Institutional Settings and Forest Conservation in Kenya: Multiple Gazettement Questions

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Abstract

The study explored the effects of various gazettements on the conservation of forests in Kenya with cases of Shimba Hills Forest in Kwale County, Marsabit Forest in Marsabit County and the Hombe Forest in Nyeri County. Multiple gazettement, which here can be defined as two or more forests with two or more institutions having separate policies and mandates, was studied to determine its implications for governance and conservation. The research examined the laws and regulations, formal (enactments and regulations) as well as informal (customs) that affect the conservation of forests in different gazetted forest areas in Kenya. The study utilised a qualitative approach, based on a case study design that was used to collect information by interviewing key informants (policy implementers) and conducting focus groups with the representatives of community-based organisations. The research establishes that the legal disputes between the Kenya Forest Service, the Kenya Wildlife Service and the Kenya Water Towers Agency are confusing, hence undermining enforcement and decreasing community confidence. Sacred groves, tree taboos and seasonal use rules are still practised, but are in many instances neglected through a formal planning process. The results signify the necessity to harmonise laws and to work closely with other agencies and to formally acknowledge traditional practices, or additional evaluation is needed to comprehend why some respondents mentioned that it would be better to roll back to single gazettement.

Keywords: *Multiple Gazettements, Forest Conservation, Governance, Community Participation, Institutional Coordination*

Introduction

The world has witnessed forests with various gazettements, including the Lake Tahoe Basin Management Unit (LTBMU) in the United States, the Daintree Rainforest in Australia and the Sundarbans in Asia, which have been mixed with successes and setbacks. The advantages of inter-agency cooperation in the management of water quality, biodiversity and recreation can be observed in the LTBMU, albeit the collection of overlapping mandates sometimes contributes to limitations in enforcement (Evans et al., 2022; Magee, 2015; Kocher & Cobourn, 2007). The Daintree Rainforest provides an example of how well-developed stakeholder involvement can lead to better conservation results, though it has to face the issue of land-use pressures and conflicting interests between local communities, tourism and conservation movements (Melhim et al., 2024). Shared governance between India and Bangladesh has helped to maintain the vital mangrove ecosystems in the Sundarbans, avoiding the jurisdictional complications and the ongoing risk of human-wildlife conflict (Khan et al., 2020; Sievers et al, 2020; Begum et al., 2021).

The example of the Taï Forest, Bwindi Impenetrable Forest in Uganda, the Congo Basin Rainforest, as well as the Côte d'Ivoire forest, reveals the importance of institutional partnerships in the conservation and community livelihood balances within Africa. The inclusion of eco-tourism in the conservation strategies in Bwindi has helped biodiversity and the local economies, but has faced challenges of persistent poaching and lack of community benefits (Wanyera et al., 2022; Ampumuza, 2021; Hamilton, 2024). The example of the Congo Basin, a large transboundary ecosystem, highlights the necessity of multinational cooperation, especially in relation to combating illegal logging and equitable distribution of resources (Eba'a et al., 2021; Atyi, 2021). In the same vein, the Taï Forest emphasises the need to balance conservation objectives and agricultural development, in which community-based projects and Reducing Emissions of Deforestation and Forest Degradation (REDD+) programs can be a solution to sustainable management (Kouassi et al., 2021).

Forests in Kenya play an important role in the conservation of biodiversity, climatic stability and the livelihoods of people. However, there exist certain forests that are gazetted multiple times, a management style that makes the forests the wildlife parks as well as the forest reserves. This means that the same forest is managed by various agencies with different laws, policies and priorities. Although it can provide greater safety, it can also cause confusion and disagreements, as well as ineffective implementation of conservation regulations, as argued by scholars like Gichuhi et al. (2023) and Chisika and Yeom (2024). To illustrate the point, in Marsabit Forest, unlike in Kenya Wildlife Service (KWS), where protecting the forest is a priority, the Kenya Forest Service (KFS) focuses on sustainable forest use (Achieng et al., 2019). The Kenya Water Towers Agency (KWTA) is another layer that covers the role of water catchment and it is located with the two agencies.

