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Rediscovery of Limited-Purpose Policing in East Africa: The Case of the National Parks and Wildlife Services

James S. E. Opolot

Texas Southern University, Opolot_JS@tsu.edu

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James S. E. Opolot Texas Southern University

Abstract

The rediscovery of limited-purpose wildlife police units in East Africa—Kenya, Tanzania, and Uganda—has slowly but steadily gained attention of criminologists and law enforcement experts in Africa. This article traces some strands of this development. It does this by critically reviewing the literature on both the regular, traditional policing, and the special-purpose wildlife police units. The review clearly demonstrates several criminological concerns such as limited utilization of concepts, theories, and paradigms as gleaned from the literature on regular, traditional policing and special-purpose wildlife police units; unavailability of relevant information and data in the gray areas; and suggests the adoption of community policing concept as a solution to this problematic situation for a comprehensive police reform.

Keywords: Community policing, limited-purpose police, traditional police force, national parks and wildlife services

Introduction

There are several major deficiencies in the literature on the regular, traditional policing, on one hand, and that of the special-purpose wildlife police units, on the other, in East Africa consisting of Kenya, Tanzania, and Uganda. These deficiencies come from the current mismatch between the two sets of literature. For example, criminologists have focused almost exclusively on the conventional crimes and the regular, traditional police forces since their establishment by the British colonial authorities. This tradition of the criminological inquiry has not been limited to East Africa; the situation is obtainable in other British colonies in Africa and elsewhere in the world.

On the other hand, non-criminologists such as anthropologists and natural scientists have examined illegal activities and wildlife police units as part of their research agendas. It is

in this frame of thinking that it will be possible to establish points of convergence, for instance, between the workings of the mainstream, traditional police forces and the wildlife police units. Obviously, it is in this way that an image of the grand mosaic of African policing will be created by new revisionists in the circles of the African criminology in the twenty-first century. To this author, mosaic is a hopeful as well as a forward-looking concept that signals a common identity.

The purpose of this paper is to examine special-purpose wildlife police departments in three East African countries; Kenya, Tanzania, and Uganda. Specifically, the analysis begins with a definition of wildlife police with an emphasis on its historical as well as contemporary relationship with the regular, traditional police force. This followed by an examination of the mainstream police force; a discussion of the establishment of the national parks and wildlife services, including management problems and initiatives designed to tackle these problems. The analysis concludes by recommending community policing as a new paradigm for future reform and initiatives.

Defining the Discovery of Wildlife Police Units in East Africa

The notion of "rediscovery" has gained ground in different forms of the literature ranging from the natural sciences to public administration. Its proponents share the view of a new realization to put into the front banner whatever has been relegated to the sidelines. For example, privatization in government resurfaced during the 1980s, thanks to the efforts of the persuasive world leaders like Ronald Reagan and Margaret Thatcher, former American president and former British Prime Minister, respectively. The practice of privatization is still in use in some countries.

In East Africa, the realization of an existing watershed between the mainstream, traditional regular police and the special-purpose wildlife policing became evident during the late 1980s and 1990s. This realization takes into account the relative importance of each of these forms of policing.

Renewed interest in wildlife in general and wildlife policing in particular relative to tourism picked up during the 1990s due to the efforts of the World Bank, the International Monetary Fund, and the nonprofit organizations (NGOs). To them and other environmental stakeholders, the actual and potential threats to the endangered species had to be dealt with.

Another major source of encouragement and continuing financial support is the establishment of the Nairobi-based Lusaka Agreement Task Force. It was created in 1996 in Lusaka, Zambia; Kenya, Tanzania, and Uganda are among the member countries, other member countries are Malawi and Zambia. Police chiefs or commissioners along with their top

assistants, regularly attend the meetings sponsored by the Task Force with the financial support of the United Nations Environment Program and/or Interpol. Examples of the major activities of the Task Force include the training and implementation of pilot projects pertaining to the use of technological applications in the detection and investigation of major environmental crimes such as smuggling of ivory.

