

**CHANGE AND CONTINUITY IN GOVERNMENT INSTITUTIONAL  
ARRANGEMENTS: IMPLICATIONS FOR ENVIRONMENTAL  
MANAGEMENT IN THE UPPER TUGELA AREA OF KWAZULU-NATAL**

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# Chapter One

## General Introduction

### 1.1 Introduction

Part of the transition towards democratic government has been a new thinking towards environmental management. This general change in philosophical thinking as reflected in both policy and legislative frameworks, draws largely on international trends regarding environmental management. It seems that important international players such as the World Bank and United Nations Environmental Programme (UNEP) had a substantial influence on the domestic changes in policy approach regarding environmental management. The change in approach manifests itself in the new environmental management policy of South Africa, which introduces a number of principles which should guide environmental practices at all levels of government. Together with other legislative documents, the policy sets out to create relevant organizations and institutions to work towards achieving this new vision for environmental management which is based on the concept of sustainable development.

The new environmental vision is also accepted by at least three crucial legislative documents in this country. The Constitution of the Republic of South Africa (Act 108 of 1998), which is the highest law in South Africa, incorporates important environmental principles within its Bill of Rights. It also allocates primary functions and responsibilities to all organs of state. Important environmental management principles also feature strongly in the National Environmental Management Act, 107 of 1998, which provides an overarching national legislative framework for environmental management issues. The Development Facilitation, Act 67 of 1995, also makes strong provision for these principles to be observed in the land development process in South Africa. Other important policy documents which also support change in approach regarding environmental management include the White Paper on Conservation and Sustainable Use of South Africa's Biological Diversity (1997), as well as various other national policy documents relating to sectoral functional areas such as Water, Land, Agriculture, Forests and Transport, amongst others. A central concern amongst all these is the achievement of sustainable development through integrated and coordinated environmental management which promotes devolution of decision making and community participation.

However, it is here argued that one's enthusiasm regarding the new direction for environmental management is moderated by a concern about the reform's practical implementability. On closer analysis, the current government seems to be ambiguous towards

achieving effective environmental management which leads to sustainable development. A number of factors confirm this elusive stance. Firstly, the overall fundamental political transformation and the new administrative vision is based on the Reconstruction and Development Programme (RDP) and the Growth, Employment and Redistribution strategy (GEAR). Together these two documents are regarded as blue-prints for development in the new South Africa. Secondly, there is a lack of local commitment at municipal level. This lack of commitment translates into lack of capacity for environmental management processes within government structures. The important issue is that environment as an important government function, does not feature strongly in either of these documents. This has serious implications on the implementation process of environmental policies discussed in the preceding paragraph. Very little change occurs on the ground due partly to the lack of political will to effect the required transformation. Rural areas which were administered by the former homeland governments suffer the most from this lack of political commitment.

This dissertation aims to investigate the progress that has been achieved in response to policy and legislative obligations in light of the argument presented above. It looks at statutory institutional frameworks and what has been created, as well as the different roles and responsibilities given to each of these, and the nature of structures of communication between and amongst them. This will allow for the identification of progress as well as structural problem areas.

The investigation takes the form of a comparative analysis of two case studies which form part of the Upper Tugela Area. Initial analysis reveals that different institutional structures promote different environmental management activities within the study. At Mnweni Valley (Amangwane Tribal Authority area) environmental management activities relate to the contribution made by the Mnweni/RandWater Trust which works closely with BergWatch and the Wildlife Society of South Africa. At oKhombe (Mazizini Tribal Authority area) most of environmental management activities are based on the Landcare Project which is the responsibility of the national Department of Agriculture. In addition to these local initiatives, there are a number of planned projects with enormous implications for environmental management for the study area. These include the cableway project initiated by the Uthukela Regional Council; the Special Case Area Plan (SCAP) initiated by the department of Traditional and Local Government Affairs in conjunction with the KwaZulu-Natal Town and Regional Planning Commission; and the Maloti-Drakensberg Transfrontier Conservation and Development Project (MDTCDP). The MDTCDP is co-funded by the Global Environment

Facility and Japan through the World Bank. It involves the Governments of Lesotho and South Africa, in particular the provinces of the Free State, KwaZulu-Natal and Eastern Cape.

The present study is organized in such a way that **chapter two** outlines a new approach and an emerging discourse on environmental management in South Africa. It is argued that this involves a much broader understanding of the term 'environment' and highlights its two important aspects. On the one hand, environment is understood as meaning everything around us; on the other, it is taken to mean the biophysical or natural environment. These two aspects provide a basis for sustainable development, and as such they develop into a recurring theme throughout the dissertation.

The current transformation has also given rise to a far reaching re-evaluation and reform of almost every discipline administered by the government. **Chapter three** discusses transformation of institutional structures which are expected to implement government policies and its implications for effective environmental management in rural areas. It is argued that the nature of change and the speed with which the changes are occurring at national level are not repeated at provincial and local level. The chapter concludes by arguing that political commitment is urgently required to clearly define the roles and responsibilities of different institutions at provincial and local levels. This should be done in such a way that it improves communication between structures operating at provincial and local levels, and the public these institutions are meant to serve.

**Chapter four** provides a general context and rationale for selecting the area as a case study. It defines the Upper Tugela area as a microcosm. From the Drakensberg mountain point of view the case study is identified as an area of environmental sensitivity. However, from the Ukhahlamba Sub-region perspective, it is identified as an area of greatest need which requires effective government intervention. It therefore highlights the need for environmental strategies which attempt to address issues of environmental sensitivity, while at the same time improving the lives of the people occupying the area.

**Chapter five** forms a climax of the dissertation and critically reflects on the arguments raised in the preceding chapters. The chapter has three important elements. The first discusses four important environmental management initiatives. Some of these exist and others are still on the 'drawing boards'. These are explored in relation to the current and potential implications the initiatives have for both the natural environment and the people of the Upper Tugela area.

Secondly, it relates different initiatives with different institutional frameworks at national, provincial and local government levels and local reality. This then allows for a critical evaluation of the progress made to date and where possible, identifies weaknesses and potential threats.

**Chapter six** is the final chapter. It provides a detailed conclusion by highlighting major weaknesses identified and existing/potential opportunities that need to be taken advantage of.

## **1.2 Research Problem & Questions**

There are a number of questions which the study of environmental issues in a rural context and the effectiveness of various projects and processes by different institutions should concern itself with. These range from the broad questions regarding the nature and pattern of development processes giving rise to current environmental status; the effectiveness of corresponding strategies and processes to the needs of the locality both from governmental and non-governmental organizations; the influence of local dynamism in influencing the progress of intervention strategies; the degree of interaction and the nature of the relationship between local structures (for example, traditional councils with other governmental institutions): and the extent to which these complex relationships and linkages affect the outcome of environmental management.

The reviewed literature deals with a number of issues raised above relating to challenges which the emerging forms of environmental management have to address in rural areas, and what is seen to be appropriate alternatives. While these are covered in the emerging literature regarding the new models of environmental management in the post apartheid South Africa, there is a recognized absence of detailed, in-depth case-study material which illustrates the current realities in rural areas and the inability of government institutions to deal with these in an effective manner. A case study should summarize progress made by different institutional approaches and the general implications this may have for effective environmental management.

This dissertation will attempt to examine the extent to which environmental practices have changed in reality, in response to changes in policy approach. This is further broken down into a number of specific questions which include the following:

- 1.2.1 what practical changes have occurred in relation to the changing policy approach?**
- 1.2.2 what changes in institutional structure have occurred in response to new policy requirements?**
- 1.2.3 in the light of the above, what changes have taken place at the local level, namely within the study area?**

### **1.3 Research Hypothesis**

The basic hypothesis employed in this dissertation is that, despite all the attention given to environment at a national policy level, the environment continues to lack the priority status within other spheres of government which would ensure that the new environmental vision is realized at ground level.

The government has largely failed to show necessary political commitment in terms of refocusing its approaches to environmental issues. Proper and formal linkages (both vertical and horizontal) between different institutions and community structures have not been established. The general approach to service delivery remains largely unchanged with the whole development process dominated by the government institutions themselves, rather than by communities they are meant to serve. This rather 'top-down' approach lacks an appreciation of local dynamism. In many instances this has resulted in government institutions showing commitment against them rather than towards them. This is closely related to the extent to which effective community participation has been promoted through different processes and initiatives in the area. The last issue relates to the apparent lack of capacity and resources by different institutions to simultaneously manage environmental and developmental processes.

### **1.4 Research Methodology**

#### **1.4.1 Introduction**

The methodology deemed appropriate for the successful achievement of the goals of the study, and for addressing the questions posed, draws on a range of qualitative methods used to gather and to analyze data on different institutions and different environmental managements applicable within the area of study.

**The following methods were used.**

a) A comparative case study methodology provided the general framework within which information was gathered and analyzed; this also included using a preliminary review which was useful in orientating the researcher in relation to the area of study.

b) A review of relevant literature (including government reports) was useful for two reasons. Firstly, it enabled an analysis of the overall impact (real and potential) of the capacity and approach of various institutions and decision-making frameworks and their linkages, both horizontal and vertical, to be undertaken against the policy and legislative framework. Secondly, it helped to inform the researcher on various local area dynamics regarding important players, especially in local politics affecting environmental practices in the two areas.

c) **A Social survey** included a questionnaire and personal observations. The questionnaire is the most commonly used technique in social surveys (de Vaus, 1986). It is a structured form of technique for data collection whereby each respondent is asked much the same questions as previous respondent(s). Because of their nature, questionnaires tend to provide a simple and efficient form of collecting data pertaining to peoples perceptions, attitudes, hopes and frustrations regarding the status of their environment and the ability of different institutions to respond effectively to their plight. Participants in the questionnaire survey were visited and a number of questions (originally written in English and translated into Zulu) were asked. The researcher ticked coded answers according to questions asked.

Respondents were selected using recent aerial photographs. A square grid on gateway overlaid on aerial photograph allowed for a random selection of 20 households in each area of study. The responses from a total of 40 adults, age 18 and older are reported on in chapter 5.

The second set of respondents were not randomly selected. It involved people that were not part of the sample frame, but those who were identified as key respondents because of their specialized knowledge of the subject under investigation. These were mainly people representing particular organizations. People who contributed to this process included:

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Another important technique involved personal observations. This included a systematic assessment of peoples response to generally assess whether the researcher was welcome and to see whether people were distrustful. This also involved the careful evaluation of the current status of the natural environment including the general vegetation cover, and the status of some wetland resource<sup>3</sup>.

