the resource allocation in undertaking the overall policy implementation design, the implementation processes, and implementation results. Involves the application of benefit and cost analysis as well as time allocation.¹⁵¹

The normative effectiveness of the policy implementation evaluates the impact of implementation results on societal values. Measures the transformative influence on

¹⁴⁹ Thérivel, Riki, and Phillip Minas. "Ensuring Effective Sustainability Appraisal." *Impact Assessment and Project Appraisal* 20, no. 2 (2002): 81-91.

¹⁵⁰ Baker, Douglas C., and James N. McClelland. "Evaluating the Effectiveness of British Columbia's Environmental Assessment Process for First Nations' Participation in Mining Development." *Environmental Impact Assessment Review* 23, no. 5 (2003): 581-603.

¹⁵¹ Thérivel, Riki, and Phillip Minas. "Ensuring Effective Sustainability Appraisal." *Impact Assessment and Project Appraisal* 20, no. 2 (2002): 81-91.

societal behavior and decision-making in achieving the overall policy goals and objectives.¹⁵²

3.2 The Effective Policy Implementation subcomponents

The Policy's effectiveness is highly dependent on the contextual elements of its implementation subcomponents that underpins the goals and objectives of the policy. The contexts encompass factors that are synergistic or antagonistic to the attainment of the policy goals.¹⁵³ Scholars have however compartmentalized the implementation subcomponents into enablers and barriers that integrate the modeling of analytical elements influencing the effective policy implementation.¹⁵⁴

3.2.1 The Policy formulation and design

The formulation and design in policy-making are important elements of implementation effectiveness subcomponent that fulcrums on the consensual fabrics of the upstream and downstream Actors.¹⁵⁵ Scholarly Articles identify policy design as a factor defining key objects of the legislation and the political goals of the Policy. Further, Policy-making in context bundles contradictions and competing goals that require the interpretative capacity of the fieldworkers and stakeholders.¹⁵⁶ Sound formulation and design hallmark the political intent and latitude of best choices of the policy goals.¹⁵⁷

¹⁵² Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualising the Effectiveness of Impact Assessment Processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

¹⁵³ Bond, Alan, Jenny Pope, Angus Morrison-Saunders, and Francois Retief. "Exploring the relationship between context and effectiveness in impact assessment." *Environmental Impact Assessment Review* 97 (2022): 106901.

¹⁵⁴ Van Loon, Louise, Peter PJ Driessen, Arend Kolhoff, and Hens AC Runhaar. "An analytical framework for capacity development in EIA—The case of Yemen." *Environmental Impact Assessment Review* 30, no. 2 (2010): 100-107.

¹⁵⁵ Ansell, Christopher, Eva Sørensen, and Jacob Torfing. "Improving policy implementation through collaborative policymaking." *Policy & Politics* 45, no. 3 (2017): 467-486.

¹⁵⁶ Winther, S. C., and V. L. Nielsen. "Implementering af politik. 1. udg., 1. opl." *Academica*, Århus (2008).

¹⁵⁷ Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualising the effectiveness of impact assessment processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

However, scholars herald risks and dangers of policy distortion incumbent on interests in the wake of policy formulation and design that threatens the effectiveness of most policies. The major risks are buttressed by conflicting interests of political Actors engendering long-ranging of policies. The symbol policy interest is a result of ambiguous goal setting and the causal theory emerging from an invalid theoretical frame of the policy.¹⁵⁸

Notably, Forest policy and other public policies with a broader focus, like those on the economy, natural resources, and the environment, are strongly interdependent. They have a significant positive or negative influence on the creation and execution of forest policy programs, which may boost or inhibit sustainable forestry and land use practices. Instances and circumstances for the development of the forestry and wood processing sector are created by public policies relating to energy and industry, research, technology development and education, infrastructure and communication, economic growth, employment and social affairs, and energy and industry.¹⁵⁹

3.2.2 The Organizational culture and Inter-organizational behavior

Scholars link the Organizational culture and habit to the doctrines that shape the capacity and dimensions of policy effectiveness. This subcomponent contextualizes integration of the internal and external dynamism of the organizational degree of partnerships and collaborative capacities.¹⁶⁰ The context further calibrates the degree of involvement of the stakeholder in partnerships and collaborations that impact the organization's character and mandate. It characterizes the policy ability on competency

¹⁵⁸ Thérivel, Riki, and Phillip Minas. "Ensuring Effective Sustainability Appraisal." *Impact Assessment and Project Appraisal* 20, no. 2 (2002): 81-91.

¹⁵⁹ Food and Agriculture Organization of the United Nations, *Cross-Sectoral Policy Impacts Between Forestry and Other Sectors*, Part 1. Rome: Food & Agriculture Org., 2003, p. 12.

¹⁶⁰ Thérivel, Riki, and Ainhoa González. "Introducing SEA effectiveness." *Impact Assessment and Project Appraisal* 37, no. 3-4 (2019): 181-187.

development, resource mobilization, and utilization capabilities as well as the institutional mix of interests vital for mapping the organizational doctrines that steer growth and development.¹⁶¹

Studies further nexus inadequate collaborative policy-making with some level of administrative siloes that curtails the stakeholders' participation and the inter-organizational partnerships in policy-making and implementation. The non-collaborative policy-making forms the weakest point of constructive problem-solving that breeds policy failures requiring the deliberate upstream and downstream collaboration of partners, stakeholders, and management.¹⁶² Moreover, designing legitimate public policy requires integrated consensual vertical and horizontal collaboration of partners in decision-making as opposed to discreteness and distinctness abhorrent of conflict that undermines policy legitimacy.¹⁶³

The Scholarly Articles illustrate that a functional policy requires harmony and coherence between institutions of various types and levels, the official regulations of government services, and the local communities. Further, demonstrate the magnitudes and extent of consequences from forestry projects are greatly influenced by the institutional context and framework within which policy is implemented. It again picks out challenges of Intersectoral programs that affect policy implementation due to feeble linkages between forestry Agencies and their associated technical entities.¹⁶⁴

3.2.3 Management and Fieldworkers' abilities and will.

¹⁶¹ Winter, S. "Offentlig Forvaltning i Danmark-Implementering og effektivitet.[Public Administration in Denmark-Implementation and effectiveness]." (1994).

¹⁶² Gazley, Beth. "The current state of inter-organizational collaboration: Lessons for human service research and management." *Human Service Organizations: Management, Leadership & Governance* 41, no. 1 (2017): 1-5.

¹⁶³ Ansell, Christopher, Eva Sørensen, and Jacob Torfing. "Improving policy implementation through collaborative policymaking." *Policy & Politics* 45, no. 3 (2017): 467-486.

¹⁶⁴ H. M. Gregersen, Food and Agriculture Organization of the United Nations, J. E. Arnold, *Assessing Forestry Project Impacts: Issues and Strategies*. Rome: Food & Agriculture Org., 1993, p.22.

The concept of Management manifests in the abilities of the policy to develop and execute working standards, procedures, and quality assurance alongside ensuring quality and functional systems of internal communication, information sharing, and interoperability.¹⁶⁵

On the other flip, the Fieldworkers' ability will essentially influence the interpretive capacities of legislation and policy based on the inherent competencies and expertise.¹⁶⁶

Other Scholars relate the Fieldworkers' involvement in decision-making with the bottom-up school of thought and the concept of the street-level bureaucratic power of behavioral influence of the frontline on Policy implementation.¹⁶⁷ Elsewhere, Fieldworkers may enjoy *de facto* discretionary *pseudo* autonomy of top management thus their aggregated decision hugely influence strategic policy outcomes due to their proximity with the external stakeholders and other critical Actors¹⁶⁸

Fieldworkers' abilities will largely, therefore, hinge on the character and capacities of the organizational human capital and development bounds and precincts of incentivizes, inherent interests, and abilities. Furthermore, fieldworkers capacitate policy implementation through the transformation of interests (substantial, institutional, and individual) into implementable policy design. The substantial interests operate based on expert and professional opinions. The institutional interest is much influenced by the economic prowess, survival, status, and growth of the institution. Finally, individual

¹⁶⁵ Winther, S. C., and V. L. Nielsen. "Implementering af politik. 1. udg., 1. op." *Academica*, Århus (2008).

¹⁶⁶ Zhang, Jie, Per Christensen, and Lone Kørnøv. "Review of Critical Factors for SEA Implementation." *Environmental Impact Assessment Review* 38 (2013): 88-98.

¹⁶⁷ Lipsky, M. (1980). *Street-Level Bureaucracy* (New York: Russell Sage). Moving Toward Mixed Service Delivery, 31.

¹⁶⁸ Hudson, B. (1993). Michael Lipsky and street-level bureaucracy. *The Policy Process: A reader*, 386-398.

interests largely revolve around the status and motivation of individual members of the organization pertaining to workloads, job security, and remunerations.¹⁶⁹

3.2.4 The Target Group Behavior

The concept of the Target Group behavior resides in the participation in opinion shaping and engagement in public hearings in navigating policy feedback systems to effectively adjust and grow in response to changing circumstances. Target Groups are rather multifaceted segments in society that may encompass the fieldworkers and interest groups concerned with the fate of policy design, implementation, and its eventual outcome. The Integrated model however links Target Groups to a conglomerated involvement of stakeholders in the form of political class, line Agencies, community groups, and Non-state Actors that hold critical interests and influence regarding Policy-making and its systems of implementation.¹⁷⁰

Scholars further point out the contentment of looming distortions of policy contexts incumbent on conflict of interests and long-ranging of plans for political expediency.¹⁷¹ Alternatively, other literature apportions short-term ranging-plan specific to a political cycle in policy-making and implementation.¹⁷² Further, Scholars however presuppose that roles of political actors involving long-term planning would best fit the legislative contexts compared to policy-making that is characteristically averse to long-ranging discourses.¹⁷³

¹⁶⁹ Zhang, Jie, Per Christensen, and Lone Kørnøv. "Review of Critical Factors for SEA Implementation." *Environmental Impact Assessment Review* 38 (2013): 88-98.

¹⁷⁰ Winter, S. "Offentlig Forvaltning i Danmark-Implementering og effektivitet. (Public Administration in Denmark-Implementation and effectiveness)." (1994).

¹⁷¹ Théritel, Riki, and Phillip Minas. "Ensuring Effective Sustainability Appraisal." *Impact Assessment and Project Appraisal* 20, no. 2 (2002): 81-91.

¹⁷² Norris, Emma, and Julian McCrae. "Policy that Sticks: Preparing to govern for lasting change." Institute for Government: UK (2013).

¹⁷³ Weaver, R. Kent. *Target compliance: The final frontier of policy implementation.* Governance Studies at Brookings, 2009.

3.3 Challenges of Effective Policy Implementation on the Subcomponents

The section discusses challenges impeding the effective implementation of Forestry policies from the empirical viewpoint and the actualized Kenyan contexts laced with the selected case studies at the Regional and global scenes.

3.3.1 The Empirical Aspects

Empirical evidence strongly links challenges of policy implementation to the non-involvement and non-collaborative top-down model approach to policy-making and implementation. The model is largely preferred by most decision-makers in which Policy design involves the simplification of the chronological ordering of statement of intent, goal setting, and implementation schedules.¹⁷⁴ Studies further emphasize other factors attributed to policy failures encompassing over-optimistic expectations, implementation in a dispersed system of governance, scanty collaborative policy-making, and the tragedy of the political cycle.

The concept of over-optimism tends to overestimate or underestimate the existence of challenges in policy delivery, unclear objectives, lack of accurate and timely information on the expected benefits and inadequate analysis of associated risks, insufficient stakeholders' engagements, and inadequacy of accountability.¹⁷⁵ Further, the dispersed governance system portrays inconsistencies in the implementation of the nationally formulated policies at the sub-national level, especially with the levels that exercise distinct and devolved political independence.¹⁷⁶

¹⁷⁴ Hupe, Peter, and Michael Hill. "Implementing public policy: an introduction to the study of operational governance." *Implementing Public Policy* (2021): 1-100.

¹⁷⁵ Ilott, Oliver, Joe Randall, Alex Bleasdale, and Emma Norris. "Making policy stick." *Institute for Government* (2016).

¹⁷⁶ Carey, Gemma, Helen Dickinson, and Sue Olney. "What can feminist theory offer policy implementation challenges?" *Evidence & Policy* 15, no. 1 (2019): 143-159.

The political cycle is strongly linked to politically motivated conflict of interests and policy missed targets stemming from the long-ranging of policy outcomes by the political Actors rather than the short-term policy discourses that are famous for political expediency.¹⁷⁷ However, the fathom of the centralized or dispersed systems of governance results in policy failures due to improper context and attention of the Central Authority and the policy-makers.¹⁷⁸ Scholars suggest a multifaceted and multi-level complex system thinking for remedying complex situations to leverage the state of policy-making and implementation.¹⁷⁹

3.3.2 Overview of Challenges in the Implementation of Kenya's Forest Policy

Kenya's Forest Policy has undergone implementation hurdles and lags from the times of Pre-independence. The development of the Policy took six decades from the time of enactment of the Country's first forestry legal instruments, the *Ukamba Woods and Forest Regulation* in 1897 to the promulgation of its first formal forest policy, the *White Paper No 85 of 1957*. The flashback typifies Kenya's long history of grappling with the incoherence of the forest policy to the national development Agenda that characterized the plunder of forest resources and official excision of tracks of virgin forest land in the late twentieth century through to the early twenty-first century.¹⁸⁰

¹⁷⁷ Norris, Emma, and Julian McCrae. "Policy that Sticks: Preparing to govern for lasting change." Institute for Government: UK (2013).

¹⁷⁸ Sausman, Charlotte, Eivor Oborn, and Michael Barrett. "Policy translation through localization: implementing national policy in the UK." *Policy & Politics* 44, no. 4 (2016): 563-589.

¹⁷⁹ Braithwaite, Jeffrey, Kate Churruca, Janet C. Long, Louise A. Ellis, and Jessica Herkes. "When complexity science meets implementation science: a theoretical and empirical analysis of systems change." *BMC Medicine* 16 (2018): 1-14.

¹⁸⁰ Mwangi, Esther, Paolo Cerutti, and Robert Nasi. "The current state of Eastern Africa's forests." *European Union* (2018).

In addition, the overlaps in the Inter-Agency's mandates and policy conflicts have continually undermined Kenya's forest conservation and management efforts before and within the four decades of the Country's days of independence. Experts lament that the degree of the incoherently irreversible effects of the National Economic Policies inflicted serious ramifications on the state of forest security reaching a peak in the early 1980s to the early 2000s.¹⁸¹ Spectacularly, the 1981 National Food Policy, *the National Agenda on food self-sufficiency, and the expansion of commercial crop production for export* were pointers that decimated gazetted forest reserves, converting them into agricultural cropland.¹⁸²

Another Forest plundering came under the heavy effect of the National Economic Strategy renowned as the *1986 Session Paper No. 1 on Economic Management for Renewed Growth and a National Objective for GDP Growth*, with its expansionary strategies, was another shocker that leapfrogged runaway wanton clearance and excision of critical forest reserves ostensibly to meet the National Agenda on economic growth. The realization of such economic blueprints highly devalued the integrity of Kenya's forest policies with heightened Official loss of over 40,000 ha of virgin gazetted forest reserves.¹⁸³

Glaringly, the dramatic Inter-agency policy overlap and conflict visited on the Forest Policy was exhibited by the establishment of the *Nyayo Tea Zone Development Corporation* (NTZDC) in 1986 through a presidential decree and later by an Act of Parliament in 1989. The establishment of NTZDC was a landmark affront to the principles and integrity of sustainable forest conservation and management. The decree

¹⁸¹ Ongugo, Paul O., David Langat, Vincent O. Oeba, James M. Kimondo, Benjamin Owuor, Jane Njuguna, George Okwaro, and Aaron JM Russell. "A review of Kenya's national policies relevant to climate change adaptation and mitigation: Insights from Mount Elgon." (2014).

¹⁸² Matiru, Violet. "Forest cover and forest reserves in Kenya: Policy and practice." IUCN, Nairobi (1999).

¹⁸³ Matiru, Violet. "Forest cover and forest reserves in Kenya: Policy and practice." IUCN, Nairobi (1999).

eventually paved the way for the de-gazettement of over 20,000 hectares of virgin high-canopied forest reserves, veiled for the establishment of tea plantations within a 100m, buffer strip against forest boundary encroachments, generation of national income, and job creation.¹⁸⁴

3.4 Chapter Findings

3.4.1 Fieldworkers and Stakeholders Involvement in Policy formulation and design

The study compared and contrasted the levels of influence of the Draft Forest Policy 2014 on the involvement of the Fieldworkers and Stakeholders in policy formulation and design. The Stakeholders in this case encompass the political interest Groups, inter-organization, and Non-State Actors involved in the formulation and design of forest policy. According to Lipsky, the role of Fieldworkers in policy implementation mirrors the bottom-up school of thought and the notions of street-level bureaucratic discretionary powers. The concepts illustrate the frontline touch of the Fieldworkers that determines the success or failure of a policy in the local context that the operations at the national level need to keep abreast with.¹⁸⁵

¹⁸⁴ Wass, Peter. "Kenya's indigenous forests: status, management and conservation." (1995).

¹⁸⁵ Lipsky, Michael. "Street-level bureaucracy. New York: Russell Sage Foundation." Local Governance Support Program for Local Economic Development (LGSP-LED) (1980).

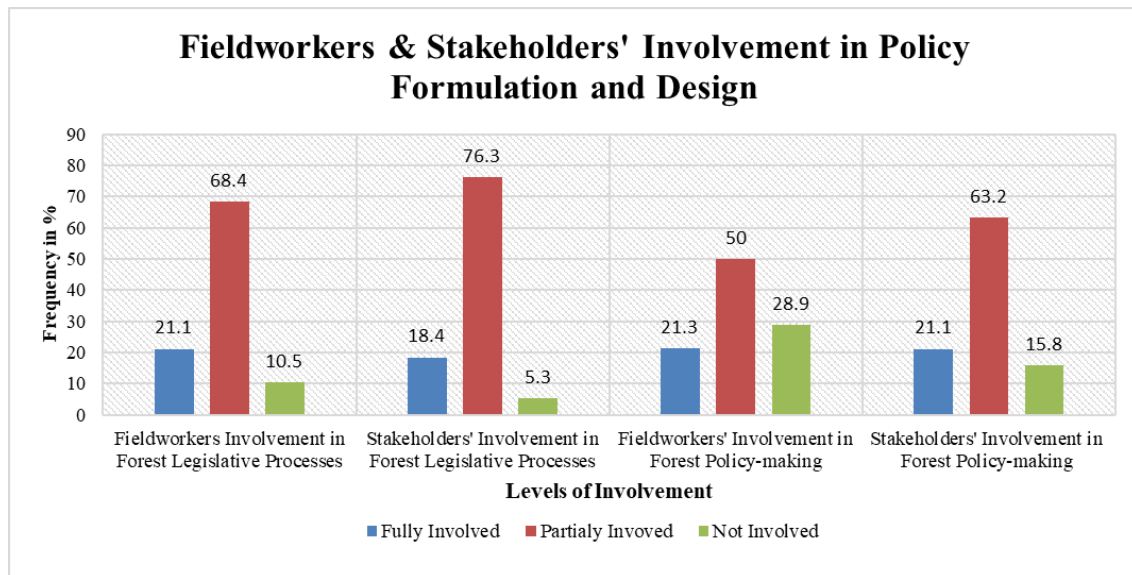


Figure 5: Levels of Fieldworkers & Stakeholders' involvement in formulation and design of the forest policy

The analysis of the level of Fieldworkers' involvement in the Forest legislative process, the results in Figure 5 above, established that 68.4% of the respondents felt that Fieldworkers are partially involved in the forest legislative processes. However, 21.1% of the respondents feel that the Fieldworkers are fully involved in the underlined process. Conversely, 10.5% of the respondents feel that Fieldworkers are not involved in the legislative processes.

