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Mind the gap!

Decoupling between policy and practice in the policing of illegal wildlife trade

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Abstract

Despite numerous promises and pledges at national and international levels to confront what many acknowledge as a crisis, illegal trade in wild plants and animals continues to grow and diversify. Empirical research conducted in Norway and Uganda from 2013-2015 indicates that despite the different circumstances in which law enforcement operates in the two countries, policing agents face a number of comparable challenges. Drawing on institutional theory the paper argues that decoupling, i.e. gaps between official policies and daily work activities within the policing organizations compromises enforcement in both countries. Challenges stem from conflicting demands, poor resources and want of guidelines that oblige officers to prioritize the control of illegal wildlife trade in practice.

Introduction

Illegal wildlife trade (IWT)¹ is a form of serious crime that takes place across the globe. Extensive deliberations continue, and millions are invested in projects, to confront the problem successfully and sustainably. In recent years, nation states have developed a greater level of interest in responding to environmental threats partly due to their impact upon national and international economic interests (White, 2011) and in the last decade, there has been increased emphasis on law enforcement agencies to stop crimes against wildlife (see e.g. Moreto, 2015; White, 2016). Organisations like INTERPOL and a number of United Nations bodies have developed million-dollar global programmes to tackle the problem. Celebrities, politicians, and even royalty have joined the cause, garnering increased awareness, forming new organisations and foundations to generate funding and bring together key actors. Several high-level summits have been held to address the scourge of wildlife crime, invariably concluding with a ‘declaration’, ‘pledge’, ‘accord’ or similar proclamation about the latest integrated global response. Success however, has been limited. As noted by Gosling (2018):

¹ Drawing on Burgener and colleagues (2001), Wyatt (2009) has defined ‘illegal wildlife trade’ as crime that involves the illegal transport, smuggling, poaching, capture or collection of endangered species, protected wildlife and derivatives or products thereof. This study adheres to the same definition.

Despite some isolated but often disputed signs of hope, the illegal trade in plants and animals continues to grow and diversify. Networks of groups and individuals, working loosely together across continents, kill, process, smuggle, and sell wildlife, primarily driven by the motive of illicit financial gain.

With the advent of fields such as ‘eco-global criminology’ (White, 2011), ‘environmental criminology’ (White, 2008), ‘conservation criminology’ (Gibbs et al., 2010) and ‘green criminology’ in particular (Beirne & South, 2007; Brisman, 2014; Sollund, 2008; South, 2014; White & Heckenberg, 2014), environmental crime is receiving attention across academic disciplines. With several contributions focusing specifically on crimes against wildlife, the volume of scientific literature on this issue has grown significantly (Ngoc & Wyatt, 2013; Sollund, 2015; van Uhm, 2015; 2016; Wyatt, 2009, 2013). Considerable research indicates that the lack of success in tackling wildlife crime stems from existing wildlife law regimes not working in their practical implementation and that the enforcement of wildlife crime suffers as a result (Nurse, 2012, 2015; Wellsmith, 2011). Across jurisdictions, problems identified pertain to i.a. a lack of resources, lack of police priority and inconsistency in policing approaches (Nurse, 2015:112). A fundamental problem highlighted by Han and Nelen (2017) is that global and government-level wildlife protection policies or activities are not implemented by the law enforcement authorities that tackle wildlife smuggling in the field. Some customs administrations, while giving the appearance of conformity and compliance, actually implemented no substantive change in their daily practices and tackled wildlife smuggling purely in a symbolic manner (Han & Nelen, 2017). By building on previous analyses of counter-IWT enforcement in two separate jurisdictions; Norway and Uganda (see Runhovde, 2015, 2016, 2017a, 2017b), in this article I explore whether enforcement officers in the two countries are facing comparable challenges and to what extent the lack of success in curbing illegal trade may stem from gaps between policy and practice, applying institutional theory as an explanatory framework.

Situated in northern Europe and East Africa respectively, authorities in Norway (Direktoratet for Naturforvaltning, 2010; Politidirektoratet, 2010, 2013) and Uganda (Uganda Police, 2014) have acknowledged IWT as a problem that needs to be addressed and prioritized and both countries have adopted laws and regulations to protect wildlife and confront crime nationally. A relevant instrument in this context is the multilateral Convention on International Trade in Endangered Species of Wild Fauna and Flora, known as CITES. Currently there are 183 member countries, or ‘Parties’ to CITES across the globe. Norway ratified CITES in 1976,

