Ban the (plastic) bag?
Explaining variation in the implementation of plastic bag bans in Rwanda, Kenya and Uganda

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Abstract
The environmental damage that plastic waste is causing has catalyzed government action against plastic bags around the world. Despite anti-plastic bag policies gaining traction globally, there has been limited investigation of why the implementation of bans has varied. The variation in implementing bans is particularly stark in East Africa, a region that has been at the forefront of plastic bag legislation. Rwanda’s implementation of a ban on plastic bags in 2008 has attracted widespread praise for its environmental leadership. Kenya adopted a plastic bag ban before Rwanda but implementation was consistently delayed until a stringent ban was finally imposed in 2018. In Uganda, despite bans being announced on four separate occasions, implementation continues to be delayed. This paper explains why some governments adopt and effectively enforce plastic bag bans while others reverse course or delay implementation. Existing literature has cited the comparative strength of plastic industries as the salient factor in explaining varied adoption of plastic bag bans. This paper argues that though the comparative business power of plastic industries explains whether bans are obstructed, it does not satisfactorily explain varied implementation. Instead, countries that pursue services-based development strategies, which prioritise externally dependent sectors like tourism, are more likely to implement plastic bag bans, which can help bolster their green credentials. For the Rwandan and Kenyan governments, presenting their countries as environmental leaders contributed to their goals of becoming a regional economic hub, reliant on services like tourism. The Kenyan government’s decision to eventually implement the ban was driven by a perceived need to compete with Rwanda for regional environmental leadership while supporting Kenya’s services-based economic development strategy. In contrast, Uganda’s comparatively larger discovery of oil and limited emphasis on

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services-based development explained the government’s lack of commitment to implementing a plastic bag ban.

Keywords
Plastic bag, plastic ban, environmental policy, business power, East Africa

Introduction
There is increased recognition of the negative effects that plastic waste has on the environment. Yet large amounts of plastic continue to be produced. Since plastics are lightweight, strong, durable and cheap, they are used in manufacturing products including pipes, footwear, fabrics, public health applications and furniture. The manufacture of plastic bags was initially promoted by the United States oil and gas industry in the 1970s since high density polyethylene – the primary material for single-use, thin-film bags – is primarily made out of by-products of fossil fuels.

Twelve million barrels of oil are required to produce 100 billion plastic bags annually (Clapp and Swanston, 2009), contributing to considerable negative implications for the environment and climate change. Plastic bag waste also has a negative impact on the environment by contributing to unsightly litter, posing threats to wildlife and putting public safety at risk (as a breeding ground for malaria-carrying mosquitoes and clogging sewers and drains). Public recognition of the damage that plastic bags cause prompted legislation globally from the 1990s onwards. There has been a rapid spread in anti-plastic bag policies (including levies and bans), tripling in numbers since 2010 (Nielsen et al., 2019). Countries in the Global South are recognised to have taken more stringent action against plastic bags than industrialised countries. Knoblauch et al. (2018) show that 36 out of 51 countries that adopted plastic bag bans were in the Global South while 28 of 39 countries that only retained taxes on plastic bags were in the Global North.

Of the few existing studies (Clapp and Swanston, 2009) examining the proliferation of legislation against plastic bags globally, there is a tendency to assume that if plastic bag policies were announced, governments implemented them. However, after being legislated, bans have often been reversed or simply not implemented. This paper explores why some governments adopt and effectively enforce plastic bag bans while others reverse course or delay implementation. Specifically, the paper examines why the implementation of plastic bag bans varied across three East African countries: Rwanda, Kenya and Uganda. Countries were selected on the basis of whether a public commitment to implementing plastic bag bans had been made. The region is among the most advanced in its collective commitment to plastic bag bans. Since 2011, Rwandan representatives have publicly campaigned for region-wide plastic bag bans. In 2017, the East African Legislative Assembly (EALA) passed the East African Community (EAC) Polythene Materials Control Bill, prohibiting the manufacture, sale, importation and use of polythene materials. Tanzania, Burundi and South Sudan – other EAC members – were excluded from this study, as there was comparatively less commitment (at the time of this study) to anti-plastic bag legislation as compared to other countries.\footnote{Given that Rwanda, Kenya and Uganda actively supported anti-plastic bag legislation in regional discussions and Tanzania was often perceived to be a ‘spoiler’ of EAC regional commitments, Tanzania was excluded from the study.}
There are three prominent explanations of why implementation of plastic bag bans may have varied. First, existing literature (Clapp and Swanston, 2009; Njeru, 2006) on anti-plastic bag legislation suggests that governments wavered in enacting anti-plastic bag policies because of the business power of domestic plastic industries. In this literature, business power refers to structural power ‘in the form of job provision and its contribution to the overall manufacturing economy (Clapp and Swanston, 2009: 324). Second, it would be reasonable to assume that advocacy and pressure by international environmental agencies like the United Nations Environment Programme (UNEP) exerts pressure for continued commitment to plastic bag bans. UNEP may exercise more agency in Kenya since it is headquartered there. However, its influence must be assumed to be consistent over the last decade. As such, it cannot be isolated as a key factor. Third, broader state-society pressures and environmental activism are often understood to drive environmental policy adoption and implementation. Though Kenya and Uganda (to a lesser extent) have a strong history of environmental activism, the influence of activists appears to be consistent over time and therefore does not explain Kenya’s decision to finally implement the ban in 2018.