The work of KFS, KWS and KWTA is guided by different laws (Forest Conservation and Management Act (FCMA) 2016, Wildlife Conservation and Management Act (WCMA) 2013 and Water Act 2016, respectively). Their directions are conflicting at times and this creates issues in conservation practice. Although there have been several gazettement objectives to promote conservation, this often leads to consecutive legislations and ambiguous duties (Chisika & Yeom, 2024). The ultimate result is the existence of gaps in enforcement, policy clashes and ineffective coordination. This leaves local communities caught in the middle because they are dependent on forest resources. Unlike them, who have an opportunity to use traditional or informal rules, it is sad that the formal policies do not fully acknowledge them, which scholars, including Wanyingi (2016), Ekalo et al. (2021) and Chisika and Yeom (2024), have taken note of. Indeed, the KFS Strategic Management Plan (20232027) acknowledges the existence of conflicting regulations as the primary threat to the sustainability of forests; the KWS Strategic Plan (20242028) addresses the same issues as a concern with wildlife conservation.

It has been discovered that forests with multiple gazettements always breed confusion between the legal requirements that the custodial agencies have, which results in the inability to efficiently coordinate and make decisions (Ostrem & Hvenegaard, 2020; Scott & Boyd, 2023). Poor financing and competition between institutions have also contributed to this problem, which diminishes the impact of conservation (Khan &

Giessen, 2021). These are relevant to Kenya, where a number of institutions that serve different objectives are engaged in ruling.

Research in Africa indicates that traditional regimes have been supporting biodiversity, including restrictions on harvesting and rotational grazing (Ichikawa, 2021). This is analogous to the situation in Kenya, where, in places where forests are nearby, e.g., the example of Shimba Hills, particular species of trees are culturally tabooed, informal rules, such as harvesting season, spiritual taboos and sacred groves, still pollute conservation (Bwong, 2017; Wanyingi, 2016; Nyanje et al., 2024; Kihima & Musila, 2019). In these approaches, the community knowledge is portrayed as being helpful to forest stewardship to date. However, the literature highlights growing tensions where formal conservation regulations restrict established practices, which reduces the level of cooperation in the community and creates unintended access to illegality (Ekalo et al., 2021; Mondal and Das, 2022; Miezan, 2013). These institutional dysfunctions indicate the spheres where informal and formal governance are not entirely incorporated, especially in multi-agency-managed forests. They also indicate that it is important to have a more comprehensive exploration of the functioning of rules in real-world scenarios.

Despite the focus on such practices of customary or institutional conflict in these studies, there remains a lack of information regarding the reality of the interactions between the formal and informal rules in the Kenyan forests that are under multiple gazettements. In particular, there is scant information regarding the impacts of these interactions on general conservation outcomes in other ecological contexts, community relationships with custodial agencies and enforcement. In the backdrop, the research proposes the analysis of rules and regulations, whether formal (laws and policies) or informal (customary practices) and the influence of these factors in conserving forests in multiple gazettement areas in Kenya. The study area of the study will be three forests in Kenya whose areas are gazetted: The Shimba Hills, Marsabit and Hombe Forests. The following issues are important in enhancing forest management: understanding the functioning of the rules in environmental gazettements and the way these rules interact in numerous gazettements. The outcomes of the study guide the policy makers to streamline the legislation and acknowledge the importance of community traditions on conservation. The results can also be used as scholarly information on the impact of various rules on conservation.

