

The Challenges of Forest Policy Implementation on Small-Scale Commercial Timber Growers. A Case Study of Forestry South Africa in the Midlands Region, KwaZulu-Natal.

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ABSTRACT

Timber forms an essential element of people lives especially those residing in rural areas. Most wood is used for fuel, building purpose; industrial uses include construction; mine props and paper products. Through commercialisation timber is sold and exported to different countries out of South Africa for great returns. Most of commercial plantations are located primarily in the Northeast and in KwaZulu-Natal; most timber plantations produce pine and eucalyptus trees. This case study examines the challenges of forest policy implementation on small-scale timber growers. The study was based on small-scale commercial timber grower committees and chairpersons of the mentioned committees. The study was carried out in mid September and October 2004.

A quantity survey through face-to-face interviews of chairpersons of small growers committees was undertaken. Also a focus group interviews of committee members was carried out. The result showed that chairpersons and committee members do not know the Forest Act No.84 of 1998. The forest policy implementation poses great challenges for small growers as there is a lack of information between government and growers in the respective area of operation about forestry and how it should be sustained.

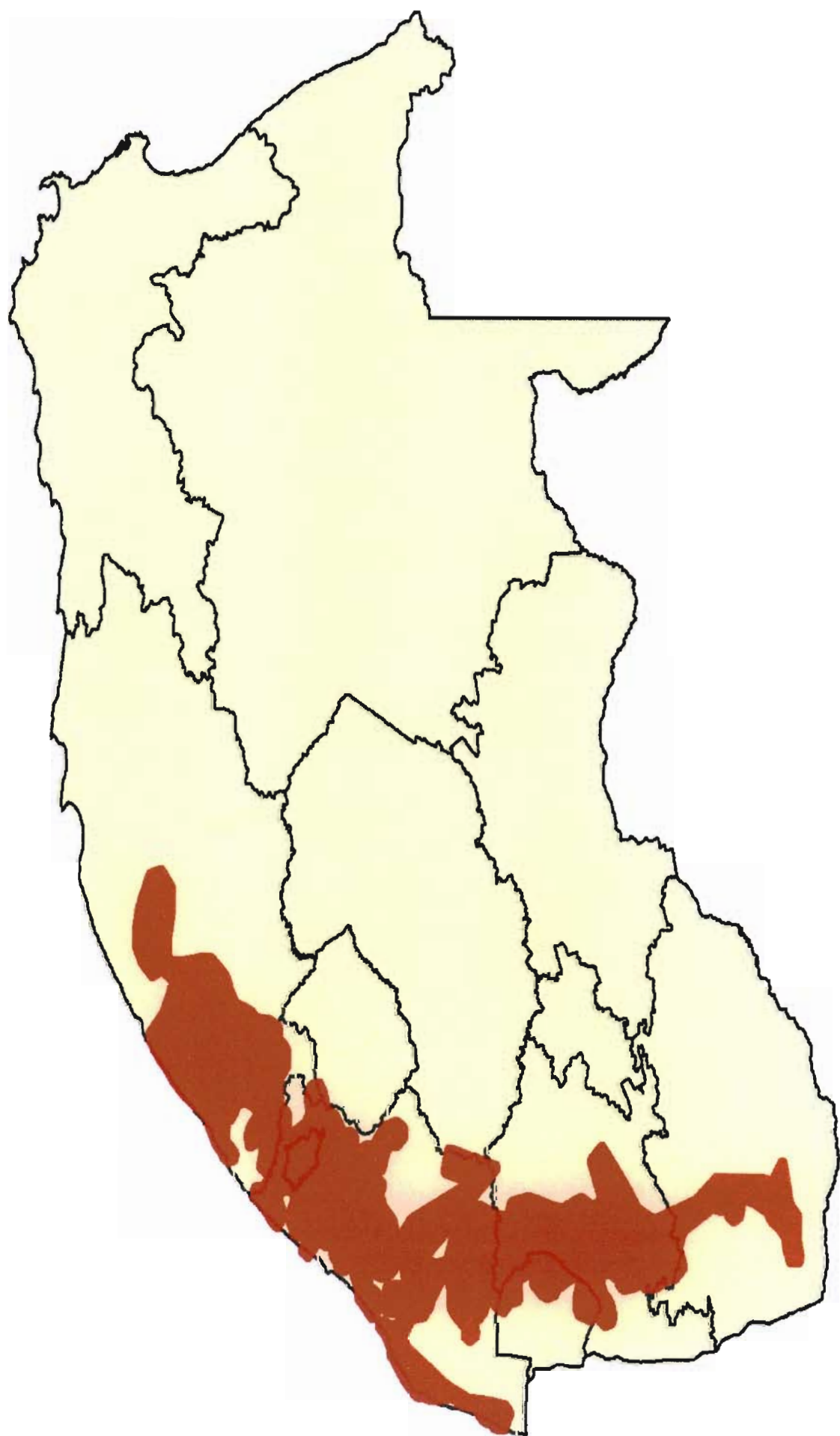


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DECLARATION

Hereby I, Nkosinathi Erick Ndlela declare that this dissertation is my own original written work and that all sources have been accurately reported and fully acknowledged, and that this research document has not previously in its entirety or in part been submitted at any institution or university for the purpose of obtaining an academic qualification.

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The aim of this research project is to look at some of the challenges that National Forest Policy holds for policy implementation on local forestry in the province of KwaZulu-Natal. This research project will determine the extent to which the national forest policy affects small-scale timber growers operation within the forest sector. By determining the extent it will then look at recommendations given by responses and how the forest sector can be shaped to work for small growers in rural areas of the province. From a theoretical perspective there are various concerns and issues that must be taken into account when undergoing policy implementation. It should be noted upfront that policy process is dynamic and changing in nature.

The term policy is very frequently used but rarely defined and this is often the start of the confusion that exists about what exactly policy is as well as what the policy process entails. Policy is often thought of as the decisions that politicians make, and in some languages the distinction between “politics” and “policy” is unclear. As Parsons (1995) says “policy becomes an expression of political rationality”. In other words, policy can be thought of as an objective statement of political aspiration. If so, then policy here refers to public policy. It includes the process that generated policy and this involves many stages that link together and crossover and involves many stakeholders, each with their own interest. There are several ways of defining what public policy is.