## **1.5 Definitions**

There are a number of terms that are key to the dissertation. These include institutional effectiveness and environmental management. Each of these terms will be discussed in turn below.

### **1.5.1 Institutional Effectiveness**

Effective governance is based on active and functional institutional structures that are responsive to the needs of the society they are created to serve. One major indicator of institutional effectiveness is its flexibility, namely, the institution should be able to change as the broader society changes. In the South African context this would be partly measured by institutions' eagerness to respond effectively to the needs of the poor and the previously

marginalised. Institutional failure to respond effectively on the policy requirements has a potential to undermine the transformation process including reforms relating to environmental management. Institutional failure is often a result of non-delivery of services in a manner that institutions are meant to provide, namely, to be consistent with the tone set in the environmental policy framework.

Two types of institutions with different approaches to environmental management and service delivery are considered for the purpose of this work. The first type relates to government institutions, including various departments, which have undergone fundamental reforms since 1994. Included in this category are other institutional structures such as regional councils and traditional authorities. However, the traditional authorities have remained largely unchanged. The second type is non-governmental organizations and other independent organized formations who play a crucial role in environmental projects and initiatives. The institutions have also been affected by the general political transformation.

### **1.5.2 Environmental Management**

The word 'environment' means different things to different people. For example, both the White Paper on Environmental Management (1996) and the National Environmental Management Act (Act 107 of 1998) define environment as conditions and influences under which individuals or things live and develop. These include both living and non-living objects. The living includes micro-organisms, plants and animals and the non-living includes land, water, atmosphere etc. In addition to the above, the physical, chemical, aesthetic and cultural properties have certain influences on human well-being.

According to Fuggle and Rabie (1992), Environmental Management is the execution or implementation of planned controls so that a desired environmental outcome or coordinated development is achieved. For this to occur, a number of processes and mechanisms are introduced including development planning, nature conservation and agricultural land use management mechanisms. An important goal for achieving a coordinated development, sustainable development (SD), has recently emerged. SD can be understood as the outcome of the integration of social, economic and environmental factors into the planning, implementation and decision-making, so as to ensure that development serves both the present and future generations. Emerging from the above is that Environmental Management can be thought of as an umbrella terminology covering the contributions of development planning, nature conservation and agriculture in promoting sustainable development in an area.

## **1.6 Conclusion**

This has been an important chapter which gives a general overview of this work. Important features that have been discussed included research problems and questions. The hypothesis put the dissertation within a specific logical argument. The research methodology provides a framework within which the arguments developed will be tested on the ground. Definitions help to put the dissertation into perspective.

## Chapter Two

### Approaches to Environmental Management: A New Discourse

#### 2.1 Introduction

This chapter introduces a number of guiding principles which define the new government approach towards environmental management. These policy changes are said to be largely influenced by environmental thinking internationally. Important role players in this process include international institutions such as the World Bank and the United Nations Environment Programme (UNEP). This new environmental vision is introduced by the White Paper in Environmental Management Policy for South Africa. It is then taken forward by a number of central legislative and policy documents including the National Environmental Management Act (NEMA), Development Facilitation Act (DFA) and the White Paper on Conservation and Sustainable Use of South Africa's Biological Diversity (1997). The section below discusses these emerging trends in detail.

#### 2.2 A New Environmental Discourse

The new environmental vision, as outlined in overarching policy and legislative documents, suggests a different approach and role for the government and its institutions. This approach emphasizes the enabling and facilitative role that should be played by the state in environmental management process that lead to sustainable development. Baker, *et al* (1997), argues that sustainable development is a political rhetoric promoted by the Brundtland Commission, which is sufficiently vague to allow conflicting parties and interests to adhere to it without losing credibility. The essence of the argument of the report articulated by the World Bank (1996) which states that without improving environmental management, development will be undermined, and without accelerated development, especially in poor areas, the environment will continue to degrade.

The report by World Commission on Environment and Development (WCED) received widespread attention and support. By the late 1980s and early 1990s the principles proposed in the Report had come to represent the mainstream thinking in sustainable development. An increasing number of organizations and agencies were subscribing to at least some of the objectives set in the report. These included the World Bank, United Nations Environment Programme (UNEP) and the European Union (EU). The broadening of the concept and its popularity gave rise to ambiguity and a lack of consistency in the application of the term (Baker, *et al*, 1997). The lack of clarity has a number of advantages. For example, it allows

groups with different and often conflicting interests - such as Green Parties and different governments within the European Union context- to reach some form of common ground upon which concrete policies can be developed.

These institutions and environmental processes in the European Union areas have an exceptionally influential role in the policy development field around the world. For example, Peart and Wilson (1998) argue that the state can promote effective action with little capacity. This requires the state to adopt a three stage pathway suggested by the World Bank. It involves focusing on fundamental tasks rather than on trying to do too much with fewer resources and capacity. Secondly, it must try to achieve capability leverage through partnership with other key stakeholders. The third stage involves the gradual strengthening of capacity over time.

Another important factor in influencing international trends on environmental thinking is UNEP. UNEP advocates the important role of the decentralization of decision-making and the role of local institutions in facilitating coordination and management of sustainable development. These principles provide a basis for the Local Agenda 21 which is regarded by many as an action plan and a blue-print for sustainable development. Local Agenda 21 was adopted in 1992 at the United Nations Conference on Environment and Development.

The influence of these international players in the transformation of environmental thinking in South Africa is reflected in the interpretation and application of some of the important principles in the White Paper on Environmental Management Policy. One important point of departure evident in this Policy document, is its broad understanding of the word 'environment'.

Environment is identified as having two important aspects, which, for the purpose of this dissertation, run as an important thread throughout the discussion. Firstly, the concept of environment is understood as meaning the general environment around us. This includes features such as infrastructure and provision of services and economic development processes which are crucial in improving peoples livelihoods. The second aspect relates specifically to the bio-physical or natural environment such as water bodies, vegetation cover, air, soil matter and the related ecological processes. In essence these are the two features within which sustainable development is possible and can be argued. It is argued that 'sustainable development' can be achieved through effective environmental management

which employs the principles of 'cooperative governance', effective 'community participation' as well as the principles of 'co-ordination and integration'. Each of these concepts will be discussed in turn below.

### **2.2.1 Sustainable Development**

The concept of 'sustainable development' has become a buzzword in much of the environmental planning and management literature these days. Important questions, however, are what is sustainable development? And why does it matter?

The report - **Our Common Future** - published by the World Commission on Environment and Development (WCED, 1987), marked the official beginning of sustainable development concept that has generated interest in the development literature. The report is also known as Brundtland Report after its president, Mrs Brundtland. The overwhelming interests the term has generated has given rise to large volumes of writings on sustainable development. However, even a quick glance of the amount of literature generated will reveal that there is no general agreement on exactly what the term means. For the purposes of this dissertation, the term is used as a political concept understood in the wide sense to embrace the social, economic and political processes of change within society (Baker, 1997).

This is important for a number of reasons. Firstly, an understanding that putting 'development' and 'sustainability' (the two elements making up sustainable development) together, 'sustainable development' becomes a form of societal change that in addition to traditional development objectives, has the aim or constraint of maintaining ecological sustainability (ibid, 1997). Hence, the promotion of sustainable development is also understood as forming part of a conscious process of achieving social change.

Understanding sustainable development as a political and social construct also makes it possible to see a variety of positions/approaches that have developed since the WCED report in 1987. The diversity of policy options associated with the different meanings attributed to sustainable development can best be seen in terms of a ladder (Baker, 1997). This ladder enshrines a number of alternative frameworks for putting sustainable development into practice. For simplicity reasons, these can be broadly divided into 'anthropocentric' and 'eco-centric' perspectives. The eco-centric perspective is based on the nature/universe view, in which nature is used as an analogy for unity, interdependency and a new moral order (O'Riordan, 1995; Eckersley, 1992 in Baker, *et al*, 1997). This view locates the causes of environmental problems within the anthropogenic world view.

It is argued that the anthropogenic view is based on an interventionist approach to nature as the wealth of nature is seen only in terms of the services it can provide to humankind. O'Riordan (1981) argues that the anthropogenic approach, at least in its extreme form, promotes economic behaviour which is characterized by brute forces of industrial, economic and technological improvement. It manifests itself "by a number of elements including rationality, a so-called 'objective' appraisal of means to achieve given goal; by managerial efficiency;... by a sense of optimism and faith in the ability of man to understand and control physical, biological and social processes for the benefit of present and future generations" (Baker, et al, 1997 pp 11). The policy implications associated with this approach are clearly elaborated by O'Riordan (1981) who states that this approach has left its legacy in environmental policy making in a number of ways. For example, it can be seen in the approach's determination to be "value free" in advice and analysis; in its denial of widespread public participation, especially the input of lay opinion which allowed the politicians to play their role authoritatively on behalf of the public.

In contrast, the eco-centric view asserts that we are part of nature. In this sense, sustainable development requires the construction of a new moral and ethical view of nature which incorporates the interests and values of all living things. Within this view, human kind is situated in nature and not above it. In fact, nature is seen as conditioning economic, social and political activity (Baker, *et al*, 1997).

According to Baker, et al (1997) the sustainable development ladder has four elements including the treadmill approach; weak sustainable development; strong sustainable development and the ideal model. This ladder helps to identify different political scenarios and policy implications associated with each level of the ladder. There are a number of similarities and differences between the situation as it exists in Europe, and the situation which influenced the transition in South Africa. For example, societal changes in Europe have been influenced by strong environmental movement such as green parties in countries such as Germany. However, in South Africa, there are currently no adequately strong environmental movements to challenge the political direction set by the ruling parties. Therefore, changes in environmental thinking in South Africa are likely to reflect more on international trends rather than to try and meet local conditions and needs. These are discussed more fully below.

The report - **Our Common Future** - identifies a number of challenges facing the earth including rapid population growth and associated demand for natural resources. The report then proposes basic principles to address development difficulties. For example, it argues that

the concept of sustainable development provides a framework for integration of environmental policies and development strategies, thus proposing to break the perception that environmental protection can only be achieved at the expense of economic development (Baker, *et al*, 1997). Therefore, with the popularization of the concept, environmental quality and economic development have come to be seen as interdependent and mutually reinforcing.