Theoretical Framework

This study was informed by the Institutional Analysis and Development (IAD) Framework, created by Elinor Ostrom and her followers (Ostrom, 2019). The framework is especially appropriate in the analysis of governance systems, institutionalisation and effectiveness in policies in common-pool resources management, including the case of government forests. The IAD Framework focuses on the rules-in-use, both formal and informal, that regulate the interactions of humans and the management of resources (Ostrom, 2019). The IAD Framework provides a systematic means of assessing the intricate interplay of actors, rules and institutional changes in the case of forest conservation in the various gazetted regions in Kenya (Figure 1). It allows a breakdown of the decision-making authority, responsibilities and resource utilisation in custodial agencies like the KFS, KWS and KWTA. This is essential in determining the impact of the intersecting mandates and competing priorities on conservation results, livelihoods of the communities and the security issues at large, including water management, economic sustainability and conflict management.

Figure 1

Components of the IAD Framework
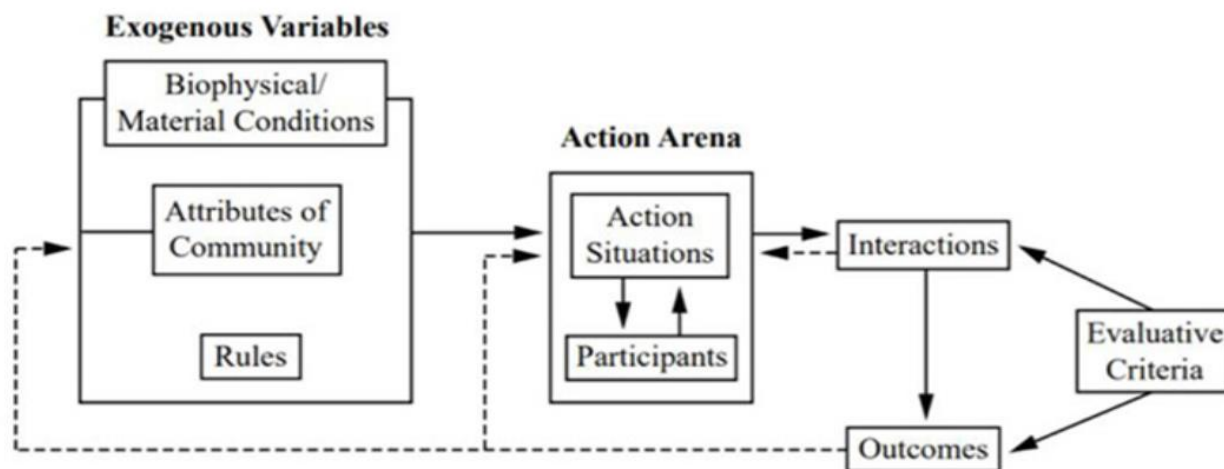
Source: Ostrom (2019)

Methodology

Research Design

The study adopted a qualitative case study design. This was the best method given that the study aimed to investigate the meanings of interpretations and experiences of various stakeholders in forest governance at the field level and the three forest cases in Kenya, namely the Shimba Hills Forest in Kwale County, Marsabit Forest in Marsabit County and Hombe Forest in Nyeri County. All these forests are gazetted and various institutions manage them, including the KFS, KWS and KWTA. All forests deal with the local communities that carry on with traditional practices to affect the conservation efforts.

Sample Size

The population of interest was people and organisations that are engaged in the governance of forests or those who are directly impacted by decisions relating to management. These were state officials, the representatives of the non-governmental organisations, the representatives of the community-based organisations and the members of the communities residing near the forests. Overall, 13 key informants and six focus group discussions were used to collect data (53 participants, 29 men and 24 women). The sample was diverse enough to represent a broad spectrum of opinions.

Sampling Procedures

Respondents were selected through purposive sampling and were people who had the related experience and knowledge in the field of forest governance. Custodial agencies (KFS, KWS and KWTA) and leaders of Community Forest Associations and respected local elders were also used as key informants. The participants of the focus group were chosen among the members of the local community, who interact with the forest both with the help of formal rules and according to traditions.