Different schools of thought view public policy as a desired course of action and interaction. ‘It is a purposive course of action aimed at dealing with a problem or matter of concern’¹. Public policy is also about the intentions of the government or legislator on matter in society and about the manner in which the legislator or government wants to govern the society. Public policy is two-dimensional in that it looks at both the political and the administrative dimension. Often, the political dimension refers to government’s involvement in deciding on activities and the resources necessary to reach the intended objectives, where as the administrative dimension focuses on the actions taken by the government in implementing policy.² Public policies take on different forms such as Acts, Laws, and Bills or sometimes informally as decisions. Public policy does not emanate from government but also

¹ Parsons, W. Public policy: An introduction to the theory and Practice of Policy Analysis. 1995: 10

from interested parties outside government. The general public, along with the legislator, administrators, interest groups, the media and others may influence the policy making process³. Public policy is not made in order to keep policy makers busy or to pay lip services to societal demand⁵ that something needs to be done to alleviate problems or to realise that a desirable future state of affairs.⁴

The question that remains is who should participate in public policy? The organs of civil society range from small local associations to large societal movements and to the service organizations that support them and the various networks that connect them together. The involvement of civil society in public policy making is aimed at increasing participation of the community in solving social and economic problems. Parsons argues that community policy is seen as a way of enhancing democracy and devolving power beyond the decision making process of bureaucracy, legislatures and political executives. In theory, government makes public policy but in practice it emerges from struggles between powerful interests pursuing different agendas marked by contest and uncertainty.

Also in policy making power plays an important role in the policy process. Mostly power is invested to the higher authority or senior officials or management. Thus if power is not decentralised, those having⁴ tend to dictate what needs to be done and how it should be done. Power is invested in government and when government comes up with policies it affect those without power, since they do not participate in the planning or enacting of policy. "Power is generalized capacity to secure the performance of binding obligations by units in a system of collective organization when the obligations are legitimized with reference to their bearing on collective goals and where in case of recalcitrance there is presumption of enforcement by negative situational sanctions- whatever the actual agency of that enforcement"⁵

When policies are being debated and formulated they need to be tested to see their validity and their reliability for the intended objectives. This is important, as this

² Hanekom, S.X. Public Policy: Framework and Instrument for Action. (1987). p8.

³ Wissink, H.F. Policy Analysis in Public Administration. (1990). p i- iii.

⁴ Peters, G. Public Policy Instruments: Evaluating the tools for public administration. 1998.

⁵ Parsons, W. Public policy: An introduction to the theory and Practice of Policy Analysis. 1995.

would give an indication of why the policy is being enacted at the first place. The only way policies can be tested is when they are implemented. It is than important that policy implementation follows after policy has been formulated.

No matter how much care can be taken in policy making, problems can be encountered in policy implementation. Policy implementation of a public policy involves the translation of the policy of the government into implementation policy and administrative policy. Policy receives meaning only when implemented. Policy implementation is a practical activity involving the proper following of legally specified course of action over time and is not in the first instance concerned with enquiring into the nature of problems.⁶ Guy Peters argues that public policy is the sum of all activities of governments, acting directly or indirectly or through agents as it influences the lives of citizens.

“Policy implementation may be viewed as a process of interaction between the setting of goals and the actions geared to achieving them”.⁷ This means that policy implementation is characterised and governed by the wide range of participants and perspectives. Pressman and Wildavsky say that whilst there may be broad agreement in terms of a particular policy, the different participants may make it difficult to translate broad agreement into a specific decision. Governments have at their disposal particular instruments to ensure the implementation of the policy. Policy implementation is a critical stage where government has to work hard to achieve the intended goals.

It is certainly not an easy stage of the policy process since they may be outside factors affecting the policy from being implemented. So, to some extent co-ordination between policy-makers and policy implementers may increase the chances of successful implementation. ‘Policy implementers interact with policymakers by adapting new policies, co-opting the embodied project designs or simply ignoring new

⁶ Wissink, H.F. Policy Analysis in Public Administration. 1990.: i- iii.

⁷ Pressman and Wildavsky. Implementation. (1973).: xv

policies, hence underscoring the fact that implementers are crucial actors whose actions determine the success or failure of policy initiatives'⁸,

There are reasons as to why certain policy decisions fail to facilitate the attainment of goals of that particular public policy. Pressman and Wildavsky argue that those responsible for policy implementation were unable to work efficiently and effectively because they often had other commitments too. Participants may sometimes have the ability to implement, but due to the presence of numerous other programmes, they simultaneously have to commit themselves to other projects making implementation difficult. Sometimes policy implementers do agree on some issues but lack adequate power or authority to carry out their responsibilities and they may create dependency on others who might sometimes lack urgency in the project.⁹

A major reason identified by Pressman and Wildavsky for policy implementation failure is that there is no clear definition of roles as to who is responsible for what which may lead to nobody taking full responsibility. In addition, goals may be ambiguous and conflicting, complicating policy implementation.¹⁰ Lipsky argues that there may be some slippage between actual orders and the implementation thereof, either as a result of poor communication or disagreement with organization goals or because of lack of capacity. For example problems may arise when the government make departmental rules that are not compatible with a departmental desire to be responsive and efficient, as well as without the necessary bureaucratic support and this hinders bureaucrats in undertaking their mandate.

Policy implementation is affected by its social, economic, technological and political context. For example changes in social conditions may affect the interpretations of the problem and thus the manner in which the programme is implemented. The problem may be interpreted in a way that will accommodate the situation at that time. It might happen that these unforeseen problems need to be financed and if they were not budgeted for, and this can impose a very heavy burden on public finance.¹¹ Changes

⁸ Brinkerhoff, D. W. Process Perspectives on policy change. Highlighting Implementation. 1996: Vol 24 No 9

⁹ Pressman and Wildavsky, Implementation. 1973:99

¹⁰ Lipsky, M. Street-level bureaucracy: dilemmas of the individual in public services. 1980:16

¹¹ Howlett and Ramesh, Studying Public Policy: Policy cycles and policy subsystems. 2003:155

in economic conditions have a similar impact on policy implementation. For example a programme targeting the disadvantaged and unemployed for instance can be expected to undergo changes after an economic upturn or downturn. Thus the same policy can be implemented or interpreted differently depending on the situation at that time. The availability of new technology can also influence public policy implementation. Policies geared towards pollution control, for example, can often change in the course of the implementation process such as when more effective or cheaper technology has is discovered.¹²

There are other aspects that can have a negative effect on the implementation of policy. Pressman and Wildavsky look at these aspects in terms of framework of policy implementation. One of the aspects is technical details of implementation; this refers to problems that initially had not been a major concern but has lead to the delay of the policy to be implemented. For forest policy such details include certification of small timber growers. Another problem is water related issues, which have a negative impact on the activities of small growers in trying to alleviate poverty. Reason being afforestation is currently the only form of land use, which is regulated to limit upstream water consumption (though irrigation use and other abstractions from streams are regulated in controlled catchments) thus forestry is the only afforestation referred to as a stream flow reduction activity.