Analyzing the level of Stakeholders' involvement in the legislative process, results established that 76.3% of the respondents feel that stakeholders are partially involved in the legislative processes. While 18.4% of another segment of the respondents however feel that stakeholders are fully involved in the process. Otherwise, the finding found 5.3% of the respondents feel that stakeholders are not involved in the underlined Forest legislative process.

On the other hand, the study also analyzed the level of Fieldworkers' involvement in Forest Policy-making, the results established that 50% of the Respondent feels that Fieldworkers are partially involved in forest Policy-making. However, the results indicate that 21.3% of the Respondents feel that Fieldworkers are fully involved in the Forest policy-making processes. Otherwise, the results again established that 28.9% of the Respondent hold that Fieldworkers are not involved in Forest Policy-making.

The Analyzed results on the level of Stakeholders' involvement in Forest Policy-making indicate that 63.2% of the respondents agreed that Stakeholders 'are partially involved in the underlined Policy-making processes. Then 21.1% of the respondents feel that the stakeholders are fully involved in the policy-making process. Contrastingly, another 15.8% of the respondents feel that the stakeholders are not involved in Forest policy-making processes

Comparatively, therefore, regarding the level of involvement in this context, the results indicate that there exist more stakeholders (76.3%) than Fieldworkers (68.4%) involved in the context of the Forest Legislative process. Similarly, the results establish that more stakeholders (63.2%) than Fieldworkers (50%) involvement in the context of Forest Policy formulation and design.

3.4.2 Implementation of Annual Work Plans & Stakeholders' Action Plans

Policy guidance in the implementation of Annual Work Plans and Stakeholders' Action Plans is critical in inscribing the organization's doctrines in setting out the standards and procedures for the realization of desired goals¹⁸⁶ (Thérivel and Minas (2002)). The policy guidance embeds the legislative and the overarching political objectives into the

¹⁸⁶ Thérivel, Riki, and Phillip Minas. "Ensuring effective sustainability appraisal." *Impact assessment and project appraisal* 20, no. 2 (2002): 81-91.

Work Plans and Stakeholders' Action Plans important in the realization of strategic goals.¹⁸⁷

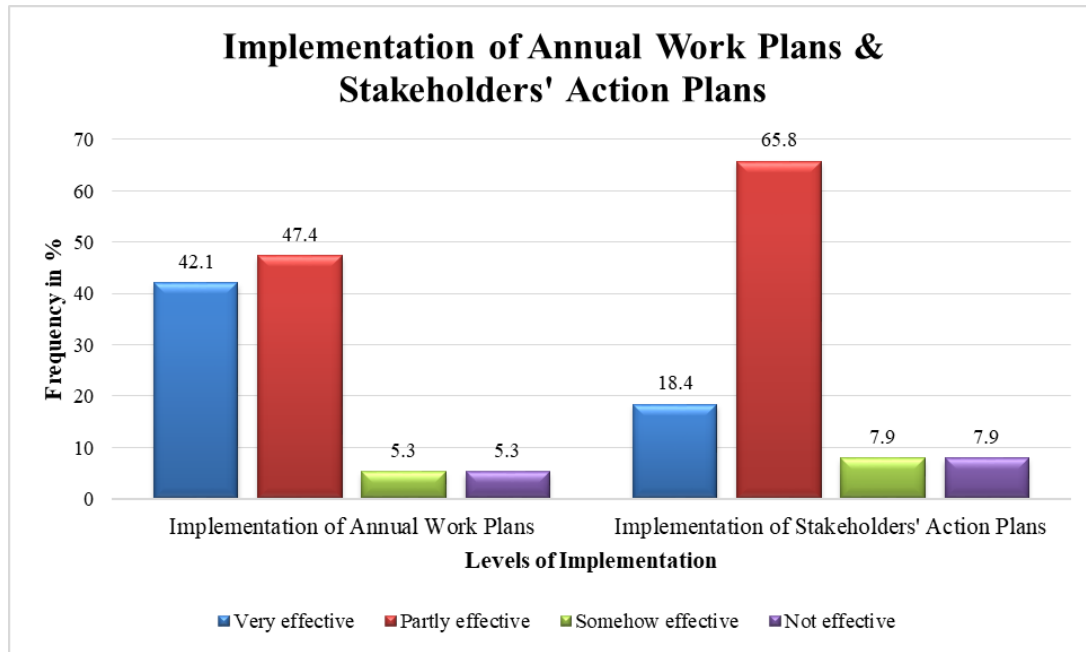


Figure 6: Forest Policy influence on implementation of Annual Work Plans & Stakeholders' Action Plans

In the analysis in Figure 6 above on the Forest Policy 2014 influence in implementing the Government initiated Annual Work Plans, the results established that 47.4% of the Respondents agreed that the Policy is partly effective in guiding the implementation of Annual Work Plans. Another 42.1% segment of the Respondents however feels that the Policy is very effective in guiding the implementation of the underlined Work Plans. While 5.3% of the Respondents agreeing that the policy is somehow effective in

¹⁸⁷ Theophilou, Vassilia, Alan Bond, and Mat Cashmore. "Application of the SEA Directive to EU structural funds: Perspectives on effectiveness." *Environmental Impact Assessment Review* 30, no. 2 (2010): 136-144.

guiding the implementation of the Plan, 5.3% of the Respondents feel the policy is not effectively guiding the Implementing of the Underlined Annual Work Plans.

In analyzing the Policy influence on the implementation of the Stakeholders' initiated Action Plan in undertaking Forestry activities, the results established that 68.8% of the Respondents agreed that the policy is partly effective in implementing the Stakeholders' Action Plans. However, 18.4% of the Respondents feel that the policy guidance is very effective in implementing the underlined Plans. While 7.9% of the Respondents feel the policy guidance is somehow effective in implementing the plans, contrastingly 7.9% of the Respondents feel that the Policy guidance is not effectively influencing the implementation of the Stakeholders' Action Plans.

In summary, the majority (68.8%) feel that the Draft Forest Policy is partly effective in influencing the implementation of the Stakeholders' initiated Action Plan in undertaking Forestry activities than it is partly effective (47.4%) in the implementation of the Government initiated Work Plans

The results, therefore, imply that the implementation of the Work Plans and Stakeholders Action Plans is short of satisfying the overarching political objectives, doctrines, standards, and procedures embedded in the Draft Forest Policy 2014.

3.4.3 Promoting Inter-Organizational Partnerships and Collaborations

The Policy influence on the organization and inter-organizational linkages in the scales to which the stakeholders contribute to the attainment of the organization's mandate.¹⁸⁸

The level of inter-organization partnership and collaboration imparts experience

¹⁸⁸ Winter, S. "Offentlig Forvaltning i Danmark-Implementering og effektivitet.[Public Administration in Denmark-Implementation and effectiveness]." (1994).

sharing and resource mobilization vital in the integration of internal and external mechanisms critical in policy implementation. Further, effective Stakeholders partnerships and collaboration infuse strong vertical and horizontal linkages between partners and management that are critical for consensus building on decision-making and policy legitimacy.¹⁸⁹ Otherwise, the existence of non-collaborative tendency risk undermining constructive decision-making between partners and management resulting in structural policy failures.¹⁹⁰

In the analysis of the Draft Forest Policy 2014 influence on the institutionalization of Inter-organization partnership and collaboration in Figure 7 below, results indicate 52.6% of the Respondents Agree that the Policy influences the level of inter-organization partnership in collaborative planning of Forest activities. However, 7.9% of the Respondents express strong agreement with the level of policy influence in the same context. Contrastingly, 28.9% of the Respondents express disagreement that the Policy significantly influences the Inter-organization collaborative planning of forest activities

In the other context of the analysis, results show that 44.7% of the Respondents express Agreement that the policy significantly influences Stakeholders' partnership and collaboration on Resource mobilization and policy implementation of forestry undertakings. However, 13.3% of the Respondents express strong agreement on the same context. Conversely, 32.6% of the Respondents express disagreement that the

¹⁸⁹ Therivel, Riki, and Ainhoa González. "Introducing SEA effectiveness." *Impact Assessment and Project Appraisal* 37, no. 3-4 (2019): 181-187.

¹⁹⁰ Gazley, Beth. "The current state of inter-organizational collaboration: Lessons for human service research and management." *Human Service Organizations: Management, Leadership & Governance* 41, no. 1 (2017): 1-5.

Policy significantly influences stakeholders' partnership and collaboration on resource mobilization & policy implementation of forestry activities.



Figure 7: Levels of Forest Policy influence on Institutionalization of inter-organizational partnerships and collaboration

The results therefore conclude that the majority (52.6%) Agree that the Policy significantly influences the inter-organization partnership on collaborative planning of Forest activities. At the same time, another majority (44.7%) indicate another Agreement with the level at the policy influences Stakeholders' partnership and collaboration on Resource mobilization and policy implementation of forestry undertakings. The results imply that Draft Forest Policy 2014 significantly integrates the internal and external operating environment critical for experience sharing and resource mobilization. However, need to take cognizance of the risks of distortions that may arise due to non-collaborative tendencies and administrative strongly associated with policy structural failures.

3.4.4 Resource Mobilization

The context of resource mobilization is critical for the determination of the worth of policy implementation. In most instances, the context influences the outcome of other

dimensions.¹⁹¹ Further, it delves into analyzing the implementation resources in terms of cost and benefits, as well as the allocation and utilization of human resources.¹⁹²

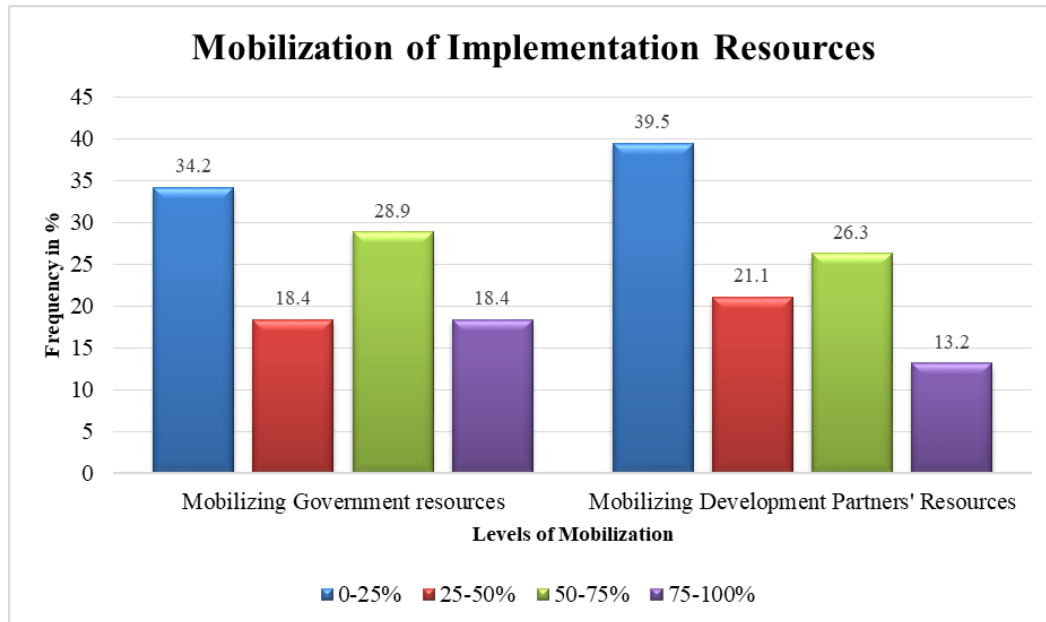


Figure 8: Impact of Forest Policy on mobilizing implementation Resources

Figure 8 above analyzes the impact of the Draft Policy 2014 on the mobilization of Government resources, results indicate that 34.2% of the respondents feel that the policy influences (0-25%) the scale of government resources. Another 28.9% of the Respondents agreed that the policy mobilizes (50-75%) the scale of government resources. However, 18.4% of the Respondents agreed that the policy mobilizes (75-100%) the scale of government resources. Nonetheless, another 18.4% of the Respondents feel that the policy mobilizes (25-50%) the scale of government implementation resource

¹⁹¹ Bond, Alan, Jenny Pope, Angus Morrison-Saunders, and Francois Retief. "Exploring the relationship between context and effectiveness in impact assessment." *Environmental Impact Assessment Review* 97 (2022): 106901.

¹⁹² Thérivel, Riki, and Phillip Minas. "Ensuring effective sustainability appraisal." *Impact assessment and project appraisal* 20, no. 2 (2002): 81-91.

In analyzing the policy influence in mobilizing Development Partners' implementation resources, results indicate that 39.5% of the Respondents feel that the policy mobilizes (0-25%) the scale of Development Partners' resources. Another 26.3% of the Respondents feel that the policy mobilizes (50-75) scale of Development Partners' Resources However 21.1% of the Respondents feel that the policy mobilizes (25-50%) scale of the Development Partners' resources, while 13.2% of the respondents feel that the policy mobilizes (75-100%) of Development Partners' implementation resources.

In summary, the majority (34.2%) and (39.5%) scores indicate that the Draft Policy 2014 mobilizes very low (0-25) scale of Government and Development Partners implementation Resources respectively. This implies that the very low (0-25) scale of implementation resources is likely to negatively affect the outcome of the other policy contexts.

3.4.5 Fieldworkers' Welfare and Competency Development

Welfare and competency impact the level of policy implementation as it influences the employees' work motivation, job security, workloads, and remuneration. The level of competency determines the capacity to which Fieldworkers interpret the principles and standards of the policy.¹⁹³ Zhang et al. (2013)' Effective welfare and competency development enables Fieldworkers to undertake the development of working standards, procedures, and quality assurance.

In Figure 9 below, the analysis of Draft Forest Policy 2014 on Fieldworkers' training and competency development indicates that 44.7% of the Respondents feel that policy influence (0-25%) scale of Fieldworkers' training and competency development.

¹⁹³ Zhang, Jie, Per Christensen, and Lone Kjørnø. "Review of critical factors for SEA implementation." *Environmental Impact Assessment Review* 38 (2013): 88-98.

Another 26.3% of the Respondents feel that the policy influence (25-50%) scale of the underlined training and development. However, 18.4% of the Respondents feel that policy influences (50-75%) the scale of Fieldworkers' training and competency development. Still, another 7.9% of the Respondents feel that the policy is capable of influencing (75-100%) scale of the same context.

In the analysis of the Draft Forest Policy 2014 influence on the Fieldworkers' welfare and motivational programs, results indicate that 44.7% of the Respondents feel that the policy influences (50-75%) the scale of Fieldworkers' welfare and motivational programs. Conversely, 26.3% of the Respondents feel that the policy influences (0-25%) the scale of the underlined Fieldworkers' welfare and motivational program. Another 23.7% of the Respondents feel that the policy influences (25-50%) the scale of Fieldworkers' welfare and motivational program. However, only 5.3% of the Respondents feel that the policy influences (75-100%) the scale of Fieldworkers' welfare and motivational programs.

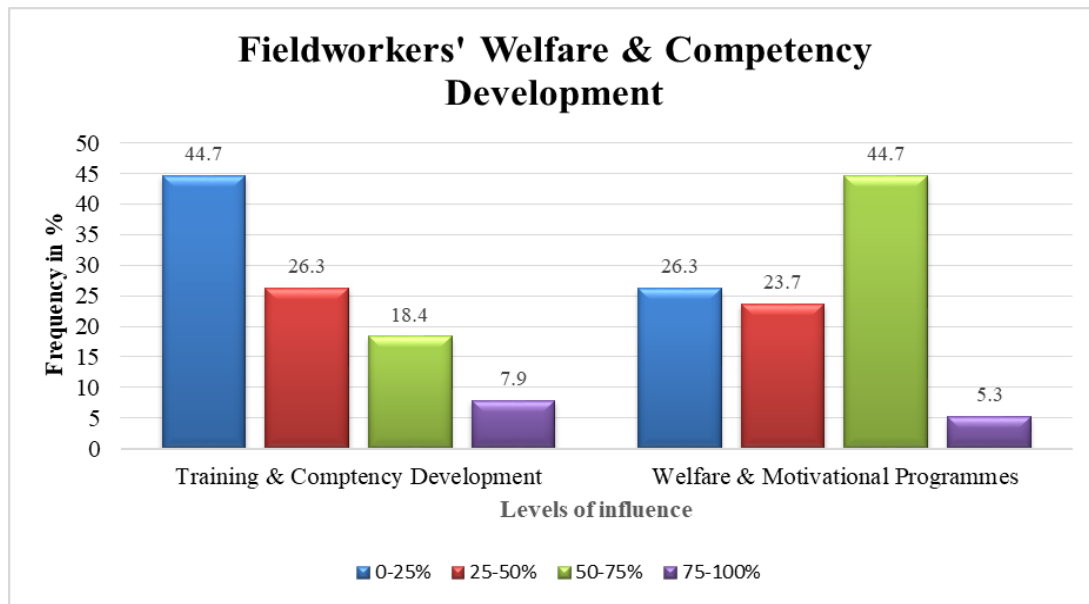


Figure 9: Levels of Forest Policy influence on Fieldworkers' competency development and Welfare program.

In summary, the majority (44.7%) score indicates that the influence of the Draft Forest Policy 2014 has a very low (0-25) scale on Fieldworkers' training and competency development. However, the majority (44.7%) score indicates that the same policy influences the high (50-75%) scale of the Fieldworkers' welfare and motivational programs. This implies that the Draft Forest policy is more effective on the Fieldworkers' welfare and motivational programs than it does on training and competency development. In this scenario, therefore, the interpretative capacities of Fieldworkers on the Policy principles and standards risked compromised.

3.4.6 Contribution to National Socioeconomic Growth and Development

The effectiveness of policy implementation pinnacles on socioeconomic growth and the transformative influence on societal values and behavior towards the strategic goals.¹⁹⁴ The formulation and the design of the Draft Forest Policy 2014 sought to

¹⁹⁴ Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualizing the Effectiveness of Impact Assessment Processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

deliver on the economic, political, and social pillars of the National Development Agenda. Vision 2030 visualizes forest conservation as a flagship for provisioning and regulative support critical for the growth of the Allied Sectors of National Development.¹⁹⁵

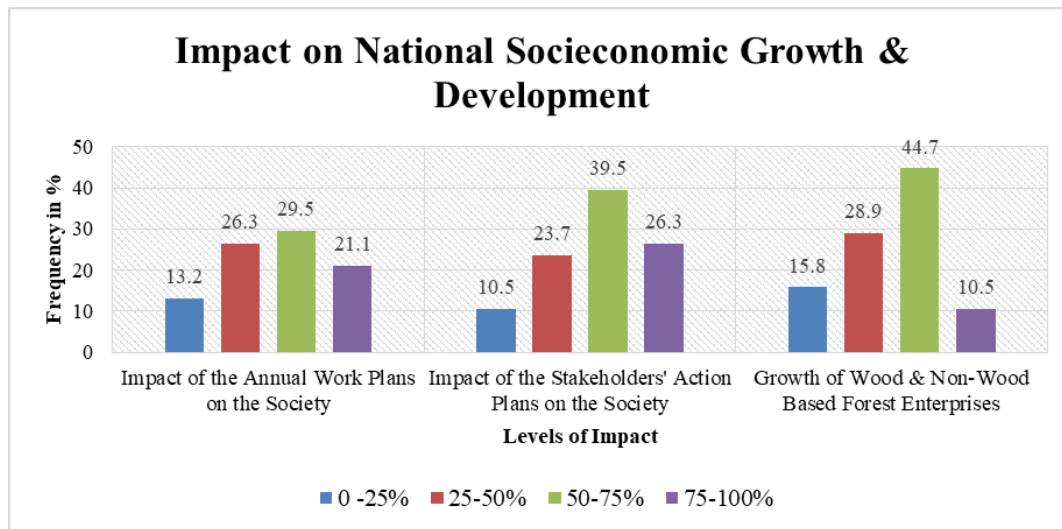


Figure 10: Forest policy influence on the socioeconomic growth & development

Figure 10 above analyzes the Draft Forest Policy 2014 influence on the contribution of the implementation of its Annual Work Plan on the socioeconomic well-being of the society. The results indicate 29.5% of the Respondents feel that the implementation of the Annual Work Plan contributes (50-75%) scale of National socioeconomic growth and Development. Another 26.3% of the Respondents feel that implementation of the Annual Work Plan contributes (25-50%) scale of the underlined growth. However, 21.1% of the Respondents feel that the implementation of the Annual Work Plan contributes (75-100%) scale of socioeconomic growth and Development. Conversely,

¹⁹⁵ GoK. Kenya Vision 2030 Sector plan for Environment, Water, and Sanitation 2008-2012: Ministry of Planning and National Development, Government Printers, Nairobi. (2008)

13.2% of the Respondents feel that the implementation of the Annual Work Plan only contributes (0-25%) scale of National Socioeconomic growth and development.

