

Participatory Forest Management in Kenya: Is There Anything for the Poor?

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This paper seeks to capture and explore the experiences of implementing Participatory Forest Management (PFM) in Kenya; how this may have changed the relationship between forest resources and local communities who live adjacent the forests; the extent to which local communities consider themselves part of the forest governance process; how this may have contributed to poverty alleviation; and the challenges that still need to be tackled by the forestry sector to contribute fully to poverty alleviation. One of the issues that the paper highlights is the inequitable manner in which forests are used to benefit only a few citizens and how this is expected to change with the introduction of the new forest policy and Forests Act 2005.

Introduction

The involvement of local communities in the management of forests through community forestry, participatory forestry, and joint forestry in specific countries and situations has heralded new thinking in the forestry sector. All these forest management approaches stem from national policies aimed at devolving forest governance from the center to local levels. Two specific issues linked to this new approach come into play in this context: improvement of forest biodiversity (Warner, personal communication) and alleviation of poverty among forest-adjacent communities (Colfer 2005). The extent to which they have been achieved varies from country to country and depends on the situation under consideration (Ribot and Larson 2004). There is therefore no uniformity in the way in which the benefits and costs of involving local communities in the management of forest resources may be considered. This paper discusses the situation in Kenya, which is representative of many countries in tropical Africa. In almost all of these countries, new policies and legislations are being either evolved or implemented to enhance the participation of local communities in the management of forest resources (Wily 2002). According to Wily (2002), the implementation of such policies and legislations is at different levels in nearly all African countries.

The Precursor for PFM

From the late 1970s to the early 1980s there was unprecedented accelerated destruction of forests in Kenya, which to a large extent was blamed on lack of appropriate and all-inclusive forest policy and legislation. The policy and legislation used to manage forest resources were developed in 1957 by the colonial government, and changed only slightly after independence in 1968 (GOK 1994). The policy and legislation concentrated authority to govern the country's forest resources in the hands of the Government excluding many other stakeholders who had interest in the forests. This approach to forest governance was largely considered to be repressive and inconsiderate to less advantaged members of the various communities living in Kenya. Thus local communities yearned for policies and laws that would recognize and include them in the governance of the country's forests

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The move to develop a new forest policy and law started with the introduction of the Tropical Forests Action Plans, which saw many countries developing new strategies to improve forestry governance and hence reduce forest destruction that was proceeding at alarming rates, especially in the tropics (GOK 1992). In Kenya, this culminated with the development of a strategic plan for forestry development in 1994 (GOK 1994). The plan reviewed the forest management situation in the country and recommended various management strategies, including the development of a new policy and law that would make forestry governance all inclusive and not a preserve of the Government.

Even though it was expected that the new policy and law would be implemented then followed quickly in order to halt forest degradation, it took another 10 years before a new policy was put in place and a further three years before the Forests Act came into being (GOK 2007; Walubengo 2007). Thus the new policy was released in 2005, while the new legislation came into effect in 2007. The delay in their development is a demonstration of the vested interest in the forestry sector, which had dogged pro-poor and pro-people forestry governance in Kenya. This is further demonstrated by the fact that despite the finalization of the new policy and legislation for the governance of the forestry sector, the necessary rules and guidelines are yet to be finalized by the Minister in charge of forests (Ongugo and Mugo 2007).

Community Versus Government

Participatory Forest Management (PFM) was introduced to Kenya mainly as a result of pressure from local forest-adjacent communities and civil society organizations led by research scientists who had been working on alternative approaches to reduce forest destruction. This was due mainly to the benefits accruing from the management approach that had been employed in Nepal and India (Ghate 2004). The alternative approaches were to be a major departure from the government-centered approach that basically targeted the production of industrial wood as opposed to the provision of forest goods and services for the benefit of local communities. These people depend on the forests to meet their livelihood needs such as fuelwood, construction poles, fodder, medicinal plants, and fruits (Ghate 2004).

The aforesaid initiatives for change had been necessitated partly by the need to stop the escalating destruction of natural and man-made forests that had been increasing under the old forest policy and law; and partly by the need to open democratic space for local communities to take part in forest governance. One of the major reasons presented for the escalation of forest destruction was lack of community involvement in the management of the country's forest resources, especially people who lived adjacent to them. Due to demands from local communities, the Government yielded to their pressure and allowed local communities and civil society organizations to try the alternative management approach in one of the major forests in the country, Arabuko-Sokoke, without the support of appropriate policy and law, but only on a pilot basis.