This, together with the need to regulate the apportionment of the entire water resource at different scales within the quaternary catchments, is one of the major limitations of the permit system, and a principal reason why progress toward integrated catchment management is needed. Another aspect is the issue of an appropriate economic plan; Pressman and Wildavsky (1973) argue that an appropriate economic plan is required for carrying out the implementation process. "It is important that organizations undergoing implementation clear their decisions point otherwise they will cause the implementation of the policy to be delayed and the emergence of unexpected decisions may hinder the policy from achieving its goals"¹³.

¹² Lipsky, M. Street-level bureaucracy: dilemmas of the individual in public services. 1980:16

¹³ Pressman and Wildavsky. Implementation. 1973:98

Thus when carrying out implementation it is important to always think out of the next step ahead. According to Pressman and Wildavsky (1973) implementation requires an understanding that apparently simple sequences of events depend on complex chains of reciprocal interaction. Therefore the separation of policy design from implementation is fatal. Parsons differentiate between two approaches to policy implementation. These are the top-down and the bottom-up approach. These two approaches have been widely adopted to be used in policy implementation and offer an analytical insight into policy making and implementation.

The top-down approach is mostly used by top or senior officials. They have the authority to prescribe or design rules that binds everyone. The top-down approach is very prescriptive and demands that rules and regulations from senior officials are adhered to. "Goals have to be clearly defined and understood by the mass public and that resources should be made available and the chain of command be capable of assembling and controlling resources and the communication needs to be effective"¹⁴.

The top-down approach starts with the decision of government. This approach assumes that policies have clear goals but in reality one may find that these goals can be unclear and contradictory. "Gunn states that this approach takes as its central purpose the provision of advice to those at the top, on how to minimise implementation deficits"¹⁵. Criticism of this approach is that it puts emphasis on senior officials who normally or often play a marginal role in implementation compared to lower levels officials who are the hands on implementers.

Parsons than argues that policy is best implemented by undergoing 'backward mapping' of problems and policy. This involves defining success human behaviour. In other words, what is important is the relationship between policy-makers and policy implementers. Backward mapping, he argues, refers to looking back at the problems that were there before or problems that led to the need for policy formulation, so that policy can be analysed and organised from the patterns of behaviour and conflict that exist.¹⁶

¹⁴ Parsons, W. Public policy: An introduction to the theory and Practice of Policy Analysis. 1995:463

¹⁵ Howlett and Ramesh, Studying Public Policy: Policy cycles and policy subsystems .2003:157

¹⁶ Parsons, W. Public policy: An introduction to the theory and Practice of Policy Analysis. 1995:469

The bottom-up approach stresses the extent to which the public can participate in policy implementation. The result is that when policy is being drafted it has to be applied at the lower levels of government. When policies that are to be implemented do not involve the people on the ground during the formulation, they are bound to cause some dissatisfaction among the people whom it is supposed to serve. The bottom-up approach takes into account the fact that there needs to be consensus between all affected parties before the policy is implemented or it will be vulnerable to failure. Linked to the issue whether or not policy is made from according to the top-down or bottom-up approach, administrative agencies are regarded as the primary role players in implementing public policy, although they may be many role players involved and contribute to the execution of policies in various ways.

Some of the key role players in implementation are the Street-Level Bureaucrats who implements policy; The Legislature, which draft and enact policy and The Judiciary who ensures constitutional compliance. Street level bureaucrats have a very important role to play in the implementation of policies. Since they are confronted with the day-to day implementation of public policy. Lipsky describes Street-Level bureaucrats as that actor as public workers who interact directly with citizens in the course of their jobs and who have substantial discretion in the execution of their work.¹⁷

Street-level bureaucrats often have to use their own discretion or judgement in implementing public policy. This means that after a decision-making process been concluded or finalised predominantly by the legislatures, a street level bureaucrat or may realise that in order to implement that particular policy, certain practical steps were not anticipated by decision-makers. Lipsky further argues that street-level bureaucrats have a choice in allocating resources. The policy-making roles of street-level bureaucrats are built upon high degree of discretion and relative autonomy from organisational authority.¹⁸ This means that they have considerable discretion in determining the nature, amount and quality of benefits and sanctions provided by their agencies.

Lipsky further highlights that street-level bureaucrats develop coping strategies in order to cope with the difficulties and ambiguities of their jobs. In everyday life

¹⁷ Lipsky, M. Street-level bureaucracy: dilemmas of the individual in public services. 1980: 3

people seek to simplify their tasks and narrow their range of perceptions in order to process the information they perceive and develop responses to it. These coping mechanisms are often unsanctioned by their managers. Lipsky suggests rationing approach to deal with routines. He suggests “routines can be rationing where the street-level bureaucrats can formally or informally ration services by refusing to take certain kinds of cases¹⁹.

It thus becomes clear that there are several challenges to policy implementation. Lipsky argues that these are linked to the manner in which the policy will be carried. Such challenges include the availability of resources, which is critically important because the availability of resources determines the effectiveness of the project, or programme and thus affect the implementation of the policy. Following resources is the issue of co-ordination, which is linked to the success of the project. For any project or programme to be successful or to reach the intended beneficiaries communication channels needs to be in place. This can be in a different number of ways. But the better the level of coordination amongst the affected parties the better the implementation of that policy. Because this will mean communication channels would have been followed.

Lastly is the issue of no guidance with regard to how the implementation process is going to be carried. It is important that there is a plan carefully drawn to guide the process which will in turn give feedback on whether the process is on the right track or not. Technical assistance may be given to build capacity in the domain of policy analysis and implementation. There must be organizations that mobilize analyst talents and apply them to significant issues and ensure that their findings and recommendations are presented to policy makers in an intelligible form. The institutional framework must ensure that policy makers consult such organizations and consider their findings and recommendations, even if political circumstances ultimately entail different policy outcomes.²⁰

¹⁸ Lipsky, M. Street-level bureaucracy: dilemmas of the individual in public services. 1980:13

¹⁹ Lipsky, M. Street-level bureaucracy: dilemmas of the individual in public services. 1980: 102

²⁰ Gray, C. Policy Analysis and Implementation. 2004:416

Thus it is important that during policy formulation affected parties are part of the process because this can have an impact during the implementation process. Pressman and Wildavsky argue that at times trials of implementation are important to see the feasibility of the process being formulated. Because this will give an indication if at the beginning formulation procedures were carried in an appropriate manner. Policies that are formulated with greater public participation are likely to succeed than those that exclude the public. Another important aspect is that participants who become involved in policies possessing enormous authority are likely to argue on their interest and not what the policy is intending to do.