In analyzing the policy influence contribution of the implementation of Stakeholders' Action Plans to socioeconomic growth and development. The results show that 39.5% of the Respondents feel that the implantation of Stakeholders' Action Plans contributes (50-75%) scale of socioeconomic growth and development. Another 26.3% of the Respondents feel that the Stakeholders Acton Plan contributes (75-100%) scale of socioeconomic growth and development. Contrastingly, 23.7% of the Respondents feel that Stakeholders' Action Plans contribute to the (25-50) scale of socioeconomic growth and development while 10.5% of the Respondents feel the Stakeholders' Action Plan contributes (0-25%) scale of the same contexts.

In analyzing the policy influence on the contribution of wood and Non-wood Based Forest Enterprises on socioeconomic growth and development. The results indicate 44.7% of the respondents agreed that Wood and Non-wood Based Forest Enterprises contribute (50-75%) scale of National socioeconomic growth and development. Another 28.9% of the Respondents however feel that Wood and Non-Wood Based Forest Enterprises contribute (25-50%) scale of National socioeconomic growth and development. Nonetheless, 15.8% of the Respondents feel that Wood and Non-Wood Based Forest Enterprises contribute (0-25%) scale of National socioeconomic growth and development. Otherwise, another 10.5% of the Respondents feel that Wood and Non-Wood Based Enterprises contribute (75-100%) scale of National Socioeconomic growth and Development.

In summary, the majority (29.5% and 39.5%) scores indicate that the contribution of implementation of Annual Work stakeholders' Action Plans contributes to a high (50-

75%) scale of the National socioeconomic growth and development. Otherwise based on the result the contribution of the Stakeholders' Action Plan to National socioeconomic growth and development is higher compared to that of the government-initiated Annual Work Plans.

On the other side, the majority (44.7%) score indicates that Wood and Non-wood Based Forest Enterprises contribute a high (50-75) scale of National socioeconomic growth and development. The Stakeholders Action Plan seems to influence the growth of the Wood and Non-Wood Based Forest Enterprise more than the Government-initiated Work Plans. The implication of the results, therefore, means that the external operating environment of Draft Policy 2014 is more effective compared to the functionalities of its internal mechanism.

CHAPTER FOUR

IMPACTS OF LEGAL AND POLICY FRAMEWORKS ON STATE-LEVEL FORESTRY POLICY ON FOREST DEVELOPMENT IN KENYA

4.0 Introduction

Based on Baker and Mclelland model, an effective policy manifests in its normative powers in molding the societal perspectives towards the accomplishment of results.¹⁹⁶ The revised Winter & Nielson integrated policy implementation model further condensed the theoretical paradigm into a discursive evaluation of the stages of the execution of the policy and their contribution to its primary objectives.¹⁹⁷ Kenya's legal and policy frameworks present mixed accounts of forestry development related to policy conflict and chaotic systems, overlapping institutional mandates, dysfunctional customary institutions, and ineffective inter-agencies collaboration.¹⁹⁸ In essence, the inability of the Kenya's Forest policy to integrate societal dynamics is a factor of utmost concern.¹⁹⁹ Chapter four, therefore, delves into the contribution of Kenya's legal and policy framework on forestry development.

4.1 Legislative Frameworks

This study part discusses the perspectives of Kenya's Legislative Framework in influencing the implementation of Forest Policy in achieving the goal and objectives of

¹⁹⁶ Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualizing the Effectiveness of Impact Assessment Processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

¹⁹⁷ Cashmore, Matthew, Richard Gwilliam, Richard Morgan, Dick Cobb, and Alan Bond. "The Interminable Issue of Effectiveness: Substantive Purposes, Outcomes and Research Challenges in the Advancement of Environmental Impact Assessment Theory." *Impact Assessment and Project Appraisal* 22, no. 4 (2004): 295-310.

¹⁹⁸ Counsell, S. "Forest Governance in Africa: Governance of Africa's Resources Program." *Occasional paper* 50 (2009).

¹⁹⁹ FAO. *Developing an Effective Forest Policy, A guide*. FAO Forestry Paper No 161(2010). Rome, Italy.

forest security towards national growth and development. The major legal framework discussed encompasses the constitutional provisions and attendant statutes influencing sustainable forestry management.

4.1.1 Kenya's Constitutional Perspectives on Forestry

The Constitution of Kenya 2010 in its preamble rallies the people of Kenya to be respectful of the environment as a national heritage for the benefit of the present and future generations. In its enshrinement of the principle of sustainable development as pillars of national values and principles of governance. The supreme law further seeks a guarantee of a clean and healthy environment as a right elaborative on the right to ensure the protection of environment for the intergenerational equity.

The perspective delves into the equitable sharing of environmental resources in ensuring sustainable use of natural resources, conservation, and management. The supreme law in its original and appellate settings establishes expert tribunals of environmental jurisdiction for the enforcement of disputes and violations against the enjoyment of rights to a clean and healthy environment.²⁰⁰

The enactment of the Treaty Making and Ratification Act 2012 and its entrenchment in the Constitutional context creates the impetus for the adoption of General Rules and International legal principles on Kenya's commitments to the Global forest strategic goals and policies.²⁰¹ The context mainstreams several national initiatives vide international agreements, conventions, and treaties on environmental conservation and climate change incumbent on the national development and legislative Agenda. Most of these have been initiated into obligations contemplated under the promulgated

²⁰⁰ GoK, Constitution of Kenya, 2010. Government Printers, Nairobi (2010).

²⁰¹ Muigua, P. D. "Exploring Conflict Management and the Environment: *The Kenyan Journey*," (2020)

Climate Change Act 2016, the Forest Conservation and Management Act 2016, and many other environmentally related regulations and policies.²⁰²

4.1.2 Kenya's Forest Legislative Perspectives

Kenya has gone through three critical Forest legal regimes since its declaration as a British protectorate, the formal regime commenced with the promulgation of the Forest Act Cap 385 of 1942 revised in 1962 and 1982. The regime spearheaded the establishment, control, and regulation of Central Forests, forests, and forest areas in the Nairobi Area and on un-alienated Government lands. The Act entrenched discrete powers on the definition of Forest Areas, Nature Reserves, Licensing, and Prohibitions in the forests as well as offenses on Counterfeiting and Unlawful Affixing on Marks forest produce and subsidiary Rules amongst many instruments.²⁰³

In perspective, practitioners view the Act as serving the Eurocentrism interests but utterly prohibitive to the African Natives. The Act prominently enshrined the Forests (Workmen's Residences) Rules, 1965 based on family farming. The Forest (Suspension of Timber Harvesting and Stone Quarrying) Rules of 1999 focused on Timber extraction and logging. The Forests (Closing of Roads) Rules of 1959, and the Forests (Controlled Entry and Closing) Rules of 1952 and 1963. After decades of plundering of forest resources resulting in intense public pressure and outcry for reforms of the forest sector, the Act finally got repealed by the Forest Act 2005.

The commencement of the Forest Act 2005 vides Legal Notice No 19 of 2007 expanded the government mandate in establishing, developing, and sustainably managing forests. It spearheaded the conservation and management of all forests both public and non-

²⁰² GoK, Climate Change Act 2016, Government Printers, Nairobi, (2010).

²⁰³ GoK, Forest Act Chapter 385, Government printers, Nairobi

public in ensuring rational utilization of such resources thus optimizing contribution to the allied sectors of socio-economic development.²⁰⁴

Unlike the repealed forest law, the act streamlined forest management courtesy of meticulous enforcement of the Forests (Harvesting and Charcoal) Rules and Forests (Participation in Sustainable Forest Management) Rules, 2009. The Rules entrenched elements of forest management and conservation that encompass forestry protection measures, Timber extraction, and logging, Afforestation and reforestation, policy and planning as well as Authorization and permitting among many more. Particularly, the Forests (Participation in Sustainable Forest Management) Rules, 2009 made milestones in recognition of aspects of Agricultural Development and Agroforestry as well as promoting public-private partnership through concession and agreements, and participation of stakeholders notably the Indigenous people in joint forest management.²⁰⁵

The present Forest Conservation and Management Act, 2016 repealed the Forest Act 2005 to ostensibly give effect to Article 69 of the Constitution of Kenya 2010 on matters regarding forests as environmental and natural resources. The Act fundamentally serves to further entrench the elements of devolved forestry functions and the role of County governments in sustainable forest conservation and management. Under the provision of the new Act, the Country receives Forest Status Reports and Resource Assessment Reports prepared under the obligation of the service after every 2 and 5 years respectively. Further, the availability of a forest GIS database and its regular maintenance is requisite for proper forest planning and management. Eventually, the emphasis of the Act on an all-inclusive formulation of Public Forest Strategy involving

²⁰⁴ GoK, Forests Act 2005, Government Printers, Nairobi.

²⁰⁵ GoK, Forests (Participation in Sustainable Forest Management) Rules, 2009 (Cap. 385).

the participation of communities and private sectors in forestry planning in every five-year planning cycle is a contextual radical change incumbent to the forest sector reforms.²⁰⁶

4.1.3 Kenya's Climate Change Legislative Perspective

The enactment of the Climate Change Act 2016 provided a regulatory legal framework for the enhancement of climate change response. The Act entrenches the mechanism and measures that improve resilience in achieving low carbon development. The Act further establishes a system of mainstreaming the legal basis for climate change activities through the National Climate Change Action Plan (NCCAP), and the establishment of the National Climate Change Council and the Climate Fund. The Act in this perspective enables Kenya to domesticate the Paris Accord on Climate Change targets that support the development, management, implementation, and regulation of mechanisms that enhance low-carbon development and resilience to the Country's sustainable development.²⁰⁷

The promulgation of the Act and adoption of the Paris Accord on climate change triggered the formulation of the National Climate Change Action Plan (NCCAP) and its concomitance to Kenya's Vision 2020 and the UN Sustainable Development Goals (SDGs). The Country's development goals are therefore mainstreamed in providing the mechanisms and measures in attaining the agreed Nationally Determined Contributions (NDC) within the framework of low carbon climate resilient development under the Paris Agreement. Kenya's NCCAP priority action goals have a multifaceted focus on Forestry, Disaster and Risk Management, Food, and nutrition security, Water and the

²⁰⁶ GoK, Forest Conservation, and Management Act, 2016 (No. 34 of 2016).

²⁰⁷ GoK, Climate Change Act, 2016. Government printers, Nairobi (2016).

blue economy, wildlife and tourism, health and sanitation, human settlements, manufacturing, and energy and transport.²⁰⁸

4.2 The Policy Frameworks

The section assesses the policy Framework and its contribution to forestry development and its support to Kenya's state of forest security and the national socioeconomic development. The focus revolves around the key policy on environmental resources and the productive sector as well as the international instruments, agreements, treaties, and conventions that influence forestry policies and climate change.

4.2.1 The UNFCCC and the Paris Accord Perspectives

Under the United Nations Framework Convention on climate change (UNFCCC) protocols, conventions, and the Paris Accord, the United Nations Strategic Plan for Forests 2017-2030 was created to promote sustainable forest management and enhance the contribution of forests and trees to the 2030 Agenda for Sustainable Development. The Global Strategic Plan consists of six Global Forest Goals and 26 associated targets that are universally voluntary. The Plan also recognizes transnational cooperation, coordination, coherence, and synergies as a tool for enhancing sustainable forestry and Sustainable Development Goals (SDGs) for eradicating poverty, combating climate change, and societal livelihood.²⁰⁹

Kenya as a member of the United Nations has ratified several treaties and protocols including the Paris Framework Agreement. Under the framework, the country undertakes commitments, plan, act and report on measures taken in the mitigation of

²⁰⁸ GoK, National Climate Change Action Plan (Kenya): 2018–2022. (2018).

²⁰⁹ UNDESA. The Global Forest Goals Report 2021. United Nations Forum on Forests Secretariat. United Nations, (2021).

global warming. In the arrangements and as a party to the UNFCCC and the Paris Agreement, Kenya undertakes to submit the National Determined Contribution (NDCs) (2020–2030), which prioritizes action areas for the adaptation and mitigation of climate change and resilience.²¹⁰

4.2.2 The Perspectives of Kenya’s Economic and Agricultural Policy

Kenya's agricultural sector has gone through different developmental plans since the pre-independence era. The Sector's performance was significantly influenced by the Colonial administrative actions and policies key among them, the Swynnerton Plan of 1954 famous for the introduction of extension services, security of land tenure, and provision of credit facilities. The independent government later promulgated the Sessional Paper No. 10 of 1965 on African Socialism and its application to planning in Kenya and in its entirety concentrated agricultural investment majorly in the high rainfall areas and promotion of Africanized smallholder agriculture.

Later in the 1980s, the government established the District Focus Rural Development (DFRD) to decentralize its decision-making administrative systems thus enhancing people's participation in the identification of local priorities and challenges. The introduction of donor-spearheaded Structural Adjustment Programmes (SAPs) in the 1990s restructured most of the Agricultural entities. The restructuring of the sectors of the economy aimed at the liberalization and privatization of the country’s economy into a competitive global market system. As a result, the government in 2000, initiated a

²¹⁰ Muigua, K. Securing our Destiny through Effective Management of the Environment”: *Journal of Conflict Management and Sustainable Development*, Vol 4(3), p.1 (2020).

comprehensive economic reform through Poverty Reduction Strategy Paper (PRSP) to address situations of economic growth and poverty reduction in the Country.²¹¹

The PRSP paper was later revised into the Economic Recovery Strategy for Wealth and Employment Creation (ERS) of 2003 to majorly focus on growth and macroeconomic stability, critical structural reforms, and infrastructural rehabilitation. The Strategy for Revitalizing Agriculture (SRA) was developed to implement the ERS and was again revised in 2010 into the Agricultural Sector Development Strategy (ASDS) that entrenched a progressive framework for agricultural growth and development. The strategy was designed to transform and modernize agriculture into a commercially viable Sector.²¹²

The strategy however recorded mixed outcomes attributed to erratic and unpredictable rainfall as well as structural market failures resulting in low agricultural productivity and the sector's growth. The Policy also faced challenges with inapt inter-sectoral linkages for development, high input cost, and lack of credit access as well as weak farmer organization governance and cooperative movements.²¹³

4.2.3 The Perspectives of Kenya's Vision 2030 and the Forestry Development

The Economic Recovery Strategy for Wealth and Employment Creation (ERS) transitioned into Kenya's Vision 2030, a development blueprint formulated in 2008 to transform Kenya into a "middle-income country capable of providing a high quality of life for all its citizens by the year 2030". The blueprint was based on the economic,

²¹¹ Patrick O. Alila and Rosemary Atieno, Agricultural Policy in Kenya: Issues and Processes: A paper for the Future Agricultures Consortium workshop, Institute of Development Studies, 20-22 March 2006, July 2006.

²¹² Gichimu, Bernard M., and Lucy K. Njeru. "Influence of access to land and finances on Kenyan Youth Participation in Agriculture: A Review." (2014).

²¹³ GoK. "Food: Our Health, Wealth and Security". Agricultural Policy - 2021. Ministry of Agriculture, Livestock, Fisheries, and Cooperatives. (2021)

social, and political pillars that were implemented through flagship projects. The attainment of some flagships project, therefore, needed the protection and maintenance of the natural environment that underpinned human well-being and the provision of goods and regulative ecosystem services. Such services are critical for the health of the people and wealth creation thus vital for poverty reduction.²¹⁴

The realization of Vision 2030 principally relies on the vitality of the natural systems' functional support for agriculture, energy supplies, livelihood strategies, and tourism. On the other hand, the social pillar's purpose is to provide Kenya's citizenry with a clean, secure, and sustainable environment. In this endeavor, the Country targets increasing forest cover to ensure the safety of the environment from related productive risks and diseases. Forests ordinarily deliver on both the economic and social pillars of the strategy through the provision of direct and indirect goods and services crucial for the sustenance of Kenya's economic growth.²¹⁵

Vision 2030 underscores the significant contribution of forests to Kenya's wood industry, regulative services, tourism sector, and rural livelihood. The key flagship project for Vision 2030 targeted the conservation of the five water towers in Kenya, Mount Kenya, Aberdare Ranges, Mau Forest Complex, Mount Elgon, and Cherangani Hills which form the largest forest blocks in Kenya. The "water towers" besides providing wood and livelihood are key in the aspects of hydrological sources relied on for hydroelectric plants, water for irrigated agriculture, domestic use, and industrial processes the backbone of Kenya's economic growth and development.²¹⁶

²¹⁴ GoK. "Kenya Vision 2030" Government Printers, Nairobi (2007).

²¹⁵ Ibid.

²¹⁶ GoK. Kenya Vision 2020 Sector plan for Environment, Water, and Sanitation 2008-2012: Ministry of Planning and National Development, Government Printers, Nairobi. (2008).

4.2.4 Kenya's National Climate Change Action Plan (NCCAP) and the Forest Policy

The National Climate Change Action Plan (NCCAP) established under the Climate Change Act 2016, serves to mainstream the aspects of climate change into the functions of National and County development plans and programs together with its budgetary cycles and sourcing for funds to build human and institutional capacity. The NCCAP under the stewardship of the Climate Change Directorate as an Agency and the Council under the Chair of the president thus facilitates smooth coordinating and mainstreaming of climate change functions by the two levels of government.²¹⁷

The promulgation of the Act and adoption of the Paris Accord sparked off the formulation and legislation of several climate change-driven rules and strategies, key among them the draft National Climate Change Strategy 2022-2031 that provides the framework for knowledge enhancement and access to information through public involvement in decision-making. The Regulation further provides for duties and incentives that serve to mainstream and integrate adaptation duties and fiscal incentives for public and private entities. The Regulation also focused on the monitoring, reporting, and verification framework for greenhouse emissions, mitigation, and adaptation action through financing, technological development, and transfer as well as capacity building and enforcement of the code of doing business in the conduct of the National Climate Change Council.²¹⁸

²¹⁷ GoK, Climate Change Act 2016. Government Printers, Nairobi (2016).

²¹⁸ Muigua, K. Securing our Destiny through Effective Management of the Environment": *Journal of Conflict Management and Sustainable Development*, Vol 4(3), p.1 (2020).