Data Collection Methods

Data collection was guided by two primary tools, namely Key Informant Interviews (KIIs) and Focus Group Discussions (FGDs). KIIs were also directed at the government officials and representatives of the NGOs in order to learn their interpretation of the formal rules. FGDs focused on local community members and the representatives of CFA to learn how they adhered to traditional practices and informal rules.

Data Analysis

The thematic analysis was applied to the collected data. This entailed reading and systematising the interview and discussion transcripts into major themes, including the implementation of formal rules, conflict between overlapping laws and acceptance of traditional conservation practices. The strategy facilitated the determination of trends within the three areas of the case studies.

Ethical Considerations

In the study, ethical standards were observed. They were volunteers and the purpose of the research was explained to the participants. Data collection and reporting were performed without taking into consideration confidentiality and privacy. The Kenya Forest Service, Kenya Wildlife Service, Director of Postgraduate Studies at NDU-K and National Commission on Science, Technology and Innovation (NACOSTI) gave the required approvals. The research also upheld cultural practices and processes in individual societies.

Findings and Discussion

The information was obtained with the assistance of two interviews with 13 key informants and six focus group discussions (FGDs) that included 53 respondents (29 men and 24 women). As to the KIIs, four were interviewed in Marsabit, 5 in Shimba Hills and 4 in Hombe forest. There were two FGDs per forest site, one of which had male respondents and the other female respondents. Demographic profile of the FGD respondents, such as sex and age, gave valuable information on how various stakeholders viewed conservation issues and offered solutions to conservation problems in most of the gazetted areas. The respondents of FGD were distributed as follows in terms of sex and age, as summarised in Table 1:

Table 1

Distribution of FGD respondents in terms of sex and age

Sex	25 – 34 years	35 – 49 years	50 and above	Total
Male	10	11	8	29
Female	6	13	5	24
Total	16	28	9	**53**

Source: (Researcher, 2025)

The gender distribution also had a significant impact on the attitude towards forest governance. Out of the 53 FGD respondents, 55 per cent were men and 45 per cent were women. Women were primarily concerned with limited access to forests, which was an important subsistence event, like firewood gathering. Men, on the other hand, emphasised governance inefficiencies, conflict between agencies and policy maladjustment as some of the significant barriers to conservation. The difference depicts gender roles in the use of resources and

decision-making, where men, on occasion, participate in formal governance systems. By contrast, the interests of women are more directly related to the livelihoods based on forests, which are dependent on them daily.

The age of the respondents was between 25 and 65 years, which revealed their attitude towards conservation policies. Younger respondents (25- 34 years old) tended to endorse the new conservation programmes, such as eco-tourism, participatory forest management and technology-based monitoring. The 34-49-year-olds, who have the responsibility of taking care of their families, were those who had the most common position on the use of forest resources and benefit-sharing strategies and all these aid in the provision of livelihoods to their dependents. Conversely, the elderly respondents (over 50 years) vastly preferred the conventional methods of governance, such as community-based conservation and customary governance. This generation gap indicates a dynamic change in forest management whereby young generations are inclined to market-driven conservation incentives and old generations are inclined to historical management of their community. The results and discussion of Marsabit, Shimba Hills and Hombe forests are provided below.

Marsabit Forest

The Marsabit Forest governance shows the difficulties in balancing the formal and informal rules in various gazetted regions, as summed up in the results below. These findings mirror the trends at the international and regional levels.