Uganda in 1991. CITES is an international agreement that seeks to ensure that trade in plants and animals does not threaten the survival of species. The Convention is not a vehicle of national criminal law, has no counter-crime provisions, nor do its international custodians hold any law enforcement function. Rather, it provides a framework for each Party to adopt its own domestic legislation to ensure implementation of the Convention at the national level (CITES, 2015). That said, it is recognized today that illegal trade is a major threat to wildlife and CITES has in practice morphed into one of few forums to address the issue, indirectly defining the rules that wildlife traffickers seek to circumvent (UNODC, 2016). Trade bans and control are vital components of CITES' wildlife protection mechanism (Han & Nelen, 2017), enforced by law enforcement agencies such as national police and customs administrations (Reeve, 2002). Yet, studies have found that a lack of enforcement of and compliance with CITES objectives at national and local levels has hindered its overall effectiveness (Han & Nelen, 2017; Han, 2014; Rosen & Smith, 2010; Schneider, 2012; Vasquez, 2003), and that this occurs disproportionately on the African continent (Pires & Moreto, 2016).

This article builds on research carried out in Norway and Uganda from 2013-2015 and conducts a comparative analysis of enforcement against IWT in the two countries. Due to the arguable influence of CITES in combating wildlife trafficking (Wyatt, 2013:111), and since Uganda and Norway both are Parties, practical implementation of the Convention is relevant for the analysis. Recognising that all trade, including that defined as transnational, takes place within national borders and that the IWT extends to i.a. illegal hunting and capture, the discussion will also consider enforcement of wildlife crime happening domestically. Policies and plans require implementation and enforcement. While previous research has highlighted the failings of the law enforcement approach in curbing wildlife crime, few studies have examined to what extent certain circumstances within policing organizations might influence and undermine enforcement efforts. This paper therefore employs institutional theory (Bromley & Powell, 2012; Meyer & Rowan, 1977; Meyer & Scott, 1983) and the concept of *decoupling* between policy and practice in organizations in order to determine how policy intersects with enforcement practices, i.e. how the policing organizations' pledge to control wildlife trade are transferred and negotiated in the daily practices at on-site levels. To what degree can weak policy implementation explain why the law enforcement approach has not had the desired effect? First, there will be an introduction to comparative criminology and policing models in Norway and Uganda before presenting key characteristics of decoupling theory. Following a description of the methodology comes a presentation and discussion of law enforcement

characteristics in both countries. In so doing, the overarching aim is to understand to what extent decoupling is an explanatory variable for the current state of wildlife crime enforcement.

A comparative perspective on the policing of illegal wildlife trade

Looking at policy implementation comparatively might explain how broader issues affect IWT enforcement across countries and provide access to alternative options and solutions to shared problems. ‘Comparative criminology’ is concerned with the study of crime and criminal justice systems across geo-political, historical and cultural contexts. The aim is to understand both the similarities and differences in how societies respond to crime (Nelken, 2010; Pakes, 2010). Pakes and Holt (2017) explain that while researchers frequently seek to understand why criminal justice arrangements in one jurisdiction can be so strikingly different from the next, similarities can be equally as intriguing, particularly where highly dissimilar countries deploy highly similar approaches. In addition, comparative research can provide an opportunity for criminological theories, which are typically generated within the context of particular nation-states, to be given a wider hearing (Mueller and Adler 1996 in Howard et al., 2000:145). A basic question of comparative criminology is therefore ‘how do theoretical models relating to crime translate across cultures’ (Hardie-Bick et al., 2005:2)? The discipline ‘Southern Criminology’ is particularly concerned with *where* such theoretical knowledge is produced and by *whom*, and *whose* experiences and voices are reflected in dominant academic discourses. Outlined as a transnational criminology that is inclusive of the experiences and perspectives of the Global South, southern criminology aims to de-colonize and democratize the toolbox of available criminological concepts, theories and methods (Carrington et al., 2016). The North/South distinction frequently refers to the divide between the metropolitan states of Western Europe and North America, on the one hand, and the countries of Latin America, Africa, Asia and Oceania, on the other. Southern criminology advocates that research should enable history to account for the divergent patterns of crime and justice and their effect on everyday life in the South (Carrington et al., 2016). Situated in the global North and the global South respectively, any comparison between enforcement practices and policy implementation in Norway and Uganda should therefore begin with recognizing the history of policing and crime control in each country.