Instead, this paper analyses how two key factors have shaped why governments vary in enforcing, delaying and reversing plastic bag bans: business power and the salience of deploying environmental policy to support externally-dependent services ‘hub’ development strategies. The limited salience of business power explains the effectiveness of Rwanda’s plastic bag ban (where the plastics industry was virtually non-existent) in comparison to Kenya and Uganda (where the plastics industries were much more organized). However, it does not explain why Kenya and Uganda have consistently reversed their commitments or why Kenya has now chosen to adopt a strict plastic bag ban. This paper argues that one reason why governments deploy environmental policy and pursue environmental leadership is to support the achievement of services-based growth, especially where wildlife tourism is a key component of services sector growth. Given the externally-dependent nature of services-based (and specifically tourism) growth, countries are often in competition with each other to secure foreign capital and tourists. Thus, the paper argues that Rwanda’s progress in achieving regional environmental leadership motivated Kenya’s decision to implement the plastic bag ban. This is because Kenya’s pursuit of environmental policy contributes to its commitment to developing a services-based economy. In comparison, Uganda’s prioritization of developing an oil-based economy, which conflicts with its commitment to environmental protection, is a contributory factor that explains why the plastic bag ban continues to be delayed.

This paper is based on fieldwork, comprising semi-structured interviews with businesses, government officials, journalists and environmental advocacy organisations in Rwanda, Kenya and Uganda. In Rwanda – a country with fewer plastic companies – all firms were interviewed. However, in Kenya and Uganda, a selection of firms, as well as relevant business association representatives were interviewed. The author has been conducting fieldwork on the political economy of Rwanda, specifically state-business relations, between 2011 and 2019. During this time, 577 interviews were conducted, including with government officials and business leaders. However, most research relating to this paper including with specific plastic manufacturing firms and government officials was conducted between 2016 and 2018. Research in Kenya was conducted in January 2018, with 47 interviews with government officials, private sector representatives, journalists and environmental advocacy organisations. Research in Uganda was conducted in March/April 2018 and included 22 interviews with government officials, private sector representatives and environmental advocacy organisations. Fieldwork was complemented by content analysis of newspapers, as sectors have evolved after the author’s fieldwork.
This paper begins by introducing the two key factors that explain why the adoption and implementation of plastic bag bans varied across East Africa. It then details the three cases that have been chosen as a subject of the study. The paper concludes by highlighting how using environmental policy to attract external legitimacy and resources detracts from focusing attention on existing inequalities in domestic contexts. Specifically, bans have limited effect on the structural reasons (including urban poverty) of why plastic bags were used extensively in Kenya and Rwanda (Njeru, 2006).

Explaining variation in the implementation of plastic bag bans

In this section, two key issues are explored that explain why some governments adopt and effectively enforce plastic bag bans while others reverse course or delay implementation. As discussed in the introduction, variation in relation to three East African countries is considered: Rwanda, Kenya and Uganda.

This paper shows that the salience of business power of manufacturing companies can obstruct the implementation of anti-plastic bag policies. The definition of business power used here refers to both structural power and instrumental power. Instrumental power comprises the different ways in which business influences politics (outside the core functions of firms): campaign donations, membership associations, lobbying activities and privileged access to policymakers (Culpepper, 2011). Structural power, in contrast, refers to the pressure that firms apply through their investment decisions. Since governments rely on firm investment to sustain growth, policies that go against the interests of firms may encourage firms to disinvest. Business power-based explanations (including structural power and instrumental power), as Clapp and Swanston (2009) argue, fail to fully explain why Kenya has implemented a plastic bag ban and Uganda has not. Clapp and Swanston (2009: 324) argue that structural power – ‘in the form of job provision and its contribution to the overall manufacturing economy’ has influenced the uptake of anti-plastic bag policies. Others (Knoblauch et al., 2018), without using the term – instrumental power – have suggested that industry lobby groups and domestic plastics industries have blocked anti-plastic bag legislation. If instrumental power is more influential in obstructing policies then some attention should be dedicated to challenging lobbying or political finance. However, if the structural position of businesses were more influential then policies should be directed at limiting the size and concentration of companies within an economy (Culpepper, 2011).

Business power explanations are most convincing where government policy is clearly shaped by the power of domestic capitalist actors. The power of business is significant in certain sectors, as is the case in the plastics industry in Uganda and Kenya. However, the African studies literature highlights that domestic capitalist classes have been too disorganized or weak to influence economic strategy or that governments have strategically acted against domestic business (Boone, 1990; Mkandawire and Soludo, 1999). Twenty-first century government strategy is forced to contend not just with the influence of domestic business but also the question of how to shape domestic economic structures to remain competitive in an increasingly connected global economy. De-industrialisation has often been accompanied by the pursuit of services-based growth in African countries (Rodrik, 2018). Though still contentious as a source of sustained economic transformation (Cramer et al., 2020), services-based development strategies remain popular. In East Africa, services-based strategies have been pursued with the goal of becoming a regional ‘hub’ for finance, tourism and transport. These strategies depend on leveraging foreign capital and foreign tourists to help bolster services-based growth.
Green discourses and environmentalism (including the implementation of plastic bag bans) contribute to the external legitimacy for governments or at least, pave the path for attracting potential resources (Death, 2016). The drive for external legitimacy and the potential for environmental actions to contribute to securing resources is the most salient factor motivating Kenya’s recent implementation of the plastic bag ban in contrast to Uganda’s continued delays. Though the Kenyan government established its credentials as a regional leader for environmentalism in the 1990s, Rwanda has arguably surpassed Kenya and has become increasingly vocal in global environmental governance. In 2016, the Kigali Amendment was added to the Montreal Agreement, which calls for countries to gradually reduce the consumption and production of hydrofluorocarbons. With the European Union and 93 countries already signatories to the Kigali Amendment, Rwanda has cemented a symbolic position within global environmental governance.