According to the respondents, one of the factors that makes wildlife rules more rigid than the forest law is that the communities are allowed to engage in such activities. However, numerous local activities are blocked (KII 3, Marsabit). They also reported that, when wildlife policies take the place of forest agreements community rights are made to feel that they are mere paper work and this is the same case with Marsabit which historically has been governed by various legal regimes, including the Forest Act Cap 385 and the Forest Act (2005), which initiated the concept of participatory forest management (PFM). However, the WCMA (2013) put in place more rigid conservation of biodiversity, especially in the Marsabit national park, which restricts access of communities to important resources, which is one of the concerns expressed by the majority of respondents. This is reminiscent of the problems in the Taï Forest in Côte d'Ivoire, where, as Miezan (2013) points out, the National Parks and Nature Reserves Law limits the access of the locals, which frequently conflicts with traditional customs such as taboos against overhunting and harvesting of sacred trees. These strains reiterate the importance of improved integration between formal and informal systems of governance.

The Marsabit rules have been an important part of the management of resources. Respondents noted that the Gada system has continuously dictated our way of grazing and this prevents excessive use of the forest (FGD 2 Participant, Marsabit). Ecological and spiritual in nature are some cultural taboos that are used to preserve sacred trees like *Olea africana* and *Ficus sycomorus*. According to the commentary of one of the community members, these traditions serve to guard the land, even in the absence of government officers patrolling (FGD 1 Participant, Marsabit). Such activities are similar to those in the Taï Forest and the Daintree Rainforest, where native peoples use taboos and rotational harvesting that help to advance the idea of sustainability (Vallelonga, 2024; Miezan, 2013). Nonetheless, they were feared by the respondents who felt that there were youths who neglected the traditional practices due to their ignorance about the formal laws (FGD 1 Participant, Marsabit) and modernisation and formal conservation systems are taking over these informal systems. Restrictions in WCMA (2013) also have disrupted grazing patterns and customary ceremonies in Marsabit, as is also the case in the Congo Basin with the creation of the protection areas, as observed by Tondele (2021).

Table 2

Key Findings on Marsabit Forest

Forest Area	Rules	Key Insights	Challenges	Recommendations
Marsabit Forest	Formal rules	Formal Rules like the FCMA promote participatory forest management and user rights, while the WCMA enforces stricter wildlife conservation measures, often leading to conflicts.	Conflicts arise from overlapping mandates of FCMA and WCMA, a lack of a protocol for grazing/firewood collection and the absence of a benefit-sharing policy. Informal rules are at risk of erosion due to limited recognition.	Harmonise FCMA and WCMA provisions, develop benefit-sharing policies and integrate traditional practices into formal frameworks. Enhance awareness among community members and state actors to reduce conflicts.
	Informal rules	Informal rules, such as sacred groves and the Gada system, guide sustainable practices and grazing management but are undervalued by formal institutions. Cultural practices protect sacred species, enhancing conservation efforts.		

Source: Researcher (2025)

There is a high level of coordination and enforcement hurdles in the formal governance structures in Marsabit. According to the respondents, KWS and KFS do not necessarily decide on the permissibility of what is to be approved and that is decelerating everything in the management of access rights to forests (KII 2, Marsabit). The same ruling issues can be observed in the LTBMU, with the USFS and the TRPA having overlapping mandates, which postpone important interventions like forest restoration projects (Maxwell et al., 2022). Moreover, the respondents also mentioned that it is difficult to prevent illegal grazing and cutting of trees due to resource shortages, which left parts of the forest exposed to illegal actions (KII 4, Marsabit). Such issues are also familiar with the Congo Basin, where Shapiro et al. (2021) and Beekmann et al. (2024) observe that inefficient coordination and insufficient funding support illegal practices in the protected regions.

Against these hurdles, the respondents highlighted the possibility of the incorporation of traditional practices into institutional governance. They proposed that the sacred location identification, as well as integrated