Two systems of policing in Norway and Uganda

The nature and extent of ‘policing’ as a process and ‘the police’ as an organization varies between countries (Mawby, 2008). In his *Theory of policing*, Brodeur (2010) argues that

'policing' is engaged in by many agencies or individuals, well beyond uniformed police personnel, and that these agencies, rather than forming an integrated whole, generally operate independently from one another. Their authority to use means that other citizens are prohibited from using under normal circumstances is what defines these 'agents of policing'. The development of the modern Norwegian 'police' drew largely on inspiration from the model of the English police (Ellefsen & Larsson, 2014), which was centrally controlled and in uniforms that separated them from the military. The 'new' English police were charged not only with crime control and maintaining order, but also with fulfilling a welfare and service order role. At least in theory, their principle task was prevention rather than detection of crime (Emsley, 2008; Mawby, 2008). Today, Norway has a unified police service, so there is a single police organization and the powers of police and prosecutors are not granted to other agencies (Politiet, 2016). CITES is enforced through a separate administrative decision in the national legislation² and it is the responsibility of Norwegian Customs to ensure that the import and export of protected species comply with the provisions of the Convention. Violations may result in the wildlife being seized and the incident referred to the police (Runhovde, 2016). The police service plays a key role in the enforcement of IWT by ensuring that offences are appropriately investigated and result in a commensurate criminal justice response.

Many of the current issues faced by the wildlife sector in Uganda, including the implementation of international wildlife conservation agreements, have their origins in Uganda's history and cannot be understood without tracing how they were shaped by the past (Makumbi & Manyindo, 2000:2). While policing in England was developed in the direction of service-oriented functions and crime prevention, a different policing model was preferred for the control of subjugated populations in the British colonies. Characterized as defenders of the government rather than the people, the police were militaristic and authoritarian in their emphasis on law and order (Mawby, 2008). Such a colonial-style paramilitary police force was inherited by independent Uganda in 1962 and its legacy survives today, leaving a complex pattern of overlapping policing agencies, with the line between the conventional police, the military and other security agencies being unclear (Kagari & Edroma, 2006). The Uganda Wildlife Act (2000) charges the Uganda Wildlife Authority (UWA), a semi-autonomous, paramilitary government agency with conservation and management of wildlife and wildlife protected areas. Similar to Norway, Customs plays a major role in the enforcement of IWT at border points in

² Forskrift til gjennomføring av konvensjonen 3. mars 1973 om internasjonal handel med truede arter av vill flora og fauna. Under the *Act relating to the regulation of imports and exports* and the *Act relating to wildlife and wildlife habitats*.

Uganda, and often provides the first and only opportunity for the enforcement of CITES provisions (Makumbi & Manyindo, 2000). The Uganda police are charged with apprehending and prosecuting individuals involved in IWT and collaborate closely with Customs.

This necessarily brief introduction provides some background as to how contemporary policing systems in Norway and Uganda, likely to have implications for the enforcement of IWT today, have evolved. The study adopts the inclusive perspective on policing and policing agents outlined by Brodeur (2010), with a respondent group that in addition to the conventional police, extends to prosecutors, customs inspectors, law enforcement rangers and soldiers. Norway and Uganda may differ in their motivation for regulating legal and illegal trade in wildlife, for instance, nature conservation is central for continued revenue through tourism in Uganda while it provides little in terms of economic resources in Norway (Sollund & Runhovde, 2020). Furthermore, while there are discussions on whether Uganda is best characterised as a source or a transit country for the IWT (see e.g. UNODC 2016, Runhovde 2017) Norway is essentially an importer of wildlife. The actors involved (e.g. smugglers, facilitators and consumers) are therefore likely to vary between the two countries, and consequentially so is the enforcement response. Nevertheless, as Parties to CITES, both countries are accountable to a similar regulation framework, and the trade is likely to represent common challenges for law enforcement in different parts of the world (e.g. Maher and Sollund 2015). Research has rarely explored the impact of global forces on ordinary local policing (Bowling, 2009:156) or the question of what, if any, positive impact the heightened attention to wildlife crime has had on the daily work activities of law enforcement officers. By looking to theories on institutional organizations and the concept of decoupling, the next section highlights the complex relationship between management level and ground level in organizations.

Gaps between policy and practice in organizations

Institutional theory, as established i.a. in the work of American sociologists Meyer and Rowan (1977) and Meyer and Scott (1983), is perhaps the dominant approach to understanding how and why organizations behave as they do, and with what consequences (Greenwood et al., 2017:2). Such theories may prove useful in explaining the decisions and behaviours within the policing organizations in this study. Arguably, policing organizations represent institutional organizations by their use of ambiguous technologies (policing) to produce outputs (crime control, crime prevention etc.) where quality and efficiency is difficult to measure (Morphew & Huisman, 2002:495), and by striving to develop activities and structures identifiable both internally and externally as legitimate (Meyer & Rowan, 1977; Scott, 1987). The institutional

perspective on organisations tells us that environmental pressures directly influence the policies and practices of organisations. Pressure in the form of legislation and public policy, and more diffusely through public opinion and social activism, forces organisations to adopt new policies to conform to external expectations regarding formally stated goals and to increase legitimacy. In practice however, there may be no marked change in the organisations' behaviour (Bromley & Powell, 2012; Scott, 2008). Consequently, a gap develops between the formal structure of an organization and its ongoing work activities, in other words; there is decoupling between policy and practice (Meyer & Rowan, 1977:343).