An Examination of the Mainstream Police Forces

Since the colonial scholars and criminologists emphasized the study of mainstream African police forces, the colonial authorities were preoccupied with the notion of "public order" to control the ethnic groups—designed to keep them in their places in order to protect the establishment. This posture translates into what Das and Jiao (2005) describe as "management of various activities that disturb public peace by either overt or covert actions on various scales" (viii). Hodgson and Orban (2005) write that "Confining policing to traditions of law, and its real or symbolic procedures has become increasingly problematic given the legitimacy crisis of the state as defined by costs in rendering public services" (147). Sidelined were the police functions in the national parks and wildlife services. The study and analysis of this policing were relegated to, for example, the conservationists and environmentalists as the technical experts of their respective areas of profession. The National Parks and Wildlife Services appear to be perceived by the regular police practitioners as semi-autonomous and even as self-help entities from the law enforcement perspective. In this regard their forms of policing operate outside the requirements of the regular police. However, these postures have hardly been empirically tested for reporting in the literature. The consequences of this division of labor were enormous and naturally regrettable. For one reason, African criminology was denied opportunities and challenges in the production of knowledge.

For the purpose of this paper, the most salient features of the regular police include but are not limited to the core or primary functions of crime investigation, arresting suspects, traffic control, patrol, report writing, and court appearance for prosecution and trials. This approach contrasts with that of the limited-purpose police with auxiliary or support functions to those of the professional technicians in the national parks and wildlife services. Suggested here is the failure of the orthodox model in studying law and order (also equated with public security or social order) to incorporate the functions of limited-purpose police in question. Conversely, the literature on the regular police is schemed thereby leaving unexplained other components of law and order in East Africa since the colonial era.

The differences in spheres in which the regular police and limited-purpose police carry out their duties need to be spelled out, however, briefly. The regular police department has

often conducted its activities in both urban and rural areas. On the other, the limited-purpose police department usually works in the forests, national parks, rivers, lakes, and coastal areas of Kenya and Tanzania. Also it is only in the context of the latter duties that the notions of conservation and protected areas provided the impetus or the need for security and safety, not law and order. "The maintenance of law and order, paramilitary operations, regulatory activities, and regime representation," according to Potholm (1993), has been known as the primary functions of the police in Africa.

In explaining the routine activities of the regular, traditional police force, a theory by Shearing (1998, 1) now applies here in making sense of a series of premises summarized as follows:

- People commit crimes because the rewards of crime outweigh the rewards of the good life,
- The way to change this is to punish people when they commit crimes,
- This will make it clear to criminals and would-be criminals that crime does not pay, and
- When it is clear to everyone that crime does not pay, people and their possessions will be secure.

No doubt there have been flaws in the application of Shearing's theory in the real world since the colonial era. This is attested to not only in the continuing occurrences of crimes, but also in the increasingly distrust of the regular police by the masses in Kenya, Tanzania, and Uganda (Opolot, 2001).

One other major areas of consideration for contrasting the two categories of policing is the usual reference to the regular police forces as bureaucracies. In view of this, they had conspicuous characteristics such as ranks; specialization by tasks; record keeping; written rules and regulations; recruitment of potential applicants; selection procedures to identify candidates for basic training; in-service training often followed by promotion; and provision of housing and recreation for employees. These practices were outlined in the annual police reports. On the other hand, the wildlife police units were much less structured organizationally on the fringe of wildlife services. Often their lowest ranking officers had minimum training and, as such, did not have the status of police constables (or officers) in the national police force. There was little access to information about them and their units. Occasionally the anthropologists and natural scientists run into them upon being driven by events in the national parks and reserves.

It is important at this stage to point out that the regular national police departments in the three African countries have, since the colonial era, not been monolithic bureaucratic organizations due to their ever changing socio-political contexts. They even became more different from one another upon the demise of the East African Community, a regional political

organization during the 1970s. The common threats relative to policing in the national parks and reserves were eroded, making illegal activities such as poaching and smuggling of ivory relatively easy. In addition to this development, new national political agendas emerged. Kenya continued to be capitalistic, while Tanzania went socialist under President Julius Nyerere; Uganda got involved in successive dictatorial regimes including that of General Idi Amin.