rotational grazing in their land management schemes, would be able to establish trust and collaboration among the groups and state agencies (FGD 2 Participant, Marsabit). The method is consistent with collaborative management in the Daintree Rainforest, whereby the co-management arrangements incorporate Indigenous activities, including cultural burning, into conservation management plans (Vallelonga, 2024). Equally, the governance of Marsabit Forest may be enhanced by the acknowledgement of customary norms and legal rules on conservation like those used in the successful community forestry programmes in the Congo Basin that incorporate a combination of local knowledge with legal frameworks (Ichikawa, 2021; Miezan, 2013). The rule of Marsabit by several gazettalments offers a greater understanding of the IAD framework, where the interaction between the institutional arrangements and local agency of conserving forests is referred to. According to the concept of institutional fit in the framework, it is proposed that, based on aligning the governance structures with the local socio-ecological contexts, boosting the sustainability outcomes is achievable. According to one of the respondents, it is essential to bridge the divide between state and community efforts by participatory means in order to ensure long-term conservation (KII 3, Marsabit).

Shimba Hills Forest

Findings at Shimba Hills Forest indicate the challenges encountered when coming up with a balance between formal and informal governance systems on the various gazettement, as illustrated in Table 3 below. An example of the activities that have been regulated by the FCMA (2016) to allow community access to the forests includes beekeeping and firewood collection, which is in line with the objectives of participatory forest management (Bwong, 2017). The results, however, indicate that these consumptive utilisations conflict with the WCMA (2013), which gives more emphasis on biodiversity conservation and limits user-rights activities in the Shimba Hills National Reserve. According to respondents, people are aware that FCMA provides them with their rights, but WCMA prevents them from exercising the rights (FGD 2, Shimba Hills). The next important informant articulated that, according to the forest law, there is some permitted community use, yet there are wildlife procedures that prevent nearly all the activities within the park (KII 1, Shimba Hills). Similar tensions are reported in Sundarbans by Mondal and Das (2022), Islam (2024) and Mahmood et al. (2021), where opposing legislation between Bangladesh and India is disrupting traditional fishing and honey picking, which leads to the collision between conservation objectives and local livelihoods.

Shimba Hills has informal systems of governance that are deeply rooted within the cultural practices and are to be complemented by the formal systems, but not fully used. The sacred groves (e.g. Kaya Kwale) and the taboos of cutting trees (e.g. Mvule and Mbambakofi) are examples of conservation of biodiversity by the local Digo and Duruma communities. It is true, as one respondent confessed, that the Kaya forests are sacred; nobody has the right to cut a tree or even hunt there (FGD 2 Participant, Shimba Hills). The other community member also inserted that there are places that are sacred, such as Baraza Park and therefore even kids know not to play around with it and destroy anything (FGD 1 Participant, Shimba Hills). This failure to be formally recognised is, thus, a hindrance to forest conservation and is in line with difficulties in Bwindi Impenetrable Forest, where Twinamatsiko et al. (2024) and Kokunda et al. (2023) highlight that the Batwa traditional norms are in line with conservation objectives. They are, however, subverted by the formal laws that disenfranchise them from ancestral lands. In short, informal practices should be incorporated into formal systems, which may close the gaps in governance and improve the conservation outcomes.

Table 3

Key Findings - Shimba Hills Forest

Forest Area	Rules	Key Insights	Challenges	Recommendations
Shimba Hills Forest	Formal rules	Formal rules include the FCMA, the WCMA and localised policies such as the County Government Act.	Conflicts between FCMA and WCMA regarding consumptive vs. non-consumptive practices hinder conservation efforts. Informal rules are undervalued and lack formal integration. Delayed SHEMP implementation and inter-agency conflicts further disrupt conservation.	Integrate informal practices into conservation policies, define resource-use protocols and strengthen collaboration between agencies. Accelerate SHEMP implementation and ensure community inclusivity in decision-making.
	Informal rules	Informal rules, such as Kaya sites and culturally significant species like Mbambakofi and Mvule, play a significant role in conservation. For example, Baraza Park is a culturally protected area where tree cutting is forbidden. Kaya sites are spiritual areas and trees in these locations, such as Mbambakofi, Mvule, and Mfune, are never cut.		