4.2.5 Overview of Kenya's National Environment Policy on Forests

The enactment of the Environment and Management Coordination Act (EMCA) 1999 serves to coordinate all environmental laws in existence through the establishment of the National Environment Management and Coordination Authority as the coordinating foundational institution. EMCA came into force to coordinate and harmonize the over 78 existing Environmental-sector-based pieces of legislation separately operating on the management and conservation of key environmental sectors including forests, water, land, mining, and wildlife.²¹⁹

The National Environment Policy 2013 formulated under the EMCA Act embeds the conservation and sustainable management of forest ecosystems and allied resources as the architect of sustainable development and poverty reduction. It underscores maintenance of forest biodiversity safeguards the economic potential of future opportunities for new non-timber products and social sustainability. However, the policy heralds the overwhelming pressure exerted by competing land uses such as agriculture, industry, human settlement, and development of infrastructure on the forest resources posing adverse Environmental effects on the long-term sustainability of forest ecosystems. The policy further portends catastrophes of a permanent change in the country's ecological structures and the resultant risks of loss of agricultural productivity, depressed industrial potential development, deplorable human living conditions, and aggravated natural disasters like floods and drought due to degraded forest functionalities.²²⁰

²¹⁹ GoK, Environment Management, and Co-ordination Act, 1999.

²²⁰ GoK, National Environment Policy, 2013. Ministry of Environment, Water and Natural Resources, (2013).

However, the policy proposes a raft of actions related to the formulation of strategies targeting the increase of tree cover. Development and implementation of a national strategy for rehabilitation and restoration of degraded forest ecosystems and water catchment areas with active community involvement and participation. Supporting effective implementation of the forest and other related policies and laws. Development and implementation of national standards, principles, and criteria of sustainable forest management. Undertaking development and implementation of appropriate forestry-based investment programs and projects. Involvement and empowering communities in the management of forest ecosystems.²²¹

4.2.6 Kenya's Draft National Forest Policy Frameworks

The Draft National Forest Policy 2014 now revised into the Draft National Forest Policy 2020 was formulated in accordance with the provision of the Forest Conservation and Management Act 2016 to entrench the principles of sustainable forest management in the country. The Draft National Policy 2014 revised in 2020 lists ineffective regulatory mechanisms and inadequate law enforcement as critical factors affecting the governance and growth of Kenya's Forest sector. The policy undertakes to attain the 10% constitutional forest cover threshold and public inclusion in forest management while ensuring equity in the benefit sharing of forest resources. The policy further notes that due to the inadequacy in Forest research and education, the sector has been plagued with low productivity of tree crops, low conversion, low technological investment, and lack of value addition thus the need for enhanced research and development to address the sector's dwindling productivity. However, the policy views the devolved forestry functions to the county governments with its significant capacity to undertake forestry

²²¹ Ibid.

development on community and private lands and therefore needs to be engaged and included in research and development.²²²

The Policy is robust in the development of forest-based Trade and industry addressing the imbalanced market demand and supply of forest products due to inapt value addition, and low investment. The Policy further cites a ban on timber harvesting, political interests, and unavailability of data for long-range planning as additional causes of the disinvestment bedeviling the wood industry and the closure of many sawmills hence the labor flight in the sector.

However, the policy roots for the reinventing partnerships to reawaken and incentivize the growth of the wood trade and industry in a bid to bolster commercial tree growers' schemes that will eventually benefit the rural economy and boost the national timber deficit and the country's current account. The Policy is focused on the elements of low scales of Resource mobilization attributable to the disproportionate prioritization of the forestry sector in the National systems of accounting thus apportioning the sector an incommensurate public funding regime. The policy however proposes deliberate mainstreaming of forestry into other sectoral development programs.²²³

4.3 Summary of Legislative and Policy Frameworks

This section synthesizes the perspectives of the legislative and Policy frameworks that impact the implementation of Kenya's Forest policy and the level of the outcome.

4.3.1 Legislative Perspectives

²²² Gok. Forest Policy, 2014: Ministry of Environment, Water and Natural Resources. (2014).

²²³ Gok. Forest Policy, 2014: Ministry of Environment, Water and Natural Resources. (2014)

Historically, Kenya has gone through three critical Forest legal regimes since being declared a British protectorate that commenced with the promulgation of the Forest Act Cap 385 of 1942 later revised in 1962 and 1982.²²⁴ Despite laying the basis of forestry in Kenya, it was however viewed as laden with Eurocentrism, exploitative, and prohibitively punitive on the interest of the African Natives resulting in public pressure that championed the reforms of the forest sector.

The reform Agenda finally materialized by the enactment of the Forest Act 2005 vide Legal Notice No 19 of 2007 which modernized the sector. It also expanded the government mandate in establishing, developing, and sustainably managing all types of forests both public and private in ensuring rational utilization and optimized productive capacity of the allied sectors of socio-economic development.²²⁵ Later, the amended Forest Conservation and Management Act, of 2016 repealed the Forest Act 2005 to primarily give effect to Article 69 of the Constitution of Kenya 2010 on sustainable management of the environment and natural resources. The Act further entrenches the fundamentals of devolved forestry functions and the role of County governments in sustainable forest conservation and management.

Principally, the provisions of the Constitution of Kenya 2010 enshrined the doctrines of sustainable development as pillars of national values and principles of governance. One important pillar provided in the supreme law anchors the right to a clean and healthy environment underpinning the obligation of the citizenry in ensuring the protection of the environment and sharing of the accrued benefit for the good of intergenerational equity.²²⁶ Another important constitutional aspect in forest

²²⁴ GoK, Forest Act Chapter 385, Government printers, Nairobi

²²⁵ GoK, Forests Act 2005, Government Printers, Nairobi.

²²⁶ GoK, Constitution of Kenya, 2010. Government Printers, Nairobi (2010).

polycymaking is the legitimization and adoption of general Rules and international legal principles espoused under the Treaty Making and Ratification Act 2012 entrenching the instrument of treaties and commitments to the Global forest strategic goals and policies.²²⁷

The instruments further enabled the enactment of the Climate Change Act 2016 that engrains the mechanism and measures embedding the resilience and attainment of the low carbon development goals. The Act institutionalizes systems of mainstreaming legal basis for climate change activities through the National Climate Change Action Plan (NCCAP), and the establishment of a climate change fund under the stewardship of the established National Climate Change Directorate and the Council.²²⁸

The Act and the adoption of the Paris Accord on climate change formed the basis of the formulation of the National Climate Change Action Plan (NCCAP) and its concomitance to Kenya's development Agenda and the United Nation's Sustainable Development Goals (SDGs) in mainstreaming all the Country's development goals.

4.3.2 The Policy Perspectives

Kenya's Forest management has grappled with the draft Forest Policy since the revision of the first legislated white Paper No 85 of 1957 which was later restated at independence into Sessional paper No 1 of 1968.²²⁹ The Draft National Forest Policy 2014 as revised in 2020 was formulated under the provision of the Forest Conservation and Management Act 2016 to entrench the principles of sustainable forest management. The Draft Policy identifies ineffective regulatory mechanisms and inadequate law

²²⁷ Muigua, P. D. "Exploring Conflict Management and the Environment: *The Kenyan Journey*," (2020)

²²⁸ GoK, Climate Change Act, 2016. Government printers, Nairobi (2016).

²²⁹ UCN. 1996. Forest Cover and Forest Reserves in Kenya: Policy and Practice. IUCN Eastern Africa Program, Issue in Conservation.

enforcement as cardinal factors affecting the governance and growth of Kenya's Forest sector. It further pinpoints the inadequacy of Forest research and education as the contributor to the low productivity of tree crops, conversion, technological investment, and lack of value addition.²³⁰

The Policy further attributes low investment and the inability of Forest-based Trade and industry as the links to the burgeoning gaps between the demand and supply of forest products. The policy proposes reinventing partnerships to reawaken and incentivize the wood trade and industry to stimulate commercial tree growers' schemes to gap-stop the timber deficit thus boosting the growth of the rural economy. The Policy rues low scales of Resource mobilization and funding bottlenecks to the disproportionate prioritization of the forestry sector in the National systems of accounting, thus proposing deepened multidisciplinary mainstreaming approach of forestry functions into key national development programs.²³¹

Kenya's Economic and agricultural policies have been linked with serious ramifications on forest conservation and management.²³² Kenya's agricultural sector has undergone different economic policy regimes since the pre-independence era however with mixed performance. The formulation of the Swynnerton Plan in 1954 revolutionized the Agricultural sector under the colonial system and introduced extension services, a land tenure system, and the provision of credit facilities to the African Natives. Later at independence, Kenya's Sessional Paper No. 10 of 1965 restated the plan to Africanize smallholder agriculture. The government further ushered in the District Focus Rural Development (DFRD) of the 1980s to introduce the decentralization of systems of

²³⁰ Gok. Forest Policy, 2014: Ministry of Environment, Water and Natural Resources. (2014).

²³¹ Gok. Forest Policy, 2014: Ministry of Environment, Water and Natural Resources. (2014).

²³² IUCN. Forest Cover and Forest Reserves in Kenya: Policy and Practice. IUCN Eastern Africa Program, Issue in Conservation. (1996).

administrative decision-making involving people's participation primarily in the identification of local priorities and challenges for planning.

The spectacular, Structural Adjustment Programmes (SAPs) in the 1990s aimed to restructure the Country's economic sectors to entrench the competitiveness of the globalized market through the liberalization of Kenya's economic systems.²³³

The proclamation of the Economic Recovery Strategy for Wealth and Employment Creation (ERS) of 2003 spearheaded the country's structural reforms and macroeconomic stability that gave rise to the formulation of the Strategy for Revitalization of Agriculture (SRA). The strategy was later revised into the Agricultural Sector Development Strategy (ASDS) which initiated the transformation and modernization of agriculture into a commercially viable Sector.²³⁴ Despite the cyclic policy reforms, the country has continually recorded mixed outcomes attributed to structural market failures and depressed agricultural productivity.²³⁵

The promulgation of Kenya's Vision 2030 of 2008 that transitioned the Economic Recovery Strategy for Wealth and Employment Creation (ERS) rejuvenated efforts to transform Kenya's Economic, Social, and Political pillars into a "middle-income country. In attaining the Vision, the blueprints targeted flagships project that are heavily dependent on the protection and maintenance of the natural environment for the provision of goods and regulative ecosystem services critical for the sustenance of the health of the people and the envisaged wealth creation."²³⁶

²³³ Patrick O. Alila and Rosemary Atieno, *Agricultural Policy in Kenya: Issues and Processes: A paper for the Future Agricultures Consortium workshop*, Institute of Development Studies, 20-22 March 2006, July 2006.

²³⁴ Gichimu, Bernard M., and Lucy K. Njeru. "Influence of access to land and finances on Kenyan Youth Participation in Agriculture: A Review." (2014).

²³⁵ GoK. "Food: Our Health, Wealth and Security". *Agricultural Policy - 2021*. Ministry of Agriculture, Livestock, Fisheries, and Cooperatives. (2021)

²³⁶ GoK. "Kenya Vision 2030" Government Printers, Nairobi (2007).

The Vision's sectoral plans identified Forestry flagships as vital in the delivery of both the economic and social pillars of the Vision through the provision of goods and ecological balance crucial for the sustenance of the Country's economic growth. Therefore, the attainment of Vision 2030 is highly dependent on the vitality of the natural systems' functional support to the allied productive sectors like agriculture, energy, and tourism.²³⁷

The Vision is in concomitance with the United Nations Framework Convention on climate change (UNFCCC) protocols and instruments of the Paris Accord that harbored the impetus of the development of the United Nations Global Strategic Plan for Forests 2017-2030. The plan composes of six Global Forest Goals and 26 associated targets that are universally voluntary to member states. The targets are designed to steer sustainable forest management frameworks thus enhancing the contribution of forests and trees in the attainment of the Sustainable Development Goals Agenda by 2030.²³⁸ The framework has enabled Kenya as a member state in the ratification of treaties and protocols including the Paris Agreement in steering the country's execution of commitments and measures on the mitigation of global warming and climate change.²³⁹

Further, the framework guided the formulation of the National Climate Change Action Plan (NCCAP) that mainstreams the aspects of climate change into all functions of National and County development plans and programs. The NCCAP under the

²³⁷ GoK. Kenya Vision 2020 Sector plan for Environment, Water, and Sanitation 2008-2012: Ministry of Planning and National Development, Government Printers, Nairobi. (2008).

²³⁸ UNDESA. The Global Forest Goals Report 2021. United Nations Forum on Forests Secretariat. United Nations, (2021).

²³⁹ Muigua, K. Securing our Destiny through Effective Management of the Environment?: *Journal of Conflict Management and Sustainable Development*, Vol 4(3), p.1 (2020).

Directorate and the Climate Funding system facilitates the coordination and mainstreaming of climate change functions by the two levels of government.²⁴⁰ Its linkages with the adoption of the Paris Accord framed the formulation of the Draft National Climate Change Strategy 2022-2031 which serves to enhance access to information through public involvement in decision-making.²⁴¹

In addition, the National Environment Management and Coordination Authority (NEMA) was established as a foundational institution under the EMCA Act 1999 to coordinate and harmonize all Environmental legislations operating on the management and conservation of environmental sectors.²⁴² Its policy, the National Environment Policy 2013 spearheads the conservation and sustainable management of forest ecosystems and allied resources in ensuring sustainable development and poverty reduction. The policy further spearheads the formulation of strategies aimed at increasing tree cover and implementation of a national strategy for rehabilitation and restoration of degraded forest ecosystems and water catchment areas through a stakeholders' involvement approach.²⁴³

4.4 Chapter Findings

This part of the assessment illustrates the outcome of the contribution of the legislative and policy frameworks to the state of Kenya's Forest policy on the growth of the forestry sector. The section analyses the contextual impact of Forest Policy implementation on the growth of forestry and its functional leverages to the allied productive sectors of national development.

²⁴⁰ GoK, Climate Change Act 2016. Government Printers, Nairobi (2016).

²⁴¹ Muigua, K. Securing our Destiny through Effective Management of the Environment": *Journal of Conflict Management and Sustainable Development*, Vol 4(3), p.1 (2020).

²⁴² GoK, Environment Management, and Co-ordination Act, 1999.

²⁴³ GoK, National Environment Policy, 2013. Ministry of Environment, Water and Natural Resources, (2013).

4.4.1 Involvement of Fieldworkers & Stakeholders in the Legislative and Policy-making

The vitality of Fieldworkers' involvement in decision-making embraces the bottom-up school of thought and the notions of the street-level bureaucratic power of the frontline influence on decision-making that heralds successes or failures of most strategic-level policies²⁴⁴. Fieldworkers enjoy *de facto* discretionary *pseudo* autonomy of top management thus influencing strategic policy outcomes.²⁴⁵ The fieldworkers' role is essentially on the interpretive capacities of legislation and policy based on the inherent competencies and expertise.²⁴⁶

The involvement of Stakeholders in decision-making largely determines the degree of inter-organizational partnerships in the attainment of the organizational mandate. The level of partnership and collaboration characterizes the organization's internal and external mechanisms necessary for the vitality of Resource mobilization prerequisite for effective pooled policy implementation and decision-making.²⁴⁷

Results analyzed in Figure 11 below illustrate the impact of legislative and policy framework on Kenya's Forest Policy influence on the levels of comparative involvement of the Fieldworkers and Stakeholders in the Legislative and Policy-making. In the analysis, 69.4% of the Respondents opine that the policy partially involves Fieldworkers in the Forest Legislative processes. In addition, another 21.1% of the Respondents felt that Fieldworkers are fully involved in the underlined activity.

²⁴⁴ Lipsky, M. (1980). *Street-Level Bureaucracy* (New York: Russell Sage). Moving Toward Mixed Service Delivery, 31.

²⁴⁵ Hudson, B. (1993). Michael Lipsky and street-level bureaucracy. *The Policy Process: A reader*, 386-398.

²⁴⁶ Zhang, Jie, Per Christensen, and Lone Kørnøv. "Review of Critical Factors for SEA Implementation." *Environmental Impact Assessment Review* 38 (2013): 88-98.

²⁴⁷ Winther, S. C., and V. L. Nielsen. "Implementering af politik. 1. udg., 1. op." *Academica*, Århus (2008).

Conversely, 10.5% of the respondent felt that Fieldworkers are utterly NOT involved

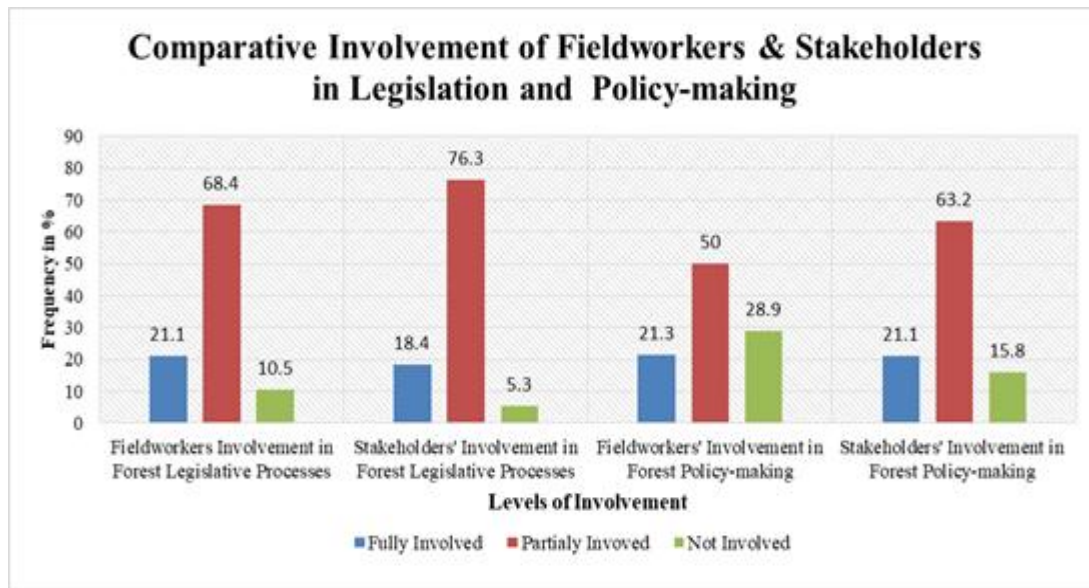


Figure 11: Levels of Involvement of Fieldworkers & Stakeholders in legislative and Policymaking

Similarly, Stakeholders involvement 76.3% of the Respondents agree that the policy influences the partial involvement of stakeholders in legislative processes on forestry activities. Another 18.4% of the Respondents felt that the policy fully involves Stakeholders in the underlined activities. Nonetheless, 5.3% of the Respondents feel that the Policy is NOT involving stakeholders in the Legislative processes.

On the flip, the analysis assessed the frame of the Legislative and Policy influence of the Policy on the level of involvement of Fieldworkers in Forest policy-making. In the analysis, 50% of the Respondents opine that the Policy is partially involving fieldworkers in Forest Policy-making. Further, 21.3% of the Respondents feel that the Policy fully involves Fieldworkers in Forest Policy-making. However, 28.9% of the Respondents feel that the Policy is NOT involving Fieldworkers in Forest Policy-making.

In another category, 63.2% of the Respondents feel that policy partially involves Stakeholders in Forest Policy-making. In addition, 21.1% of the Respondents however feel that the policy fully involves Stakeholders in the Forest Policy-making. On the contrary, 15.8% of the Respondents feel that the Policy does NOT involve Stakeholders in Forest Policy-making.

In summary, the majority (69.4%) find the policy capable of partially involving Fieldworkers in the Forest Legislative processes of Forestry activities. Again, another majority (76.3%) find the same policy partially involving Stakeholders in undertaking the same process. In another related category, the majority (50%) again finds the Policy partially involving fieldworkers in Forest Policy-making. Still, another separate majority (63.2%) finds the policy partially involving Stakeholders in Forest Policy-making. Generally, therefore, the study establishes that Kenya's Forest Policy comparably Involves Stakeholders more than it Involves the Fieldworkers in Forest Legislation and Policy-making processes.