Whether in Kenya, Tanzania, or Uganda, politics increasingly mattered in governmental policies as well as in bureaucracies including the police departments. However, the games played by the national leaders and individual heads of the police departments varied. In Uganda, the police force came to be subordinated under the military; political education as well as practice became a tool in Tanzania, while in Kenya political influence through arms twisting became the modus of operandi. The rescue toward reconciliation came upon the revival of the East African Community during the 1990s; it signaled a window of opportunity for police reform including that of the wildlife police units. This culminated in the establishment of the Lusaka Agreement Task Force as explained elsewhere in this analysis.

The Establishment of the National Parks and Wildlife Services

This is a development that requires lots of time and space due to the abundance of literature on the subject from non-criminological perspectives. This analysis provides only briefings on factors pertaining to their establishment, which include salient features such as missions and mandates. The colonial authorities established national parks and related protected areas as part of their broader agenda. They defined and used these methods to realize their ends. "The establishment of virtually every national park in Tanzania required either the outright removal of rural communities or, at the very least, the curtailment of access to lands and resources" (Neumann, 1999, 130). Their organization, management, operations, and problems in maintaining them and their future are discusses in the next section of this analysis.

The evolution of the national parks police seemed simply enough in terms of form and purpose. It was organized in self-contained remote environments, away from the rest of the territories, both in remote rural and urban areas. Of course, the overarching factor in the establishment of the National Parks and Wildlife Services in East Africa, as in Southern Africa and West Africa, is the British colonialism which was anchored around the precepts of capitalism (such as free enterprise and free land trade). East Africa met all the necessary preconditions for this exercise. Among these pre-conditions are the availability of natural resources such as the large among of land coupled with mountains, lakes, rivers, and wildlife birds, animals, insects, plants, reptiles, and other species reminiscent of the situations already

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described by some adventurers, travelers, and missionaries. According to James (1993, 35) "Africa is unique because it has species of plants and animals that are beneficial and can be of great importance to the world." He notes that Africa "contains an abundance of wildlife which is rivaled only by that of South America" (James (1993, 21).

There are several explanations for the proliferation of tourism in Africa. The first explanation is that commercialized tourism is a creature of colonialism. The second explanation is that indigenous forms of tourism existed before the advent of colonialism. "It is not a new phenomenon in Africa; rather it is much more pronounced in recent years because of the impact of Western tourism and the high profile that African big game has received in recent years" (James, 1993, 73).

By their nature and location of operations, the limited-purpose police units for the national parks and wildlife services have been and continue to be located in the variety of surrounding communities thereby coming in contact with various groups of the indigenous people. Not surprisingly, the national parks and wildlife services have been historically located in the multiple government agencies whose primary purpose involved the promotion of tourism and recreation. This multiple or joint management situation has been referenced by Broekhoven and Gathaara (1997) thusly, at least in the case of the forests, "Forests in East Africa can be found on private land and on government land" (2). The management of these services was essentially custodial; especially in maintaining and protecting them from intruders. The main objective here is to signal to the outside world not to intrude.

With some modifications, the current management of the East African National Parks and Wildlife Services is based on the British colonial legacy. That is, it is anchored around the orthodox bureaucratic principles and practices of the British government. Ordinances became one of the prime legal instruments. The salient features of the instruments include jurisdiction, organizational structure, governance, operations, finance, safety and security, and control. Each of these features was subdivided into several components. For example, each park covered a geographical area with established habitats for wildlife, rest camps, ledges, restaurants, safety and security infrastructure, and transportation services. Terms such as parks managers, directors, wardens, and rangers are frequently used interchangeably. These managerial frameworks are actually derived from the European/English ideal-type bureaucratic administrative structures (Collinson & Hearn, 1996) that found their way to the African colonies (Opolot, 2001). It is foreign to the indigenous masses whose sentiments and wishes were never incorporated as a matter of government policy.