Similarly, other important relevant arguments put forward in the report include what has been termed the 'operational objective' of sustainable development. The report links the achievement of sustainable development at global level with a number of major political and social changes which includes elimination of poverty and exploitation, equal distribution of natural resources, appropriate technology and institutional changes including democratization and promotion of popular participation. (Ibid, 1997).

The report adopts an anthropocentric position with respect to sustainable development. For example, it argues that its message is, above all, directed towards people whose well-being is the ultimate goal of all environment and development policies.

Taken from another angle, the concept of sustainable development is highly elusive, especially for the poor. At one end, its attractiveness is obvious. It promises poor people a better life. This promise is based on the philosophy which promotes development that tries to meet the needs of the present without compromising the ability of future generations to meet their own needs. However, different interpretations of the above definition has meant that there is no consensus as to what this really means and how it should best be translated into practical actions. What is clear from the definition, however, is that the concept has two pillars, namely, economic development on the one hand and considerations for sustainable ways of using world's natural resources, on the other.

However, this argument tends to be very challenging for the poor. For example, it argues that one should be careful of development that destroys the natural base on which future development should depend. In reality, this is a restriction on development which comes at a time when the poor are pinning their hopes of addressing poverty through this development. Another argument is that these growth restrictions require that the poor, as late comers in the process of development, be punished for the sins of the already industrialized countries.

The concept of sustainable development as an ideal state dominates policy and legislative

documents in the post Apartheid South Africa. It is adopted as a central principle for the National Environmental Management, Act 107 of 1998. NEMA provides the overarching government legislative and executive framework for environmental management in South Africa and elaborates some of the basic principles contained in the Constitution's Bill of Rights. Chapter 1 makes provision for the most important environmental principles that have to be observed by all organs of state. Section 2(3) of the chapter argues that development must be socially, environmentally and economically sustainable. It is further argued that since the environment is a functional area of concurrent national and provincial legislative competence, all spheres of government and all organs of state must cooperate with, consult and support one another in achieving this principle.

The sustainable development concept also features strongly within the Development Facilitation, Act 67 of 1995. Chapter One of the Act sets out principles which establish a moral basis for spatial planning throughout South Africa. Sustainable development is seen as a central principle not only within the chapter and the entire Act. Section 3(viii) of the same chapter argues that policies, administrative practices and laws should encourage environmentally sustainable development practices and processes when planning and implementing development projects.

Sustainable Development is an important principle guiding the Land Development Objectives (LDOs) provided for in Chapter four of the DFA. This chapter dictates that all spheres of government, including every municipality must adopt Land Development Objectives (LDOs). The main aim of the LDOs is to identify and describe how land development process should take place. Nationally, LDOs have been incorporated within Integrated Development Plans (IDPs) in terms of the Local Government Transition Act, now the Municipal Systems Bill. In KwaZulu-Natal, the concept of LDOs have been incorporated into Local Development Plans (LDPs) in accordance with the still to be implemented KwaZulu-Natal Planning and Development, Act 5 of 1998. This planning legislation makes provision for municipalities as well as provincial governments to prepare and adopt integrated development plans. These plans, in essence, will manage spatial planning, including environmental management implementation plans required under the National Environmental Management Act as discussed below.

Other policy and legislative documents, where the concept of sustainable development features strongly, include the Environment Conservation, Act 73 of 1989, and the White Paper on the Conservation and Sustainable Use of South Africa's Biological Diversity (1997).

A number of issues can be identified within the above definition of sustainable development and the way the government is trying to implement the concept. For example, the concept of meeting needs is central to the government's vision and has been given an overriding priority status. It is realized that poverty exacerbates certain forms of degradation and therefore development which promises to eliminate poverty has a potential to assist in environmental conservation. However, it is not that clear that the government is politically able to call for a current sacrifice in favour of future generations.

### **2.2.2 Cooperative Governance**

This principle of sustainable development is closely linked to other important principles which collectively define the 'new environmentalism' and its administration. The concept of cooperative governance, which features strongly in the new Constitution, seeks to establish innovative ways in which institutions and government structures at all levels should deal with and relate to one another. This can be interpreted in different ways. For example, at one level the government is creating a mechanism for the three spheres to respect one another as independent institutional structures. For example, chapter three (40)(1) argues that the government is established as national, provincial and local spheres of government which are distinctive, interdependent and interrelated. Taken from this perspective, the concept of cooperative governance establishes an interdependent relationship rather than cooperation between government structures and civil service.

However, it can be extended to include a partnership relationship between the government and other institutional structures including non-governmental organizations (NGOs), the private sector and community structures.

The principle of cooperative governance is intended to be more than just a constitutional ideal. It is seen as a potential mechanism to enhance governance and to improve the efficiency of governmental institutions in service delivery. It should be understood within the context of social and economic realities, the priority needs of the country, and effective participation of citizens in development processes affecting their lives.

In the South African context, this concept has tended to develop a broader meaning which relates more to the concept of governance than the narrow and traditional term of government. Traditionally, government is associated with 'government' as the sole provider of services and the bearer of public interests. However, the introduction of governance means that the role of other players such as the private sector, non-governmental organizations and

civil servants play an important role in promoting public interest. In this way, the concept of governance is understood to be much broader and encompasses a wider range of issues and actors and interaction among them. It focuses on promoting effective partnership between government institutions and civil society structures within a decentralized governance framework.

On closer analysis, it seems that the way the principle is interpreted and implemented has taken more of a devolution - transfer of responsibility - of both the administrative and political functions. Administrative responsibilities include aims at wider distribution of infrastructure. By contrast, central concern for political decentralization is over the actual transfer of decision-making authority to local representatives of the local majority (Brohman, 1996).

### **2.2.3 Community Participation**

Whilst community participation has increasingly been recognized as an absolute imperative for appropriate rural development, it has remained very difficult to define what it really means (Brohman, 1996). For example, while many legislative documents make provision for community participation, none of them have provided specific meaning and indicated how it should be implemented. This has resulted in the concept being attached to different values and implemented differently, depending on how it is interpreted.

For most analysts Community Participation may be represented as a continuum. At one end, it tends to emphasize the decision-making role of the community. This is a novelty especially to the previously disadvantaged which includes women. It is argued that such emphasis on decision making helps to improve the design of policies so that they correspond and address the needs and conditions of the people most in need. This approach is seen as an active process which helps to increase local control and ownership of the development process by influencing the direction and execution of such process. This also helps to enhance peoples well-being in terms of income, personal growth and self-reliance. It mainly purports to be spontaneous and bottom-up. Many analysts contend that this approach comes closest to the ideal and state that if people participate in the planning and execution of projects by contributing genuinely with their skills and other resources, more people would benefit, the implementation process is facilitated and the development outcomes tend to correspond most closely to the needs and priorities of the beneficiaries (ibid, 1996).

At the other end, community participation may be seen as induced, coerced or top-down. This approach sees participation as an end rather than the process. Here projects are carried out

according to prior decisions made by outside experts and decision-makers. Within this approach local contribution to the development process do not lead to any local influence or shaping of the direction of the development process. Ideally, community participation should be seen as important for both the planning (the means) and execution (the end) of the development process and should integrate both technical information and popular views and opinions.

However, the current reality, namely lack of clarification, has resulted in a number of frustrations. On the one hand, communities are accusing state departments and other role players involved in the development process, of paying lip service to the requirements of community participation. On the other hand, state representatives seem to be frustrated by the long process involving buy-in from communities. The frustrations often lead to accusations that communities are deliberately delaying development processes. What seems to be strongly emerging is the view that the concept of community is misleading and tends to hide more than it reveals. What is regarded as a community is not a homogenous entity or group (Harrison, 1988). Communities are different, and because of this, they have different wants and needs, even at a very localized level. It is this factor which will always frustrate genuine attempts at community participation.

#### **2.2.4 Integration and Coordination**

Integration and coordination are important principles within the new environmental discourse and they feature strongly in a number of policy and legislative documents. The White Paper on Environmental Management Policy for South Africa (1997), argues that since all elements of environment are linked, its management must therefore take account of the connections between them. Furthermore, NEMA's section 2(1)(a) declares that the principles contained in the Act shall apply along-side all other appropriate and relevant considerations including the state's responsibility to fulfil the social and economic rights contained in the Bill of Rights.

There is a conscious attempt at ensuring that integration and coordination between the work of different governmental departments at different governmental levels is maintained. This is well illustrated in the concept of integrated development planning which is the new planning requirement. Integrated Development Planning (IDPs) provide a planning and environmental tool for achieving sustainable development. IDPs are intended to take account of Environmental Management and Implementation Plans required of departments of national

and provincial government by chapter three of NEMA. Environmental Management and Implementation Plans in turn provide an implementation framework to integrated development plans. These environmental plans will enable the minister to monitor the achievement and promotion of sustainable environmental management. Further, it will help in ensuring that there is coordination, and harmonization of environmental policies, plans and strategies between various national and provincial departments. The local government structures are mandated to adhere to environmental management, and implementation plans in the preparation of any policy, programme or plan.

### **2.2.5 Other Basic Characteristics of the New Approach**

Basic assumptions of the new environmental thinking can be summarized as follows:

- It assumes that people have an important role to play. It is argued that since the environment is held in public trust for the people, the use of these resources must serve the public interest. This is also taken up by section 2(2) which argues that environmental management must place people and their needs at the forefront of its concern and serve their physical, developmental, cultural and social interests equitably.
- It accepts that different peoples level of knowledge and values, other than scientific ones, have an important role to play in improving the manner in which the environment is managed. For example, principle 2.3.11 of the White Paper on Conservation and Sustainable Use of South Africa's Biological Diversity (1997) argues for the recognition and protection of traditional knowledge, practices and cultures. It further states that benefits arising from the innovative use of traditional knowledge of biological diversity and conservation will be equitably shared with those from whom knowledge has been gleaned.

### **2.2.6 Contribution by other policy documents**

Effective environmental management, especially for rural areas, also needs to be consistent with the requirements of a number of other policy documents. These include the National Rural Development Framework (1997) and its KwaZulu-Natal provincial counterpart, the Integrated Rural Development White Paper for KwaZulu-Natal (1998). These documents are briefly discussed below.