Bromley and Powell (2012) argue that decoupling occurs at two levels: at policy-practice level and at means-ends level. At the *policy-practice level*, decoupling occurs when rules are not implemented or are routinely violated. Policies may be adopted purely symbolically, or implemented, evaluated and monitored so weakly that they do little to alter daily work activities. As a result, there is little or no relation between policy and daily practices, and this form of decoupling is more likely if there is low capacity to implement policies. Policy-practice decoupling may also follow from normal accidents, or misconduct and normalization of deviance. At the *means-ends level*, decoupling occurs when policies are implemented, but the link between formal policies and the intended outcome is unclear. Bromley and Powell (2012) explain that means-ends decoupling is most prevalent in contexts where the effects of actions are difficult to measure, such as in organizations that are involved in the production of complex social or public goods. A great deal of time and resources goes into developing, implementing, monitoring and evaluating policies and practices even though there is scant evidence to show that these activities are linked to organizational effectiveness (Bromley and Powell 2012).

These ideas were applied to the context of IWT enforcement by Han and Nelen (2017) in their study of why member countries to the World Customs Organization neglect or deny implementation of their obligations regarding wildlife protection. The researchers found decoupling between global or government-level wildlife protection policies and the practices of customs administrations. The gap was linked to the extent of modernization and the political will of high-ranking customs officials. Confronted with multiple conflicting external pressures, administrations that had a high degree of modernization had addressed wildlife smuggling in an active matter, while administrations that had a weak capacity to comply with wildlife protection laws had adopted a merely symbolic approach.

'Law' is not automatically translated into practice (Gundhus, 2016) and consequently, police research has devoted considerable attention to the role of discretion (Holmberg, 2000; Reiner,

2010). Because policing agents are unable to enforce each and every violation of the law due to limited resources, and because laws require interpretation in concrete situations, officers are expected to make discretionary decisions about whether and when enforcement is in order (Reiner, 2010). As such, officer discretion is another factor that may have influence on the implementation of wildlife crime regulation in practice, depending on factors such as the perceived seriousness of the offence, the threat to health and safety, the detriments to the resource, the demeanour of the offender, prior criminal record (Carter, 2006; Eliason, 2003) and the officer's personal commitment to the issue (Runhovde, 2015). In light of these perspectives, the article considers the extent of decoupling, at *policy-practice-* or *means-end* level, as a compromising factor for the enforcement against IWT.

Methodology

The study was conducted in Norway and Uganda from 2013-2015 with local enforcement against wildlife crime as the overarching, unifying subject matter, and semi-structured interviews with law enforcement officers of varying rank and position. The selection of locations and of individual respondents aimed to account for variations across both countries and to provide representative samples. The main strategy for recruiting individual interview respondents was purposeful sampling through local managers. In Uganda, snowball sampling; i.e., identifying additional locations or respondents through existing ones (Robson, 2002; Yin, 2011:89) proved a particularly useful method for gaining access to 'hard-to-reach' respondents. In Norway, respondents from Customs were inspectors and supervisors in the 'Border Control Section of the Norwegian Customs Enforcement Department'. In Uganda, customs respondents were employed either in the 'Enforcement Unit', or within the unit known as 'Field Services'. In Norway, generalist police officers and specialized investigators conduct criminal investigations, depending on geographical location and type of crime. Respondents here extend to investigators, environmental co-ordinators and prosecutors, most who had a particular, although not exclusive, responsibility towards investigation of environmental crime. In Uganda, interviewed investigators were employed as police detectives in general investigation units, including local stations and central units such as the Special Investigation Unit in Kampala. Rangers carry out specialized tasks within the national parks. The respondents in this study are primarily law enforcement rangers. Since no rangers were interviewed in Norway, the interviews with Ugandan rangers were subject to an independent analysis. In Uganda, thirty-five interviews were conducted with sixty-four respondents. In Norway, eighteen interviews with thirty respondents were conducted. Combined, the data consists of fifty-three interviews

with ninety-four respondents. Interviews were conducted in groups or individually, depending on the number of respondents available at the time of the visit.