This was a case where an alternative management approach involving community participation as opposed to command and control management (with the Government as the sole player) was being introduced without an appropriate policy and law to support it. In some cases, it was referred to as an illegal management system. Piloting the involvement of local communities in the management of forest continued for 10 years before the new policy and law came into being. This pilot case became a major source of inspiration to government planners and managers alike in the process of developing the new policy and law. Apart from the delays in the development of the new forest policy and law, many links can be observed in the manner in which national elections affect the evolution of thoughts that affect forest management in the country.

Forests and Change of Government

The links between general elections and the condition of forests in Kenya have been well documented (Klopp 2000). As forest land is one of the only remaining natural resources that the Government owns on behalf of the people, it is the most readily available resource for the Government to use in influencing voters to vote for the incumbent government during general elections (Klopp 2004). The use of forest land in the form of plot allocations or promises for future subdivision in order to settle landless people has often been carried out to lure votes for the incumbent leadership in Kenya (Klopp 2004).

When Kenya held general elections in 2002, using forest land for the resettlement of landless people was promised, especially in densely populated areas such as Mau, Mount Kenya, Mount Elgon, and Aberdare Ranges, which are important water catchment areas. Even though the general elections culminated in a change of government from a political party (the Kenya African Union—KANU), which had been in power for the last 40 years to a coalition of several parties (National Rainbow Coalition [NARC]), the problem of landlessness still persists in the country and this may be used again as a bait for votes from the areas mentioned during the forthcoming general elections.

One of the promises that the in-coming NARC Government had made was to introduce new legal dispensation, including a new constitution and new laws which, *inter alia*, would involve people in the management of the country's natural resources, including the remaining natural forests; in addition to their participation in the affairs of the Government (Klopp 2004). After the general elections, communities and the civil society organizations continued with their demand for better policy and laws for the forestry sector in line with the changes that were already taking place in the sector, and also to reduce escalating forest destruction that was continuing unabated in the country despite the newly elected government. It was therefore imperative for the incoming government to try and fulfil, albeit in some form, some of the pledges that it had made to the people of Kenya, hence the new forest policy and law were eventually completed and placed in the public domain.

The new policy was completed in 2005, while the new legislation to support the implementation of the new policy was enacted in February 2007. The proposed constitution was debated in 2005 and shelved after the majority of Kenyans rejected it during a national referendum conducted in the same year. The new forest policy and law are therefore being implemented in the absence of a supportive devolved constitution.

Legal PFM Implementation

The new Forests Act 2007 recognizes the role of communities in the management of the country's forest resources and encourages their involvement as either co-managers or contract managers of the forests. According to Article IV, Section 46 (1) of the law, communities that are the users of particular forests can be involved in the management of such forests only by forming community forest associations (CFAs). CFAs are considered as second-level community-based organizations (CBOs) formed by several CBOs with stakes in particular converging forests. The CFAs are also expected to converge and form what is referred to in the country as third-level or national organizations that can also grow to become nongovernment organizations (NGOs), capable of raising funds either locally or even outside the country. One under formation is the National Assembly of Community Forest Associations (NACOFA).

Some Milestones

The people of Kenya have yet to achieve all their objectives of involving communities in the management of forests. As mentioned by Wily (2002), embracing alternative management approaches that are not well appreciated by the status quo usually takes time and this is the case in Kenya's forestry sector (Thenya et al. 2007). It is important to recall that in the 1980s, through a new development planning approach, the District Focus for Rural Development, devolution of forest management from the center to lower levels of administrative structures was tried but did not succeed (Ongugo and Njuguna 2004). It is the hope of the forest-adjacent communities that the devolution process now based on a legal dispensation will be implemented successfully.

