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### Introduction

Deforestation has been studied, from various aspects using different approaches, theories and methods. The novelty of this study is inspecting deforestation as a property rights problem using Buchanan's property rights approach (BPRA) as a lens through which North Kordofan (Elain areas) was investigated. The approach was , designed to assist in the development of criteria with which existing political-legal systems may be evaluated (Buchanan, 1975). Given that the investigation on constitution level remain one of few investigated area in forestry despite its importance (Deegen, 2013).

### Study area , deforestation problem and Objectives

North Kordofan state, located in center of Sudan between latitudes 11,15-16,45N and longitudes 27,5-32,15E.

The population is ethnically diverse, comprises of 23 villages (a community forest).

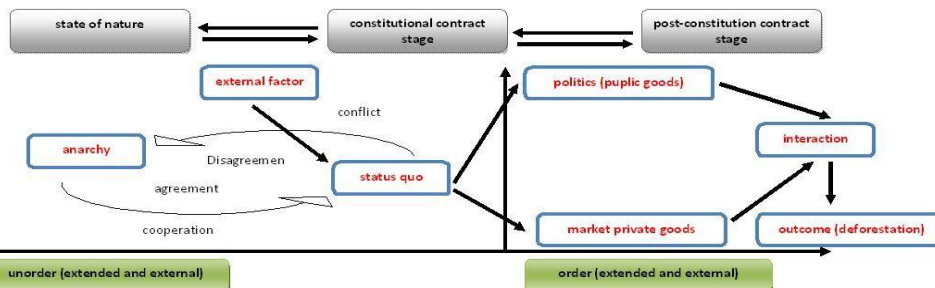
Forest cover in Kordofan is witnessing a continuous decline and deforestation indicated and documentations by many evidence



The study aimed to clarify BPRA and use it deductively to understand the Problem of deforestation. Hypothesing that the model Will provide vlablue insight into why the problems develop and suggest way to solve the problem.

constitutional and post-constitutional framework for emergence and exchange of property rights (Develop from Buchanan, 1975)

state of nature	Constitutional contract stage	post-constitution contract stage
No limitation individual behavior	Choice among rules disarmament contract	Choice within constraint of well operating rules
	formulation of protective state	Protective state (judial, legislative and executive)
	choice rule (consensus or unanimity rule )	
	natural equilibrium	



### Results and Discussion

The analysis reveals that

- ❑ The unconscious agreement on social right (social contract) between local people eroded over time with continuous conflict between local people and with continuous intervention of colonial and post- colonial state.
- ❑ No consensus or semi-consensus agreements on forest rights within local people or between local people and state.
- ❑ The enlargement of role of the post-colonial state coupled with other factors, resulted in 1. The change in property rights rules (enforced modern farmers and urban elites /local people interest, 2. Increases short run agricultural investment /traditional agro-forestry 3. created weakly enforced state forests /locally protected communal forest. Increased rent seeking in politics within/between government intuitions and local groups
- ❑ The state become the enforced referee as well as player. The legitimacy of unconstrained collectivity deteriorate, the need to limit state action rises

### Conclusion

The problems of deforestation has a constitution root and the analysis proved the need to renegotiate CC at constitutional level (choice among institutions structure, individuals /state relations and form of orders).

The need to change the rule of the game rather than dealing with outcome (deforestation) strengthen agreement in rights through basic constitutional revision in order to change individual behaviors that lead to such problem.

### Method and methodology of research

The study use methodological Individualism (*the Homo economicu* individual choose and is seeking to maximized his own interest in his social interaction being through market or non market in exact type of order). Level of analysis is constitutional ( choice among rules) rather than within specified rules.

The study use deductive methodology (start from theory , drived questions and hypothesis , observations, theory confirmation and seek to add to deforestation process knowledge).