#### **2.2.6.1 National Rural Development Framework**

Amongst other things the document highlights rural poverty as the overriding priority. It describes the type of development which is seen as appropriate for rural areas and highlights

the critical importance of coordination for rural development. It argues that development in rural areas requires effective institutional development, investment in basic infrastructure and social services, improving income and employment opportunities and calls for resource conservation and sustainable use of natural resources.

#### **2.2.6.2 Integrated Rural Development White Paper for KwaZulu-Natal**

The preparation of the Integrated Rural Development Policy provides a strategic mechanism of addressing the needs of the rural poor. As such the document endorses a number of the principles discussed above. For example, one of the elements of the vision which is central in the policy proposals, is the achievement of integration with other policy environments through the re-orientation of the present delivery services. It argues that integrated approach to rural development should call for attention to be paid to institutional, social, economic and environmental aspects of development. The second important element is seen as the resolution of existing contradictions between civil and customary systems of governance.

The White Paper identifies tourism and eco-tourism as the only realistic option for achieving sustainable development in rural areas. The development of tourism can contribute to rural development by creating employment. At the same time, the development of eco-tourism is seen as providing a basis for properly managed natural resources. Overall, the development of tourism in rural areas is seen as suitable for initiating development partnerships between the state, the private sector, non-governmental organization and user groups.

#### **2.2.6.3 KwaZulu-Natal Planning and Development Act (PDA)**

The PDA provides an excellent example of a legislation which promotes a strong and relatively standardized and clear environmental management system, that is also flexible enough to allow for local variations. It generally assigns limited role to province relative to local authorities. However, the delegation powers of the provincial government are visible. It is argued that the provincial government must only execute where there is no other subordinate structure with necessary ability.

The Act also calls for a clear emphasis on the relationship between environmental quality and survival in rural areas. It goes on to stress the importance of being sensitive to, working through and strengthening rural social dynamics and institutions to achieve effective environmental management.

### **2.3 Limitations of the New Approach and Discourse**

The section above paints an optimistic picture about the future prospects for environmental governance in South Africa. However, a number of concerns have been expressed about the political commitment of the current government to effectively implement the principles discussed above. It is felt that the socio-economic needs of the country might be achieved at the expense of the environmental conservation. There are a number of factors used to support this argument. Amongst these is a lack of environment as an important principle in the documents asserting the state's commitment to socio-economic development. These include the Reconstruction and Development Programme; the Growth, Employment and Redistribution Strategy (GEAR), and, the Provincial Growth and Development Strategy for KwaZulu-Natal. The section below discusses the basic principles contained in these documents to show that the demonstrated commitment to effective environmental management by the current government is not supported by its socio-economic policy.

### **2.3.1 Reconstruction and Development Programme (RDP)**

One of the overriding concerns of the ruling party when it came to power in 1994 was to overcome the severe burdens inherited from the period of apartheid. It therefore embarked on a far-reaching transformation process. Important components of this process included social upliftment of the disadvantaged group, economic growth and redistribution, and community participation. It was these components which formed the basis for the RDP. The RDP is regarded by many as a highly ambitious socio-economic development strategy designed to fundamentally reshape and develop the country in response to major social and economic challenges and problems.

It is based on the following principles:

- integrated approach;
- people-driven process;
- link reconstruction and development; and
- the promotion of democratization of the state and the society.

However, lack of mention of environment as an important principle to be integrated within the socio-economic priorities demonstrate the attitude the current government has towards the environment.

### **2.3.2 GEAR**

With the assumption that Reconstruction and Development in South Africa will only be possible on the basis of continuous economic growth, the government set to work on the

macro-economic strategy for Growth, Employment and Redistribution (GEAR). Through GEAR, South Africa is evolving towards an open market economy. This evolution promotes economic growth and in theory, it holds great potential for improving environmental management.

GEAR is seen as complementing the RDP. For example, by incorporating RDP principles, GEAR has placed social and economic development priorities in the broader context of the forces working towards a growing economy, and a trading nation seeking integration into the world economy. However, environment is not incorporated as an important feature of the strategy. Therefore the strategy lacks environmental policy and regulations. Hence, the prospects for strengthened economic growth with a promise for greater resource availability for environmental management is placed in a vulnerable position because of an existing challenge in terms of increased environmental pressure.

Environment is also not featuring within the provincial Growth and Development Strategy which is discussed below.

### **2.3.3 Provincial Growth and Development Strategy for KwaZulu-Natal**

The PGDS is a provincial socio-economic policy. It is based on the RDP principles and establishes a 20 year vision for the province. In other words, it argues that 20 years from now, this province will have fully implemented the RDP principles and would have achieved socio-economic growth in accordance with the GEAR principles. Without any commitment to effective environmental management, it is possible that the growth contemplated would be achieved at the expense of the natural environment.

The fact that RDP, as a blue-print and socio-economic policy document of the current government, lacks strong mention of 'environment' has a number of implications that questions the political commitment of the government to effective environmental management. Some policy documents have picked this weakness as a major concern. For example, the White Paper on Conservation and Sustainable Use of South Africa's Biological Diversity (1997) is concerned about the polarised and inefficient administrative and legislative structures inherited from the policies of the past administration. Of major concern, however, is the fact that this situation did not improve with the establishment of new provinces and government structures. Divided responsibilities, together with a duplication of effort, a profusion of laws, and most importantly a lack of coordination, remain major factors hampering the effective conservation of biodiversity. However, in many cases these concerns

are not unique to biodiversity and span across the environmental spectrum. This weakness is partly attributed to weak political will with regard to environmental conservation which is also demonstrated by the insufficient and declining allocation of resources to this government function. However, this might also be attributed to the complex nature of transformation process itself. Right from the outset, the RDP was faced by at least three enormous tasks which included:

- the re-organization of the old Apartheid bureaucracy;
- create a new co-operatively oriented relationship between the national, provincial and municipal levels; and
- to actively involve the population in the development process.

Therefore, while the lack of political will to effectively transform the way environmental management is undertaken in South Africa, elements of the old apartheid bureaucracy, masquerading as transformed institutions, might be resisting the change.

## **2.4 Conclusion**

This chapter has discussed in detail the new emerging approach to environmental management in South Africa. This new discourse is reflected in a number of important national documents including both policy and legislative papers. A new focus is to address a far wider spectrum of land use options and issues than merely the protection of wildlife. However, the commitment shown by the government in these documents is lacking in the RDP, GEAR and PGDS. This omission places the socio-economic needs of the country on the priority list at the expense of environmental issues and therefore make a mockery of the earlier stated dedication.

## Chapter Three

### Institutions of Environmental Management: Continuity and Change

#### 3.1 Introduction

It is often argued that the ultimate success of environmental administration depends on the effectiveness of the different executive authorities, and their ability to transform policy goals and objectives into practical manifestations. This chapter explores institutional structure changes that have taken place in response to environmental management policy changes. The analysis also identifies those areas which have not been profoundly affected by the transformation changes, and looks at whether their roles are compatible with the new administrative objectives.

#### 3.2 Institutional Structures

Ideally the state institutions for environmental management should be organized in such a manner that allows government agencies, at all levels to be involved in environmental planning and management. This requires environmental management to be hierarchically arranged so that each level of government have the necessary expertise, adequate funding and legal authority to manage resources of significant concern to them.

The hierarchical approach is useful for a number of reasons. Firstly, it allows for the decision-making function to take place at the level that is closest to the environmental problem. At the same time, it affords an opportunity for the maximum access of the public to the decision-makers. This is critical in that it produces decisions that closely reflect the needs of the people rather than those of the government institution.

Ideally, governmental institutions should be arranged in the following manner:

- **Nationally**

The government agencies at national level should formulate policies and regulations which enhance the national interests of economic development and environmental protection. It must establish standards and administrative procedures that are sufficiently flexible to allow for regional differences and localized needs. It must assume overall leadership in promoting planning, coordinating planning and management activities of lower spheres of government and must promote citizen participation in decision-making processes;

- **Provincially**

Two approaches can be adopted at this level within the national policy framework. Firstly, the provincial government might form a highly centralized structure which might result in the lower tiers to lack capacity to undertake the complex task of environmental management. Secondly, it might opt to rely heavily on regional and local government structures to perform the environmental management function. Either way, the provincial government is expected to coordinate and monitor management activities of lower government. This ensures that there is consistency with and complementarity to the programmes of higher or lower levels of government. Although it should retain some flexibility in its administrative procedures to reflect varying regional and local needs; and

- **Local level**

Environmental policies and strategies at local level are different from the higher levels of government since they have a spatial dimension. This allows for the local government to have a major role in environmental planning and management as they are in direct contact with the people who may be affected by environmental problems and controls. The local government is also strategically positioned to play a leading role in the following areas of environmental management:

- provision of advice including local monitoring of environmental trends; and,
- information systems.

The current reality, however, is very far from this ideal. The section below discusses the existing institutional structures for environmental management and compare these with the past administrative ones to learn where changes have taken place and what are their implications for effective environmental management in rural areas.

### **3.2.1 pre 1994 institutional structures**

Before 1994, the South African constitutional structure was such that at National level, the parliament had the supreme legislative authority in almost all administrative issues, including environment. This provided for nationally centralized executive government institutions especially for environmental management. As can be seen in table 3.1 below, the whole administration system was highly centralized, which allowed the central government to play a largely interventionist role at both provincial and local government levels. The modernist influence was ideal for the interventionist approach in the sense that it allowed technical reports to be valued more than community participation. As a result, implementation of plans were much quicker and relatively less costly. However, these often

lacked widespread political 'buy-in' from other important role players.

Important environmental departments are depicted in table 3.1 below. Other important environmental bodies which played an important role in environmental administration included: the Council for the Environment; the Committee for Environmental Management; and, the National Parks Board.

The Council's main environmental function included: providing the Minister with advice regarding national environmental policy and strategy; whereas the Committee for Environmental Management was responsible for promoting effective coordination between different state departments. The National Parks Board was responsible for the establishment and management of National Parks. These three environmental bodies were closely associated with the department of Environmental Affairs, and therefore were answerable to the Minister of Environmental Affairs.