New Institutional Arrangements

Because Article II Section 4 of the new Forests Act requires the Kenya Forest Service (KFS), the new parastatal that has replaced the Forest Department, to enter into agreement with CFAs to manage natural forests, the service, contrary to expectations from civil society organizations, is involved in the formation of the CFAs. The CFAs that have formed have developed draft management plans awaiting approval and signing between them and the KFS before they can be involved in the management of the proposed forests. As a result of the new policy and law, 100 CFAs have been formed from the conglomeration of various CBOs-

Capacity Building

Civil society organizations are currently involved in explaining the contents and implications of the new forest policy and law to the communities living adjacent to the country's major forest ecosystems in order to enhance their involvement. This is important because the new management approach needs to be supported by all those who are expected to implement it or even to be affected by it in one way or another. Field assessment results on how the local communities understand the implications of both the policy and the law show a varied way of thinking. While some consider it to be a new approach to managing forests, some members of the forest associations consider it a mechanism through which the ownership of forest resources in the country will change from the Government to the communities. This is dangerous considering that some forests in Kenya are important biodiversity areas whose condition not only affects the local communities but rather global communities generally. Constant education is therefore important as a way of ensuring that only the right management approaches and tools are employed in order to ensure that forest resources are not only managed well but also sustainably.

Monitoring of the PFM Implementation Process

Research is continuing to monitor implementation of PFM, mainly to assess its impacts on income levels among members of forest-adjacent communities, and especially individual household members among different gender; the way in which benefits and costs are shared between the Government and the community; and the impact of the new management approach on the forests. People will only become involved in activities that benefit them directly, therefore members of local communities will behave in a similar way. The success of PFM will only be assured if the benefits from managing forest resources also flow to the local communities. For this to happen, most of the forests where the management approach is being applied will have to be assessed in order to inventory their resources and how they can be managed and shared. This is still a grey area in the PFM approach, which will have to be dealt with before good results from PFM are achieved.

Democratic Governance of Forest Resources

By the 1990s, many people started agitating for democratic space and the need for democratic governance of the various sectors of the national economy (Thenya et al. 2007). Even though this was mainly concentrated in the political sector, other sectors such as the natural resource sector also joined the queue and many people demanded that their opinion should also be included when decisions affecting the sector were being discussed.

The introduction of multiparty democracy in Kenya in 1992 resulted in other sectors urging for space through legal amendments in order to participate in decision making in these sectors. The introduction of democratic space in the forestry sector has been one of the major achievements of PFM. However, there are some governance issues in PFM implementation in the field. These include the involvement of external forces rather than members of the communities themselves in the formation of CFAs. The key challenge is that the facilitators are not handing over or working as partners with the CFA. This curtails the development of the CFAs and by extension, the institutionalization of PFM. Another issue is the exclusion of indigenous local communities in the management of CFAs that are formed to manage PFM processes. In most cases, communities participating in PFM are those that have moved from areas far from the forest and settled adjacent to them; they are taking up leadership positions rather those who had all along lived adjacent to the same forests. According to Walubengo (2007), one reason is that most of the immigrants are better endowed with resources than longer-term residents. This is leading to PFM implementation where PFM benefits and networks are not distributed fairly among all the participants as well as manipulation of meetings and elections. In many forests, CFA leadership is being manipulated to suit the interests of facilitating organizations.

Even though election procedures in CFA meetings are elaborately set in their constitutions, they are not actualized because of lack of resources and where they are set, adequate awareness is not created, thus a few families control the executive committee or the elections are aimed at removing current office bearers who demand accountability rather than correcting bad governance.

PFM has introduced a governance system in the forestry sector that is witnessing communities demanding accountability from other stakeholders. Communities are encouraged to enter into partnerships with other organizations in project proposal development and implementation but their internal systems are not well developed to implement these programs. CFA level of accountability needs to be high so they can demand accountability from other stakeholders.

Even though PFM participation depends on both the community and individuals, the interests of either of these entities may vary and they need to be addressed at both levels. The success of community participation depends on meeting the needs and interests of participating household members. This calls for good governance practices at the household level where young people and women do most of the work while men do little, but they make almost all decisions.

Exploitation and Marketing of Forest Products

For a long time timber has been the so-called major product exploited from the forests (Seymour and Mugabe 2000; Thenya et al. 2007) even though the forest is a source of many other products and services. The introduction of PFM has heralded the exploitation of products that were considered minor and in some cases even uplifted them to surpass timber in value (Mbuvi et al. 2007). In Kenya, communities who live adjacent to the Arabuko-

Sokoke Forest and even the Government now obtain more benefits from the forest through butterfly farming and honey production than what was formerly obtained through the sale of timber (Mbuvi et al. 2007). There are three reasons for this change. First, more stakeholders are now involved in the exploitation of resources that accrue from the forest than earlier when only the Government through the Forest Department had the sole rights of exploiting one major product, timber. Second, butterfly and honey have better demand than timber. Third, the timber resources from the forest have been overexploited.