Cerny (1990) argues that as governments pursue development within an increasingly competitive global political economy, states are forced to brand themselves attractively (in competition with one another) to secure resources. Both the Rwandan and Kenyan economies depend heavily on tourism. The development strategies of both countries are also increasingly reliant on becoming a regional economic hub. The choice to present their development strategies as environmentally conscious is part of a broader strategy to secure resources, striving to attract foreign capital and tourists. Though the Kenyan government has lost ground in regional environmental leadership to Rwanda, its implementation of a plastic bag ban signals the continued salience of initiating environmental policy to secure resources in line with achieving its services-based economic strategy. In comparison, Uganda has exhibited less inclination for services and tourism due to a recent oil discovery with a production of estimated 6.5 billion barrels of oil, and with recoverable oil between 1.8–2.2 billion barrels. Kenya’s oil reserves meanwhile are little more than a ‘shot in the arm’ for the economy, with estimates recently lowered to 560 million barrels (Tyce, 2019). Thus, the Ugandan government perceives domestically-produced oil to be key to sustaining the economy. The discovery of oil has reduced the impetus to seek external legitimacy.

The next sections describe how these factors have contributed to the Rwandan, Kenyan and Ugandan governments’ evolving positions related to the adoption and implementation of plastic bag bans.

**Rwanda**

Rwanda’s successful adoption of a plastic bag ban can be explained by the limited business power of existing plastic bag manufacturers. The Rwandan government’s continued commitment to a plastic bag ban contributes to positioning the country as a regional environmental leader. The ban aligns with Rwanda’s green discourses and contributes to external legitimacy, which works in line with the national development strategy of achieving a services ‘hub’ economic strategy. This section begins with a discussion of the implementation of the plastic bag ban and the limited resistance posed by the domestic plastics industry. This is followed by a discussion of how the ban aligned with the Rwandan government’s services ‘hub’ economic strategy.

In Rwanda, discussions of taking action against plastic bags began in 2003 after a study (Kabenga and Musabe, 2003), funded by the Rwanda Environment Management Authority (REMA), highlighted the negative impact that plastic waste was having on the environment. The study focused on damage that plastic waste has caused in the form of litter, polluting the soil, blocking drainage systems and the dangers it posed for cows. The 2003 study provided some evidence of local discussions for anti-plastic bag action. The Rwandan
government responded through initiating nation-wide campaigns to increase awareness about the issues in 2004.

Plastic bag implementation was driven almost entirely by leading government officials including President Paul Kagame. In 2005, Rwanda banned the importation and use of plastics that were less than 100 microns thick. In the same year, UNEP’s (2005) report on Kenya’s plastic bag problem, which was prompted by renowned Kenyan environmental activist Wangari Maathai, received widespread attention in Africa. In 2008, Rwanda’s anti-plastic bag legislation, which banned the importation and use of non-biodegradable packaging bags, became among the most severe globally. Though the government initially pursued policies with local concerns in mind, a desire to see itself as a leader in environmental policy spurred the pace and scale of action. Government officials said this was because Rwanda aimed to be a ‘first mover in the region in environmental action’, with some government officials arguing that it would lead to ‘innovation and being ahead in new technologies’. Implementation was strict, with smugglers receiving up to six months in jail and government inspectors often embarking on surprise checks of stores and manufacturing plants.

The Rwandan government’s implementation of the plastic bag ban faced limited resistance from existing firms. This can be explained by the limited business power of the industry. For industry officials, the rapid action against plastic bags was surprising. Rwanda’s Private Sector Federation confirms this in a position paper where they describe the limited adjustment period in which manufacturers had to end their operations within weeks (Danielsson, 2017). The example of one key investor is particularly striking. The owner of one plastic manufacturing company (SOIMEX) had recently returned to Rwanda in the 2000s. His family had shut down the manufacturing plant during the genocide. To restart the plant, he had just received a loan from Rwanda’s National Development Bank (BRD). He said:

In 2004, everything was set up and a week later, they decided to ban plastic bags. I almost packed up and left. I had most of my life savings in a loan with the bank to re-start the plant.

Immediately, SOIMEX’s investment plans were in jeopardy. SOIMEX and the other smaller producers within Rwanda abandoned production and were forced to fire the few employees they had. The fact that government-owned BRD had recently disbursed the loan highlighted the lack of coordination between government departments. This lack of coordination and limited flexibility has often characterized Rwandan government decision-making, as highlighted in the country's education, energy and industrial sectors (Behuria, 2018a; Dye, 2016; Williams, 2017).

The plastic bag ban detrimentally affected manufacturers. Officially, firms may import plastic items for packaging but must obtain permission from the government. However, domestic manufacturers were threatened that their company’s executives could spend up to a year in jail if they used plastic packaging (without permission) in the production and transport of their products. Though the government could provide special dispensation, several manufacturers mentioned that the sudden announcement of the plastic ban and the continued heavy-handed implementation of it ‘made no sense for any country trying to pursue manufacturing.’