4.4.2 Kenya's Forest Policy Influence on Resource Mobilization and Distribution

The centrality of a well-grounded policy to mobilize resources for its implementation is a key facet of its effectiveness. However, the equitable distribution of the mobilized resource either from the Government or Development Partners is another fundamental factor for the functionality and implementation of an effective policy.

4.4.2.1 Resource Mobilization and Distribution from Government Sources

The distributive indicators on the mobilized Government Resources analyzed in Figure 12 below indicate that only five (5) out of ten (10) of Kenya's Forest Regions receive the (75-100%) scale of the disbursed government resources for the implementation of

the Annual Work Plans. While all Counties (disbursement units) within the Ewaso North forest Region receive (75-100%) scale of Government funding, only 60% of the Counties in the Central Forest Region receive the same scale. Further, less than 25% of the Counties in Western, Eastern, and North Rift Forest regions receive the (75-100%) scale of the Government disbursement to implement the policy and the Work Plan. Otherwise, none of the Counties in Nyanza, North Eastern, Nairobi, Mau, and Coast Forest Regions receives the (75-100%) scale of the Government Disbursement

In another category, eight (8) out of the ten (10) Forest Regions have a sizeable number of Counties receiving the (50-75%) scale of government disbursement to fund the policy. Three (3) out of the eight (8) Forest Regions (Coast, Nairobi, and North Rift) had 50% of the Counties receiving the (50-75%) scale of the Government disbursement. The remaining in the same category (Nyanza, Mau, Western, North Eastern, and Eastern) had less than 35% of their Counties receiving the (50-75%) scale of Government disbursement.

In another tier, 50% of the Counties in the Mau Forest Region receive (25-50%) scale Government Disbursement, 33% of Counties in Nyanza Forest regions receive (25-50%) scale government disbursement while Western, North Eastern, Coast, and Central forest Regions have less than 25% of Counties in each receiving (25-50%) scale of government disbursement.

However, all the Regions except Ewaso North had Counties receiving a (0-25%) scale of government disbursement. The first in this category is Eastern Forest Region had 60% of its Counties receiving (0-25%) followed by Nairobi and North Eastern both having 50% of Counties receiving (0-25%) scale of the government disbursement. While Nyanza, North Rift, Mau, Western, Coast, and Central Forest Regions had less than 35% of its Counties receiving (0-25%) scale of the government disbursement.

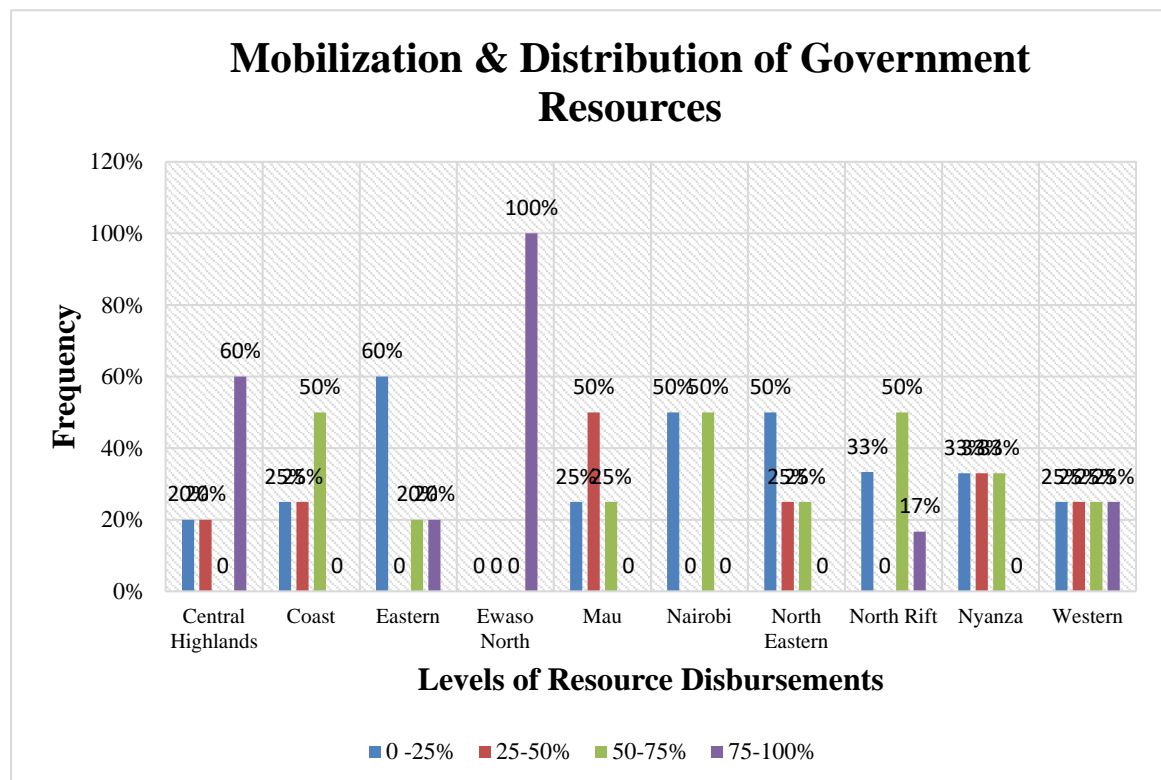


Figure 12: Levels of forest policy influence on mobilization and distribution of Government resources

In summary, the policy effectiveness on government-funded disbursement distributive factor demonstrates that only five (5) out of the ten (10) Forest Regions (Ewaso North, Central Highlands, Western, Eastern, and North Rift) have Counties largely benefit in the extremely high (75-100%) scales of government funding category, whereby all Counties in Ewaso North and 60% of Counties in Central Highlands Forest Regions

predominate the disbursement funding scale. Otherwise, Counties domicile in another half of the Forest Regions sizably grapple with the extremely low (0-25%) funded scale of government disbursement whereby the Eastern Forest Region exemplifies the highest (60%) Number of Counties with extremely low (0-25%) scale of government-funded disbursements for the implementation of Forestry Annual Work Plans.

4.4.2.2 Resource Mobilization and Distribution from Development Partners

The analysis of the Resource mobilization and Distribution of Funds from the Development Partners (Donors) in Figure 13 below of this analysis shows that only two (2) out of ten (10) of Kenya's Forest Regions receive (75-100%) scale of Donor disbursements. The analysis establishes that the Central Highlands Forest Region had 60% of its Counties receive (75-100%) scale of Donor disbursements while Eastern Forest Region had 40% of its Counties receive the same scale of Disbursement. In another category, seven (7) out of the ten (10) Forest Regions receive (50-75%) scale of Donor Disbursement to implement Work Plans. Other Forest Regions (Nyanza, North Eastern, and Nairobi) had 50% of their Counties receiving the same scale of disbursement while Coast, Eastern, Mau, and North Rift forest Regions had less than

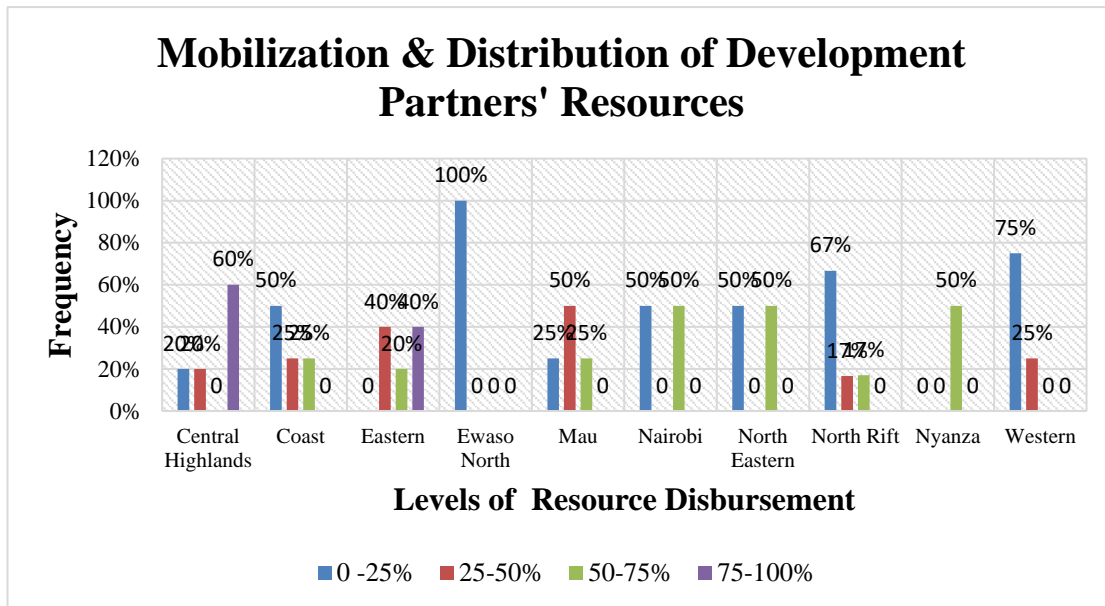


Figure 13: Levels of forest policy influence on the mobilization and distribution of Development Partners' resources

25% of their Counties receive (50-75%) scale of Donor funded disbursements. In another category six (6) out of ten (10) Forest Regions receive (25-50%) scale of the Donor supported Disbursement. The Forest Regions include Mau and Eastern Forest Regions with 50% and 40% of their Counties receiving the (25-50%) scale of Donor disbursement respectively. The other Forest Regions (Western, Coast, Central, and North Rift) had less than 25% of their Counties receive (25-50%) scale of the same Donor disbursement.

In another category, eight (8) out of ten (10) Forest Regions had Counties receiving (0-25%) scale of the Donor Disbursement. A part of Ewaso North Forest Region, Western, and North Rift Forest Region had 75% and 65% of their Counties receive (0-25%) scale of Donor funded disbursement respectively. While other Forest Regions (North Eastern, Nairobi, and Coast) had 50% of their Counties receive (0-25%) scale of donor Disbursement while Central and Mau forest Regions had less than 25% of their Counties receive the same scale the Donor Disbursement.

In summary, out of the ten (10) Forest Regions, only Counties in two (2) Forest Regions (Central Highlands and Eastern) are in the enjoyment of extremely high (75-100%) scale of Donor funding disbursement to implement the Forestry Annual Work plan and Stakeholders Action Plans. Notably, most Counties majorly in seven (7) Forest Regions receive a moderately high (50-75%) scale of Donor Disbursement to undertake similar forestry activities. Specifically, a good number of Counties in eight (8) Forest Regions subsist on an extremely low (0-25%) scale of the Donor Disbursement particularly where some Counties in the Western and North Rift Forest Regions predominate. Similarly, Counties in Ewaso North Forest Regions appear NOT proximate to any Donor funded Disbursement for undertaking forestry Work Plans and Stakeholders' Action Plans.

4.4.3 The Stakeholders' Involvement, Partnership, and Collaboration

Stakeholders' Participation, partnership, and collaborations in Forest Policy implementation are Major contexts in policy implementation due to their representativeness of target interest groups that hold critical political positions in the attainment of policy objectives and goals. As observed by Zhang that the design of the political instrument for an effective policy prerequisite the holistic primacy of the fieldworkers and the participation of interested Actors in the society.²⁴⁸

²⁴⁸ Zhang, Jie, Per Christensen, and Lone Kørnøv. "Review of Critical Factors for SEA Implementation." *Environmental Impact Assessment Review* 38 (2013): 88-98.

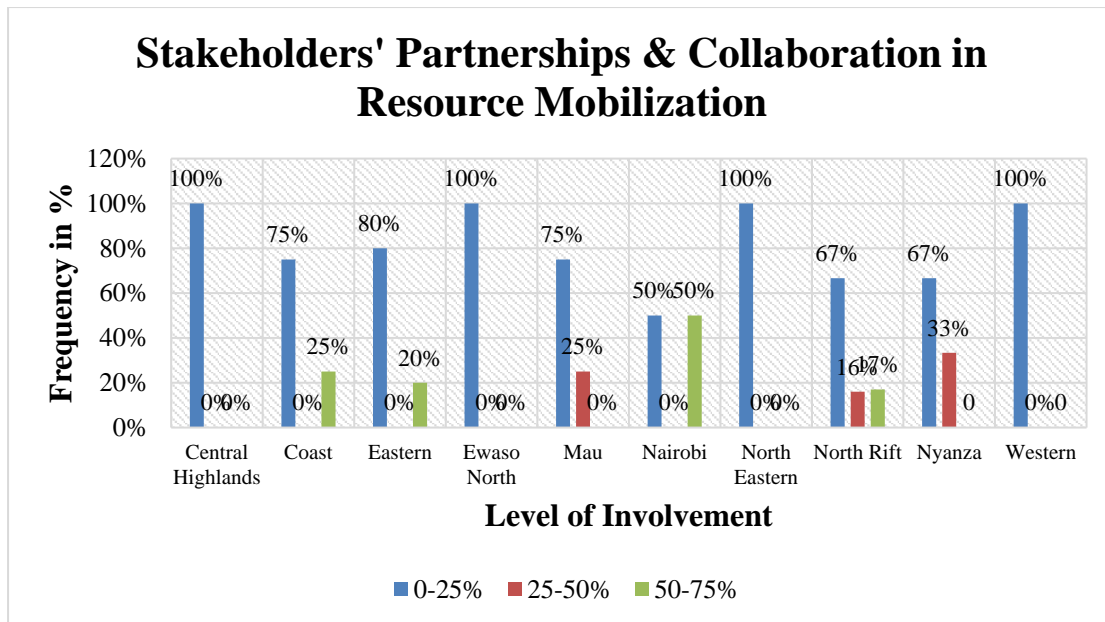


Figure 14: Levels of forest policy influence on Stakeholders' partnerships and collaboration in resource mobilization

The Results analysis in Figure 14 above in mapping the scale in which forestry legislative and policy frameworks influence Kenya's Forest Policy in the involvement of Stakeholders, Partnership, and Collaboration established that six (6) out of ten (10) Forest Regions (Coast, Eastern, Mau, Nairobi, North Rift, and Nyanza) have Stakeholders actively involved in Partnership and Collaboration in Resource mobilization for undertaking forestry-related activities. In the analysis Nairobi Forest Region had 50% of its Counties promoting Stakeholders' involvement in Partnership and Collaboration in mobilizing (50-75%) scale of resources for undertaking their forestry-related Plan of Action. However, Forest Regions (Coast, Eastern, and North Rift) had Less than 25% of their Counties promoting Stakeholders' involvement in Partnership and collaboration in mobilizing the same Scale of Resources in implementing their Forestry related Plan of Action.

In another category, Nyanza Forest Region had 33% of its Counties promoting stakeholders' involvement in Partnership and collaboration in mobilizing (25-50%) scale of Resources for undertaking their Forestry related Plan of Action while Forest Regions (Mau and North Rift) had less than 25% of its Counties mobilizing the same scale of Resources to implement their Plan of Action.

Nonetheless, Forest regions (Central Highlands, Ewaso North, North Eastern, and Western) had all their Counties state of involvement in partnership and collaboration attracting (0-25%) scale of Resources for undertaking their Plan of Action. Whereas Eastern had 80% of its Counties attracting the same scale, Forest Regions (Coast, Mau, North Rift, and Nyanza) had less than 75% of their Counties while Nairobi Forest Region had 50% of its Counties attracting the same scale of Resource Mobilization to implement their Plan of Action.

In Summary, the policy impacts on the involvement of Stakeholders' Partnership and Collaboration is effectively exhibited only in six (6) Forest Regions (Coast, Eastern, Mau, Nairobi, North Rift, and Nyanza) in which Nairobi Forest Region comparably performs higher in the scale (50-75%) of mobilized resources whereby a half (50%) of its Counties benefit its Stakeholders on the Partnership and Collaboration in Resource mobilization for undertaking their forestry-based Action Plans. However, Stakeholders in all the Counties in the four (4) Forest regions (Central Highlands, Ewaso North, North Eastern, and Western) wallow in the very low (0-25%) scale of mobilized resources for stakeholders' partnership and collaboration in the undertaking of forestry Action Plans.

4.4.4 Growth of Wood & Non-Wood Based Forest Enterprises

According to Bond, the primacy of policy implementation resolves in meeting the overall expectation of various actors on the policy outcomes.²⁴⁹ Chanchitpricha and Bond (2013) further posited the level of performance and impact of policy implementation on the operating environment influences the transformative behavior of the society on the policy goals and objectives²⁵⁰.

Kenya's Vision 2030's Environmental sectoral plans target Forestry flagships for the delivery of the policy goals on economic and social pillars of National development. Most importantly the significant contribution of forests to the Country's Wood and Non-Wood based industry, regulative services to productive sectors, the tourism sector, and source of rural livelihood.²⁵¹

In examining the Result on the influence of Legislative and Policy framework to determine the effectiveness of the implementation of Kenya's Forest Policy in Figure 16 below establishes that two (2) out of ten (10) Forest Regions records (75-100%) scale of growth of Wood and Non-Wood Forest based industries. Whereby Central and North Eastern Forest Regions had 40% and 25% of their Counties recording growth of Wood and Non-wood Forest based enterprises of the same scale of growth respectively.

²⁴⁹ Bond, Alan. "What is the role of impact assessment in the long term?" *Journal of Environmental Assessment Policy and Management* 17, no. 01 (2015): 1550006.

²⁵⁰ Chanchitpricha, C., & Bond, A. (2013). Conceptualizing the effectiveness of impact assessment processes. *Environmental Impact Assessment Review*, 43, 65-72.

²⁵¹ GoK. Kenya Vision 2020 Sector plan for Environment, Water, and Sanitation 2008-2012: Ministry of Planning and National Development, Government Printers, Nairobi. (2008).

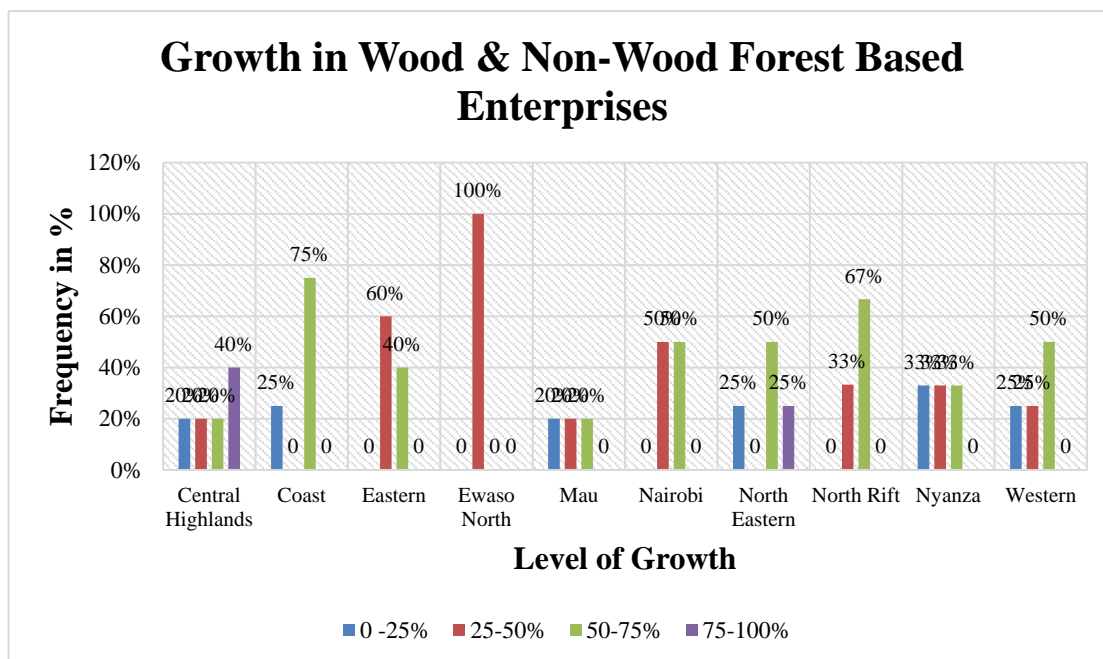


Figure 15: Levels of forest policy influence on growth of Wood & Non -Wood Forest based enterprises

However, nine (9) out of ten (10) Forest Regions records (50-75%) scale of growth in that Sub Sector in which Coast and North Rift had 75% and 67% of their Counties recording the same scale of growth respectively. North Eastern and Nairobi forest regions each had 50% of their Counties recording the same scale of growth, Eastern Forest Region had 40% of its Counties recording the same growth while other Forest Regions (Nyanza, Mau, and Central) had less than 35% of Counties recording growth in that same category.