Source: Researcher, (2025)

Inter-agency conflicts also mar the governance in Shimba Hills. According to the respondents, the problem was that Agencies contend over who was to sanction community activities, which slows conservation work (KII 5, Shimba Hills). They also stressed that SHEMP took a long time to get going and that the benefits are yet to be felt (FGD 1 Participant, Shimba Hills). The conflicts can be compared to the problems in LTBMU, where Maxwell et al. (2022) state that coordination issues between the agencies, like the U.S. Forest Service (USFS) and the Tahoe Regional Planning Agency (TRPA), prevent successful management. Failure of the FCMA and WCMA provisions in Shimba Hills to align in time exposes the key areas to unlawful acts like unregulated firewood harvesting, which would eventually sabotage conservation. This can be compared to the Congo Basin, which Shapiro et al. (2021) attribute weak application of overlapping laws as a cause of unsustainable conservation activities.

Despite these problems, Shimba Hills has the potential for adaptive governance. The respondents pointed out the need to have clear guidance and less conflict by ensuring that the agencies can collaborate (KII 3, Shimba Hills). They further said that official acknowledgment of cultural practices, e.g. preserving sacred sites, may result in better conservation practices (KII 1, Shimba Hills). This is in contrast to the effective co-management in the Daintree Rainforest, where Vallelonga (2024) reports that the incorporation of Indigenous practices, like cultural burning, in the formal strategies makes the collaboration stronger. Similarly, the revenue-sharing initiatives in Bwindi, where tourism incomes are given to the communities as a percentage of revenue, demonstrate how formal-informal incorporation may be used to motivate the community to engage in conservation initiatives (Christopher & Felex, 2022; Bitariho et al., 2022). In the case of Shimba Hills, fostering agency and community partnerships would aid in streamlining resource-use policies within the SHEMP framework.

Hombe Forest

Similar to Marsabit and Shimba Hills forests, Hombe Forest symbolises the issues surrounding the interplay of both the formal and informal governing authorities, as shown in Table 4 below and depicts the issues and prospects of having to manage forest resources amongst multiple-gazetted forests. The management of the Hombe forest has conflicting mandates as it is governed by the FCMA (2016), the WCMA (2013) and the Water Act (2016). The FCMA permits local CFAs under the guidance of the FMA to enjoy consumptive activities like firewood collection and grazing under the PFMPs. The WCMA, on the other hand, focuses on the conservation of biodiversity, especially in the Mt. Kenya National Park. Participants stressed the tension that arose and one of them stated that, according to the forest law, we have permission to collect firewood and graze. However, the wildlife officials have been caught halting us altogether (FGD 1 Participant, Hombe). This difficulty was evidenced by another who said that the KWS officers bully us, even when we are playing in the forest, as KFS did. This conflict is similar to Sundarbans, where, as Islam (2023), Mondal and Das (2022) and Vivekanandan (2021) note, confusing rules in Bangladesh and India render adherence quite cumbersome and tension between governments and society.

Similar to Marsabit and Shimba Hills forests, informal governance has been promoting sustainable activities in Hombe Forest in the past. Within local societies, mainly the Kikuyu, sacred groves and culturally significant tree species, including the Mugumo (sacred fig), were conserved by local customary rules. According to one of his respondents, Mugumo is sacred and no one cuts it here (FGD 2 Participant, Hombe). However, these practices are feared to be in line with conservation interests; however, formal government organisations usually subvert them. A respondent expressed this clearly when he said that our traditions assist in preserving the forest despite the absence of government patrols, but the rules set by the government fail to recognise these efforts (FGD 2 Participant, Hombe). This failure to integrate is similar to Taï Forest, where Toni and Koffi (2023) explain that informal taboos and spiritual practices that conserve biodiversity are still not fully exploited in formulated conservation policies.