**Linking environmental policy to Rwanda’s services hub strategy**

Rwanda has cemented its position as one of the fastest-growing countries on the continent over the past two decades (Diao and Mcmillan, 2018). Rwanda’s economic recovery since
the 1994 genocide has been driven by services-based growth. Services growth has outpaced
growth in agriculture and industry (Behuria and Goodfellow, 2019). Over the last decade,
domestic manufacturers were threatened that their company’s executives could spend up to
a year in jail if they used plastic packaging (without permission) in the production and
donated policies with local concerns in mind, a desire to see itself as a leader in environ-
mental policy spurred the pace and scale of action. Government officials said this was
about the issues in 2004.3

Government officials initially prioritized the growth of services often at the cost of
manufacturing (Behuria, 2019; Behuria and Goodfellow, 2019). Rwanda’s geographical
position as a small, land-locked country has meant that there are several impediments to
supporting the growth of the manufacturing sector including high transport costs. Leading
government officials argued that ‘manufacturing was not easy and was difficult for us as a
landlocked country.’10 Instead, leading government officials argued that it was necessary to
leverage Rwanda’s positive international reputation to pursue services-based growth, spe-
cifically through prioritizing tourism.11 The plastic bag ban was recognized as one policy
that would contribute to environmental leadership in the region and in building a reputation
of being a ‘clean’ capital city (Clavel, 2014) in a beautiful, inviting country.12 One govern-
ment official, for example, saw the ban as essential in ‘cleaning up our city and showing the
world the best image of Rwanda.’13

The Rwandan government positions itself as a regional environmental leader, with the
pursuit of foreign capital (including business tourism through global conferences) occurring
within a competitive global marketplace. The importance the Rwandan government places
on regional leadership parallels attempts to paint President Kagame as a Pan-African
leader, with this image increasingly on display through his leadership in establishing the
African Continental Free Trade Area and his recent positions as African Union Chairman
(2018–2019) and EAC President (currently serving). For the Rwandan government, ‘lead-
ership in tackling climate change is essential if we talk about trying to transform our econ-
omies in the 21st century.’14 The implementation of Rwanda’s plastic bag ban has been
interpreted as a ‘showcase’ example on the continent (Nielsen et al., 2019). In 2020, Rwanda
also launched a campaign to eliminate single-use plastics. The government has also estab-
lished a Green Fund (FONERWA), which is the largest fund for green growth in Africa.
Rwanda has also become the first African country to submit a tougher-than-required emis-
sions target to the United Nations, aiming to reduce emissions by 16% by 2030, which could
boost up to 38%. This led to the World Resources Institute lauding Rwanda for ‘demonstrat-
ing the kind of leadership that the world needs right now’ (Taarifa, 2020). Ambitious targets
are also in place, with reforestation and tree-planting drives underway, to achieve goals of
increasing forest cover to 30% of total land area by 2030 (currently below 20%). Though it
is not clear whether these targets will be achieved, Rwanda’s leading position within global
green discourses was cemented in 2016 when its capital city (Kigali) became the site of an
amendment to the Montreal Protocol, which encouraged a commitment to reduce the con-
sumption and production of hydrofluorocarbons.

External legitimacy is directly linked to securing external resources to support services-
based economic growth. For much of Rwanda’s history, coffee, tea and minerals comprised
nearly 90% of exports. However, over the last decade, tourism has outperformed traditional
exports to become Rwanda’s top foreign exchange earner in most years over the last decade.
With the Rwandan government’s broader services-based strategy heavily dependent on attracting foreign investment and visitors as part of becoming a services hub (including finance, tourism and IT), presenting a pristine image of the country is perceived to be essential. As one senior RPF official said, ‘we have to think about our competitive advantage. We have a beautiful country and we have to protect it. So our main aim is to protect the environment to enable our development.’

The Rwandan government’s prioritization of preserving a progressive global image was made evident in its recent high-profile shirt sleeve sponsorship (#VisitRwanda) of Arsenal F. C., worth 39 million USD over three years (Behuria, 2018b; Reyntjens, 2018). As part of this partnership, Arsenal football players like David Luiz visited Rwanda to provide global attention to Rwanda’s conservation efforts in gorillas. The Rwandan Development Board (RDB), the agency in charge of the country’s tourism sector, promotes celebrity visits (like those of Arsenal players, Ellen Degeneres and social media influencers) to bring attention to the country’s efforts in wildlife conservation, as well as promoting Rwanda as a tourist destination. Another prominent example of how the government has linked goals of environmental leadership and the promotion of tourism is the annual gorilla naming ceremony (Kwita Izina), held since 2005. Kwita Izina now receives global acclaim as a celebration of Rwanda’s conservation efforts, with celebrities ranging from the Queen of Jordan, former Arsenal footballer Tony Adams, the Deputy Secretary General of the United Nations Amina Mohammed and actress Naomi Campbell taking part in the naming of 25 baby gorillas in 2019 (Bizimungu, 2019).

The government’s plastic bag ban has become central to maintaining ‘a green, clean, healthy and wealthy environment’ (MINIRENA, 2009). The ban contributed to the Rwandan government’s attempts at securing regional environmental leadership and global attention, which had the effect of driving increases in tourism visits and investment to support its services-based development trajectory.

Kenya

The business power (both structural and instrumental) of the plastic bags industry contributed to obstructing the implementation of anti-plastic policies consistently since 2005. Since 2005, the Kenyan government has announced bans on plastic bags on four separate occasions. Kenya’s plastic manufacturers have consistently voiced their concerns about the bans both independently and through the Kenyan Association of Manufacturers (KAM). Through KAM, business power proved effective in blocking implementation until 2018. However, in 2018, a ban was implemented. There are initial indications that implementation has succeeded, with local manufacturers ceasing production. This raises the question of why the government was recently motivated to implement the ban. This section begins with a discussion of how business power obstructed previous plastic bag bans before arguing why a competitive drive (with Rwanda) for environmental leadership contributed to motivating implementation of the ban.