Each of the East African countries have established national authorities; namely, the Kenya Wildlife Service, the Tanzania Wildlife Service, and the Uganda Wildlife Authority. Moreover, each agency had its own mandate since its inception. The Uganda Wildlife Authority's mandate now is "To conserve and sustainably manage wildlife and protected areas

of Uganda in partnership with the neighboring communities and other stakeholders for the benefit of the people of Uganda and the global community" (*The New Vision*, Wednesday, August 30, 2006, 1). It is a unifying mandate, just like the Kenyan and Tanzanian policies due to porous borders between, and among, the three countries.

In Kenya a new department, called the Wildlife Service, was created not too long ago out of two existing departments. The latter were the Game Department and the Kenya National Parks Trustees. This consolidation led to the establishment of the regional and, in turn, district administrative offices. Below the district offices are networks of the grassroots units. In fact, the same national organizational structure is available in Tanzania and Uganda. However, there are minor variations in the names of national wildlife authorities and the sub-agencies at the regional and district levels.

Problems in the Management of National Parks and Wildlife Services

As a point of departure in this section the reader should be reminded that the African institutional crises or management problems are common in all the government agencies, and are no longer private secrets. In other words, it should not come as a surprise that there abound problems in the management of the national parks and wildlife services. Hillstrom and Hillstrom (2003, 64) observe that "A related threat to protected areas in sub-Saharan Africa is poor enforcement of boundaries and regulations In many cases, enforcement suffers from a shortage of manpower because of a lack of funds to pay salaries and training."

A variety of factors are attributed to wildlife management problems in developing countries, including East African nations. These factors include the failure on the part of the successive post-colonial governments to reinvigorate management infrastructure, lack of appropriate legislation, or innovative strategies, and a mismatch between the organizational structures of the mainstream regular police departments and those of the wildlife police units (Bonner, 1993; Forster, 1992).

A number of references to forest parks as "paper parks" appear in the literature. They suggest problems of inadequate policing, the existence of what Seidler and Bawa (2003, 178) describe as "illegal resource exploitation." They also use the concept of "buffer zone" to describe limited resource use within the zone surrounding an off-limit core conservation area. As a result of illicit activities in many African forests, some "African countries have their forests destroyed by individuals who engage in illegal logging or who collaborate with foreign multinational and domestic companies to defraud the government of its natural resource....This malpractice is not only economically devastating to African countries, but when logging is not properly managed, it is ecologically destructive" (James, 1993, 135). Leakey's (2008, 1)

observation in support of the expressed concerns is in order here. He states that "Dr. Anthony Rose, together with investigative wildlife photographer, Karl Ammann, has carried out research in West Africa and estimate that in one year poachers will harvest U.S. \$2 billion of wildlife from the great ape regions. Part of this haul will include 8,000 endangered great apes."

An examination of the literature on the African national parks and wildlife services reveals scanty conceptualization as it relates to the definitions of policing. The concepts used vary from one country to another or from one region (e.g., East Africa) to another (e.g., Southern Africa).

What are wildlife crimes? Answering this question takes into account the knowledge of an array of crimes. There are routine, common crimes such as assault, theft, and deception at one extreme. Then there are the shockers which not only capture public attention, but also public passions. An example of this crime in East Africa was the bombing of the American embassies in Nairobi, the capital of Kenya, and Dar es Salaam, the capital of Tanzania, in 1998. Some wildlife crimes may fit into either category or in-between the two categories.

Other Recent Initiatives

These initiatives revolve around prevention and control of wildlife crimes in the member states; namely, Uganda, Kenya, Tanzania, the Republic of Congo (Brazzaville), and Zambia. It is an agreement which was reached at not only with encouragement, but also with the participation of the United Nations Environment Program and the Interpol. No wonder some observers call it "Interpol of Wildlife" (*Africast News*, 2006, 1).