Therefore experience with the innumerable steps involved in program implementation suggests that simplicity in policies is much to be desired. The fewer the steps involved in carrying out the program, the fewer the opportunities for a disaster to overtake it and the more directly the policy aims at its target, the fewer the decisions involved in its ultimate realization and the greater the likelihood it will be implemented. But simplicity is not an end in itself.

From the theory above it is evident that policy implementation is not just an easy process. There are various processes that need to be undertaken to ensure that implementation of a particular policy is successful and effective. Most importantly it is evident that during policy formulation all affected parties' needs to be involved so as to try and minimise the risk of the policy or program failure.

This part of the research project aims to give full details on the background to forestry in general. It will define what commercial forestry is; define small-scale timber growers and its extent to KwaZulu-Natal. It will establish policy framework for forestry by elaborating on South African National Forest Act and further discuss various issues arising from dealing with forestry specifically relating to small-scale timber growers. This is important so as to determine or have an understanding of the challenges timber growers' faces when engaging in forest activity.

South Africa is a semi-arid country with limited areas of closed canopy indigenous forest. Approximately 66% of the total area of the country is not under any form of forest cover.

In South Africa's forests cover only about 1 % of the country's total land area. The country never was heavily forested, and by the early twentieth century, humans had destroyed much of its natural wood resources. After World War I, the government began to establish forest plantations to grow trees for commercial use. Located primarily in the northeast and in KwaZulu-Natal, most timber plantations produce pine and eucalyptus trees. Although most wood is used for fuel, industrial uses include construction and mine props, paper products, and a variety of agricultural applications.²¹

South Africa's forests produce more than 14.5 million cubic meters of unseasoned timber annually. Several hundred thousand people are employed on timber farms and in more than 240 wood-processing factories. To be precise the forest sector contributes 4.5% of the country's Gross Domestic Product (GDP) and employs 74,000 people or 1% of the total workforce. Most of these forest areas are owned by the State only in KwaZulu-Natal is a substantial portion of natural forest in private ownership.²² The relationship between government and the forest commercial sector has to date, not really been researched and more research needs to be done on the complexities of forest issues. A number of recent developments are impacting on the direction and make-up of the industry.

²¹ www.pacificforest.org

²² Frost et al. *Growing Credibility?* 2003: i-3

Amongst others is that government's forest privatisation process is predicted to introduce new entrants and diversify the concentrated ownership of forest assets. As to date commercial forests tends to be associated with large timber growers (that is growers that harvest and sell timber on larger scale). South Africa is at the forefront of sustainable plantation forest. Given the fact that indigenous forest are protected South Africa is regarded as a tree-poor country and has to subsequently had to rely almost exclusively on the development of exotic forest plantation to meet the needs for wood (Van Zyl, 2003:25). According to Van Zyl (2003) there are over 500000 people who are dependent on the forest industry for their livelihood especially those located in rural areas.

Small -Scale Timber Growers are individual farmers who plant trees for commercial purposes at hectare less than one thousand. Small-scale timber growers fall under the category of Small Grower Group. Describing small-scale timber growers can be governed by subjective or objective factors. Most of these small timber growers are rural based and poor. These are individuals who experiences difficulties to deal with the challenges of the commercial forest. Small-scale timber growers often get squeezed out of the market or are offered unreasonably low prices for their trees or timber. International and national forest standards have the potential to exclude small scale-timber growers from markets.²³

Small growers usually do about everything by hand and get help from family members and friends to get started. Currently, there are more than 18 000 emerging small black timber growers. These growers, most of whom are women, cultivate 48 000 ha of plantations.²⁴ Small growers do not operate on their own but they are linked to service providers. Service providers (commercial forest companies) are non organisations who are co-operative and they sell timber to overseas countries and they are the ones who own mills where timber is taken to.

²³ www.nri.org

²⁴ www.southafrica.org

Small grower committee on the other hand are individuals who have been elected by the entire population of small growers to represent them on matters pertaining to forestry. These individuals are selected on tribal authorities they serve. They attend general meetings and also special meeting which normally arises as the needs prevail. As they represent the entire small grower population they have to be a true reflection in terms of representativeness, meaning they do not have to represent their own views but views of all growers. Even though at times personal issues might arise but the emphasis is on the entire small grower population.

The forest industry has implemented small grower schemes with which small grower operate and this is an entrepreneurial schemes. With industrial wood demand in South Africa expected to grow rapidly, the outlook for small grower and any entrepreneurial activities is envisaged. These small grower schemes operate on the following basis: That the individual or community land-rights holders are approached and introduced to the concept of growing commercial plantation trees. Advice, assistance, finance and management and technical expertise are supplied by the commercial forestry company. Small growers are guaranteed a market by the commercial forestry company, which buys the timber at the prevailing commercial market price when it is harvested six to eight years later.²⁵ Small growers secure a good profit and many have extended their operations from single woodlot to three or four. The local community benefits from increased participation in the economic cycle and from job opportunities created by the contracting support services for planting, maintenance, harvesting and transportation.²⁶

There are several key issues facing small timber growers in South Africa and these include firstly Afforestation. Afforestation in South Africa has shifted focus from being the issue of the developed farming sectors because of the impacts upon the water table, stream flow reduction and social stability. Afforestation is the planting of trees for commercial purposes, usually on land supporting non-forest veld types for example grassland and fynbos.

²⁵ www.forestry.co.za

²⁶ www.forestry.co.za

This differs from reafforestation, which is the restocking of existing forest and woodlands, which have been depleted. The small growers in the midlands region are engaged in commercial forest of pines trees, gum and black wattle. But only 16% of South Africa, mainly the western parts, is climatically suited for afforestation. In most cases the climate is extremely favourable and local pines grow at two to three times the rate of those in Europe or North America, where they originated.

Secondly Forest Certification; Forest certification is a process of labelling wood that has been harvested from a well-managed forest and Forest Stewardship Council (FSC) determines it. Forest Stewardship Council is an independent non-profit organization founded in 1993 that supports environmentally appropriate, socially beneficial and economically viable management of the world's forests. FSC promotes responsible forest management by evaluating and accrediting certifiers, who in turn certify the sustainability of managed forests on behalf of the council. The certification is reflected in an FSC label found on wood products from such forests. The FSC system verifies claims from the forest all the way to the final product with "chain of custody" monitoring.²⁷

The introduction of certification on forest has improved the reputation of South African companies at home and abroad. But reputations of small growers still remain a problem. Certification process has highlighted the importance of an adequate system to help small growers to ensure that they get certification approval. Small-scale timber growers tend to be excluded from certification standards.²⁸ Thirdly is the issue of water charges. Small growers have been asked to pay for water that is consumed by their trees by the Department of Water Affairs and Forestry. Payment of water charges has been notice to be problematic and as it stood at present that small growers had little intentions of paying any charges. This in essence was because they did not understand the need to do so and because they consider this to be a further disincentive for forestry.