Kenya has historically been a bastion of environmental leadership across the continent. In the 1960s, the Kenyan government successfully lobbied other developing countries to ensure UNEP was headquartered in Nairobi. The Wildlife Club Movement of Kenya (WCK) was established in 1968 and was the first of its kind worldwide. The WCK provides environmental education to the youth and many of Kenya’s leading conservationists were WCK members in their youth (McDuff, 2000). The illustrious Green Belt Movement gained fame for its environmental conservation initiatives, which contributed to its founder Wangari Maathai winning the Nobel Peace Price in 2004. In the 1970s, the Kenyan
government began combating challenges with plastic waste, highlighting the damage it has caused to Nairobi, known as ‘The Green City in the Sun’ (Njeru, 2006). These initiatives made Kenya a leading light in African conservation efforts, with a rich tradition in environmental activism. However, precisely because the domestic environmental movement has remained consistently strong, it cannot be isolated as the key factor motivating the 2018 plastic bag ban.

The hazards associated with plastic waste in Kenya received global attention in the early 2000s when the practice of defecating in plastic bags in Nairobi’s informal settlements was reported in international press. Such practices were publicly dubbed as ‘flying toilets or ‘scud missiles’. The Kenyan government worked with UNEP to publish a report (UNEP, 2005) that recommended a ban on thin bags and a levy on thicker bags in Kenya. In 2005, the Kenyan government implemented its first ban, prohibiting the manufacture and sale of plastic bags with a thickness of 30 microns. Former President Mwai Kibaki’s administration developed a 10-point plan aimed at addressing plastic waste, with the promise of providing funds for alternative, environmentally friendly carrier bags (Kairu, 2017a). Nobel Prize Winner Wangari Maathai was appointed Assistant Minister of Environment in 2004, underscoring the Kibaki government’s commitment to environmental protection (Njeru, 2006). Maathai remained a prominent voice against plastic waste even after she left government (Gorsevski, 2012; Maathai, 2007).

Despite (what appeared to be) the government’s determination to ban plastic bags, there were already concerns that implementation was ‘sluggish’ (Njeru, 2006: 1052). Business power was evident in narratives challenging the ban. Plastic bag producers and traders protested, arguing that it would cause losses in employment of factory workers, workers in supply outlets and street families engaged in distribution. Kenya’s National Environment Management Authority (NEMA) also took the side of the manufacturers, highlighting that implementation would result in job losses for more than 4000 Kenyans (Njeru, 2006). In 2007, another attempt was made and the manufacture of plastic bags of less than 30 microns was again outlawed, with a 120% excise duty placed on them. Traders protested and threatened to pass on the extra cost of making thicker polythene to the consumer (Kairu, 2017a). In 2011, NEMA announced a new ban – covering larger ground than previous ones – on plastic bags below thickness of 60 microns. Similar protests followed.

Between 2010 and 2014, Kenya’s annual plastic production continued unabated, expanding by a third, to 4,00,000 tonnes (The Economist, 2017). There has been growing pressure from local activist groups, foreign environmental agencies (UNEP), the press and social media (through the popular hashtag - #banplasticsKE, which was supported through a retweet by Kenya’s Cabinet Secretary for Environment and Natural Resources) (Obiria, 2017). In 2017, pressure on the government contributed to finally combating the business power of manufacturers. A draconian ban came into effect in August, 2017, which threatened up to four years in prison or fines of $40,000 for anyone producing, selling or even carrying a plastic bag. Government officials said that initially, manufacturers and retailers would be targets rather than ordinary people. There were reports of arrests and raids around the country. Nairobi’s Burma market was shut down for widespread noncompliance with the ban (Watts, 2018). Businesses have continued to protest, using instrumental power, through KAM. KAM voiced its concerns by arguing that the ban would cost 60,000 jobs and force 176 manufacturers to close while also contributing a loss in exports since Kenya exported plastic bags across the region. Before implementing the ban, the Kenyan government allowed a six-month period for plastic manufacturers to become compliant but KAM officials argue that government policy was ‘too strict’ and ‘didn’t give any chance to
companies who had invested in the production of plastic for decades and employed thousands of Kenyans.\textsuperscript{17}

In comparison to Rwanda, Kenya’s manufacturing companies have had visibly more power over recent decades. A relatively strong group of domestic manufacturers have remained prominent, with their power increasingly evident in funding political campaigns after multi-party elections were introduced (Arriola, 2013; Himbara, 1994). Many politicians – including the current President Uhuru Kenyatta’s family and previous presidents like Daniel Arap Moi and Mwai Kibaki – owned some of the largest business portfolios in the country, thus highlighting how instrumental power has characterised state-business relationships.

Within the plastic sector, the direct involvement of several large diversified business groups and the influence of those groups in business associations like KAM meant that instrumental power facilitated avenues through which implementation could be blocked.\textsuperscript{18} Within Kenya, KAM is known as ‘a big boys club’, with the largest local manufacturers historically dominating the association.\textsuperscript{19} This suggests that diversified business groups were relatively well-organised, making it even more surprising that KAM has been unsuccessful in blocking recent implementation.

A large Kenyan business group – Ramco – had imported 15 million shillings worth of equipment in March before the plastic ban was announced. Highlighting the continued influence of the power of large business groups, despite losing a majority of their plastic manufacturing business, business groups like Ramco and Bobmil Industries managed to obtain special clearances to manufacture a limited number of plastic bags for the local food processing industry (Kairu, 2017b). One of the most significant consequences of the ban on plastic bags has been the associated job losses. Manufacturers claimed that they terminated between 60% to 90% of their workforces while KAM argued that it had a much more penetrating effect on job losses across the manufacturing, retail and agro-processing sectors.\textsuperscript{20} So why did the government finally implement a ban on plastic bags when the policy threatened political finance (from business groups) and manufacturing jobs – two important factors that will mean a great deal once election campaigning begins again?