**Table 3.1: Pre-1994 National Institutional Structure on Environmental Administration**

<b>Department</b>	Environmental Affairs		Water Affairs		Regional & Land Affairs	Agriculture
<b>Chief Directorate/ Directorate</b>	Environmental Conservation	Planning & Management	Water Pollution	Water Conservation	Land Use Planning	Soil Conservation & other agricultural resources
<b>Programme/s</b>	Environmental education	Environmental Planning including IEM & EIAs	managing water resources	Catchment management		
	Management of natural resources					

**Table 3.2: Provincial Context**

<b>Department</b>	Natal Parks Board	KwaZulu Bureau of Natural Resources/ KwaZulu Department of Nature Conservation	NTRPC; Community Services Branch of the Natal Provincial Administration (NPA)	KwaZulu Department of Economic Affairs	KwaZulu Department of Agriculture and Forestry
<b>Chief Directorate/Directorate</b>					
<b>Programme/s</b>	Conservation of plants and animals	Conservation of plants and animals	advisory role and the general administration of development planning functions	Planning and Development programmes	promotion of agriculture within the homeland government area

**Table 3.3 Local Government Context in Rural Areas**

Department	No effective local government structure in rural areas until about 1980s when Joint Services Boards were created	Tribal Authorities (Tas) & the homeland government
Chief Directorate/Directorate		
Programme/s	provision of services to mainly commercial farmers	land management and development which included various decisions on land use planning, housing, services and infrastructure

- **Provincial Level**

While a number of institutional bodies existed at the provincial level to undertake environmental administration, most of these were not oriented at promoting effective environmental management which promotes sustainable development. This was partly due to the nature of the separate development ideology. This philosophy meant that the self governing territories such as KwaZulu had their own administrative and legislative structures for environmental management. As a result there was considerable duplication of resources.

For example, four different organizations existed to undertake two important provincial environmental functions of nature conservation and land use planning. The Natal Parks Board and the Bureau of Natural Resources later called KwaZulu Department of Nature Conservation were responsible for nature conservation within Natal and KwaZulu respectively. Secondly, these were not oriented at combining the conservation of natural resources with the social and economic context within which most of the problems occurred. It was believed that rural people were the main cause of environmental degradation and therefore, had to be removed from those areas identified as sensitive.

On the other hand, land use planning matters were undertaken by the Natal Town and Regional Planning Commission, and the Community Services Branch of the Natal Provincial Administration (NPA), within the Natal province. Likewise, the Department of Economic Affairs was responsible for the same function within areas under the KwaZulu jurisdiction.

Because of the nature of politics governing administrative structures, it can be discerned from the tables 3.2 and 3.3, above, that the administrative structures, at the provincial level, in particular, had significant gaps and overlaps. Environment and its core components, including land, water, plants and animals, were dealt with individually and according to which race lived where. This created a sense that environmental features were separate, disconnected and unrelated to other socio-economic problems and processes. Furthermore, the administrative requirements which forced some government departments to be answerable at Pietermaritzburg, while others at Ulundi, resulted in a very uneven community involvement in environment and planning decisions.

- **Local level**

While internationally, local government structures are seen as important agents for environmental management because of their direct involvement in environmental management, this was not the case in South Africa. Effectively, no local government structures existed to undertake environmental management in rural areas. With this void, provincial departments and homeland governments, and traditional authorities played a crucial role in performing these functions. Practically, this meant that most rural areas within the homeland government areas remained unaffected by policy requirements and therefore received very little or no protection from the law, in terms of environmental management requirements.

While later on numerous initiatives were introduced to address these problems very little seemed to have happened on the ground. Examples of these include the Permit to Occupy (PTO) and the introduction of Joint Services Boards (JSBs).

McIntosh and Vaughan (1999) argue that PTOs were introduced as a rudimentary form of land use control. This initiative tried to ensure that different relevant state departments were given an opportunity to 'screen' various development applications in rural areas. While the philosophy behind the initiative was genuine, there were a number of practical weaknesses which led to the system being ineffective on the ground. Firstly, development applications were made without any appropriate land use plan to support these decisions spatially. Secondly, the traditional authority was given a discretion to a number of land uses. These included the subsistence agriculture (both cultivation of crops and grazing rights) as well as residential land uses. Ironically, it has been found that it is mostly the lack of effective decision-making and appropriate local institutional structures to promote orderly development regarding the subsistence farming and residential land uses that has caused major environmental degradation in rural areas.

The JSBs were established very late in the life of the Apartheid government to try and address the problems of service backlogs in areas which lacked appropriate structures to undertake the function. However, according to analysts such as McIntosh and Vaughan (1999), very few improvements were achieved on the ground.

### **3.2.2 The post 1994 Government Institutional Structures**

Within the new political dispensation, the Constitution of the Republic of South Africa (Act

108 of 1996), is the highest legislative authority, and provides an overarching legislative and executive framework. All organs of state and institutions are therefore required to be structured and organized in such a way that is consistent with the provisions of the Constitution.

The new Constitution has introduced a number of far reaching and fundamental institutional changes regarding the manner in which environment as a government function must be administered. For example, Schedule 4 of the Constitution makes provision for functional areas of shared (concurrent) competencies between the National and Provincial governments. Important functional areas of concurrent competence in this regard are listed to include: agriculture and soil conservation; environment; nature conservation; regional planning and development and rural development. As a result, unlike in the past, environment as an overall government function is spread to a number of institutional structures both at national and provincial level. There is also a possibility to devolve environmental powers to the local sphere of government.

A number of important departments have been created at national level to provide necessary policy support and administrative capacity for different aspects of environment administration. Important departments and institutions are listed in table 3.4 below. At least four of the six departments mentioned have a particularly significant role to play in influencing future direction for environmental management in South Africa. These are discussed below.

- **The department of Environmental Affairs and Tourism**

The department of Environmental Affairs and Tourism is seen as a lead agent in terms of environmental management. It therefore provides the overall national direction to provincial and local authority structures throughout the country. Through the promulgation of the National Environmental Management Act, the department promotes a strong, shared vision and direction for effective environmental management. To achieve this paradigm shift, the department is advised and supported by other institutional structures including: the National Advisory Forum; and, the Committee for Environmental Coordination, amongst others.

- **The department of Agriculture and Land Affairs**

The department of Land Affairs, has a particularly crucial role to play since it is a custodian of the Development Facilitation Act (DFA). The DFA was the first national planning

legislation promulgated after the first democratic elections in 1994. It was passed to begin the process of transforming spatial planning so as to meet the needs of the new democracy.

The DFA made provision for the establishment of two important institutional structures as far as spatial planning was concerned. These are: the National Development and Planning Commission which advises the responsible minister on policy and legislation regarding land development. Secondly, it establishes the provincially based Development Tribunals whose main function is to implement the new procedural requirements of the Act. Therefore, it can be argued that one of the main responsibilities of the department of Land Affairs is to transform spatial planning in South Africa from mainly rule and regulation driven to normatively based.

- **The department of Provincial and Local Government**

The department of Provincial and Local Government has a number of implications for effective environmental management and therefore sustainable development. One of the main requirements of this department is to develop and support local government as a sphere of government. Its area of policy and legislative responsibility include: the White Paper on Local Government; Municipal Systems Bill; Municipal Structures Act; and, Local Government Transition Act. Basically, through the promulgation of the above legislation and policy documents, the department has transformed the local government landscape in South Africa. Two crucial facts are emerging from this process, namely, the government has placed an overall responsibility of service delivery to local government. Secondly, the local government is challenged to play a largely developmental role in its service delivery role. It is therefore expected to promote economic growth and fight poverty.

- **The department of Trade and Industry**

The department of Trade and Industry has the potential to either promote and contribute to the sustainable development or undermine the process completely. The DTI is responsible for the evolution of the South African economy to market economies. Through a number of policy and other structural initiatives the department sets to promote rapid economic growth for South Africa. It places South Africa within the international market economy. Some of its initiatives with specific environmental management implications include: Industrial Development Zones (IDZs), and Spatial Development initiatives (SDIs). Overall, the transition to open market economy presents some prospects for strengthened economic growth for the country, and also promises greater resource availability for environmental

management. However, it also poses a challenge in terms of increased environmental pressure, which can only be managed if environmental policy and regulations are incorporated within the macro-economic policy.

**Table 3.4 Post 1994 National Institutional Structure**

<b>Department</b>	<b>Agriculture &amp; Land Affairs</b>		<b>Environmental Affairs &amp; Tourism</b>		<b>Water Affairs &amp; Forestry</b>
<b>Chief Directorate/Directorate</b>	Agricultural Land Resource Management	Redistribution, Land Rights and Land Development	Environmental Planning & Coordination		Water use & water Conservation; Working for Water
<b>Programme/initiative/s</b>	Landcare		Environmental Monitoring & reporting	Environmental Planning	Water Conservation & Catchment management

### 3.2.2.1 Provincial Level

At the provincial level, the legislative and executive powers are vested in the provincial legislature in terms of section 104 of the Constitution of the Republic of South Africa, Act 108 of 1996. While provinces share a number of legislative responsibilities with national government over some environmental matters, they also enjoy some exclusive competencies over development planning matters. A number of important provincial government departments have been created to take forward the transformation process for the new democratic government. These are depicted in table 3.5 below. Collectively these government departments have a significant influence in environmental management issues throughout the province. The section below discusses some of the important roles and responsibilities of each of the government department assigned environmental responsibility.

- **The Chief directorate, Agricultural Affairs**

The department of Agriculture is a result of a rationalization process which saw the amalgamation of the old KwaZulu department of Agriculture and Forestry; and the former National department of Agriculture. The department, through its Engineering and Soil Conservation Directorate participates in a number of environmental management initiatives, most of which have both socio-economic development and nature conservation objectives. For example, the directorate is linked to the National Landcare Programme that is administered by the National Department of Agriculture.

Landcare programme provides a good example of an initiative that tries to combine socio-economic development needs with nature conservation objectives, particularly for the most needy rural areas. It is argued that one of the most important goals of the Landcare programme is to optimize agricultural productivity through the sustainable use of natural resources to improve food security, job creation and improve the quality of life of the South African people. Other important features of the programme include: effective local participation; and, partnership approach.

However, in spite of these beneficial features, the Landcare programme has a number of challenges. For example, there are difficulties in understanding the concept which will allow it to be implemented taking into considerations the different conditions under which it is implemented relative to Australian conditions. Secondly, it is proving to be a challenge for the government agencies to adopt participatory approaches to rural development as per

programme requirements. However, the biggest weakness which has a potential to undermine the effectiveness of the Landcare programme to change the rural landscape is a severe lack of financial resources. This means that the progress made at local level cannot be linked to other projects and programmes at community, regional and provincial scale. This therefore threatens the sustainability of many Landcare programmes.