²⁷ Frost et al. Growing Credibility? 2003: 4

²⁸ www.pacificforest.org

There are also environmental issues, which poses other challenges for small growers. The Department of Environment and Tourism (DEAT) was to review NEMA through the NEMA Amendment Bill. Of concerns to small growers and the forest industry is that the Bill seemed to disregard already existing processes like afforestation licensing of which the department has been part of when it was formulated. It proposes the guide to development activities; The Bill stipulates that any development above three hectares needs to go through an Initial Assessment, i.e. study to assess impact of the proposed activity, which will need appointment of an independent consultant. This discourages new entrance particularly from the emerging small grower sector of the industry because of unrealistic costs involved.

The Department of Water Affairs and Forestry (DWAF) is the custodian of South Africa's water and forestry resources. It is primarily responsible for the formulation and implementation of policy governing these two sectors. It also has override responsibility for water services provided by local government. The department aims at overseeing, regulating, protecting and managing indigenous and commercial forest resources and to support rural communities in managing forest resources. The department has restructured the forest sector in such a manner that growers are given the chance to sell their timber to any buyer or service provider they like locally. The Department of Water Affairs and Forestry has done this in such a way that it is pursuing a reform programme in the forestry sector which will see the Government leasing State-owned forest land to private-sector operators.

The Department will now move from the management of plantations towards promoting, regulating and developing the forest industry. The restructuring of the Department's commercial forests has been extremely successful. The plantations were divided into three categories, Category A which were bigger packages with SAFCOL forests and sold as five packages, Category B forests which are only DWAF forests and will be sold as smaller packages targeting smaller players in the industry and communities and the Category C forests which are community woodlots and will be transferred to the management of communities with a period of State support – financial and technical.

By February 2003, approximately 375 workers (9%) and communities (10%) had obtained share ownership in two forestry packages worth R150 million. Communities identified as rightful owners of the land will also receive market-related rentals on an annual basis. The process with regard to Category B forests has begun, with expressions of interest called for in November 2002. The process of soliciting bids for these forests will take place during 2003. The forestry industry is promoting rural development and economic empowerment through a small-grower afforestation programme.²⁹

The policy framework for forestry is defined from the role of government in dealing with the forest sector. It is set within a frame of overarching policies, including macroeconomic, trade, industrial development, and human resources development policies. These for example may have a major effect on the forest sector through their influence on wood prices. The forest policy directs, facilitates, and regulates the actions of players in the forest sector, but it must do so taking into account the influence of the other policies, addressing the needs to adapt and strengthen the central government institution in forestry, in order to ensure effective implementation of policy. This is explained fully by the act itself. The National Forest Act No.84 of 1998 provides guidelines for the usage of forest resources by all citizens of the country.

The purpose of the act about forestry in general is that it aims at promoting the sustainable management and development of forests for the benefit of all; Create the conditions necessary to restructure forestry in State forests; provide special measures for the protection of certain forests and trees; promote the sustainable use of forests for environmental, economic, educational, recreational, cultural, health and spiritual purposes; promoting community forestry and lastly to promote greater participation in all aspects of forestry and the forest products industry by persons disadvantaged by unfair discrimination. Another major important issue facing forestry is water issues.

²⁹ www.dwaf.gov.za/forestry

Forestry is an important sector in the economy of the country but the growing of timber places significant demands on the available water resources. South Africa is a relatively dry country and subject to droughts, which may last for several years. During a drought period in the 1920s there was a concern and a conflict over the impacts of the extensive planting of trees on the amount of water in rivers and streams. Some people believed that tree planting would increase water supplies but others argued that trees used more water than the vegetation they replaced.³⁰ On the other hand according to the National Water Act No.36 of 1998; forestry is the only activity that is regarded as the stream flow reduction activity. This means it impacts on the availability of water down stream.

The question that still remains unanswered is what happens if forest is the only activity down stream. There are lots of reasons that need to be explored just before such a statement is deemed to be true. Simply because this has a significant impact on small growers who engage in forest activity down stream as most areas in the KwaZulu-Natal are operating down stream.

The National Water Act No. 36 of 1998 is relevant to forestry in that forest activity does not take place on its own without water. Basically forest grows because there have been water available. Thus in order to engage in any forest activity one needs to have an understanding of the National Water Act No.36 of 1998. The act is important in that it ensures that the nation's water resources are protected, used, developed, conserved, managed and controlled in ways which take into account amongst other factors; meeting the basic human needs of present and future generations promoting equitable access to water; redressing the results of past racial and gender discrimination; promoting the efficient, sustainable and beneficial use of water in the public interest; facilitating social and economic development; providing for growing demand for water use; protecting aquatic and associated ecosystems and their biological diversity; reducing and preventing pollution and degradation of water resources; meeting international obligations; promoting dam safety; managing floods and droughts, and for achieving this purpose, to establish suitable institutions and to ensure that they have appropriate community, racial and gender representation. The

³⁰ www.wrc.org.za

above points are important for commercial forest and are applicable to small-scale timber growers. Therefore it is important not to neglect the extent to which this act can have on small growers if

Forestry South Africa (FSA) is South Africa's premiere and largest forestry organisation representing growers of timber in South Africa. The association has over 90% of all registered timber growers as members, this equates to over 2500 members. The Organisation provides for the establishment of three separate and distinct entities under the umbrella of an overall Executive Committee, namely: Large Growers Group, Medium Growers Group and Small Growers Group. Each of these groups have their own committee structure with proportional representation on the Executive Committee. FSA was granted registration as a Non-Profit Organisation in terms of the Non-Profit Organisation Act (Act No. 71 of 1997), by the Department of Social Development.³¹

One of FSA's founding objectives is to bring the emerging small-scale timber grower sector into the mainstream of forestry activities, through membership of FSA. This is inline with the objective and the vision of forestry South Africa. This is "To serve the interests of all South African timber growers in a manner that will enhance the long term sustainability and profitability of their activities and which will promote the growth and development of the Forestry Industry"³². Forestry South Africa intends to achieve this by promoting the interests of all growers of all commercial tree species and to create unity of purpose amongst members. Promoting the commercial production and utilization of timber and forest products in an environmentally sound manner and to use natural resources without detriment to their long-term sustainability.