In another category, eight (8) out of ten (10) Forest regions realize the (25-50%) scale of growth of the Subsector, whereby Ewaso North Forest Region had all its Counties recording the same growth in Wood and Non-wood forest products. Eastern and Nairobi Forest Regions had 60% and 50% of their Counties recording the same scale of growth respectively. Nyanza and North Rift forest Regions each had 33% of their Counties observing growth in that category while Mau and Central Highlands Forest Regions

each had 20% of their Counties recording growth of Wood and Non-Wood Forest Products in that category of scale.

In the last category of (0-25%) scale of growth in which six (6) out of ten (10) Forest Regions whereby Nyanza had 33% of its Counties recording the same scale of growth. Forest Regions (Western, Coast, North Eastern, Mau, and Central Highlands) had less than 25% of Counties recording (0-25%) scale of growth in Wood and Non-Wood Forest-based Enterprises.

In Summary, the finding is that the Policy had scales of high impact (75-100%) in two (2) out of ten (10) Forest Regions in stimulating the growth of Wood and Non-wood Forest Based enterprises. The growth of the Enterprises enables such Counties in Central and North Eastern Forest Regions meaningfully contribute to the socioeconomic growth and development of the Country. However, the study takes cognizant of six (6) out of ten (10) Forest Regions with very low (0-25%) scale of investment in Wood and Non-Wood Based Forest Enterprises with the majority (33%) of Counties in Nyanza Forest Region found in that Category.

4.4.5 Fieldworkers and Stakeholders' Involvement in Forest Legislation and Policy-Making

According to Chanchitpricha, Fieldworkers and Stakeholders are an important segment of target groups in the determination of an effective policy implementation.²⁵² Fieldworkers have a special attachment to substantial interests bordering on expertise

²⁵² Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualising the Effectiveness of Impact Assessment Processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

and professional contribution to the attainment of policy goals.²⁵³ The stakeholders, on the other hand, bring on board the Inter-Agencies' collaboration and partnerships as well as the participation of the Interest Groups. The model attaches the involvement concept with a wealth of professional enrichment and political shaping of the policy instrument of socioeconomic operating environments.²⁵⁴

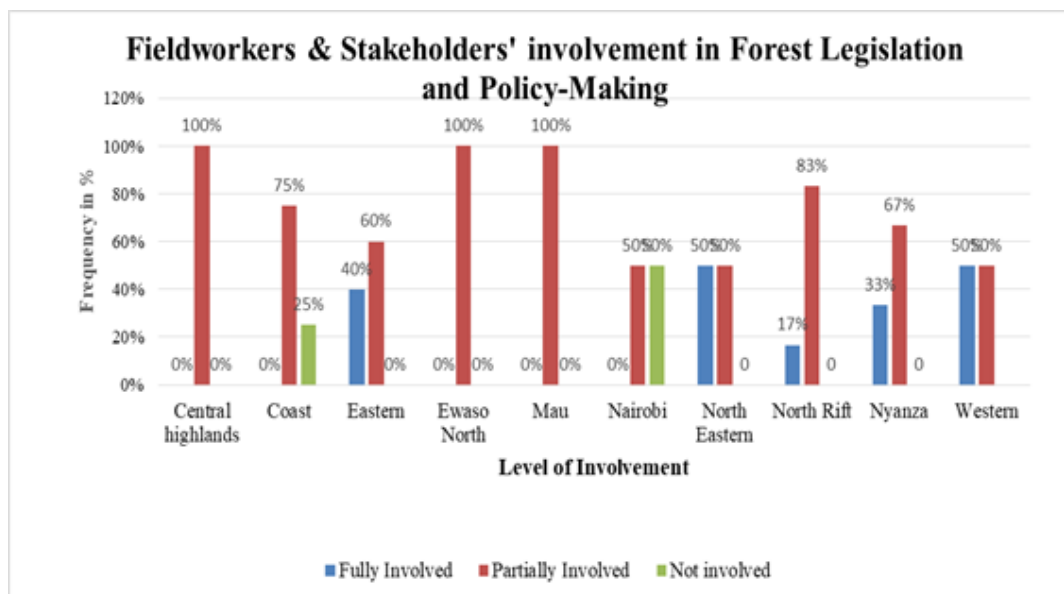


Figure 16: Levels of Forest policy influence of Fieldworkers and Stakeholders' involvement in legislation and policy making

Analysis in Figure 16 above examine the impact of legislative and policy framework on the influence of Forest Policy in involving Fieldworkers and Stakeholders in Forest Legislative and Policy-making processes. The Results illustrates that five (5) out of ten (10) Forest Regions had Counties whereby the Fieldworkers and Stakeholder were Fully Involved in the Forest Legislation and Policy-making processes. It shows that Forest Regions (Western and North Eastern) each had 50% of their Counties' involvement of Fieldworkers and Stakeholders while Forest Regions (Eastern, Nyanza,

²⁵³ Winter, S. "Offentlig Forvaltning i Danmark-Implementering og effektivitet. (Public Administration in Denmark-Implementation and effectiveness)." (1994).

²⁵⁴ Bina, Olivia. "A Critical Review of the Dominant Lines of Argumentation on the Need for Strategic Environmental Assessment." *Environmental Impact Assessment Review* 27, no. 7 (2007): 585-606.

and North Rift) had 40%, 33%, and 17% of their Counties respectively in the involvement of Fieldworkers and stakeholders in Forest legislation and Policymaking processes.

However, nine (9) out of ten (10) Forest Regions were partially involved Fieldworkers and Stakeholders in the Forest legislation and policymaking processes. The Results indicate that Forest Regions (Mau, Ewaso North, and Central Highlands) had all their Counties having Fieldworkers and stakeholders partially involved in the underlined processes. Forest Regions (North Rift, Coast, Nyanza, and Eastern) had 83%, 75%, 67%, and 60% of their Counties respectively Partially involved in Forest Legislation and Policymaking while other Forest Regions (Nairobi, North Eastern, and Western) each had 50% of their Counties involve Fieldworkers and stakeholders in the same process.

Nonetheless, two (2) out of ten (10) Forest Regions had Counties whereby Fieldworkers and Stakeholders were NOT involved in the Forest legislation and Policymaking processes. Forest Regions (Nairobi and Coast) had 50% and 25% of their Counties respectively having Fieldworkers and Stakeholders not involved in the Forest Legislation and Policymaking processes.

In Summary, the critical Involvement of Fieldworkers and Stakeholders in Legislation and Policy-making is significant in five (5) out of ten (10) Forest Regions. Interestingly, only two (2) Forest Regions (Western and Eastern) had 50% of their Counties fully involving the Fieldworkers and Stakeholders in the Legislation and Policy-making processes of Forestry issues. Counties in the majority (9 out of 10) Forest Regions partially involve Fieldworkers and Stakeholders in the underlined Legislation and Policymaking processes whereby all Counties in Mau, Ewaso North, and Central

Highlands Forest Regions subsist in that partial involvement category. However, despite the state, the finding took critical note of some Counties in Forest Regions (Nairobi and Coast) not Involving the Fieldworkers and Stakeholders in Forest legislation and Policymaking processes.

4.4.6 The impact of Kenya’s Forest Policy Implementation on socioeconomic growth

The assessment of the impact of Forest Policy implementation in attaining the national strategic goal on sustainable Forest Management is central to the functionality of Kenya's systems of legislative and policy frameworks. Kenya's development Agenda and Vision 2030 targets Forestry flagships to fulcrum the realization of economic and social goals of the National development. Forests significantly provide ecological functional support to productive sectors as well as generate economic investment for the Country’s Wood and Non-Wood enterprises.²⁵⁵ Therefore Framework necessitates the Socioeconomic and ecological resilience vital for sustainable national development.

The analysis focuses on the performance of the existing forestry statute inherently ingrained in the respective policy frameworks that focus on the draft Forest Policy Sessional Paper No 9 of 2007 that has consecutively undergone revisions through 2014 to the recent draft National Forest Policy of 2020. The policy in reference is implemented through Medium Term Frameworks and Strategic Plans with the first version launched in 2009-2014 to the just concluded version 2018-2022.²⁵⁶

²⁵⁵ GoK. Kenya Vision 2020 Sector plan for Environment, Water, and Sanitation 2008-2012: Ministry of Planning and National Development, Government Printers, Nairobi. (2008).
²⁵⁶ Sifuna, Nixon. “The Legally Permissible Traditional Customary Uses of Wildlife and Forests under Kenyan Law.” Open Journal of Forestry 11, no. 3 (2021): 292-314.

The assessment adopts the Winter and Nielson Integrated implementation model as a theoretical frame theorized by Sadler's triangle model's calibration of Policy implementation effectiveness criteria revised by Baker and McLelland in 2008. The four main dimensions of the determination of Policy implementation effectiveness concept encompasses the context of procedural, Substantive, Transactive, and Normative policy effectiveness.

4.4.6.1 The Procedural and Substantive Policy Implementation Effectiveness

Scholars illustrate procedural effectiveness as a dimension that measures the appropriateness of the organizational processes, standards, and procedures set for achieving the desired policy outcome.²⁵⁷ Sadler's triangle Model revised by Baker & McLelland depicts Procedural effectiveness as a key dimension in setting out the political context of the policy as well as systems and means for meeting the set goals and objectives.²⁵⁸ Other scholars describe it as a function of design, procedure, substance, and transaction influenced by political issues.²⁵⁹

In the Winther and Nielsen Integrated model, the dimension links stakeholders and fieldworkers with the context of policy formulation, design, and provision of technical context as well as the aspects of the policy, stakeholders in the form of political leaders, interest groups, and line agencies holding critical political context for effective policy implementation. Fieldworkers also inscribe significant institutional interests that define the ranks, image, and culture of the organization. Stakeholders, on the other hand, place

²⁵⁷ Théritel, Riki, and Phillip Minas. "Ensuring effective sustainability appraisal." *Impact assessment and project appraisal* 20, no. 2 (2002): 81-91.

²⁵⁸ Baker, Douglas C., and James N. McLelland. "Evaluating the effectiveness of British Columbia's environmental assessment process for first nations' participation in mining development." *Environmental Impact Assessment Review* 23, no. 5 (2003): 581-603.

²⁵⁹ Theophilou, Vassilia, Alan Bond, and Mat Cashmore. "Application of the SEA Directive to EU structural funds: Perspectives on effectiveness." *Environmental Impact Assessment Review* 30, no. 2 (2010): 136-144.

importance on the political interests that shape how society views the organization's policy²⁶⁰

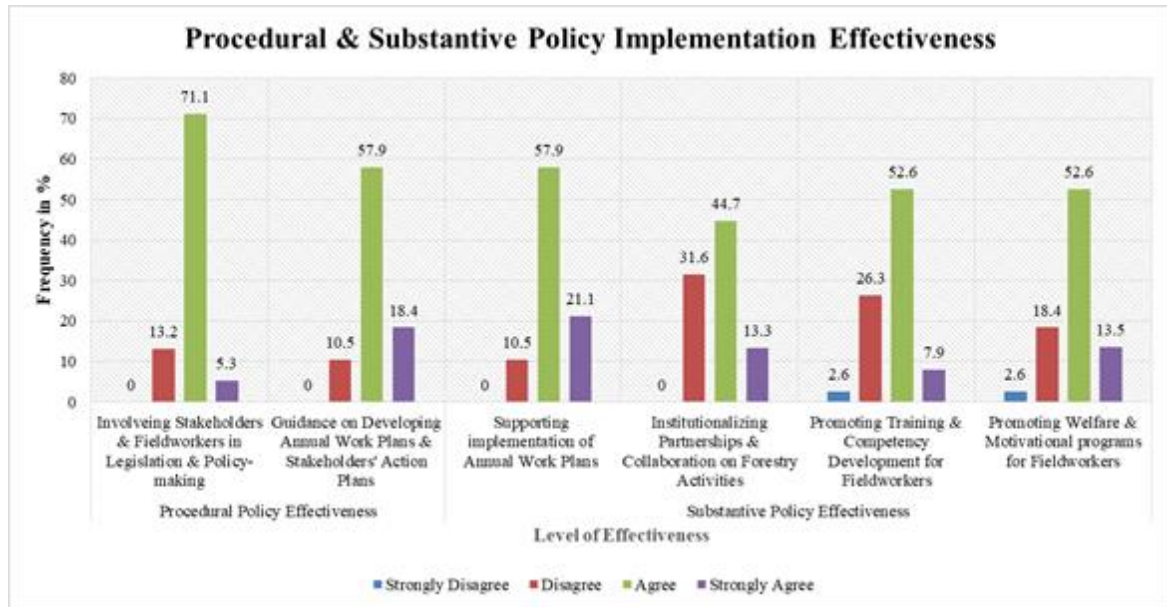


Figure 17: Forest policy influence on procedural and substantive policy implementation effectiveness

In the examining performance of Kenya's Forest Policy, figure 17 above illustrates the procedural dimension of the policy effectiveness, whereby 71.1% of the respondents agreed that stakeholders and Fieldworkers (Field Forest Officers) were involved in legislation and policy-making. Another 5.3% of the Respondents strongly agreed with the same context. Conversely, 13.2% of the Respondents expressed disagreement that the Policy promotes the involvement of Fieldworkers and Stakeholders in Forest Legislation and Policymaking.

²⁶⁰ Winther, S. C., and V. L. Nielsen. "Implementering af politik. 1. udg., 1. opl." Academica, Århus (2008).

²⁶¹ Theophilou, Vassilia, Alan Bond, and Mat Cashmore. "Application of the SEA Directive to EU structural funds: Perspectives on effectiveness." *Environmental Impact Assessment Review* 30, no. 2 (2010): 136-144.

²⁶² Zhang, Jie, Per Christensen, and Lone Kjørnøv. "Review of critical factors for SEA implementation." *Environmental Impact Assessment Review* 38 (2013): 88-98.

²⁶³ Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualising the effectiveness of impact assessment processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

At the same time, the study found the same Procedural Policy effectiveness dimension with 57.9% of the respondents agreeing that the Policy is effective in guiding the development of Annual Plans and Action plans on forestry. In support of this position, the study found an additional 18.4% of the respondents express Strong agreement with the context. However, a set of 10.5% of the respondents expressed disagreement with the ability of the Policy to effectively guide the Annual Work Plan and Action plans on forestry development in the Country.

In summary, examination of the two (2) contexts of the procedural dimension in the determination of the effectiveness in the implementation of Kenya's forest policy, established that 71.1% of respondents felt that the Policy is effective in the context of involving fieldworkers and stakeholders in policy-making at the formulation and design criterion. On the other flip, the study also established that 57.9% of the respondents felt that the policy is effective in guiding the development of Annual Work Plans and Stakeholders' Action Plans.

The findings imply that the policy is effective (71.1%) in the involvement of Fieldworkers and Stakeholders in Legislation and Policymaking. Again, the implication is that the policy is effective (57.9%) in guiding the development of the Annual Work plan and the Stakeholders' Action Plans. The Policy, therefore, can set out the appropriateness of its political context through the involvement of the Fieldworkers and Stakeholders. However, the policy's ability in guiding standards and organizational processes as manifested through Work plans and Community Action Plans are found moderately effective to possible causes of the distortion of policy highly attributable to

incumbent interests of political brokerage and horse-trading by Actors common during formulation and design stages of the policymaking.²⁶⁴

In the Substantive Policy Dimension, the study established that 50% of the Respondents Agreed that Forest Policy effectively supports the context of support Resource Mobilization for the implementation of the Annual Work plans. In addition, 7.9% of the respondents expressed strong agreement with the context that Forestry Policy is effective in the same context. However, 21.1% disagreed with the account that the Policy was capable of supporting Resource Mobilization for the implementation of the Annual Work Plans, and 10.5% of the Respondents with strong disagreement

In another context, under the same dimension, the study established that 44.7% of the respondents agreed that Kenya's Forest Policy was effective in the institutionalization of Stakeholders' Partnership and Collaboration in forestry undertakings. In addition, the study also found that 13.3% of another segment of the respondents expressed strong agreement with the underlined context. However, findings on the contrary established that 31.6% of the Respondents disagreed with the context that the Policy is culpable of institutionalizing Stakeholders Partnership and collaboration in undertaking forestry activities.

In a separate context under the very Substantive dimension, the assessment of Kenya's Forest Policy further established that another set of 52.6% of the Respondents agreed that the Policy the Training and Competency development of the Fieldworkers. In addition, another set of 7.9% of the Respondents strongly agreed with the same context. Nonetheless, the study contrastingly found that 26.3% of the Respondents disagreed

²⁶⁴ Norris, E., & McCrae, J. (2013). *The Policy that Sticks: Preparing to Govern for lasting change*. Institute for Government: UK.

that the Policy was able to promote the Training needs of the Field Workers however with an additional 2.6% of the Respondents expressing strong disagreement on the same context.

Lastly, in the substantive dimension, the study established that 52.6% of the respondents agreed that Kenya's Forest Policy is effective in promoting Welfare and motivational programs for Fieldworkers with an additional 13.5% of another set of Respondents strongly agreeing with the same context. Conversely, the study established that 18.4% of the Respondents expressed disagreement that the Policy promotes Welfare and motivational programs for the Fieldworkers, with another additional 2.6% of the Respondents expressing strong disagreement with the same context.

4.4.6.2 The Transactive and Normative Policy Implementation Effectiveness

The Transactive effectiveness in Sadler's model calibrates the efficiency of resource allocation and its ability to influence policy implementation outcomes.²⁶⁵ The Winther & Nielson Integrated model describes transactive effectiveness as a dimension that measures efficiency in resource allocation and utilization in the cycle of policy implementation.²⁶⁶ Further, the dimension mobilizes holistic resources in the form of human capital, time and money heavily relied upon for Policy implementation processes.²⁶⁷

On the other hand, Normative was modeled by Baker and McLelland in 2003 from the Sadler's Triangle model that evaluates the level of the outcome of policy

²⁶⁵ Theophilou, Vassilia, Alan Bond, and Mat Cashmore. "Application of the SEA Directive to EU structural funds: Perspectives on effectiveness." *Environmental Impact Assessment Review* 30, no. 2 (2010): 136-144.

²⁶⁶ Winther, S. C., and V. L. Nielsen. "Implementering af politik. 1. udg., 1. opl." *Academica*, Århus (2008).