The data sources from Norway and Uganda are not identical but share a focus on the enforcement of IWT at local levels. The analysis in the primary studies began by reading through each transcribed interview, identifying and highlighting keywords with the intent of finding common themes. This process provided an inventory of data-driven codes (such as ‘porous borders’ or ‘dismissals’). Later, and for the purpose of the individual articles, the codes or keywords were developed into broader, more analytical and theoretically informed themes (Gibbs, 2007), (such as ‘risk factors’ or ‘the status of wildlife crime’).³ The present, secondary analysis draws on the results from the previous analyses as well as from revisiting the original empirical data to consider whether there are indications in the material that decoupling is present. The discussion is organized around a selection of themes or arguments relevant to the research question. Several themes traverse the two countries and it will be made clear when findings pertain to Norway and when to Uganda, and when findings overlap between the two.

What Gets Measured gets Managed

When viewed together, findings from both countries imply that the performance of policing agents is pragmatic and result-oriented, leading officers to make prioritizations that are in accordance with ‘what is measured’ at management level. The activities of Norwegian police officers are governed through organizational control of work priorities, targets and performance indicators that are combined to improve efficiency (Gundhus 2013; 2017). For wildlife crime however, there is a general lack of direction from the senior management level both within the Norwegian customs organization (Runhovde, 2015) and the police organization (Runhovde, 2016). One police investigator explained the issue of environmental crime being of low priority within the police, affecting both resources and drivers for officers with ambitions:

The police leaders have no focus towards environmental crime. The explanation is very simple – it has never been a priority. Not from the Ministry of Justice or from the Police Directorate. There are no achievement targets set [for environmental crime]. How can you make an investigator interested in such cases when people have career goals?

With little priority given to IWT at the policy level of organizations, and no achievement targets set for performance at ground level, the policing of wildlife crime in Norway is vulnerable to

³ The findings from these primary analyses dealt with Norway and Uganda separately and are presented in four publications (see Runhovde, 2015, 2016, 2017a, 2017b).

systemic weaknesses and largely dependent on the devotion of individuals. This has consequences for the number of recorded seizures, investigations and prosecutions, as officers are directed to focus on other, more prioritized crime categories. All seizures, arrests and convictions count, but less effort is put into wildlife crime cases, as it would be at the expense of more 'rewarding' activities.

Without achievement targets and evaluation of their performance, Norwegian officers may consider down-prioritization of IWT as an efficient and flexible public use of authority that also serves to bridge the gap between the responsibilities of the job and that which officers are able to accomplish (Lipsky, 2010). Due to limited resources, the professional discretion exercised by officers may lead to various degrees of non-enforcement and/or under-enforcement (Buvik, 2014) that ultimately weakens the regulation of IWT. Normalization of deviance in organizations is common, for instance when individuals make minor exceptions to formal rules, perhaps with the intention to be more efficient (Barnett & Finnemore, 1999). Over time, these small deviations become established as standard practice, and are no longer seen as rule-breaking. For example, between 1976 and 2017⁴ and at the time of data collection, the keeping of exotic reptile species in Norway was generally banned. Nevertheless, one police investigator admitted that,

My impression is that most Norwegians have accepted that people own reptiles and they don't care. There's hardly any of us [police officers] that don't know someone who keeps reptiles but nobody reacts (...) There hasn't been any focus towards it nationally and therefore it doesn't concern us either.

According to Bromley and Powell (2012), many instances of decoupling occur through intentional rule-bending for both moral and immoral reasons. Another example from Norway involves the online purchase of traditional Asian medicines derived from endangered species. Some investigators and prosecutors maintained that it is both unreasonable and unrealistic to expect consumers to be aware of whether or not the product is of a legal origin and whether the trader from whom they purchased the product is licenced. The requirement of subjective guilt is difficult to establish and as a result, little effort goes into the investigation. If the suspect has no prior criminal record, the case will often be dismissed, indicating that confiscation of the product is seen as sufficient punishment since people are not knowingly or intentionally breaking the law (Runhovde, 2016). The practice of the Norwegian police to caution first-time

⁴ In 2017, the Norwegian authorities lifted the 40-year long ban, based partly on the argument that it was frequently violated and difficult to enforce (Sollund & Runhovde, 2020).

offenders as opposed to issuing fines may also be an attempt to seek voluntary compliance by offering people a second chance; a strategy that according to theories of procedural justice and deterrence may be more proactive (see e.g. Jackson et al. 2012; Kahler & Gore, 2012).