Promoting the growth, development and well being of the South African Forestry Industry locally and internationally. Promoting policies and operating practices that support free competition and which foster and encourage entrepreneurship and

³¹ www.forestry.co.za

³² www.forestry.co.za

innovation. Promoting, support and encourage education and training, research and development and technology transfer in the interests of members. Collecting, analysing, exchanging and disseminating information, literature and statistics relevant to the need of its members. Representing the interests and views of its members to Parliament, Government, Provincial and other public or private bodies and officials in South Africa, and elsewhere, as may be necessary.³³

Forestry South Africa is an independent implementing agent for forestry in that it monitors and oversees the manner in which the government department (DWAF) comes up with policies that affect the functioning of the forest industry. Forestry South Africa debates with government until consensus is reached on matters pertaining forestry. FSA also focuses on supporting issues of importance to the department of water affairs and forestry. Forestry South Africa believes that all parties can work together for a stronger industry and this will propel South Africa to be the world leader in commercial forest.

There is now a growing demand for timber and timber based products from South Africa. Timber is now not only produced to meet domestic demands but has enabled the forest product industry to develop into to one of the country's major export based industry. Demand for wood is driven primarily by the pulp and paper sector which consumes nearly 68% of the available timber, followed by sawmilling industry with 23% and the mining timber industry at 6%. The balance is then consumed by a range of smaller industries such as the treated pole industry, the charcoal and the match industries.³⁴

There is an anticipated potential demand of between 30 and 35 million cubic meter per annum by the year 2025. It thus appears that without any further afforestation a timber resource shortage is likely to arise in the longer term. It has to be appreciated that exports are crucial to the economic viability of the forest industry and therefore need to be maintained. However to maintain the South African industry's competitiveness and to ensure that the countries growing internal demands are met,

³³ www.forestry.co.za

³⁴ South African Forestry Hand Book, 2000, Vol 2: 479

even given advances in plantation productivity it is estimated that an approximate additional area of 250000hectares needs to be afforested through to the year 2025.³⁵

To the methods employed, I would firstly like to give an overview of the midlands region as defined by Forestry South Africa. It is defined according to the District Municipalities. The following municipalities are within the midlands region, The Ilembe District Municipality (DM) which is composed of the following Local Municipalities(LM)-Maphumulo, Endodakusuka, Kwadukuza and Ndwedwe; UMGungundlovu DM which is made up of Msunduzi, Richmond, Mkhambathini, Umngeni, Impendle and Umshwathi; UMzinyathi DM which is made up of Msinga, Nquthu, Endumeni, and Umvoti; Uthukela DM which is made up of Ukhahlamba, Emnambithi, Indaka, Umtshezi and Imbabazane; Lastly Durban DM which is only made up of Ethekeini Municipality. Small grower committees are located within the various local municipalities mention above. It is these small grower committees that Forestry South Africa Regional facilitators consult with on issues pertaining forestry. Thus in undertaking the research for this project two approaches for collecting data have been used. Those appropriate for the aim of the research were face-to-face interview of small grower chairpersons and focus group of the entire committee group meeting.

The face-to-face interview provides an initial understanding of the small grower representation by the chairpersons. Here one gets the feeling of how chairpersons represent the entire group on matters pertaining small growers at higher level. It is important to understand this as it shows whether chairpersons have been capacitated to represent or they represent their own views.

Focus group interviews provide full detailed information about matters affecting small growers and any other issues that hinder the functioning of small growers at large and not of the committee per se. It is also important to look at the focus group, as more information is likely to come out about the manner in which the forest industry is

³⁵ South African Forestry Hand Book. 2000, Vol. 2 :480

being driven and whether it is an industry where one can invest his or her time and money.

The interviews were designed to ascertain the respondent's perspective on the various issues addressed by the forest industry with particular reference to which a small growers opinion have not been acknowledged by the department of water affairs and forestry. The data was gathered by means of a semi-structured interviews and correspondence to the chairpersons first was done. The questions were intended to provide an overview of problem areas and areas of interest to small growers. But at first for each group there was an explanation to the issues raised by forest industry to the department of water affairs and forestry.

There were some constraints that the research project was faced with. The two methods were subject to constraints, which surfaced from the course of gathering data. Face-to-face interview, chairpersons were reluctant to give out the information as there was the sense of vulnerability in terms of giving out the information when the entire committee was not there. Especially since the interviewer was the new person in the industry, so there was the notion of trustworthiness. As for the focus group interview, the biggest constraint was that not all committee members participated. This was due to the fact that some were falling asleep especially on hot days, so they end up not hearing everything. It was noticed that the longer the talk the more committee members could not absorb everything being said on the meeting.

Technical difficulties encountered was that I had to make sure that I allowed one person at the time to speak as they sometime all raised issues at once and it made it difficult to really understand the burning issue at hand. Not to underestimate the fact that the committee members is made up of old people and to be brought to order for the smooth running of the meeting by a young man was not always received well by some of the members.

In analyzing the data since the focus group generated a lot of information. The data was coded and summarized for analysis and discovery.

Policy findings is that according to the Institute of Natural Resources (INR) small timber growers face challenges which include the exclusion from certification procedures because of the lack of awareness and training, especially about environmental best practice; Inadequate literacy and other skills required to develop a management plan, to carry out an Environmental Impact Assessment (EIA) and to undertake regular environmental monitoring. Difficulties in investing in the health and safety equipment required to meet both legal requirements and certification standards; Difficulties in monitoring cumulative social and environmental impacts.

From the interviews conducted these were issues that arose both from committee members and chairpersons which were of great concern to small scale- timber growers as they possess major challenges. Water issue was dominant because small growers have been asked to pay thousand of rands towards their forestry plantation by the department of water affairs and forestry reason being forestry consumes a lot of water. The challenge here is that small growers are complaining that even when there is no forestry left but they still get letters from the department of water affairs and forestry asking them to pay thousand of rands. They do not see the need for them to pay for water that comes up from the sky. The notion here is that its God water and why should they pay for water that comes up from the heaven. Their fathers who left forest plantation to them never paid for water but they are asked to pay for it.

Another major issue is that of transportation of woods or barks to the mills. Transport plays a major role in the timber industry; because once forest has been felled it needs to be transported to its applicable place. They argue that transport is very expensive and according to the transport owners they pay more for the roads, toll gates are very expensive. Thus a grower ends up losing a lot of money from paying for the transport and for the people who do the felling and loading to trucks for them then from the plantation.