The Lusaka Agreement, Subsection 7 of Article 5, stipulates the following duties for the Director:

- 1. Appointing other support staff as deemed necessary for the functioning of the Task Force
- 2. Commanding and coordinating the work of the Task Force,
- 3. Preparing budgets annually or as required by the Governing Council,
- 4. Implementing policies and decisions agreed by the Governing Council,
- 5. Providing reports annually and as required by the Governing Council,
- 6. Arranging for and servicing meetings of the Governing Council, and
- 7. Performing other functions as determined by the Governing Council.

Training for Kenya Wildlife Service was one of the major initiatives which is worthy of being replicated elsewhere in East Africa, Southern Africa, and West Africa. The training lasted two weeks. The subject matter for the first week included the following areas:

- Wildlife Law Enforcement intelligence and undercover operations focused on the gathering of information, its processing and management and its use, and
- Evidence/exhibits management covered the elements of collecting and preserving evidence at crime scenes so that the evidence may retain its admissibility to be used as exhibits in prosecution (Interpol, 2006, 1).

More subject areas were covered during the second week. They included:

- Anti corruption—advised wardens of the principal elements of the UN new convention against corruption and their responsibilities as wildlife law enforcement officers,
- Human rights—taught wardens the basic standards of human rights that must be observed by all law enforcement officers,
- Crime scene management covering crime scenes in the bush and those in developed areas such as cities or ports, and
- Wildlife forensics—covered special concerns that apply to the scientific consideration of forensic evidence that links a crime to a perpetrator.

A point which repeatedly is made in the literature is that the African resources have, as James (1993) puts it, "been seriously mismanaged in the past" (17) and the status quo should not be allowed to continue. This applies to the police units of the national parks and wildlife services. This is attested to in the observations and recommendations outlined in the preceding sections. The significance of the national parks, at least in East Africa, was echoed in by de Vos (1968). He writes that "if national parks are to remain untouched, it will be essential that they play an increasingly significant role in the economy of the countries concerned" (de Vos, 1968, 1).

Kenya is the only East African country now with an established Center for Wildlife Management Studies under the auspices of local authority outside the Kenyan Wildlife Service. The Navok County Council has this authority. A technological innovation to benefit wildlife management in East Africa in the twenty-first century is DNA testing. Its appearance has also been witnessed in Cameroon, West Africa, and also in South Africa. It is now more extensive in South Africa than in Kenya.

Each country has legislation for each national park as it became open to business since the colonial era. This legislation covers, among other things, authority to exist, governance, operations, and control of the parks. In the post-colonial era, new legislation as well as policy was inevitable. The provisions of the new wildlife policy in Tanzania are as follows:

- National Parks Ordinance of 1959, which covers wildlife within national parks and enforced by TANPA,
- Ngorongoro Conservation Area Ordinance of 1959, enforced by the NCAA,
- Forestry Ordinance of 1957, which covers forest reserves and is enforced by the Forestry Department,
- Wildlife Conservation Act of 1974, which covers wildlife outside national parks and the Ngorongoro Conservation Area and is enforced by the Wildlife Division, and
- Marine Parks and Reserves Act of 1994 and the various fisheries laws and regulations enforced by the Fisheries Department (Lawyers Environmental Action Team, 1998, 1).

The involvement of the nonprofit organizations (NGOs) needs to be discussed at this stage of the analysis. It is a shot in the arm in the total reform package. For example, local environmental management by necessity depends not only on funding, but also on the participation of NGOs' members to push forward initiatives in such activities as land restoration, trees and reforestation, and mitigation of human-wildlife conflicts.

It is pertinent to note here that reform initiatives, in most instances, affect both basic political and ethical values of the citizens. As a result, "there will be some who will win and others who will lose out...However, reforms develop inertia once they become institutionalized and part of the occupational and managerial policies and culture of the police" (Caparini and Marenin, 2004, 11). In fact, the need for adaptation for any police reform is crucial for a real change to be achieved. It requires the involvement and support of all the stakeholders in every reform effort in the form of community policing.