The move from exploitation of one product to the use of many products from the forest has even improved the value of the forest. This has generated other activities such as ecotourism: communities provide well-trained local guides and protection is provided through the game rangers employed by the Kenya Wildlife Service (KWS), who are the co-managers of the forest on behalf of the Government. The involvement of two government institutions sometimes leads to many conflicts—whereas the KWS focuses on the management of wildlife, specifically wild animals, the Kenya Forest Service (KFS) is mainly interested in plants and often views wild animals as a nuisance to their production interest (Ongugo et al. 2007).

Political Versus Social Capital

Participants at CFA meetings in areas where PFM has been introduced are usually divided into different categories—A, B, C, and D depending on their income levels. People in categories A and B (high income groups) contribute more to decision making than those in categories D and C (low income groups). From a study done in Kereita Forest by Mbuvi et al. (2007), only 44% of the members spoke in such meetings. Categories A and D were the least represented in elections.

While for category A it was by choice, for category D it was because they were poor and of low social status in the community. The rich have the means to attend but choose not to owing to other commitments but can still access PFM benefits by proxy or even by directly influencing the decisions of forest managers outside the meetings.

The implementation of the new Forests Act in Kenya requires that the KFS and CFA members are both involved in negotiating the management of forest resources based on management plans developed jointly between the two parties. However the executive committee members are more versed in these issues than others. It is expected that they will pass this knowledge to non-PFM members to influence them to participate in management. Instead of enhancing the political capital of the committee members, it is more prudent for the PFM facilitators to enhance the social capital of the CFA members. This again requires that the CFA members form networks among themselves and also with nonmembers who may have valuable experiences to share with them. Networking sometimes involves members being engaged in informal meetings, sometimes outside the PFM process.

There is a need to consider the views of the poor in PFM meetings in order for the poor to make decisions that influence how PFM can contribute effectively to the alleviation of poverty among poor households.

Some Challenges to PFM Implementation

Even though much has been achieved in the forestry sector by involving other stakeholders, notably, local communities in their management, much still remains to be done. There are many challenges that need to be addressed by the many stakeholders who are now involved in the management of the country's forests in order to achieve the expectations from those stakeholders who have now joined the Government in the management of forest resources. According to many observers and implementers of PFM in Kenya (Mbuvi et al. 2007), these challenges are being addressed by the experience gained by implementing changes in forest governance that have been made possible by involving communities in the management of forest resources. The KFS is also being encouraged to facilitate such involvement by completing the drafting of the required rules and regulations that clear some remaining grey areas in the Forests Act. There are five major issues that need to be addressed. They are discussed hereunder.

Piloting Without a Supporting Policy and Legislation

Even though the piloting of PFM in Kenya started in 1997, this was done in the absence of two vital documents, the new forest policy and the new Forests Act that entered into force in 2005 and 2007 respectively (Thenya et al. 2007; Walubengo 2007).

The other challenge to the implementation of the new management approach is that even though the policy and law have now been revised, this has happened ahead of the proposed constitution, which contains policies on devolution of decision making from the center to the lower administrative and management cadres. The policy on devolution is critical to the success of PFM in Kenya and implementing PFM in the absence of the proposed constitution may open the strategy to challenges from legal experts.

In addition, the subsidiary legislation, rules, and regulations necessary for implementing PFM have not been signed by the relevant minister in charge of forests in the country. Even though the writing of the rules and regulations has been completed, CFAs are challenging them on the basis that they were involved in the writing of the rules and regulations and hence they may not be bound to follow them.