The next challenge is that posed by the NEMA Bill. This is an environmental issue which stipulates that growers need to hire a consultant to do an initial assessment i.e. study to assess the impact of the proposed activity, of which this would cost thousand of rands, proposed activity meaning afforestation. Apart from the above issues, is the issue of forest disease which invade their forest plantation? They pay a lot of money

for the disease control and this is making them bankrupt even more. The Forest Act on the other hand is posing a major problem because of the way it has been implemented. Growers indicate that they did not know anything about the forest act and nothing has been communicated to them by the department of water affairs and forestry and also even their service providers with whom they have registered with. The manner in which forest policy implementation has been emphasized hinders them from engaging into forest activity because they strongly feel that it does not support them as emerging growers. Reason being that they were not part of the policy formulation process.

From the research project conducted it is evident that the issue of policy needs to be carefully looked at. Simply because policy is frequently used and not properly defined in terms of what it exactly means and entails. The decision that are taken by policy makers make it difficult to be accepted by people at grass root level especially if they have not been part of the decision making process. Thus as the theory emphasis it that public policy is a desired course of action and interaction, it is critical and crucial that all parties participate during the formulation of the process.

This will increase chances of policy to be implemented successfully during it implementation stage. The process of interaction between setting the goals and the actions gearing towards achieving them should be explicit in that it becomes open to those who will be affected when the policy is being implemented. It thus becomes clear that there are various challenges that any policy may have. The National Forest Act on the other hand has shown that it poses major challenges for small growers in their respective areas of operations. Simply because from the manner in which it was formulated, consultation has not been done properly. From the growers perspective, its the government against them and this is not the intentions of the Act. The act should work for the people, because it is for the benefit of the people.

The history of South African forest reveals that the country is semi arid. There is not much forestry available in the country. As the forest covers only 1% of the total land and the fact that forest contributes approximately 4.5% of the country's GDP show that an increase in forest cover will increase the economy of the country. It is

important that areas that have the potential to be afforested are made to be available. The province of KwaZulu-Natal is one of the province that been identified as having the most number of people engaging in the forest industry and it has enough land available to be afforested.

There are a number of the challenges that forest policy implementation has for small-scale commercial timber growers. These challenges range from policy, to operations of small growers. The paper has revealed that no policy can exist in the vacuum. People need to be part of the policy decision right from the policy making or that policy is deemed not to work for them or to address their needs. Power should not play a role in the policy process because people at grass root level in this case rural people do not have any power to affect policy decision. Thus for decisions to work for people, people need to be empowered and given the chance to engage or participate in the decision making process.

Challenges that this project reveal for small-scale commercial timber growers is that which comes from the Department of Water Affairs and Forestry where growers find themselves having to pay huge amount of money when it has not been communicated to them that the activity they are engage in, has negative impacts on the availability of water. Other challenges are that of forest certification. The NEMA bill also on the other hand poses challenges for small growers because they find it extremely difficult to appoint a consultant to do a site inspection for the suitability if the area for afforestation. Because consultant become very expensive and growers cannot pay since they do not have money even to start planting forest.

Committee members and chairpersons have revealed that they do not have an understanding of the Forest act No.84 of 1998. Thus implementing this act is problematic because growers do not understand the act from the first place. It is also evident that Forest South Africa is not known to small growers. Thus it is difficult for the organization to monitor and oversees the manner in which government department (DWAF) comes up with policies which are meant to work for the growers. The organization needs to first introduces itself to the growers and make growers understand its role, its intentions and how it can help the growers to address issues of concern to them at higher levels.

Recommendation from the regional facilitator who was in contact with small growers both chairpersons and the entire committee members is that all sector of the forest industry needs to come down to areas where forest is being practiced and address issues in their respective interest. Especially government departments need to be visible to people, because it is there for the people by the people. There also need to be a strong bond between government and non governmental organizations because they all serve the interest of the people. Also some mechanisms are needed to be place to address the needs of growers. This may be in terms of more incentives for those engaging in the forest industry which may in turn encourages people to be engaged in the forest industry.

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Appendix: Questions asked to chairpersons- Face-to- face interview –Group1

1. What difficulties do you encounter as a chairperson to deal with your committee?

As you see not all members have come to the meeting but they were all invited.

2. How do you think these difficulties can be solved?

If people can see change in the forest industry then people will be eager to come to meetings

3. Do you think as a chairperson you have sufficient information on how to deal with the committee?

Information changes, but if it was as SAWGU taught us then I have enough to lead the committee

4. As small grower do you think being part of the committee helps you to address issues of concern?

To some extent yes, but the problem is that major issues are not resolved urgently as we may wish

5. What do you think of the Forest Act?

That act as you say it was formed in 1998, it was formed to work for a particular society not for us because we were not part of it.

6. Do you think it addresses the needs of small growers?

If our lives were not as miserable as they are. This is increasing high blood pressure to most of us.

7. Do issues being addressed so far by Forest Industry with regard to the forest Act hinder you from being chairperson of the committee?

No, but it gives me uncertainty that I can stand and represent people.

8. Do you think the forest industry is a worthy industry to follow?

We live by forest, we use forest wood to fence and build or houses, we also use for fuel, so it is the right industry for us rural people to engage in.

Committee Focus Group Interviews-Group 1

1. From the issues being addressed which is your primary issue?

Water, because we have been given letter telling us to for water

2. Do you think the department of water affairs and forestry have been fair when they regard forest as the only activity that uses more water than any other activity?

How did they reach that conclusion, is it the only activity that uses a lot of water, thus they are not fair.

3. What other problems do you encounter in your engagement with the forest industry?

Transportation is another problem

- 3.1 Why is this a major problem?

Because government is not lending a hand to help us transport our timber, and it is very expensive.

4. What do you think of the map being developed?

We have not seen the map; we only had about it when you mention it to us.

5. Do you have an understanding of what the Forest Act No.84 of 1998 is all about?

We don't know the act we only head from you.

6. What do you think of FSA, as has been outlined by the regional facilitator?

If FSA can help us solve these problems we have than it can be a good organisation.

7. Do you think FSA has what it takes to help in addressing issues and concerns for small growers?

Only if can include us in dealing with these issues because you do not know what we are experiencing in our places.

8. What do you think of the structure that FSA has in order to achieve representation within the forest industry?

May be this is the cure to help us address our problems

9. Is the forest industry a worthy industry to follow?

We have been taught how to plant forest, it is the only thing we know. So it is the right industry.

Appendix: Questions asked to chairpersons- Face-to- face interview – Group 2

1 What difficulties do you encounter as a chairperson to deal with your committee?
Time factor, it takes a lot of time to go around telling people about the meeting.

2. How do you think these difficulties can be solved?

Compensation of some sort for people especially organizers.

3. Do you think as a chairperson you have sufficient information on how to deal with the committee?

Yes because SAWGU taught us on what we were supposed to do.