Relatedly, in Uganda, trade is governed through a system of regulation that largely operates outside the legal framework (Titeca & Herdt, 2010). Working in potentially hostile environments (see also Akella and Allan 2012), border control becomes an on-going negotiation between the officials and the local traders. Acknowledging that not all rules can be enforced, some goods and activities are perceived as 'less illegal' than others. Seeking to compensate for what is perceived as a negligent national government, Ugandan customs inspectors may be inclined to consider wildlife traffickers as 'businessmen' fending for themselves under difficult circumstances through cross-border trade (Titeca & Herdt, 2010). In the protected areas, apprehended poachers are mostly people from the nearby rural communities, driven by subsistence and basic income generation. Ugandan rangers and police investigators exhibited awareness that local people have relied on hunting and gathering of forest resources for generations and therefore may perceive conservation policies as unfair and illegitimate. As one police investigator working in a rural area said: *[Local people] need alternatives for gathering firewood, grazing their cows and finding food*. The respondents acknowledged the limitations of the law enforcement approach by advocating a need for interventions that go beyond enforcement in order to build positive relationships with the communities, educate local people on the benefits of conservation and provide alternative means of survival (Runhovde, 2017a).

The practices described above may rest on various degrees of rationalization and disavowing of responsibility, where officers in both countries employ 'techniques of neutralization' (Sykes & Matza, 1957) to rationalize their own norm-breaking behaviour. Denial of the victim, the seriousness of injury and/or the offenders' responsibility have been identified as neutralization techniques employed by Swedish officials who refrain from reporting environmental offences (Du Rées, 2001), as well as in the general acceptance of animal abuse and exploitation, based on an understanding of non-human animals as objects and 'resources to be harvested' (Sollund, 2012). While no respondents explicitly expressed such views, considering wildlife crime as being of less importance in comparison to other crime could permit officers to more easily rationalize under-enforcement of such crime. It may be difficult for officers in Norway to see 'the bigger picture' and have a sound understanding of how their country features as a destination for IWT that has serious social and ecological harm in range countries and indeed

globally, and that it may be a component of transnational organized crime. Similarly, rangers and investigators in Uganda may view subsistence hunting as natural and commonplace, and not appreciate the impact on endangered animals and plants and their need for protection. Accounting for the social and historical dimensions of hunting, offenders may be given lenient treatment.

Negotiation between informal, situational factors and organizational guidelines

Numerous people, vehicles and goods cross the borders to Norway and Uganda every day. Aiming to expedite legal trade and frustrate, detect and prevent illegal trade, customs inspectors must make the right choice if and when to intervene. Narrowing the selection to what stands out from the norm is one way of managing the workload. Inspectors in both countries employ this strategy, albeit the empirical data indicates that their logic for doing so is somewhat different. Hörnqvist (2006, 2007) maintains that customs inspection is operated through two different types of risk assessment: formal and informal. Formal risk assessment is guided by fixed risk profiles, based upon information available before a traveller, vehicle or commodity arrives at the border, whereas informal assessments occur when the demeanour of the passenger and the individual inspector's intuition and experience guide the decision to search. Findings from both countries suggest that in customs inspection in general, there is an indiscernible distinction between formal indicators and informal, situational indicators in guiding the discretion of the inspectors.

In Norway, through formal risk assessment measures such as an automatic postal blockade,⁵ the number of possible inspection objects can be greatly reduced before reaching an inspector. The final decision as to which passenger or item to select for inspection however is still made by an individual inspector on the ground. The initial, screening conversation with a traveller is an important step to determine whether to pursue a more thorough examination, but the inspectors often found it difficult to pinpoint exactly what was guiding their choice of objects to inspect. Situational factors related to the passenger, the item or the context had considerable impact on the inspectors' decisions, and they frequently referred to intuition or 'gut feeling' to explain their choices throughout the inspection process, signalling the exercise of discretion (Runhovde, 2015).

⁵ A blockade means that all shipments originating from certain countries and regions regarded as 'high risk' are placed in containers to be scanned and inspected (Runhovde, 2015).

A similar description applied to customs in Uganda, where the restriction placed on the inspectors' opportunity to search transit consignments is one important organizational factor governing the control procedures. The East African Community Customs Management Act (2004) permits Ugandan customs to search any vehicle, whether or not in transit, on the suspicion that it is 'conveying any unaccustomed goods' and the inspectors maintained that they are instructed to stop all trucks entering Uganda from the DRC and South Sudan. The inspectors admitted however, that practical norms take precedence. While the cargo area may be opened for a superficial glance, for transit goods, they need a strong suspicion of an offense before breaking seals or conducting thorough checks of goods and manifests. Suspicion might arise from a tip-off, or other situational signifiers such as the behaviour of the driver. According to one Ugandan customs officer,

Control comes down to the discretion of the officer... The weight of the cargo, if it seems too heavy [compared] to what it is declared as and the general feeling the officer gets.

As such, controls at checkpoints in Uganda also rely on the discretion of the inspectors when negotiating between informal, situational factors and organizational guidelines. On this basis, risk assessment by Norwegian and Ugandan customs inspectors is arguably a 'hybrid' activity, where inspectors blend expert and everyday knowledge to create new assemblages of risk information (Valverde, 2011).