\textbf{Aligning environmental policy to support services-based growth}

Since independence, services have contributed over 40% to Kenya’s GDP in most years, increasing to over 50% of GDP over the last two decades. In contrast, Kenya’s manufacturing sector has rarely contributed more than 12–13% of GDP. Kenya’s tourism sector – famous for its wildlife attractions – was the key contributor to services sector growth. Tourism receipts increased by nearly 126% between 1995 and 2014, amounting to nearly 2.1 billion USD (2014) (Njoya and Seetaram, 2018). The tourism sector was directly responsible for half a million jobs and contributed 4.1% directly and 10.5% indirectly to GDP in 2014 (Njoya and Seetaram, 2018). The Kenyan government’s strategy document – VISION 2030 – highlights tourism as a priority sector, aiming to make Kenya among the top-10 long haul destinations worldwide (GoK, 2007). However, Kenya’s position as a tourist destination (though still strong) has suffered negative attention because of terrorist attacks, election violence and insecurity near beach destinations (Buigut and Amendah, 2016; Christian, 2016). The increasing attractiveness of competitive regional destinations like Rwanda also disrupts the growth potential of Kenya’s tourism earnings.

Though Kenya has traditionally been perceived as an environmental leader on the continent, Rwanda has recently begun to outshine Kenya. As the section about Rwanda shows, President Kagame has positioned Rwanda at the forefront of environmental legislation.
Kenyan government officials are conscious of losing ground. One businessperson accused the government of trying to mimic Rwanda: ‘Rwanda is doing good things but they (the government) have to understand. Rwanda has no manufacturing and its very small compared to Kenya. There are big manufacturers here and we supply the region and employ hundreds of people.’

Kenyan government officials recognized that public pressure was a factor in contributing to the 2018 ban but stressed that ‘public pressure has always been there.’ Eminent personalities like Mathai and other local activists like James Wakibia, who started the twitter hashtag #banplasticKE, along with other civil society groups consistently demanded government action on plastic waste. The twitter campaign did have an effect, with one observer highlighting that ‘it put the issue on the international stage.’ Government officials were conscious of this, mentioning the importance of being perceived as exhibiting regional environmental leadership: ‘regionally, we have a lot of dialogue and at the East African level, we talk about this. We think with our history of environmental leadership, it is important we lead.’ The Kenyan government cemented its anti-plastic commitments further, closely following Rwanda in implementing a ban in single-use plastics in 2020.

Similar to Rwanda, Kenya’s service-oriented strategy depends on becoming a hub for tourism, finance and other services. In 2019, Kenya earned 1.61 billion USD from the tourism sector, which makes it the highest foreign exchange earner in the country (Reuters, 2020a). Statistics indicate that tourism receipts in Kenya are increasing. However, increases have been slow and lag behind government targets. VISION 2030 aimed to quadruple visitors and tourism sector earnings, as well as investments in the construction of hotels (GoK, 2007). Since VISION 2030 was published in 2007, arrivals have not increased to the extent that was hoped. There were 1.8 million arrivals in 2007. However, the number of arrivals fluctuated over the next decade (because of election violence, terrorist threats and regional instability) before increasing to 2.1 million in 2018 (TRI, 2018). In contrast, Rwanda’s international visitors nearly doubled from 5,00,000 in 2010 to just under one million in 2015.

Statistics for Rwanda and Kenya suggest that the tourism sectors of the two countries are indicating contrasting trends. Kenya, as a historically attractive tourism destination, has not realized its full potential in tourism earnings and number of visitors because of domestic insecurity and regional security threats. Travel advisories (including from the USA and the UK) warning travelers not to visit parts of Kenya have also dissuaded visitors from travelling. Rwanda, meanwhile, has mobilized its resources to paint an image of an environmentally progressive, clean and safe country. Tourism earnings and visitors indicate a sharp rise. The Kenyan government has failed to use its historically strong tradition of environment conservation to protect its environmental leadership in the region, allowing competitors like Rwanda to shine. The failure to capture earnings has forced the Kenyan government to mirror Rwanda’s implementation of environmental policies. Thus, Rwanda’s rise challenges the potential of the Kenyan government to access foreign investment (and also tourism), necessary to support its services ‘hub’ development strategy.

The salience of business power was a key explanatory factor in explaining the failed implementation of Kenya’s plastic ban until 2018. The most convincing explanatory factor for the recent implementation of Kenya’s plastic bag ban is the government’s attempt to re-assert its environmental leadership credentials in the region. This is in line with environmental leadership being linked to sustaining the country’s services-based economic trajectory. The next section examines the case of Uganda where implementation of the plastic bag ban continues to be delayed.
Uganda

As in the case of Kenya, business power in Uganda (both structural and instrumental) contributed to the failed implementation of bans on plastic bags. The ban was first announced in 2007. Further announcements of bans followed in 2009, 2015 and 2018. This paper argues that the Ugandan government has few incentives to seek external legitimacy through environmental policies. The limited motivation for external legitimacy contributes to explaining why the Ugandan government has delayed implementing a plastic bag ban. This is primarily because Uganda’s development strategy became increasingly centered on oil since major deposits were discovered in 2006, worth potentially 2 billion dollars annually to the Ugandan economy (Vokes, 2012; Mackenzie et al., 2017). This section begins with a discussion of the failed attempts at implementing plastic bag bans in Uganda. This is followed by as section, which argues that Uganda’s desired economic trajectory around oil has conflicted with conservation efforts and broader goals of environmental protection.