²⁶⁷ Théritel, Riki, and Phillip Minas. "Ensuring effective sustainability appraisal." *Impact assessment and project appraisal* 20, no. 2 (2002): 81-91.

implementation.²⁶⁸ The dimension is key in the determination of impact and the level to which societal behavior is transformed in reflection of the scales of policy implementation and outcomes.²⁶⁹

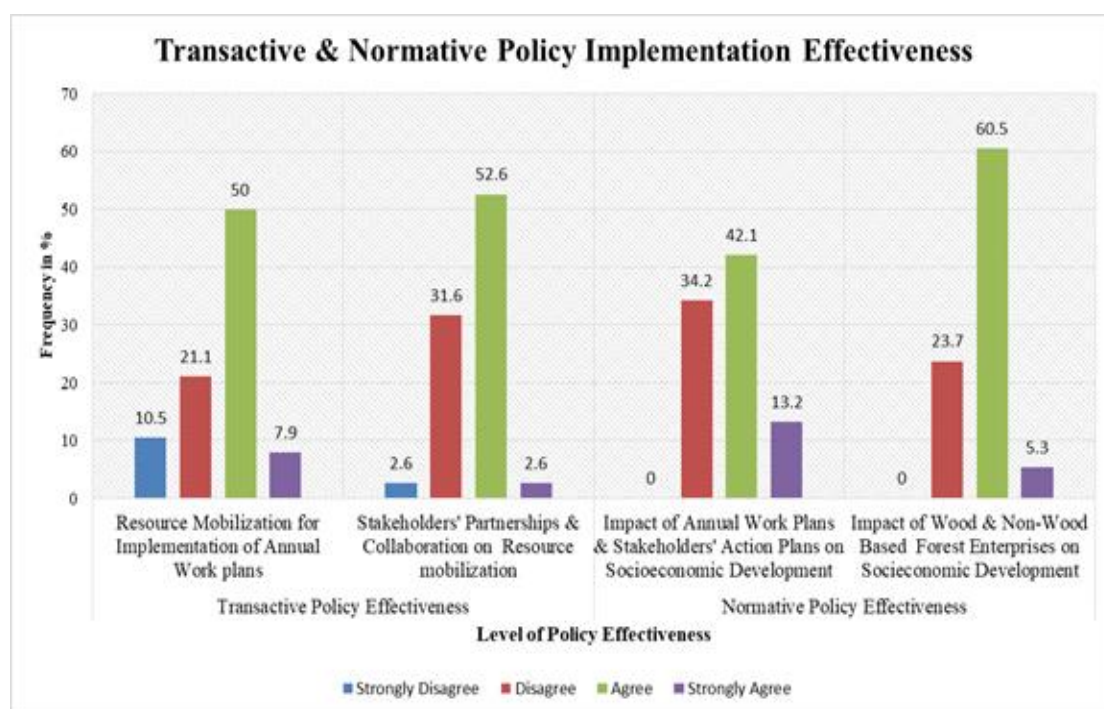


Figure 18: Forest policy influence on the transactive and normative policy effectiveness

The analysis of the Transactive Dimension in Figure 18 above, the study established that 50% of the respondents agreed that Kenya's Forest Policy is effective in Resource mobilization for the implementation of the Annual Work Plans. This account was additionally supported by the strong agreement of 7.9% of the respondents strongly

²⁶⁸ Bond, Alan. "What is the role of impact assessment in the long term?" *Journal of Environmental Assessment Policy and Management* 17, no. 01 (2015): 1550006.

²⁶⁹ Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualising the effectiveness of impact assessment processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

agreeing with the degree of effectiveness of the forestry policies 21.1% disagreed while another 10.5% portion of the respondents strongly disagree.

In the context of the promotion of Stakeholders' Partnership and Collaboration in Resource Mobilization for implementing Action Plans under the same Dimension. The study established that 52.6% of the respondents agreed that Forest Policy is effective in promoting Resource mobilization for the Stakeholders' Action Plans in forestry activities. In addition, another 2.6% of the Respondents expressed strong agreement with the same context. On the contrary, the assessment established that 31.6% of the Respondents Disagreed that the policy is capable of promoting Resource mobilization for undertaking Stakeholders' Action Plans, with an additional 2.6% of the Respondents expressing strong disagreement with the same context.

In the Normative Dimensions, the assessment in Figure 18 analyzed the contribution of the implementation of the Annual Work Plan and Stakeholders' Action Plans on National Socioeconomic Growth. The study, therefore, established that 42.1% of the Respondents agreed that Forest Policy is effectively creating a tangible impact on National socioeconomic growth and development. Additional support of another 13.2% of the Respondents strongly supported the context. However, the study also established that 34.2% of the Respondents disagree that the Policy enables implementation of the Annual Work Plans to the capability of creating a visible impact on National Socioeconomic Growth and Development.

In the context of the Policy impact on the Contribution of the Wood and Non-Wood Based Enterprises on National Socioeconomic Growth and Development. The assessment established that 60.5% of the Respondents Agreed that Kenya's Forest Policy effectively impacts the National Socioeconomic growth and Development.

Again, an additional 5.3% strongly agreed with the underlined context. Contrastingly, the assessment established that 23.7% of the Respondents were in disagreement that the Policy impacts Wood and Non-Wood Based Enterprises in creating a tangible impact on the National socioeconomic growth and Development.

However, development through Wood and Non-Wood Forest Product enterprises and again this position was strongly supported by 5.3% of the Respondents of which 23.7% of the Respondents otherwise expressed Disagreements.

4.4.6.3 Conclusion

The examination of the two (2) contexts of the procedural dimension in the determination of the effectiveness in the implementation of Kenya's forest policy, the majority (71.1%) finding indicates that the Policy is effective in involving fieldworkers and stakeholders in policy-making however partially at the formulation and design. On the other flip, the majority (57.9%) further established that the policy is effective in guiding the development of Annual Work Plans and Stakeholders' Action Plans.

The findings imply that the policy is effective (71.1%) in the involvement of Fieldworkers and Stakeholders Legislation and Policymaking. Again, the implication is that the policy is effective (57.9%) in guiding the development of the Annual Work plan and the Stakeholders' Action Plans. The Policy, therefore, exhibits the ability to set out the appropriateness of its political context through the involvement of the Fieldworkers and Stakeholders. However, the policy's ability in guiding standards and organizational processes as manifested through Work plans and Community Action Plans are found moderately effective to possible causes of the distortion of policy highly

attributable to incumbent interests of political brokerage and horse-trading by Actors common during formulation and design stages of the policymaking.²⁷⁰

In the Substantive Policy Dimension, the majority (50%) of finding indicates the effectiveness of the Policy is effective in mobilizing Resource for the implementation of Annual Work plans. The majority (44.7%) exhibits however lackluster effectiveness of the Policy in institutionalizing Stakeholders' Partnership and Collaboration in forestry undertakings. Nonetheless, the majority (52.6%) of the findings demonstrate the Policy's ability in undertaking the critical aspect of Training and Competency development of the Fieldworkers. The findings further illustrate the Policy effectiveness (52.6%) in the promotion of Welfare and motivational programs for Fieldworkers

Further, in the Transactive Dimension, the majority (50%) find Kenya's Forest Policy effective in Resource mobilization for implementing the Annual Work Plans. Similarly, the majority (52.6%) again establishes the effectiveness of the Policy in promoting Resource mobilization for the implementation of Stakeholders' Action Plans in forestry activities. Despite the foregoing, the policy is sluggishly effective (42.1%) in influencing the outcome of the Annual Work Plans and Stakeholders' Action Plans in creating a tangible impact on National socioeconomic growth and development.

²⁷⁰ Norris, E., & McCrae, J. (2013). *The Policy that Sticks: Preparing to Govern for lasting change*. Institute for Government: UK.

Conversely, therefore, the majority (60.5%) aligns the effectiveness of the Policy with the stimulation of growth of the Wood and Non-Wood Forest Enterprises and its eventual impact on National Socioeconomic growth and Development.

CHAPTER FIVE

5.0 SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

5.1 Summary of the Findings

The study analytically belabored key global, regional, and local landscape factors influencing Kenya's forestry policies and forest development in the country-specific. The fact that the implementation of forest policies for a long time remained largely Country, forest management was subject to changing circumstances and unique societal demands for forest goods and services. Other factors included different forest policy regimes, diverse socioeconomic spectrum, level of income, and weak forest governance.²⁷¹ The state of global and regional forest management therefore, gave rise to incomprehensive global policy and a slowed progress on forestry management and development.²⁷²

The study further, established limiting factors unique to forest management in the African case that are particular to forest and land-use policies, political conflict, and instability in the continent. The African countries accord lesser importance to the Forest Sector in national planning, resource allocations, critical governance issues, and decision-making resulting in the lethargy of the Private Forest Sector investment especially on public-private partnership in forestry.²⁷³

²⁷¹ Shono, Kenichi, and Ö. Jonsson. "Global progress towards sustainable forest management: bright spots and challenges." *International Forestry Review* 24, no. 1 (2022): 85-97.

²⁷² Chaytor, Beatrice. "The Development of Global Forest Policy: An Overview of Legal and Institutional Frameworks." *International Institute for Environment and Development (IIED) and the World Business Council for Sustainable Development (WCBSD)*, London, UK (2001).

²⁷³ Traore, M. and Tieguhong, J.C. How Forestry contributes to the African Development Bank's High 5 Priorities: challenges and opportunities. African Natural Resources Centre. African Development Bank. Abidjan, Côte d'Ivoire (2018).

The study also agonizes on Kenya's long propensity for lack of formal forest policy despite a series of enactments and amendments of forest ordinances and laws.²⁷⁴ The study is skeptic on the continued management Kenya's forest on the basis of the Draft forest policy that risk compromising its levels of authenticity and public legitimacy. Lack of adequate legitimacy thus limits levels of policy recognition and stakeholders' partnerships and collaboration in forest management at the global and local landscape scales.²⁷⁵ Further, the study takes note of the existence of over 77 inter-sectoral pieces of forestry-related legislation and policy frameworks in operation all focused on forestry but lackluster on the deliberate inter-organization coordination for effective implementation.²⁷⁶

However, the study established that the implementation of Kenya's forest laws, policy, and strategic plan is moderately relevant and moderately effective in influencing promotion of sustainable forest management. Implying that the Forest Conservation and Management Act 2016, the Draft Forest Policy 2014, and the Strategic Plan 2018-2022 are all but moderately relevant and moderately effective in the strategic global, regional, and national goals on sustainable forest management and development. However, the study further establishes that limiting factors on policy governance, inadequacy in resource allocation and lethargic public-private partnership in forestry are matters of great concern.²⁷⁷

²⁷⁴ Mwangi, Esther. "Colonialism, Self-Governance, and Forestry in Kenya: Policy, Practice, and Outcomes." Retrieved August 26 (1998): 2016.

²⁷⁵ Ansell, Christopher, Eva Sørensen, and Jacob Torfing. "Improving policy implementation through collaborative policymaking." *Policy & Politics* 45, no. 3 (2017): 467-486.

²⁷⁶ Mathu, W. "Forest Law Enforcement and Governance in Kenya." A Paper Prepared for the East African Community-led Regional Process in the Framework of the Ministerial Declaration, Yaoundé, Cameroon, October 16 (2007): 2003.

²⁷⁷ Traore, M. and Tieguhong, J.C. How Forestry contributes to the African Development Bank's High 5 Priorities: challenges and opportunities. African Natural Resources Centre. African Development Bank. Abidjan, Côte d'Ivoire (2018).

The study identified policy implementation components critical for contextualizing effective in the implementation of forestry policies researched on the global scene. The components of effective implementation of policy have been illustratively explained based on the concepts developed by the Sadler triangle (2003) and Wither and Nielson (2008) integrated models. The three components encompass the policy formulation and design, the implementation process, and the implementation results.²⁷⁸ The study further posited the concepts illustrated in Sadler's triangle (2003) that standardizes policy effectiveness that include procedural, substantive, transactive, and normative policy effectiveness.²⁷⁹

Empirical literature is particular on the critical contextualization of components for enhanced level of effectiveness that characterizes delivery of forestry strategic goals. The dimensions are broken down into criteria and context to which the assessed scores are allocated and judgments deduced.²⁸⁰ In this study therefore several dimension and contexts were developed and assessed as follows;

In the chapter analysis on the Involvement of stakeholders than Fieldworkers in Forest Legislative and Policy-Making context, the results established that the Forest policy had a moderately high Involvement of stakeholders than Fieldworkers. The moderately high stakeholders' involvement increases the stakes in collaboration and partnerships in legitimizing the forest policy critical in resource sourcing and technology sharing. However, the low involvement of fieldworkers on the other hand, gravely risks compromising the expertise and interpretative roles of the fieldworkers in legislative

²⁷⁸ Winther, S. C., and V. L. Nielsen. "Implementering af politik. 1. udg., 1. opl." *Academica*, Århus (2008).

²⁷⁹ Baker, Douglas C., and James N. McClelland. "Evaluating the Effectiveness of British Columbia's Environmental Assessment Process for First Nations' Participation in Mining Development." *Environmental Impact Assessment Review* 23, no. 5 (2003): 581-603.

²⁸⁰ Chanchitpricha, C., & Bond, A. Conceptualizing the effectiveness of impact assessment processes. *Environmental Impact Assessment Review*, 43, (2013): 65-72.

and policy-making hence degrades the forest policy influences critical for attaining its strategic goal.²⁸¹

The analysis on the context of the forest policy's effectiveness in the Implementation of Annual Work Plans & Stakeholders' Action Plans, the results established that the Policy is partly more effective in influencing the implementation of the Stakeholders' initiated Action Plan than it is partly effective in the implementation of the Government initiated Work Plans. This implies that the external operating environment of the forest policy is more robust in implementing the Stakeholder's Action Plans compared to the Policy's internal ability in implementing its internally initiated Annual work plans.²⁸²

The analysis of the Forest policy's effectiveness in the promotion of Inter-Organizational Partnerships and Collaborations the findings established that the Policy performance is moderate in influencing the inter-organization partnership on collaborative planning of Forest activities. However, the policy is again moderately low in influencing Stakeholders' partnership and collaboration on Resource mobilization for policy implementation. The results imply that the policy's internal operating environment is more robust in inter-organization collaborative planning compared to resource mobilization for implementing the policy. Further, in the analysis of the policy effectiveness on the scales of Resource Mobilization, the findings established that the policy mobilizes very low scales of resources both from the government and development partners' sources. This implies that the very low scales of resource

²⁸¹ Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualising the Effectiveness of Impact Assessment Processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

²⁸² Therivel, Riki, and Ainhoa González. "Introducing SEA effectiveness." *Impact Assessment and Project Appraisal* 37, no. 3-4 (2019): 181-187.

mobilization are likely to adversely affect the other policy implementation outcomes resulting in the policy failure²⁸³

In the analysis of policy effectiveness on Fieldworkers' Welfare and Competency Development context, the results established that the Forest Policy 2014 has a moderately low scale of influence on Fieldworkers' training and competency development. However, the performance of the policy influence is again moderate on the Fieldworkers' welfare and motivational programs. The implication is that the policy is more robust in promoting fieldworkers' welfare and motivational programs than it does on training and competency development. The scenario is that fieldworkers are more motivated in terms of welfare but stagnant in the shaping of expertise and interpretative capacities on policy procedures and standards in transforming policy outcomes.²⁸⁴

In the analysis of policy impact on Socioeconomic Growth and National Development, the findings established that the policy impact moderate high scales of income manifested through the implementation of Annual Work Plans and stakeholders' Action Plans. However, the results indicate that income from the Stakeholders' Action Plan to National socioeconomic growth and development is significantly robust compared to that of the government-initiated Annual Work Plans.

In the analysis of the policy's impact on the promotion of Wood and Non-wood Based Forest Enterprises, the finding established that the policy again moderately influences the socioeconomic growth and national development. The findings established that the

²⁸³ Bond, Alan, Jenny Pope, Angus Morrison-Saunders, and Francois Retief. "Exploring the relationship between context and effectiveness in impact assessment." *Environmental Impact Assessment Review* 97 (2022): 106901.

²⁸⁴ Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualising the Effectiveness of Impact Assessment Processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

Stakeholders Action Plan is more robust in influencing the growth of the Wood and Non-Wood Based Forest Enterprise than the Government-initiated Work Plans. The implication of the results, therefore, means that the external operating environment of Draft Policy 2014 is more effective compared to the generative capabilities of the policy's internal operating environment.

In the analysis of the impact of the forestry legal and policy frameworks in influencing the effectiveness of forest policy on the involvement of Fieldworkers and Stakeholders in Forest Legislation and Policy-Making context, the finding established that the context only experienced half of the Forest Regions. Only two Forest Regions (Western and Eastern) had half of the Counties fully involving the Fieldworkers and Stakeholders in the forest Legislation and Policy-making. However, the majority of the Forest Regions only partially involved Fieldworkers and Stakeholders in the underlined context.

Ideally, certain Counties in two Forest Regions (Nairobi and Coast) are not involving Fieldworkers and Stakeholders in Forest legislation and Policy-making. The results imply that the majority of the Forest Regions with partial and low Involvement of stakeholders than Fieldworkers in Forest Legislative and Policy-Making partially compromise with instances of low stakes in collaborative planning and constructive problem solving incorporating the input of the upstream and downstream levels of partners and management. Further, the low involvement of fieldworkers portends the inadequacy of expertise and interpretative roles of the fieldworkers critically important

in turning around the legislative and policy-making focusing on the strategic context of policy.²⁸⁵

In Chapter Four analysis of the impact of the forestry legal and policy framework in influencing the distributive effectiveness of forest policy on Resource Mobilization of Government funded resources, the study established that the policy distributed very high scales of government-funded resources in only half of the ten forest regions. However, the remaining half of the forest regions received very low government-funded resources with the Eastern forest region being the worst affected. The implication is that the disparity of government-funded resources adversely affects policy outcome in half of the forest regions that are at risk of experiencing policy failure while the other half of the forest regions experience highly favorable policy outcome in another half of the forest region.²⁸⁶

In the analysis of the impact of the forestry legal and policy framework in influencing the distributive effectiveness of forest policy on Resource Mobilization of Development Partners' funding context, the study established that the policy distributed very high scales of Development Partners' funded resources in two out of ten Forest Regions (Central Highlands and Eastern). However, a good number of Counties in eight out of the ten Forest Regions received extremely low scale of Donor funded resources with Ewaso North Forest Regions being out of favor on the Development partners' funded scheme.

²⁸⁵ Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualising the Effectiveness of Impact Assessment Processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

²⁸⁶ Bond, Alan, Jenny Pope, Angus Morrison-Saunders, and Francois Retief. "Exploring the relationship between context and effectiveness in impact assessment." *Environmental Impact Assessment Review* 97 (2022): 106901.

In the analysis of the impact of the forestry legal and policy framework in influencing the distributive effectiveness of forest policy on the Stakeholders' Involvement, Partnership, and Collaboration context, the study indicates that the policy influenced the moderately high scale of the involvement of Stakeholders' Partnership and Collaboration in six out of ten Forest Regions with Nairobi Forest Region exhibiting higher performance. However, the policy influences the very low scale of Stakeholders' partnership and collaboration in the remaining four Forest regions in the forestry undertakings. The low scales of stakeholders' partnership and collaboration portend inadequate collaborative policy-making and constructive problem-solving that runs the risk of breeding policy failures, particularly within the regions affected.²⁸⁷

In the analysis of the impact of the forestry legal and policy framework in influencing the effectiveness of forest policy on Wood & Non-Wood Based Forest Enterprises in contributing to the socioeconomic growth and national development context, the study established that the policy influences very high scales of income in two out of ten Forest Regions (Central Highlands and Northeastern) in stimulating the growth of Wood and Non-wood Forest based enterprises. However, the policy has very low scales of impact in six out of ten Forest Regions in Wood and Non-Wood Based Forest Enterprises with Nyanza Forest Region worst affected with the low scales of stimulating investment in wood and non-wood forest enterprises.

The findings imply that the forest policy is not effectively influencing the transformative behavior of the society towards achieving forest policy goal within the six forest regions with low scales of impact.²⁸⁸ Therefore the Forest regions

²⁸⁷ Gazley, Beth. "The current state of inter-organizational collaboration: Lessons for human service research and management." *Human Service Organizations: Management, Leadership & Governance* 41, no. 1 (2017): 1-5.