Limited availability of resources, human and logistical, challenges the policing of IWT in both countries. In Norway, this limitation seems connected to a general marginalization of wildlife crime within the control authorities, where such crimes become an added duty for already overburdened and non-specialist officers. Crime-recording procedures for environmental crime are inconsistent and incomplete. There is limited formal education offered within environmental crime enforcement in general, and IWT cases are infrequent, offering few opportunities for officers to gather occupational practice and experience. Investigators and prosecutors, even when given a responsibility for environmental crime, are periodically assigned to other investigations due to limited resources in their respective departments, or required to discontinue or set aside environmental cases to deal with cases that are considered more urgent (Runhovde, 2016). As a developing country, the institutional challenges facing policing agencies in Uganda are numerous, many of which can only be managed through comprehensive, long-term reform. Resource-related challenges highlighted in interviews centred on lacking or outdated equipment and a need for conventional capacity building. Similar

to Norway, investigations were often conducted by non-specialised officers within units responsible for a range of crimes besides those related to wildlife (Runhovde, 2017a).

So how does the negotiation between situational and organizational factors affect the enforcement of IWT, and under what circumstances do officers detect wildlife smuggling? Findings from both Norway and Uganda suggest that wildlife smuggling is discovered somewhat unintentionally through inspectors searching for other illegal goods. Norwegian inspectors maintained that they lacked the experience and knowledge to identify any trends within this field. In Uganda, while UWA attributed increases in seizures to criminal intelligence gained from stronger collaboration between Ugandan and foreign agencies (CITES, 2013), most seizures described in interviews suggested that detections at local levels are often coincidental and result from routine checks. A customs officer described a 2015 seizure of twenty-one pieces of ivory coming into Uganda on a passenger bus from Tanzania:

While the bus passengers were filling out forms for immigration, police did an inspection of the bus. The officer became suspicious about three school bags containing something hard. He opened the bags and found what looked like animal horns wrapped in cardboard. He called for Customs who verified that the horns were ivory.

Both countries have ratified CITES and adopted wildlife crime regulations that charge the national customs organizations with the responsibility to ensure that wildlife is imported or exported only when the necessary licenses have been acquired. Nevertheless, inspectors lacked the necessary training for verifying shipments and reported having difficulties in reading product labels, knowing what to look for and what questions to ask during inspections. Even if permits are presented, inspectors doubted their ability to validate the authenticity of CITES documentation, problems also highlighted by Sollund (2013:79) and Rosen and Smith (2010). Overall, there were few if any signs of a strategic approach behind enforcement in either country, for instance through intelligence gathering, formal risk assessment or profiling of smugglers. Combined, these circumstances indicate that at the time of research, wildlife crime regulations had not been implemented in a manner that altered the daily work routines of the customs inspectors.

Decoupling at two levels

Norway is a wealthy country enjoying a reputation as a leader in environmental politics globally (Underdal & Hanf, 2019), and has adopted policies that reflect the external values and expectations of the international community. The analysis indicates however, that Norway's

reputation is not transmissible to the national level as the endeavour to fulfil these obligations in practice, for instance by allocating sufficient resources to enforce the regulations, has not been realised (see also Sollund and Runhovde, 2020). Instead, it appears that customs and police organizations in Norway largely have maintained their old practices, detached from policies that are declared publically, thereby displaying decoupling at the policy-practice level.

In both countries, the policing of IWT is conducted through compromises and discretionary decision-making. When negotiating between informal, situational factors and organizational guidelines, officers give precedence to enforcing crime categories for which the rules are unambiguous, the routines are well established and prioritization is rarely questioned. Limited resources, both human and logistical, challenge policing. Wildlife seizures happen somewhat unintentionally through customs inspectors searching for other illegal commodities. Arguably, various degrees of rationalization and disavowing of responsibility combined with limited understanding of the impact and long-term consequences of IWT and of their country's role in the global illegal trade in wildlife, lead to a lack of or inadequate enforcement and to officers making exceptions to the formal rules. As a result, these crimes are allowed to continue through otherwise well-meaning attempts to facilitate compliance and fruitful working relationships with the public, again demonstrating decoupling at the policy-practice level.