- **The Chief Directorate, Environmental Affairs**

This is a new institutional structure created in terms of the new Constitution. The department of Environmental Affairs is a provincial lead government agency for environmental management. Its main responsibilities include: environmental coordination, overseeing and managing the general environment within the province.

In accordance with these policy responsibilities, the department participates in a number of initiatives with significant environmental management implications. Among these, are Local Agenda 21; the Drakensberg Special Case Area initiative (SCA); Regional Service Provider's Forums; and, various Community Based Environmental Management Projects.

- **The Chief Directorate, Traditional & Local Government Affairs**

The Department of Traditional and Local Government Affairs is a provincial lead agent for provincial planning matters. Together with the KwaZulu-Natal Town and Regional Planning Commission and Development Tribunal, the department participates in a number of provincial environmental management projects, most of which have try to combine socio-economic needs and biodiversity conservation principles. The adoption of the sustainable development principles by this department is reflected in the KwaZulu-Natal Planning and Development, Act 5 of 1998.

Most of its development planning activities are undertaken by one of the following structures within the department:

- the Local Government Chief Directorate;
- the Development Planning Chief Directorate; and,
- Integrated Development directorate & Land, Planning and Survey directorate.

The department has continually strived to achieve coordinated and regulated development in the two most environmentally sensitive areas within the province of KwaZulu-Natal - the Drakensberg Mountain and the KwaZulu-Natal Coastal belt.

The recent initiative called Drakensberg Special Case Area (SCA) is directly linked to the requirements of the PDA. In terms of the Act, the MEC is mandated to set aside areas of environmental sensitivity, and to provide necessary mechanisms so that an orderly development can be achieved in the sensitive sections of the Drakensberg Mountain. Most of the requirements within the SCA are consistent with the recommendations of the Drakensberg Approaches policy (Martin, 1990) which proposes limited development on the sensitive ecological zones.

- **KwaZulu-Natal Nature Conservation Service (KZNNCS)**

This is a provincial nature conservation body established in terms of the KwaZulu-Natal Nature Conservation Management, Act 9 of 1997. The KZNNCS constitutes the former Natal Parks Board and the KwaZulu Bureau of Natural Resources which later changed to KwaZulu Department of Nature Conservation (KDNC). In terms of section 5 of the Act, one of the main functions and responsibilities of this combined organization, is the promotion of nature conservation inside and outside of protected areas within the province of KwaZulu-Natal.

As such the organization is involved in a number of nature conservation work throughout the province. For example, it has established the Local Boards whose role is mainly to ensure that rural communities, especially those adjacent to protected areas, are represented in the nature conservation decision-making structures. It is also involved in two important nature conservation projects in the Drakensberg with enormous implications for the study area. These include: a proposal for the uKhahlamba-Drakensberg Park to be nominated as a World Heritage Site. This proposal was granted when the uKhahlamba-Drakensberg Park was inscribed as a 'mixed' natural and cultural World Heritage Site on the 29<sup>th</sup> of November 2000.

Another project of international status which attempt to use social and economic incentives to strengthen biodiversity conservation of the 'outstanding' natural resources of the Drakensberg, is the Maloti-Drakensberg Transfrontier Development and Conservation Project (MDTDCP). The MDTDCP is jointly funded by the Global Environmental Facility (GEF), Japan and the World Bank. The Nature Conservation Service represents the provincial government of KwaZulu-Natal in this project.

**Table 3.5: Provincial Context**

Department	Agriculture & Environmental Affairs		Traditional & Local Government Affairs	
Chief Directorate/Directorate	Agricultural Affairs	Environmental Affairs	Development planning	Local Government
Programme/s	Soil Conservation Awareness	Pollution Control	Integrated Development Planning; Land & Survey	Local government financial matters & Capacity building
	Land Resource Management	Environmental education; LA 21; Service providers' Forum		

### 3.2.2.2 Local Government level

While this was not in place during the time of the research, the Constitution, and the Municipal Structures, Act 117 of 1998, make provision for the establishment of three categories of municipalities which can be broadly divided into metropolitan and non-metropolitan areas. The non-metropolitan areas which include rural areas have two categories, namely category C municipality and category B municipality.

In terms of the Constitution, the category C municipality is a district (umbrella) area which in terms of municipal powers share executive and legislative authority with category B municipality within its area of jurisdiction. The category B municipality on the other hand, is the local municipality within the new "wall-to-wall" municipal system.

For the purpose of the dissertation, the discussion focuses on non-metropolitan municipal areas which include the case study. In terms of powers and functions granted to municipalities by the Constitution, they have the right to administer the provision of services, municipal planning, local tourism and storm water management, amongst others. In addition, they have the right to administer any other matter assigned to them by the national or provincial legislation. Therefore, while municipalities have been given legislative and administrative powers in planning matters, the fact that they lack similar powers in environmental management, creates a weak administration structure for environmental management at local level.

- **Regional Councils**

There has been a shift in the administration system at the time of conducting this research. After demarcations the current system will change. A Regional Council will be category C municipality as it will be made up of a number of smaller municipalities and rural areas under traditional authorities jurisdiction. Currently, Regional Councils have different relationships with municipalities in their regions depending on the nature of the municipality's classification and capacity. For example, Traditional Authority areas are classified as **remaining areas** largely because they have no proper existing primary government structures. Hence, in these conditions voters are required to elect directly a representative on the Regional Council through proportional representation.

Because of the administrative void in Traditional Authority areas, the Regional Council take direct responsibility in terms of providing basic services and other administrative functions in the 'remaining areas'. This gap has led to a complex set of legal and procedural requirements that have to be met before any meaningful development can taken place in the areas. Likewise, this has enormous implications for environmental management.

At least two factors explain this situation. Firstly, the land itself is managed by the KwaZulu Ingonyama Trust, under the KwaZulu Ingonyama Trust Amendment Act (Act 9 of 1997). While this legislative structure is in place, the day-to-day administration of these areas such as land allocation and subdivision, grazing rights and collection of taxes, rests with the Traditional Authority. From an environmental management point of view, the key problem is that the traditional authority undertakes his or her daily administration functions without any reference to environmental management rules and regulations as contemplated in other important legislation such as the DFA/NEMA.

This situation contradicts the requirements of the Constitution and the Municipal Structures Act. In terms of these legislative documents, rural areas should not be treated differently. In other words, provision of services in these areas should be consistent with other areas and other types of municipalities. The main question, however, is what role should Traditional Authorities play in the process?

- **Traditional Authorities in Local Government Structures**

This is a thorny issue which has dodged the local government transformation process since its inception. Currently, traditional leaders are given an *ex-officio* membership with the right to be fully elected into office. However, throughout South Africa, new local government

structures have been attempting to accommodate traditional leaders interests within the new democratic forms of administration. This process has failed up to now.

Various discussions have taken place between the representatives of the government and the representatives of the traditional leadership institution to address traditional leaders concerns. However, very slow progress has been made so far. Months of discussions have resulted in a commitment by the government to accommodate the Amakhosi's concerns, and the Bill, which was published on the 3<sup>rd</sup> of November 2000 proposes interim arrangements to this end. The draft amendments allow, among other things, municipalities to delegate tasks to traditional leaders and to identify the issues which a municipality may request them to address on its behalf. However, the Bill was flatly rejected by a coalition of traditional leaders.

In response the government has agreed to revise not only the Bill itself but also to revamp the entire legislation regarding the institution of traditional leadership including amending some aspects of the Constitution that relate to the institution. This clearly indicates a very strong change of heart from the government with the Minister of Provincial Government conceding that they themselves were not comfortable with some elements of the Bill and the provision of the Constitution. Minister Sydney Mufamadi said that "these elements come directly from... old-order legislation which was preserved by the Constitution. They relate to issues such as witchcraft and rain-making, powers that were given by law to Amakhosi in the apartheid era. "Our institution of traditional leaders was insulted by the apartheid rulers. We need to move away from that" (Front page, Natal Witness, 9<sup>th</sup> November 2000 edition).

The representatives of the Traditional Leadership institution have continued to put government under pressure to make the necessary legislative and administrative changes. It is hoped that this will allow Traditional Authorities clear roles and responsibilities within local government structures in rural areas. On the other hand there is no clear indication from the government, what the future role for the institution will be at local government level. While the 2000 elections have proceeded peacefully, Amakhosi's role are yet to be investigated and further debated.

The on-going debate has serious implications for the rural development process as a whole and impacts negatively on the provision of much needed basic infrastructure and services. Meeting the challenge of sustainable development in these areas require local government

in social and economic life as well as necessary institutional and decision-making structures to ensure that environmental considerations are integrated within the development process. Therefore, what is required is a government commitment to clarify the roles of traditional authorities within the new local government structures, as a matter of urgency.

This is necessary for a number of reasons. Appropriate roles for traditional authorities should be created so that they are able to participate more effectively in local environmental management matters. Where necessary, appropriate training should be provided to enhance their understanding of the processes, procedures and policy requirements.

**Table 3.5: Summary Indicating Continuity and Change**

Before 1994	Current
Traditional Authorities	Traditional Authorities
Racially based Local Authorities	Rural Municipalities
Regional Services Councils (Joint Services Board)	Regional Councils
	District Councils (Category C Municipality)
Natal Parks Board; KwaZulu Department of Nature Conservation	KwaZulu-Natal Nature Conservation Service
National Department of Agriculture; KwaZulu Department of Agriculture and Forestry	Provincial Department of Agriculture (Now Department of Agriculture & Environmental Affairs)
Natal Town and Regional Planning Commission & Private Townships Board (PTBs), Community Services Branch of the Natal Provincial Administration (NPA)	KwaZulu-Natal Town and regional Planning Commission; Department of Traditional & Local Government Affairs
KwaZulu Department of Nature Conservation	Department of Environmental Affairs

### 3.4 Challenges To Current Institutional Structures

A number of practical challenges exist regarding the implementation of the principles discussed in the preceding chapter. The most important of these include: lack of proper coordination of government efforts; lack of integration and cooperative governance between and within spheres of government; and lack of adequate capacity to undertake the complex task of environmental management within the changing administrative paradigm. These difficulties manifest themselves at all spheres of government. Each of these are discussed further, below.