However, there are also informal activities in Hombe Forest that are threatening the integrity of the ecosystem. One such example is smoke honey harvesting that sometimes leads to forest fires and incompatibility with official conservation programs. One of the respondents has accepted this issue and pointed out that harvesting honey by the smoke can burn the trees, thus the community should have other safer methods to carry out their traditions (KII 1, Hombe). Respondents also highlighted that there must be Awareness campaigns to encourage sustainable traditional practices and curb destructive activities (KII 4, Hombe). Similar problems are defined by Vallelonga (2024), who presents the case of the Daintree Rainforest, where the traditional burning methods are now managed as a part of the conservation plans to mitigate the risks without destroying the cultural background. Hombe Forest can reduce the number of conflicts and promote better governance through awareness creation and engagement of conservation authorities and communities to work together.

Table 4

Key Findings - Hombe Forest

Forest Area	Rules	Key Insights	Challenges	Recommendations
Hombe Forest	Formal rules	The FCMA allows consumptive use, while the WCMA emphasises non-consumptive conservation.	Conflicts occur over grazing/firewood collection, harassment of CFA members by KWS and undervaluation of cultural conservation practices.	Establish grazing/firewood collection protocols aligned with FCMA and WCMA.
	Informal rules	Informal rules, such as the protection of sacred trees like Mugumo, complement formal policies. Some traditional practices, such as using smoke to collect honey, result in conflicts as they cause fire that destroys the forest and wildlife habitat	Practices like smoke-based honey collection start forest fires, harming ecosystems.	Formally recognise informal practices in the PFMP and train enforcement officers to respect community agreements.

Source: Researcher, (2025)

The IAD framework shows the importance of harmonising rules-in-use in both formal and informal systems to achieve effective governance. The insufficient association between the consumptive use and the rigid conservation strategies of the FCMA and WCMA in the Hombe Forest highlights the necessity of equivalent measures. Just as one respondent mentioned, there must be one rule that governs both the grazing and the firewood harvesting so that we do not receive varying orders with each agency (KII 2, Hombe). An additional respondent also stated that the officers should receive additional training to know they have rights and should not treat them as criminals (FGD 1 Participant, Hombe). Tighter coordination can hence lessen conflicts and enhance understanding of each other amongst institutions and forest societies.

Conclusion

As a matter of fact, the results validate the thesis that gazettement of forest conservation in Kenya in various conditions is complex due to the overlapping of legal requirements and institutional competition, in addition to the marginalisation of traditional knowledge systems. Although there are formal rules that are put in place to guide sustainable forest use, the research finds loopholes in harmonising them. KFS, KWS and KWTA are seen to work most of the time independently and at intervals, against each other, a case which undermines the success of conservation efforts. This directly answers the research question by highlighting how the formal rules in several forests that are multiple gazetted interact in a manner that inhibits successful conservation. At

the same time, it is also encouraging to report that informal regulations that have been incorporated into the community tradition encourage conservation actions that are directed to the sustainability objectives.

Unfortunately, the study establishes that the policy of national forests or the agency processes cannot support such practices. Their little inclusion reduces their influence and increases their disappearance. This result answers the research question because it demonstrates that informal rules are still underexploited even though they have been proven to be beneficial in protecting forests. Ultimately, the three core shifts, including legal harmonisation, inter-agency coordination and formalisation of traditional conservation knowledge, are the keys to successful forest conservation under multiple gazettement. Hence, the research validates that there is a need to strengthen the connection between formal and informal governance regimes to enhance conservation outcomes, which was the main question that informed this study. These approaches, when combined with a revival of the idea of reverting to single gazettement, can be jump-started as informed by the prospective studies on the feasibility.

Recommendation

According to the findings of the study, conservation institutions that operate in various gazetted areas should prepare an Integrated Ecosystem Management Plan to facilitate the decision-making process among the agencies. Concordance between the formal policies and community conservation practices can help in enhancing conservation effectiveness and reducing conflicts. These actions, when integrated with reverting to single gazettement, can be given a kick-start as suggested by future research discussing the possibility.

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