In Uganda, findings also point to decoupling at the means-end level. Bromley and Powell (2012:499) maintain that taken-for-granted assumptions encourage organizational behaviours that may be counterproductive, in turn generating means-ends decoupling by implementing practices with little or no relation to the intended outcome and overall goals of the organization. While Ugandan respondents stressed the importance of community policing and of building relationships with residents and local leaders to prevent wildlife crime, the Ugandan Government supports increasing military involvement in conservation, and condones repressive measures against suspected wildlife offenders, including shoot-to-kill orders for armed poachers. The Government's response thus seems inconsistent with the officers' descriptions of offenders mostly being subsistence hunters and their requests for basic equipment and training (Runhovde, 2017a). Militarization strategies in conservation are counterproductive by invariably involving a greater use of physical force (Duffy, 2016; Duffy et al., 2015), leading to more hostility, anger and confrontation between policing agents and communities. Arguably, the reintroduction of trophy hunting in 2001 could represent another example of means-end decoupling in Uganda. While presented as a community based conservation approach that contributes to sustainable development by the Government, other actors, such as non-

governmental organizations, highlight problems with corruption, lack of transparency and accountability, and unreliability in animal statistics (Ochieng, 2011; Ochieng et al., 2015) and the negative ecological and economic impact associated with trophy hunting could hinder the conservation role of the industry (Lindsey et al., 2007). Trophy hunting has also been used as a facilitator of wildlife crime, as demonstrated in the so-called ‘pseudo-hunting’ of white rhino in South Africa. There, wildlife crime syndicates exploited legal trophy hunts as a means of obtaining horn for Asia’s illegal markets (Rademeyer, 2016), and contributed to a burgeoning demand for horn that continues to threaten the survival of the species (Montesh, 2013). Thus, while trophy hunting may be legal, its effectiveness and desirability as a secure and sustainable conservation solution remains in debate. Furthermore, and relevant to a southern criminology perspective, the postcolonial associations of trophy hunting must also be acknowledged. According to a study by Mkono (2019), Africans felt resentment towards the neo-colonial character of trophy hunting, in the way it privileges Western elites in accessing Africa’s wildlife resources. These examples of policies and practices favoured by the Ugandan Government thus represent means-end decoupling in that while executed according to plan, they are unlikely to achieve the intended outcome to deter poaching and illegal trade in wildlife, conserve biodiversity or contribute to human development.

Conclusion

Governments of Norway and Uganda have acknowledged the illegal trade in wildlife as a significant problem that needs to be addressed and prioritized at national level, and both countries have adopted laws to confront such violations. Yet by looking at enforcement processes through a comparative lens, we see that in considering the different circumstances in which law enforcement operates in the two countries, controlling IWT presents a number of comparable challenges for ground level officers, and that these could be related to inadequate implementation of laws and policies in practice in the studied organizations. Decoupling at the policy-practice level in both Norway and Uganda is demonstrated through competing priorities, mis-allocation of resources and want of instructions that obligate officers to prioritize the control of IWT in practice. Furthermore, in Uganda there exists a questionable connection between policies that are implemented and the core goal to conserve wildlife and deter crime. Through a process of securitization and militarization that may increase the risk of excessive control in enforcement, national decision-makers conflict with the recommendations of interviewed local practitioners whose experience with communities supports collaboration and building trust as the solution, representing decoupling at the means-end level.

Importantly, the comparability of Norway and Uganda is debatable given the significant differences between the two countries with respect to historical, socio-economic, political and demographical conditions, thereby frustrating the generalization of findings in any strict sense. Despite being Parties to CITES, Norwegian and Ugandan law enforcement officers operate within quite different legal frameworks and criminal justice environments. While the research methodology is similar for both countries, the data sources are not identical, resulting in different knowledge bases for each country. Finally, the applicability of institutional theory as an explanatory framework in Uganda warrants more discussion given its affiliation with the global North, risking overlooking influential factors relevant in the South. For example, when looking at compliance with CITES in Norway compared to Uganda, it is important to consider *whose* voices and experiences are given priority in the interpretation and development of the Convention. As emphasized by Roe and colleagues (2002), while each Party to CITES may have a vote, each does not have the same voice given the vastly differing size of delegations and amount of experience. Economically wealthy industrialized countries can afford to send significantly larger delegations to meetings and commit more resources than financially challenged countries in the South to lobbying delegates and influencing decision-making processes. Impoverished countries may thereby have less influence on decisions, be subjected to more scrutiny and, consequently, be compelled against their capacity to take disproportionate domestic measures in response to non-compliance with the Convention (Sollund & Runhovde, 2020). Explaining *why* decoupling happens, should therefore also be a topic for further analysis. Consequently, findings in this study should be regarded as complementary: together they provide a coherent account of the intricacies of policing transnational wildlife crime at local levels, some of which are shared by the two countries despite the geographical and socio-political distance between them. Such an account may encourage greater inter-national sharing of experiences and challenges, cultivate understanding of local differences and ultimately assist national agencies and external bodies to better address crimes against wildlife and identify underlying causes and sustainable and effective solutions.

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