- **National Level**

At national level the clear direction for the new environmental management is given by the Environmental Management Policy, National Environmental Management Act (NEMA) and Development Facilitation Act (DFA), amongst others. NEMA through its provision for the establishment of Environmental Management Plans and Environmental Implementation plans provide a new pro-active and strategic approach. It then mandates the Minister to establish two environmental bodies to advise him/her and to coordinate environmental activities in the country.

With regard to the DFA, the principles set in chapter one introduces a normatively based spatial planning in South Africa. The National Development and Planning Commission as well as the provincially based Development Tribunals are established to ensure that the principles are implemented correctly. An important question to ask, however, is what impacts have the principles introduced by the DFA and NEMA had on environmental management practice in rural areas of KwaZulu-Natal, in general and the Upper Tugela area, in particular? Another important question is, how effective are the Committee for Environmental Coordination and the Development Tribunals in coordinating environmental management activities and in land development applications, respectively?

Lastly, to what extent are the requirements of the Environmental Implementation Plans and the Land Development Objectives (LDOs) informing decision making processes regarding land development and environmental management in rural areas?

This dissertation argues that there has been very limited progress in terms of implementing the legislative and procedural requirements, on the ground. There are a number of reasons explaining this lack of progress. At one stage the problem is political while at another, it is structural. Structurally, while the NEMA and DFA provide relatively standardized environmental management approach that is flexible to allow for local variation, some of the provisions in these two documents are not very clear and the department of Environmental Affairs is not that strong politically. For example, analysts such as Peart and Wilson (1998) agree that the Committee for Environmental Coordination, as an example, is not a very strong structure to coordinate environmental functions.

The lack of proper coordination makes it difficult to achieve a shared vision of what effective environmental management for sustainable development should be trying to achieve and what areas should be targeted for specific programmes. One classic example of this lack

of coordination relates to the formulation and promulgation of the DFA and NEMA. While these can be regarded as cornerstones of the new environmental management in South Africa, they were formulated and promulgated independent of one another.

- **Provincially**

Politically speaking, when the new Constitution came into force in 1996, rather than try to re-invent all government structures and new legislation, the Act makes provision for all the laws to continue to apply in areas where they were applicable before the Constitution came into force. This results in an institutional structure that is governed by a high degree of legal complexity generating considerable and confusing procedural process. This problem is worse for provincial and local spheres of government.

Within the province of KwaZulu-Natal most government departments' activities are governed by legislation promulgated before the 1994 elections. For example, the Conservation of Agricultural resources Act which governs the activities of the Department of Agriculture was designed to cater for the needs of the commercial farmers. It therefore has limitations in terms of its application in rural areas. Secondly, the activities of the Chief Directorate, Local Government Affairs and the KwaZulu-Natal Town and Regional Planning Commission are governed by the old Natal Town and Regional Planning Ordinance. The ordinance only makes provision for towns within the jurisdiction of the former Natal Provincial administration.

The lack of proper coordination and integration is also apparent at provincial level. For example, while most government departments at this level are involved in some form of environmental management initiatives, there is no strong evidence of coordination which leads to shared understanding of issues at hand. Some of the important initiatives at this level include: the Drakensberg Special Case Area's initiative; the Maloti-Drakensberg Transfrontier Conservation and Development Project; and, the Landcare projects. Currently, while there are a number of bodies which ensure communications amongst different institutional structures involved in environmental management at provincial level, none of these have any statutory binding powers. Therefore, the existing coordinating structures lack the legally binding effect.

In addition to the problems highlighted above, there is a general consensus that lack of capacity remains one of the most serious issues hindering progress in implementing the new environmental management requirements. One of the central features of the

rationalization process has been the encouragement of experienced personnel to take early retirement packages. Eventually this means that there is an acute shortage of suitably qualified people to undertake environmental management functions. The rationalization process also means that the transformation process is undertaken by the institutional structures that are being transformed themselves. This shortage is felt by relatively young departments such as the department of Traditional and Environmental Affairs.

- **Local Level**

At least two important issues warrant discussion regarding the changes at local government level. Politically speaking, the Constitution creates a top-down environmental administrative structure. On the one hand, the local government is a lead government agent for the delivery of services, the promotion of local economic development and the general fight against poverty. However, the lack of executive and legislative authority in environmental management means that the promotion of economic growth will not be supported by strong environmental policy and regulations that reflect the needs and problems of the local conditions.

A second important issue relates to rural areas. The reality for rural areas is that, they remain largely unaffected by the policy changes. Therefore, from an environmental management point of view, they receive very little or no protection from the legislation on environmental management. Likewise, for those areas where local government institutional structures exist, the problem is as severe. The lack of proper coordination and integration at national and provincial level, causes considerable confusion at local level. The plethora of legislation that the local government has to contend with results in much confusion. As a result most of the municipalities are either doing business as usual or they give most of the jobs to consultants.

### **3.5 Non-Governmental Approaches: Creating a Niche for Environmental Management**

The main focus of this section is on the roles of other institutional structures in promoting effective environmental management to achieve sustainable development in rural areas. These organizations take many forms but essentially they are partnership bodies (organizations). They range from a broad combination of public and private sectors, research organizations and trusts and a variety of other organizations (Barker, *et al* 1997).

The institutional transformation and overall change in approach for environmental management has affected a number of Non Governmental Organizations (NGOs) involved in environmental management activities in rural areas of KwaZulu-Natal. While most of these institutions supported the dominant view of environmental management in the past, most of them seem to be adopting the 'brown' environmental agenda which became dominant after 1994.

NGOs as independent institutional structures seem to be able to undertake environmental issues left out by traditional state interventions. This allows them to build their own often unique bargaining assets with other, often independent actors in rural development processes. NGOs tend to be more participatory and 'bottom-up' in their approaches than most state institutions. This approach emphasizes grass-roots organizing, decision-making and self reliance methods to rural development in general and environmental management projects in particular. The main aim of this section, is to highlight a potential niche NGOs are creating for themselves and the influence they are building in environmental management activities, especially where the state presence is not felt. Criticism of these approaches are also explored.

### **3.5.1 Participatory methods to rural development**

Participatory or bottom up approaches differ from state approaches in their emphasis on community organizations, creation of community capacity building, promotion of grassroots organizations and effective community participation and local decision making process. Success in participatory approaches is not measured by products, such as, how much money has been spent but by the process especially those processes leading to durable and sustainable local institutions which are able to respond to and promote locally desirable solutions to environmental problems. Prince and Finger (1994) argue that the strength of bottom up or participatory approaches lie in their ability to encourage locally tailored responses to meet local needs.

Important NGOs in environmental management in the province of KwaZulu-Natal include Environmental Groups such as Wildlife Society of Southern Africa, Earthlife Africa, Environmental Justice Network Forum; Research bodies including those linked to higher learning institutions such as University of Natal's Institute of Natural Resources and Farmer Support Group, amongst others; development agencies, civic organizations and local communities.

### **3.5.2 Limitations to participatory approaches**

It has often been found that, in practice, Non-Governmental Organizations approaches to rural development suffer from several weaknesses. One important weakness regards the small scale and scattered nature of NGO intervention. Therefore even if the project is successful individually, it is unlikely to have an aggregate impact. For example such aggregate impact could be to meet the magnitude of regional and provincial environmental challenges. As a result, while decentralization may facilitate effective local responses, a lack of strong multiplier effect make it unlikely for NGO interventions to add up to significant societal changes. Therefore most of the NGO projects do little to arrest the effect of larger economic and environmental forces which manifest themselves at local level.

### **3.6 Conceptual Framework: A Synthesis**

The conceptual framework for this dissertation aims to cover two somewhat different institutional trends so as to capitalize on their strengths and achieve a balance between them. Firstly, the implementation of the new system of administration based on the principles of cooperative governance which promote integration and community participation to improve on the provision of services has a number of weaknesses in practice.

Challenges highlighted include limited capacity on the part of the state to effect meaningful change in rural areas. Secondly, the whole understanding of the environmental concept in relation to conditions in rural areas still follows reductionist arguments. Lastly, a number of difficulties are reported relating to the way community participation is undertaken in rural areas. All these have a negative impact regarding how environmental management activities are undertaken in rural areas. It also demonstrates the limited ability of the state institutions to promote effective environmental management in rural areas. However, NGOs seem to be filling the administrative gap that is left by state institutions.

NGOs have been described as employing locally appropriate methods in their environmental management activities in rural areas. These methods are described as promoting conducive community participation based on bottom-up strategies. Their methods of community involvement promises to be more sustainable. However, a number of limitations were also highlighted regarding these approaches. For example, it is argued that most of NGO interventions are limited in scale and therefore fail to make a meaningful impact in arresting environmental problems associated with poverty and degradation of natural resources.

If sustainable development is to be a serious development goal in South Africa both in

improving people's lives and reducing degradation of natural resources, it is clear that alternative approach which emphasizes strong partnerships and effective participation by other key stakeholders in the planning and implementation on environmental processes must be found. The partnership trend has begun already whereby non-state institutions and the government organizations have started to modify their stances towards one another. On the one hand, the NGOs have realized that effective environmental management is unlikely without proper state institutional support. Individual projects should be properly coordinated with provincial and national plans to reduce duplication of efforts and resources. In most instances, the state may also offer support which will address threats by powerful local forces to benefit themselves from local projects. This in turn will allow Non-Governmental Organizations to influence the state more effectively.

At the same time, a growing number of government departments are realizing the value of bottom up approaches to both development and environmental strategies. If managed properly, increased cooperation between the state institutions and NGOs can lead to services being provided more efficiently and cost effectively, without the state simply having to push responsibility for the well being of the poor onto the informal economy. Nevertheless it seems that cooperation between the state institutions and non-governmental organizations frequently remains a difficult process. The establishment of closer and formal links between these organizations requires a reconciliation of what is sometimes radical organizational approaches to development as well as the negotiation of clear areas of jurisdiction. Given these methodological difficulties, whether relations between the state institutions and Non-Governmental Organizations can be institutionalized in an effective and mutually agreeable manner remains an open question not only in the South African situation but also elsewhere. If it does happen, it will have to take on specific forms according to each place's individual circumstances, but it should also contain the broad principles envisaged for effective environmental management.