Community Policing as a New Theoretical Framework

Community policing is now a popular concept in East Africa, as well as in many of the English-speaking countries of Africa. It calls for, among other things, dialogues between the police and community leaders, and also the identification of mutually agreeable solutions to problems. As Burckhardt and Ruiz (2007, 33) see it, "A cornerstone of the philosophy is that the public and police jointly identify and address quality life issues so that they can be rectified." This point has been well-articulated by experts. Community policing, in both theory and practice, requires new fundamental changes in the way police work is done (Byrne & Hummer, 2007). It is not really supposed to replace the existing policing approaches where they work. Rather, it is to fill the gaps or address issues which have not been explored by the traditional approaches.

Initiated primarily in the United States, community policing is in and of itself a new paradigm in policing. It was initiated to address the shortcomings of the existing forms of policing. An example of these shortcomings involves monopoly in the fight against crimes. A

related example has to do with the failure to tap the available local resources, particularly citizen participation—the involvement of private individuals as members of reform-minded groups. In Africa, the traditional institutions such as the positions of the elderly groups and chiefs can serve as useful local resources to be deployed, without major modifications, for community policing near the national parks. From a research perspective, planned pilot projects could be useful in generating pertinent information and data to fill any knowledge gaps identified at the outset.

Community policing allows for collective responses to crime, the idea of collective responses were initially well-enunciated in the sociological literature, especially in the works of Emile Durkheim. Durkheim (1893) argued that crimes tend to bring community members together, thus using the concept of social solidarity to explain the same idea. A good understanding of community policing and its fundamentals is useful to the extent that it enables members of the regular police and/or wildlife police to work together with their counterparts in the communities near the national parks and reserves. It is a win-win policy situation for everyone in the community to sort out crime-related issues in its environment.

As a matter of policy, police departments below the district level must have to become flexible and democratic. A relevant practical successful policing philosophy is thusly outlined: 1) the community must involved in the whole process, and 2) the police must to be involved in problem solving, and in dealing with things that are not really law enforcement issues at the local level. Obviously, there could have been no better time to propose the introduction of community policing in communities around the national parks and reserves in East Africa. Since most African countries are experimenting with the concept of local environmental management, the popularity of citizen participation in dealing with such issue can be emulated. "Because the environmental problems are growing beyond the control of the state, an appeal to the local people has been made" by scholars such as Vanden Breemer, Drijver, and Venema (1995, 4).

Conclusion

This paper started by proclaiming that any analysis of the African policing is incomplete without including an examination of the nature and forms of special-purpose policing, a large part of which is wildlife policing. What this means is that the skewed studies of the conventional, mainstream or traditional policing should be viewed with skepticism, because they leave out pertinent study area that are worthy of probing with a view to presenting a more complete story of the variation and complexity of the African police organizations. This paper also concerns itself with not only the issue of forces leading to the rediscovery of the limited-

purpose police units (e.g., national parks and wildlife services) in East Africa, but also with the nature and form of this rediscovery. While the purpose of the paper is academic, it incorporates applied historical and managerial perspectives into some of the sections.

The analysis points out that African policing falls conveniently into two broad categories: the conventional, mainstream or traditional regular police forces and limited-purpose police agencies per the colonial agencies as social constructs of colonial agencies. This demarcation is still used in the twenty-first century as a matter of colonial legacy. The evidence for its existence comes from a scholarly examination of the past and present policing practices, which provides an awareness that is essential for explaining the benign neglect of special purpose police in the African national parks, game reserves, or conservation areas located in remote rural areas.

The paper recommends community policing as a form of police reform which is a familiar one in the literature on policing and addresses its application in East Africa. This type of police reform will result in transforming the existing law enforcement. This transformation may be subtle or openly explicit in involving some aspects of law enforcement approaches. Examples of these aspects include infusion of a new philosophy, task, mode of recruitment, or addition of new units.

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James S. E. Opolot, Ph.D., is a professor of administration of justice at Texas Southern University, Houston, Texas. His research areas are in criminology, correctional administration, private security, and environmental crimes. He is a field editor for the Edwin Mellen Press, and the author of Police Administration in Africa: Toward Theory and Practice in English-speaking Countries.