Uganda’s plastic bag ban was initially announced in 2007 but it was not until 2009 that then-Finance Minister Syda Bbuma, in her 2009/2010 national budget speech, announced the decision to ban kaveera (or plastic materials) of less than 30 microns and proposed an excise duty of 120% on all plastic products. However, business power of industrial actors was evident, with traders and manufacturers immediately protesting the ban. Plastic manufacturers have been organized and their instrumental power has been visible, lobbying the government through the Ugandan Plastics Manufacturers and Recyclers Association (UPMRA), which works closely with the Uganda Manufacturers Association (UMA). UPMRA has 28 members, with some of those members in plastic recycling. Some of the country’s largest business groups like NICE House of Plastics and the Mukwano Group of Companies are UPMRA members. Other large firms in the plastics manufacturing industry include Africa Polysack and Luuka Plastics. The plastics sector has been an important component of Uganda’s manufacturing sector, with one study recommending plastics as a strategic bet for the country’s future growth (Hausmann et al., 2014).

In April 2015, Uganda’s National Environment Management Authority (NEMA) tried again to implement a ban on the manufacture and use of polythene bags less than 30 microns thick. However, it was quickly postponed, with the then-Prime Minister Ruhakana Ruganda mentioning that the ban would have to be discussed with other ministries and stakeholders before implementation (Barigaba, 2017). Gradually, NEMA became more aggressive with several incidents of inspectors raiding shops selling plastic bags and closing factories after impounding plastic products. UPMRA’s members responded by claiming that they had invested over 8.5 million dollars in the previous 21 years, paid more than 4.5 billion Ugandan shillings in taxes and employed around 8,800 Ugandans (Tajuba, 2015).

In 2018, the issue of plastic waste continued to split the government with leaders taking contradictory positions. In June 2018, President Museveni again announced his intention to implement a ban on plastic bags, ordering 45 plastic manufacturers (38 of which were involved in manufacturing plastic carrier bags and other stakeholders) to stop the manufacture, distribution, sale and use of plastics (Leni, 2018). However, by October, the Minister of Trade was calling for a gradual phase-out of production and use of plastic bags rather than a complete ban including the imposition of a green levy on manufacturers of plastic and plastic products (Daily Monitor, 2018; The Observer, 2018). In November, Museveni changed his position, announcing his opposition to the ban on plastic bags, arguing instead for a greater emphasis on recycling (The Observer, 2018). Museveni’s
change of tune preceded the discussion of a new National Environment Bill in Parliament a few days later. Committee Chair Keefa Kiwanuka announced the decision to ban polythene bags, weighing less than 30 microns after holding talks with stakeholders (including manufacturers and environmental activists) (The Independent, 2018). The new National Environment Bill has not been ratified by the President and the ban has not been implemented.

President Museveni has consistently reversed his position on banning plastic bags. This shows that the government is split between publicly catering to different interests. Firms were satisfied that the government had not taken heavy-handed attitudes to implementation but uncertain policies contributed to their reluctance to invest further. For their part, civil society activists like NAPE have consistently pressured the government to implement action against the use of plastic bags, regularly voicing concerns in national newspapers and television. They argue that Ugandan government’s announcements to implement the ban are merely window dressing to meet regional commitments. Observers link Museveni’s recent threats (in June 2018) to plastic manufacturers as being caused by pressure from the EAC after the EAC Polythene Materials Control Bill was passed in 2017.

**Obsessing over an oil-based economy**

Uganda’s economic growth since the 1990s has been driven by the services, manufacturing and construction sectors (Bukenya and Hickey, 2017). Similar to Rwanda and Kenya, services comprised almost half of Uganda’s GDP over the last decade. However, since the discovery of major oil deposits in 2006, there has been comparatively little attention to the growth of other sectors (aside from some support being provided to the manufacturing sector) (Hickey and Izama, 2017). Though tourism is a significant source of foreign exchange, leisure tourist revenues and arrivals have stagnated between 2011 and 2016, suggesting a failure to capitalize on potential earnings (English and Ahebwa, 2018). The government has also been forced to choose between prioritizing oil and wildlife preservation (and tourism) since oil reserves have been located along the rift valley in Western Uganda within the Murchison Falls Protected Area, posing a threat to wildlife (Mackenzie et al., 2017). The government has taken the decision to prioritise potential oil revenues, with wildlife moving from affected areas and creating potential negative environmental impacts.

The salience of external legitimacy has also been less relevant for Museveni’s government since the mid-2000s when Uganda began to exert significant autonomy in relation to Western donors. That period was ‘a watershed’ in Uganda’s political economy, with the country graduating from debt, discovering oil and signing the Sino-Africa pact (Bukenya and Hickey, 2019). With 1.4 billion barrels presumed to be recoverable, the sector exhibited considerable potential and has shaped the government’s economic strategy (Hickey and Izama, 2017). Though Kenya has also discovered oil, its reserves are not large enough for the sector to displace tourism and foreign investment and aid as the country’s key source of long-term foreign exchange.

Hickey and Izama (2017) argue that the discovery of oil motivated the return of a muscular form of economic nationalism. The NRM depended on donor funds for its market-led economic strategy for over 20 years. Uganda’s oil discoveries meant the government could exercise more control over its economic trajectory. Foreign aid still comprised a large share of the budget but one senior government official mentioned that ‘oil means independence and now, we can think differently.’ Though Uganda remains committed to the EAC, there are few incentives for the government to invest resources in presenting the country as an environmental leader.
Uganda’s targeted start date for oil production has been delayed repeatedly over the last few years, with the new target established as 2022. There have been several challenges, with the re-organisation of Uganda’s domestic governance of the sector causing difficulties and volatility in global oil prices sparking uncertainty (Hickey and Izama, 2020). One of the three main exploration companies, Tullow, suffered financial difficulties. In April 2020, Total took over all of Tullow’s assets, making Total the major shareholder in Uganda’s oilfields. However, there continues to be progress (albeit slow) in the sector, with Uganda and Tanzania recently agreeing to construct a 3.5 billion USD crude oil pipeline from Uganda’s oilfields to the Tanzanian port of Tanga (Reuters, 2020b).