CFAs and the New Forest Policy and Act

The enactment of the new Forests Act 2007 has resulted in many CFAs being formed. The formation of these new associations has often not followed the laid down procedures and hence they have been formed with varying expectations, some of which are not contained in the legislation. Many of the CFAs have been formed as CBOs such as women's groups whose formation is not based on the Societies Act, which is a requirement of the new Forests Act 2007. In one of the investigations carried out in Kenya to evaluate the reasons why individuals and groups were forming CFAs (Ongugo et al. 2007), it was found that some of them thought that the Government was to transfer the forests and forest lands for communities to manage. On further inquiry on how the CFAs would manage some of the forests, one of the most persistent answers was that they would eventually cut down the trees, sell the logs, and convert the forest lands to agricultural land (Ongugo et al. 2004). This shows that some members of the CFAs expect to convert forests to cultivation of food crops for sale and consumption.

These findings show that much work is yet to be done in order to explain the content, meaning, and implication of the law encouraging the involvement of communities in the management of natural forests. Hence, the Government and civil society organizations need to explain to the CFAs the meaning of their involvement in the management of adjacent forests. Such an explanation would also include government expectations on community roles, and what costs and benefits to expect from such involvement.

Capacity of CFAs to Manage Forests

Communities may not have the capacity to manage forests especially in the absence of a rigorous state-led training program on silvicultural procedures necessary in forest management procedures. For example, one condition for communities to be involved in the management of adjacent forests through CFAs is that they must develop a management plan for such a forest and the plan must be approved by the Director of the KFA, the Government body charged with the management of all forests in the country.

Improvement of Governance of CFAs

Even though it is inadvisable that the Government, through the KFS, should form the CFAs directly, it should be involved in this activity indirectly by providing policy guidance and through monitoring of the process in order to ensure that the associations are formed and managed democratically. This would not only enhance their contribution to the management of forest resources but would also ensure that they contribute to the improvement of the condition of the forest resource indirectly by controlling any excesses that may result from activities of the forest service.

Improvement of Marketing Capability

The democratization of forest governance alone may not make forest management pro-poor. Rather, the extent to which the new management contributes to the well-being of local forest-adjacent communities is what will count even more. The sale of products from the forests being managed and the way in which the money obtained from the sale of such products is distributed between the communities and the Government on the one hand and among the different members of the communities on the other will help alleviate rampant poverty in forest areas.

Conclusions and Way Forward

From this paper, many conclusions that relate to the way forests are managed through the new paradigm of community involvement can be made. Four major areas are highlighted that require attention, taking into consideration the Kenyan situation, which is not different from that in many countries in which this new approach to forest management is being implemented.

Pro-poor Policy

The new forest policy and Forests Act may be considered as pro-poor because they advocate for the involvement of local forest-adjacent communities that are poor but are often excluded from any management strategies (Walubengo 2007). What remains to be demonstrated is whether their involvement will change their livelihood status in such a way as to make them less poor and eventually, even rich. This will depend on their ability to transform raw forest

products into goods that will attract premium prices in the market. Hence, the ability to process raw forest products through value addition and their capability to access markets for the processed goods and services will be of paramount importance.

Distribution of Management Costs and Benefits

Management of a resource such as a forest requires allocating sufficient resources for seedling production, managing the planted trees, policing them as they grow, and for the eventual processing and marketing of products. All these costs must be borne before benefits can accrue to management. The extent to which the Government will continue to absorb such costs and at the same time enable communities to benefit more substantially from the products will make community involvement in the management of forests more worthwhile. This again, is an issue which can be considered by the Government through the introduction of forest management subsidies, especially at the initial stages of community involvement.

Resolution of Management Conflicts

Involvement of more than one organization in the management of forest resources will definitely generate various conflicts. Development of conflict resolution capabilities within community organizations such as CFAs will enhance the governance of forests. The Government may also enhance conflict resolution by acting a referee rather than a player in the management process. This will ensure its neutrality in cases where disagreements may arise due to competition among different resource users.

Introduction of New Products and Markets

As indicated earlier, benefits from managing forest resources will be realized to a large extent when there are products that can be sold. Markets are as dynamic as demands from human beings. It is dangerous for forest managers to depend only on traditional markets and products. It is important that those who are involved in managing forest resources continuously develop new products and markets in order to keep abreast with new market challenges. This again will require training of CFA members. The private sector could play a major role by entering into partnerships with CFAs. Additionally, the Government being one of the major business players in any country could provide an enabling environment for such CFAs to develop new products and enter into new markets that were earlier unknown in the country.

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