4. As small grower do you think being part of the committee helps you to address issues of concern?

Not exactly as one cannot say things and they happen

5. What do you think of the Forest Act?

I don't know of the act

6. Do you think it addresses the needs of small growers?

Since I don't know it, it exist in isolation

7. Do issues being addressed so far by Forest Industry with regard to the forest, act hinder you from being chairperson of the committee

If all that is happening its because of the act, then some of the difficulties are being generated by it.

8. Do you think the forest industry is a worthy industry to follow?

Looking at the problems we are encountering I think its not the right industry to follow. But at first we did not experience such problems.

Committee Focus Group Interviews- Group 2

1. From the issues being addressed which is your primary issue?

Water issue as we are now supposed to pay for water that comes from heaven.

2. Do you think the department of water affairs and forestry have been fair when they regard forest as the only activity that use more water than any other activity?

Not at all because we do not find such difficulties in sugar cane.

3. What other problems do you encounter in your engagement with the forest industry?

Transportation of our wood

3.1 Why is this a major problem?

Because most of us live in areas that have hills and finding transport to reach such areas is very difficult

4. What do you think of the map being developed?

We have not seen the map, but if it is going to do what you are saying, may be it will help.

5. Do you have an understanding of what the Forest Act No.84 of 1998 is all about?

We do not know of this act and who came up with it, because no one here can say she/ he was part of it.

6. What do you think of FSA, as has been outlined by the regional facilitator?

We are not sure yet, but as time goes by we will see if there will be a difference.

7. Do you think FSA has what it takes to help in addressing issues and concerns for small growers?

As you have addressed we suspect that FSA might be on the right track but we don't know.

8. What do you think of the structure that FSA has in order to achieve representation within the forest industry?

That is exactly what we think may help us.

9. Is the forest industry a worthy industry to follow?

We love forestry, we eat through forestry, so it is the right industry to follow, but our interest is decreasing due to problems we are experiencing.

Appendix: Questions asked to chairpersons- Face-to- face interview – Group3

1. What difficulties do you encounter as a chairperson to deal with your committee?

Is to call the meeting and ensure that everyone come to the meeting.

2. How do you think these difficulties can be solved?

If people can see that problems that we have can be solved.

3. Do you think as a chairperson you have sufficient information on how to deal with the committee?

What do you mean? in terms of chairing the meeting. SAWGU taught us what to do. So I do not think I have a problem.

4. As small grower do you think being part of the committee helps you to address issues of concern?

Since no issues have been solved, by being a committee member has not helped yet.

5. What do you think of the Forest Act?

I don't know it, but if it's the one that is causing all these problems than its not good.

6. Do you think it addresses the needs of small growers?

How can it address our problems by burdening us with more problems?

7. Do issues being addressed so far by Forest Industry with regard to the forest, act hinder you from being chairperson of the committee.

No, but when you come back from the meeting and people expect positive feedback and you don't have it, then you are not representing them properly.

8. Do you think the forest industry is a worthy industry to follow?

We cannot run anywhere, we are to fight with the challenges that the industry is posing to us.

Committee Focus Group Interviews---Group3

1. From the issues being addressed which is your primary issue?

Water and Certification.

2. Do you think the department of water affairs and forestry have been fair when they regard forest as the only activity that use more water than any other activity?

No because they cannot tell us how much water does one tree uses. We have never seen them but we only hear from you.

3. What other problems do you encounter in your engagement with the forest industry?

Diseases and Fire

- 3.1 Why is this a major problem?

Because most of our trees are affected by disease especially during the time when your trees are about to be hauled. Fire also comes out when you have made even fire brakes.

4. What do you think of the map being developed?

Once we see the map we will know because may be it does not include our area.

5. Do you have an understanding of what the Forest Act No.84 of 1998 is all about?

We have not head of the act, its our first time we hear from you.

6. What do you think of FSA, as has been outlined by the regional facilitator?

May be it's the organisation that will help us address our problems.

7. Do you think FSA has what it takes to help in addressing issues and concerns for small growers?

May be but if we are not going to be included then its going to fail.

8. What do you think of the structure that FSA has in order to achieve representation within the forest industry?

This is what will help us, may be if it can be hurried.

9. Is the forest industry a worthy industry to follow?

Yes, but not with such problems, because this is chasing our children away. They cant help us when we engage with the forest.

Appendix: Questions asked to chairpersons- Face-to- face interview –Group 4

1. What difficulties do you encounter as a chairperson to deal with your committee?

A lot of responsibility, such as calling members who at times do not come for meetings.

2. How do you think these difficulties can be solved?

Only if people can have communication channels like cell phones.

3. Do you think as a chairperson you have sufficient information on how to deal with the committee?

Yes, with the little bit that I have, I manage to do my task

4. As small grower do you think being part of the committee helps you to address issues of concern?

Not at all, because major problems have not been solved yet.

5. What do you think of the Forest Act?

I don't have an idea of the act.

6. Do you think it addresses the needs of small growers?

Only if we did not have such problems then it would be addressing our issues of concern.

7. Do issues being addressed so far by Forest Industry with regard to the forest, act hinder you from being chairperson of the committee.

The industry itself has not done more to encourage us from doing our activity. But it does not stop me from being the chairperson.

8. Do you think the forest industry is a worthy industry to follow?

Only if we can get all our problems solved then it would be a good place for our investment.

Committee Focus Group Interviews---Group 4

1. From the issues being addressed which is your primary issue?

Water, because of these thousand of rands we are asked to pay, even the chiefs are not happy with this.

2. Do you think the department of water affairs and forestry have been fair when they regard forest as the only activity that use more water than any other activity?

No, and we do not know those people, they have never came to us here in rural areas.

3. What other problems do you encounter in your engagement with the forest industry?

Certification and transport.

3.1 Why is this a major problem?

It takes a very long time to apply for a permit to plant forest. Sometimes two to three years. Transport on its own is a very huge problem because transport owners demand a lot of money.

4. What do you think of the map being developed?

As soon as we know how they look like and if they include our area then we will know.

5. Do you have an understanding of what the Forest Act No.84 of 1998 is all about?

No we do not know.

6. What do you think of FSA, as has been outlined by the regional facilitator?

Since it's a new organization we will wait till it makes some differences.

7. Do you think FSA has what it takes to help in addressing issues and concerns for small growers?

If it was formed with all other member in the forest industry knowing then it will

8. What do you think of the structure that FSA has in order to achieve representation within the forest industry?

Representation is all that we need. We do not want a situation where by you tell us what to do. But we want to be part of the negotiations

9. Is the forest industry a worthy industry to follow?

We don't know in other areas what sort of problems they are facing, but for us its difficult to operate in this industry.