²⁸⁸ Chanchitpricha, C., & Bond, A. (2013). Conceptualizing the effectiveness of impact assessment processes. *Environmental Impact Assessment Review*, 43, 65-72.

inadequately contribute to Kenya's Vision 2030's Forestry flagships in the delivery of the economic and social pillars of National development. Therefore, it implies that the policy underperforms on the vitality of forests on the Country's provisioning goods and regulative services to the industrial and productive sectors of socioeconomic growth and national development.²⁸⁹

5.2 Conclusion

The underperformance of the Kenya's forest policy heavily leveraged on the overtime global limiting factors that illustrate that the implementation of forest policies was overtime Country-specific which resulted in a lack of comprehensive global forest policy and retarded progress on forest management and development. Comparatively African continent is immersed into unique limiting factors that continually undermine sustainable forest management, particularly inappropriate forest and land-use policies, forest governance issues, and inadequacy in resource allocation.

Kenya is for unknown reasons been enclaved in a similar same scenario and is presently grappling with a lack of formal forestry policy for a long time. Despite the country's effort in enacting over 77 separate pieces of forestry-related legislation and policy frameworks focused on forestry little has been done so far realized. In attempts to examine the policy implementation effectiveness, this study preliminarily establishes that the implementation of Kenya's forest policy in its present draft form and its legal instruments are however moderately relevant and moderately effective in spearheading the global, regional, and national goals on sustainable forest management and development.

²⁸⁹ GoK. Kenya Vision 2020 Sector plan for Environment, Water, and Sanitation 2008-2012: Ministry of Planning and National Development, Government Printers, Nairobi. (2008).

The analysis further established that the forest policy exhibits moderately high involvement of stakeholders than Fieldworkers in forest Legislative and Policy-Making context, the study again establishes that the Forest policy had moderately high Involvement of stakeholders than Fieldworkers hence running gravity of compromising the level of expertise and interpretative roles of the fieldworkers in legislative and policy-making.²⁹⁰

The finding further establishes that the policy is partly more effective in influencing the implementation of the Stakeholders' initiated Action Plan than it is partly effective in the implementation of the Government initiated Work Plans indicating that the policy's external operating environment is more robust compared to its internal operating mechanisms on implementing Annual work plans.²⁹¹

The findings again reveal that despite the Forest policy exhibiting moderately high influence in promoting Inter-organizational Partnerships and Collaborations, its however moderately low in influencing resource mobilization from partners to implement that policy. Further, its ability in mobilizing resources is found very low scale particularly in the mobilization of implementation resources from both government and development partners' sources hence the risk of adversely affecting the results of the other policy implementation outcomes²⁹²

The policy is found however commanding a very low scale of influence on the Fieldworkers' training and Competency Development despite moderately seen influencing high scales of Fieldworkers' welfare. The policy therefore adjudged robust

²⁹⁰ Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualising the Effectiveness of Impact Assessment Processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

²⁹¹ Therivel, Riki, and Ainhoa González. "Introducing SEA effectiveness." *Impact Assessment and Project Appraisal* 37, no. 3-4 (2019): 181-187.

²⁹² Bond, Alan, Jenny Pope, Angus Morrison-Saunders, and Francois Retief. "Exploring the relationship between context and effectiveness in impact assessment." *Environmental Impact Assessment Review* 97 (2022): 106901.

in motivating fieldworkers on welfare compared to shaping expertise and interpretative capacities on policy procedures and standards of outcomes.²⁹³

The finding again shows that the policy has moderately high scales of impact on socioeconomic growth and national development generated from the implementation of Annual Work Plans and stakeholders' Action Plans. However, the results further reveal that the Stakeholders' Action Plan generated a robust impact on socioeconomic growth and national development compared to Annual Work Plans.

Results again, established that the policy influenced moderately high scales of impact on socio-economic growth and development through the growth of Wood and Non-wood Based Forest Enterprises, results further reveal that the stakeholder's Action Plan is more robust in influencing the growth of the Wood and Non-Wood Based Forest Enterprise compared the Annual Work Plans.

Separately, the analysis of the impact of forestry legal and policy frameworks influences on forest policy in promoting Kenya's forest development and socioeconomic growth, the study examined the influence of forest policy effectiveness on the involvement of fieldworkers and stakeholders on forest legislation and policymaking and established that the involvement is largely skewed. Only half of the forest Regions are significantly influenced with only two Forest Regions having Counties fully involving the Fieldworkers and stakeholders in the legislation and policymaking. However, the majority of the Forest Regions only partially involve Fieldworkers and Stakeholders in the underlined context.

²⁹³ Chanchitpricha, Chaunjit, and Alan Bond. "Conceptualising the Effectiveness of Impact Assessment Processes." *Environmental Impact Assessment Review* 43 (2013): 65-72.

The study further establishes that the forestry legal and policy framework in influencing the distributive effectiveness of forest policy on Resource Mobilization on both Government and Development partners funded resources had disparities. The policy distributed very high scales of government-funded resources in only half of the forest regions with the remaining half having extremely low government-funded resources.

The study again establishes that the policy influenced the distribution of very high scales of Development Partners' funded resources in only two of the Forest Regions with the remaining Forest Regions having counties receiving extremely low scale of Donor funded resources while one Forest Regions was completely left out.

The study further, established uneven growth of Wood & Non-Wood Based Forest Enterprises in contributing to the socioeconomic development whereby the policy influences very high scales of income in only two of the Forest Regions in stimulating the growth of Wood and Non-wood-based Forest enterprises while the policy influences very low scales of impact in the six Forest Regions in Wood and Non-Wood Based Forest Enterprises.

In a nutshell, the measure of the Forest policy's procedural and substantive effectiveness is moderately effective in influencing the policy formulation and design and guiding its implementation. Further, the study also established that the forest's substantive effectiveness is moderately effective in promoting the welfare, training, and competency development of the field workers. The study however establishes that the forest policy's substantive effectiveness is moderately low in the institutionalization of stakeholder partnership and collaboration. Again, the study establishes that the forest policy's transactive effectiveness is moderately low in mobilizing resources for the

implementation of the Work Plan but found moderately effective in mobilizing resources for implementing Stakeholders' Action plans.

Separately, the measure of the forest policy normative effectiveness found that the policy is however moderately low in effectively influencing socioeconomic growth and national development through income generated as a result of implementing both the Annual Work Plan and Stakeholders' Action Plans. Further, the study established that the forest policy normative effectiveness is moderately high in socioeconomic growth and national development by influencing the growth of Wood and Non-wood Forest Based Enterprises.

5.3 Recommendations

The overall outcome of this study assessment establishes that the implementation of Kenya's Forest Conservation and Management Act 2016, the Draft Forest Policy 2014 revised in 2020 and the third version of Forest Strategic Plan 2018-2022 are found moderately relevant and moderately effective in spearheading the global, regional and national goals on sustainable forest management and development. However, to improve on the level of effectiveness of the Policy the study proffers the nuance of an enhanced system of efficient interaction of the policy implementation components posited in David Easton's system theory illustrated in the conceptual frame of this study. Further, the study holds onto the policy incremental adjustment concepts postulated under Lindblom's theory of incrementalism highlighted in the study's conceptual framework.

In sum, enhancement of the level of the effectiveness of the Forest Policy 2014, and a deliberate need to address the shortfalls identified in the findings is of the essence,

therefore the study makes the following recommendations aimed at administrative and policy adjustments;

- ❖ Undertake a review of the Forest Policy to institute the integration and cooperation on the global and regional forest Agreements, conventions, and treaties. The undertaking aims at calibrating Kenya's Forest Policy on the topical and regional matters of forestry.
- ❖ Initiate a review of the Forest Policy on linkages and partnerships to enhance inter-organization participation in Forestry. The initiative aims to institute the Whole Government Approach (WoA) concept important for revitalizing critical instruments of the country's 77 separate pieces of forestry-related legislation and policy frameworks all focused on forestry.
- ❖ Revitalization of the training and competency development policy to customize the skills inventory and fair opportunity focused on training needs with the distributive factor based on the equal opportunity concept.
- ❖ Customization of stakeholders' partnership and collaboration focused on the enhancement of collaborative planning and resource mobilization. The approach gears the integration of critical elements of Annual Work Plans and the Stakeholders' Action Plans established with a common system of funding systems for forestry development.
- ❖ Establishment of an operational Resource Mobilization and Distribution scheme with fair distributive systems that calibrate efficient and effective implementation resources spread across the forest Regions.

- ❖ Revitalization of public-private partnership in forestry investment and Tax rebate to leverage institutional on the growth of Wood and Non-Wood Based Forest enterprises.

5.3.1 Recommendations for Further Research

The study had limitation of scope, time and resources for more elaborative and incisive assessment, however the outcome revealed pertinent issues that require further research. Based on the findings that the implementation of Kenya's Forestry Legal and Policy Frameworks are moderately relevant and moderately effective in spearheading the global, regional and local landscapes strategic goals on sustainable forest management. There exist need for further improvement.

Therefore, need for further in-depth system assessment of the organization to correlate the levels of interactions of the its internal and external operating environment of the Policy critical for bridging the glares of the Inter-organization collaborative policy implementation gaps highlighted in the study.

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APPENDICES

APPENDIX 1: RESEARCH QUESTIONNAIRE

Key informant Guide and a short message for the respondent

Dear Respondent,

I am conducting an academic research focusing on the Assessment of the Effectiveness of State-level Forestry policies on Forestry development in Kenya. The objective of the data and information generated from this Questionnaire will purely be used for the Award of Masters of Arts in National Security and Strategy at the National Defence University, Kenya

The recommendation from the findings will also serve in filling knowledge gaps in the national security policy in Kenya that is critically required to leverage on the efforts the decision-makers proffer in designing policy instruments for sustainable development and national growth.

I therefore kindly request that you answer the questions candidly by checking into the appropriate response boxes provided and any elaboration where applicable. Please note that the information you will provide in this questionnaire will be treated with utmost confidentiality.

Section A: Bio data of the respondent

1. Kindly, indicate your gender

Male

Female

2. What is your age bracket?

18 - 35 yrs.

35 - 45yrs

45 - 60 yrs.

3. How long have you served in your current position?

.....
.....

4. How many other stations have you previously served in the same position?

.....
.....

Section B: The effectiveness of Forest Policy on legislation framework, policy formulation and strategic planning.

5. As you may be familiar with the Forest conservation and management Act (FCMA) 2016, the existing Forest policy and the Strategic Plan(s) of the Kenya Forest Service designed to enable the Service deliver on its vision, mission and Mandate.

a) How would you therefore rate the involvement level of key players on matters forest conservation in the designing of forest legislation(s), policy formulation and the development of Strategic plan(s) ;-

i. The level of involvement of your KFS Officers in the legislative processes of Forest conservation and management Act 2016

Fully involved. Partly involved. Not involved

- ii. The level of Stakeholders including target groups involvement in the Legislative processes of Forest Conservation and Management Act 2016

Fully involved. Partly involved. Not involved

- iii. The level of involvement of your KFS field officers in providing information for the formulation of forest policy

Fully involved. Partly involved. Not involved

- iv. The level of local stakeholders' involvement in the formulation of Forest Policy

Fully involved. Partly involved. Not involved

- v. The level of involvement of your KFS Officers in providing information for the development of Forest Strategic plans

Fully involved. Partly involved. Not involved

- b) How would you rate the relevance and effectiveness of the existing FCMA 2016, the existing Forest Policy and Forest Strategic Plans in guiding your operations and field activities?

- i. The relevance and effectiveness of the FCMA 2016

Very relevant & very effective

Moderately relevant & averagely effective

Not relevant and largely ineffective

ii. The relevance and effectiveness of existing Forest Policy

Very relevant & very effective

Moderately relevant & averagely effective

Not relevant and largely ineffective

iii. The relevance and effectiveness of Forest Strategic Plans

Very relevant & very effective

Moderately relevant & averagely effective

Not relevant and largely ineffective

c) If your response in (a) & (b) above is 'Not relevant', what would be your opinion on how the relevance and effectiveness in each case(s) could be remedied.

i. Suggested remedies for FCMA 2016

.....
.....
.....

ii. Suggested remedies for the existing Forest Policy

.....
.....
.....

iii. Suggested remedies for the Forest Strategic Plan(s)

.....
.....
.....

Section C: The effectiveness of Forest policy on factors affecting the organizational processes

6. Kenya Forest Service established by an Act of Parliament as a State Corporation as amended in the Forest Conservation and Management Act 2016 has developed comprehensive policy instruments and strategic plans that guide in the organizational policy implementation processes towards achieving the Service overarching national mandate.

a. How effective are the implementation of these policies and Strategic plans in the context of addressing the following within your area of jurisdiction?

i. Development of your operational and Annual Work plans (AWPs)

Very effective

Partly effective

Somehow effective

Not effective

ii. Stakeholders participatory planning and implementation of forestry activities

Very effective

Partly effective

Somehow effective

Not effective

b. If your response in 6 (a) (i) & (ii) are 'Not effective', What areas of weaknesses would you suggest to improve on the effectiveness of policy and strategic plan in regard to;

i. Development of your operational and Annual Work plan(s)

.....
.....
.....
.....
.....
.....

ii. Enhancement of Stakeholder participatory planning and implementation of forestry activities

.....
.....
.....
.....

c. An effective Policy strategically provides for the ease of mobilization of implementation funds from various sources, majorly Government sources, Project funding facility and strategic local stakeholders' initiatives towards the realization of the Annual work plans set targets.

Kindly select in the box below, the funding source(s) applicable in your case and the scale to which each provides funds for the implementation the Annual Work Plan for your station

i. Government Sources/Kenya Forest service

0 -25%

25-50%

50-75%

75-100%

ii. Project/Programme sources

0 -25%

25-50%

50-75%

75-100%

iii. Local stakeholders/Groups initiatives

0 -25%

25-50%

50-75%t

75-100%

- d. A well-designed policy provides frames for technical capacity building as well as provision of employees' welfare in the form that motivates work performance towards the attainment of the Annual work plan targets.

Of what scale therefore would you rate the effectiveness of the policy and the strategic plans in providing for;

i. Training needs for KFS field Officers

0-25%t

25-50%

50-75%

75-100%

ii. Welfare needs for KFS employees

0-25%

25-50%

50-75%

75-100%

- e. An effective policy provides a framework for involvement of the community target groups in the development and implementation of the forestry related Community Action Plans (CAPs) based on the overall Annual Work plan. What scale therefore does the policy provide for the participation in the implementation AWP in your station?

0-25 %

25-50%

50-75%

75- 100%

f. If your response in (e) above is below 50% effect what would be your suggestion on how the status could be improved

.....
.....
.....

Section D: The effectiveness of Forest policy on implementation of Annual work plan and outcome.

7. The Kenya Forest service strategic goal aims at the conservation, development and sustainable management of forest resources with the aim of influencing national socioeconomic development.

How would you therefore rate the effectiveness of the forest policy and its impact on the implementation of forest strategic plan(s) on: -

a) The attainment of your set Annual Work Plan (AWP) targets

i. 0-25%

ii. 25'50%

iii. 50-75%

iv. 75-100%

b) In influencing partnerships and collaboration of stakeholders' participation in forestry development.

i. 0-25 %

ii. 25-50%

iii. 50-75%

iv. 75-100%

c) In meeting the local demand on wood and non-wood product requirements

i. 0-25 %

ii. 25-50%

iii. 50-75%

iv. 75-100%

d) If your response in any of 7 (a), (b) or (c) is below 50% score. what policy intervention would you recommend to enhance forest policy effectiveness in;

i. The attainment of set Annual Work Plan targets

.....
.....
.....

ii. Influencing stakeholders' participation in forestry development.

.....

.....

.....

iii. Meeting the local demand on wood and non-wood product requirements

.....

.....

.....

QUESTIONNAIRE GUIDE

Please summarize your response by indicating your level of disagreement or agreement using the following rating;

Scale of 1 to 4 (1=Strongly Disagree; 4 = Strongly Agree)

No	Statement	Strongly disagree = 1	Disagree = 2	Agree = 3	Strongly agree = 4
Section B: The effectiveness of Forest Policy on legislation framework, policy formulation and strategic planning.					
1	Forest policy effectively support				





	the involvement of KFS field staff and stakeholders in the legislative enactment processes, policy formulation and strategic planning of forest activities				
Section C: The effectiveness of Forest policy on factors affecting the organizational processes					
2	Forest Policy effectively guide KFS field staff in developing their respective Annual work plan				
3	Forest Policy effectively guide KFS field staff in implementing their respective Annual work plan				
4	Forest policy effectively involve the participation of forest stakeholders in the planning of forestry activities				
5	Forest policy effectively involve the participation of forest stakeholders in the actual				

	implementation of the planned forestry activities				
6	Forest Policy effectively mobilizes required government funds for the implementation respective Annual Work plan				
7	Forest Policy effectively mobilizes financial support from stakeholders to support implementation of the planned forestry activities				
8	Forest Policy effectively support building capacities of KFS field staff to implement work plans				
9	Forest Policy effectively support welfare programs for KFS field staff that motivate accomplishment of the Annual work plans targets				
<p>Section D: The effectiveness of Forest policy guiding the implementation and realization of the Annual work plan outcome.</p>					

10	Forest Policy effectively support KFS field staff and stakeholders in full realization of set Annual Work Plan targets				
11	The implementation of Forest Policy and strategic plan effectively contribute in the meeting of the local demand for wood and non-wood forest products (NWFPs)				

I thank you most sincerely for taking your invaluable time to help complete this Academic study questionnaire'

APPENDIX 2: RESEARCH LICENCE

 REPUBLIC OF KENYA	 NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION
RefNo: 738425	Date of Issue: 28/November/2022
RESEARCH LICENSE	
	
This is to Certify that Mr. ABUTO GEORGE OMOILO of National Defence College Kenya, has been licensed to conduct research as per the provision of the Science, Technology and Innovation Act, 2013 (Rev.2014) in Kisumu, Mombasa, Nairobi, Nakuru, Uasin-Gishu on the topic: ASSESSING THE EFFECTIVENESS OF STATE-LEVEL FORESTRY POLICIES ON FOREST SECURITY AND DEVELOPMENT IN KENYA. for the period ending : 28/November/2023.	
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**APPENDIX 3: REQUEST FOR PERMISISION TO UNDERTAKE AN
ACADEMIC RESEARCH AT THE COUNTY FOREST OFFICES**

Abuto George Omolo

C/O National Defence College -Kenya

Warai North Road

P. O. Box 24381

Karen - Nairobi

Kenya

gabuto10@gmail.com

+254722976248

The Chief Conservator of Forests,

Kenya Forest Service,

P.O Box 30513 - 00100,

NAIROBI.

**RE: REQUEST FOR PERMISISION TO UNDERTAKE AN ACADEMIC
RESEARCH AT THE COUNTY FOREST OFFICES**

Reference is made to the Commandant National Defence College's Letter Ref No
NDC/A/141 of 10th November, 2022 and the NACOSTI Research License No:

NACOSTI/P/22/22325 of 28th November, 2022 (both copies attached herewith for ease of reference) regarding the above subject matter.

My area of thesis research assesses the Effectiveness of State-level forest Policies on Forest Security and Development in Kenya. The research designs to collect data within the target frame of the entire Country targeting County Forest Offices being the Forest policy implementation focal points.

This letter purposely therefore, requests your good office to allow me collect data by way of questionnaire administration to County Forest Coordinators that will instrumentalize the analysis and logical conclusion of this research.

I assure you sir that the Research once finalized will generate National policy recommendations that the College can share with Kenya Forest service if needed.

I thank you most profusely sir, for the grant of permission for research and the opportunity to study at this College.

Abuto George Omolo

Course Participant No 25/901 of 2022/23

NATIONAL DEFENCE COLLEGE

Encl; copy of the Questionnaire

ABUTO GEORGE OMOLO

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