Despite the delays in oil production, the Ugandan government remains committed to make the oil sector its top priority. This has come at the cost of negatively affecting wildlife and environmental conservation, as well as reducing the revenues from wildlife tourism. Thus, the paper argues that while the salience of business power may explain why Uganda and Kenya delayed the implementation of the plastic bag ban in comparison to Rwanda, Uganda did not have the same incentives to implement environmental policy as the government’s strategy increasingly revolves around oil often at the cost of tourism, conservation and services-based growth.

**Conclusion**

The cascading of anti-plastic bag legislation around the world warrants further academic attention. This paper agrees with existing literature (Clapp and Swanston, 2009), which argues that variations in business power within domestic contexts explains why anti-plastic bag legislation is adopted. However, the paper disagrees that the salience of business power alone explains why those policies are implemented. The paper suggests that the key factor in explaining implementation of plastic bag bans is whether governments prioritise environmental policy as a way to support tourism-reliant services-based economic strategies.

The paper shows that Kenya and Rwanda’s attempts to maintain their position as leading environmental policy initiators is a key reason why both countries have committed to implementing plastic bag bans. Death (2016: 207) writes, ‘there is a clear set of incentives for African countries to emphasise both their environmental vulnerability and their capacity for exemplary leadership.’ Securing the status as an environmental leader can contribute to attracting investment and resources to support development trajectories. The paper argues that Kenya’s recent ban is driven by a competitive drive to secure the status of regional environmental leadership. In tourism-dependent economies, external legitimacy is a key factor in attracting foreign capital and tourists. Since Kenya appears to be losing ground to Rwanda, this drive to secure environmental legitimacy is essential to bolster the attractiveness of wildlife tourism and the revenues that accompany it. Uganda’s continued delays showcase how an oil-based strategy provides relatively few incentives for seeking external validity for environmental initiatives. This is especially true since Uganda’s pursuit of oil already has a negative impact on its wildlife and environment.

However, even as bans are successfully implemented across the continent, such policies detract from the national inequalities that contribute to plastic waste becoming a problem in the first place. Njeru (2006), in her study of plastic waste in Nairobi’s informal settlements argued that the infamous use of ‘flying toilets’ was a result of ‘exclusionary governance’ and an ‘unequal terrain of power relations.’ These inequities contributed to Nairobi’s informal settlements organizing their services on the basis of resources available to them. In the
absence of adequate toilets, most residents preferred to defecate in plastic bags inside their houses and throw them away on rooftops or in available open space or water drains.

Plastic bag bans do little to address poverty. In fact, bans are likely to exacerbate inequalities for informal sector workers and rural farmers who use plastic bags to transport goods cheaply. The global praise Rwanda has received for its ‘progressive’ ban ignores how detached such policies are from the contexts in which they are implemented. Increasingly, countries resort to green discourses and environmental policies to attract external interest, foreign investment and better integrate their green economies (Death, 2015). However, environmental policies that are divorced from domestic realities and are motivated to strengthen external legitimacy detract from solving existing inequalities.

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**Notes**

1. Tanzania implemented a plastic bag ban in 2019. Given the country’s comparatively limited public commitments to adopting the plastic bag ban previously, it was excluded from this study.
2. For a further discussion of Tanzania’s historically perceived position as a spoiler, see Cooksey (2014) and Ravenhill (1979).
3. Interview, local journalist, January 2015.
4. Interview, Office of the President, Government of Rwanda, May 2013.
5. Interview, mid-level officials, Ministry of Finance and Economic Planning (MINECOFIN) and Rwanda Development Board (RDB), January 2015.
6. Interview, SOIMEX owner, August 2016.
7. Interviews, SOIMEX and Ministry of Trade and Industry (MINICOM), August 2016.
8. Interviews, senior management, Rwandan manufacturers, May 2012 and May 2013.
9. Interviews, senior management, Rwandan manufacturers, October 2011-August 2016.
10. Interview, Office of the President of Rwanda, January 2015.
11. Interview, RDB CEO, January 2015.
12. Interview, RDB director, January 2015.
13. Interview, RDB junior official, May 2013.
14. Interview, RDB CEO, January 2015.
15. Interview, former RPF senator, May 2013.
16. Interview, senior KAM official, February 2018.
17. Interview, senior KAM official, February 2018.
18. Interviews, owners and managers, Kenyan manufacturing companies, February 2018.
19. Interview, owner, Kenyan business, February 2018.
20. Interviews, owners, Kenyan manufacturing companies; senior officials, KAM, February 2018.
21. Interview, large domestic manufacturer, January 2018.
22. Interview, senior official, Ministry of Finance, January 2018.
23. Interview, Kenyan journalist, January 2018.
24. Ibid.
25. RDB data.
26. Interview, mid-ranking official, UPMRA, April 2018.
27. Interview, Ugandan journalist, April 2018.
28. Interviews, owners, Ugandan manufacturers, April 2018.
29. Interview, Ugandan environmental activist, April 2018.
30. Interview, journalist at regional newspaper, November 2018.
31. Interview, Uganda Ministry of Trade, Industry and Cooperatives, March 2018.

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