### **3.7 Conclusion**

The foregoing chapter has shown that while a number of policy and institutional changes have taken place, other institutional structures have remained unchanged. A number of structural weaknesses were identified as limiting factor to effective environmental management. Institutions such as the Department of Environmental Affairs lack adequate financial and administrative capacity to perform their functions effectively. This has undermined the department's attempt to create a strong institution responsible for coordinating development and environmental activities in the province. Other concerns expressed included lack of proper community participation. The on-going debate regarding lack of clarity in roles and responsibilities for traditional authorities was also highlighted.

## Chapter Four

### The Upper Tugela Context

The aim of this chapter is to give a general context and a rationale for selecting the Upper Tugela area as a case study. Two important factors provide a recurring theme for this chapter, namely, the socio-economic conditions of the case study and the environmental factors which give the Drakensberg Mountain, a unique character. By analyzing these two general features, it is hoped that the importance of ensuring effective environmental management which fosters the reconciliation of economic development with biodiversity conservation in rural areas, will become more evident. Overall this chapter provides a general background to the next chapter (chapter 5) which identifies and evaluates specific institutions which are involved in some form of environmental management projects in the two areas under discussion

### 4.1 Background

The Upper Tugela Area is found at the foothills of the Northern Drakensberg mountains. It lies between the Royal Natal National Park in the north and Cathedral Peak in the south (Figure 3.1, below). Literature regarding the history of the area is full of contradicting stories; however, it appears that Amangwane and Amazizi have occupied this area for centuries. For example, some sources indicate that the occupation of the area by these people goes back to the times of uShaka and his destabilization of the region. Other writers, such as Smith (1997), believe that the Upper Tugela area was established by the Natal government during the 1830s as part of the Ukhahlamba Reserve. It seems that, it was then that a settlement was created in the area which acted as a buffer between white settlers and the San. It is believed that this followed the large influx of refugees as a result of King Dingane's defeat by the Voortrekkers. What remains unclear, is the question of which African clan occupied the area first.

However, oral sources of history based on discussion with senior citizens from both Amazizi and Amangwane reveal a different story. A report by Metroplan (1999), argues that the first people to occupy the sub-region were the San who were later joined by Amazizi. The story goes that Amazizi occupied all the low lying areas from Colenso, moving westward until one reaches the foothills of the Drakensberg. Evidence of their occupation could still be found in the majority of the areas they inhabited. These include kraals made of stones.

### Figure 4.1: Locality Map

On the other hand, it is argued that Amangwane only arrived during the 19<sup>th</sup> century. The report by Metroplan (ibid) argues that as soon as Amangwane arrived, fierce fighting ensued



between the two. Amazizi were finally forced into the foothills of the Drakensberg mountains.

The other argument which has proved difficult to confirm is that the area was established as a buffer strip to separate the San from the white commercial farmers. In terms of the oral history, it is difficult to separate Amazizi from the San people since the two had interacted and occupied the same territory long before the arrival of the White farmers. What remains clear though is that unfriendly relationships have always existed between the White farming community and the people occupying the Upper Tugela area. This hostile attitude manifested itself during the 20<sup>th</sup> century as concerns increased that people from the Upper Tugela area were responsible for top soil losses, decimation of biological resources, and the siltation of rivers and dams. As a result residents from the Upper Tugela area were under constant threat of removal during the 1930s, 1960s, 1970s and early 1980s (Metroplan, 1999). These conditions under which local people survived have continued to shape their attitudes towards government interventions, including environmental management.

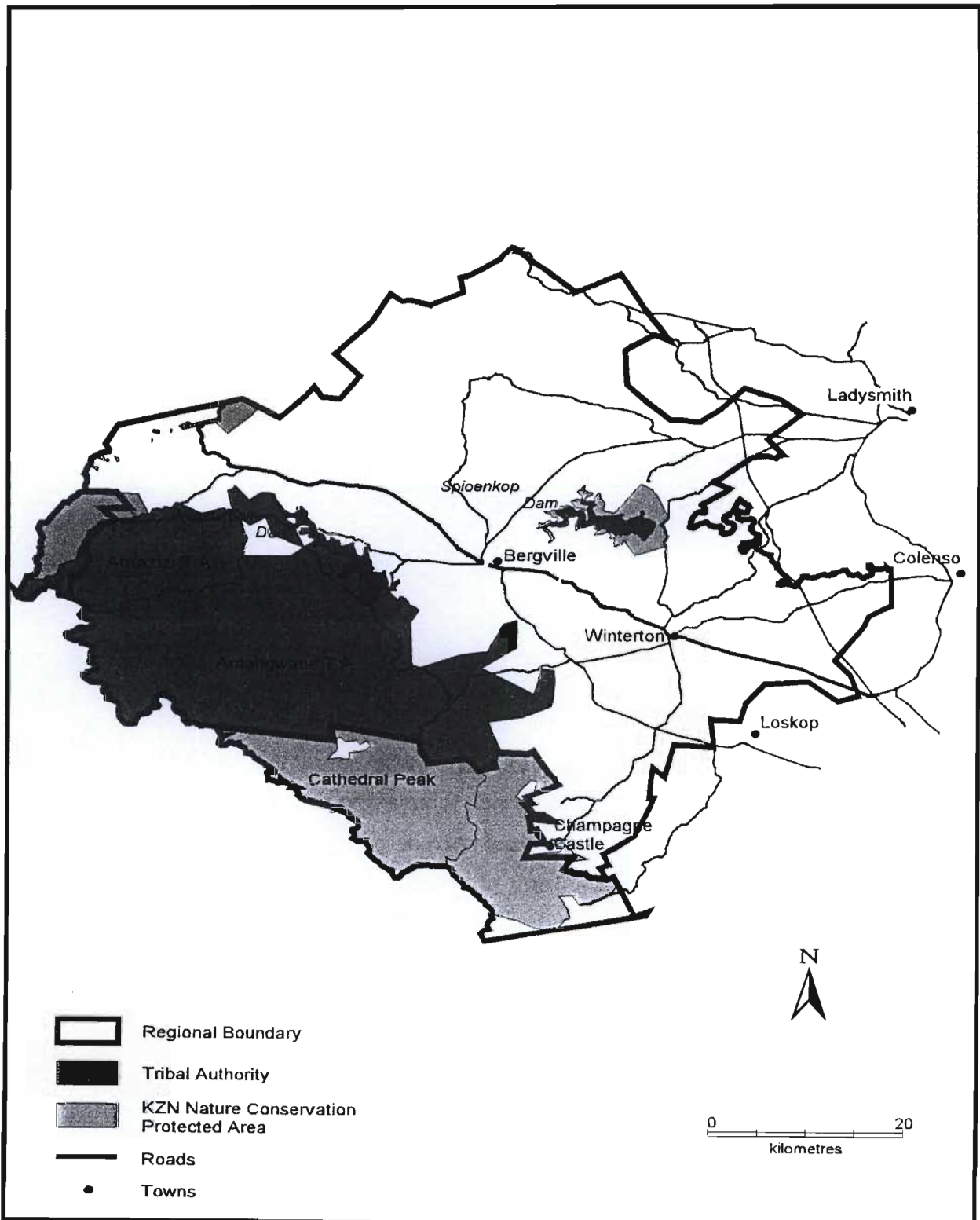
## **4.2 Upper Tugela Area: A Microcosm**

The Upper Tugela area can be described as a microcosm for a number of reasons. On one hand, it is illustrative of other rural areas within the province of KwaZulu-Natal in terms of environmental conditions and socio-economic processes it displays. On the other hand, it boasts with some of the unique and locally specific features and trends. These can be attributed, at least, to two important factors. The environmental uniqueness can be attributed to the presence of the Drakensberg mountain. On the other hand, there is a set of unique socio-economic factors which have shaped and influenced the area into the present day Upper Tugela area. It is this balance between the unique and the general which make an interesting case study out of the Upper Tugela area. The section below tries to grapple with these dynamic features.

### **4.2.1 Ukhahlamba Sub-regional Context**

The Upper Tugela Area is part of Uthukela Regional Council which, as a region, has been further subdivided into sub-regions to enable some functions to be devolved accordingly. Ukhahlamba is a sub-region within the Uthukela Region and the Upper Tugela is located within the Ukhahlamba. Before 1994 the study area was under the direct administration of the former KwaZulu-Administration, namely, the Ukhahlamba Magisterial District. It is in this context that the legacy regarding lack of proper institutional structures to coordinate local development process and the resulting poverty, are analyzed.

Figure 4.2: uKhahlamba Municipality (KZ235)



H. Snyman, Planning Division, KZNCS

There are major information gaps regarding the population dynamics in the area. The literature gives different estimates of the total population inhabiting the sub-region. For example, the study by the RandWater (quoted in IPS, 1998) estimated a population of about 100 000. On the other hand, the 1996 census (quoted in Metroplan, 1999) estimate the sub-region's population to be about 110 800 people. While, there is less agreement regarding the total population, there is consensus regarding the population structure of the area. For example, it has been argued that about 53% of the population is under the age of 19. Furthermore, trends reveal that there are very high levels of unemployment and few sources of income. Where employment is available, wages are low. According to IPS (1998), the most important sources of income are likely to be in the order of remittances, agriculture, and *ad hoc* development projects which promote local employment, including Landcare and Mnweni/Randwater Trust. While the production and trade of *Cannabis* have a profound influence, the scale of its influence cannot be captured through formal means of gathering information. The lack of formal sources of income are compounded by lack of formal schooling. According to the census about 21% of the adult population have no schooling, while the further 46% have attained between grade 1 and grade 7 (Metroplan, 1999).

Secondly, there are major concerns around the lack of basic infrastructure and the provision of essential services. The only formal water supply networks in the study area were provided during the 1980s' Upper Tugela Planning Initiative. Lack of an electricity infrastructure has led to extensive harvesting of firewood. This has had a severe negative environmental impact due to the depletion of indigenous forestry resources and the subsequent occurrence of soil erosion. The Department of Water Affairs and Forestry, together with the Uthukela Regional Council, are responsible for the provision of sanitation infrastructure. However, at present, there is no formal sanitation coverage, with the exception of a few self-constructed VIP toilets in selected houses. Other services lacking in the area include, amongst others, refuse collection, sport and recreation facilities.

It is a combination of the concerns expressed above which targets the Uthukela Region as an area of great need for high government intervention together with the Indlovu, Uthukela and Umzinyathi region (MXA 2000). The main government intervention areas have been identified to include a fight against poverty through the creation of sustainable jobs, provision of basic services and infrastructure as well as promoting capacity building, especially for relevant institutional structures promoting sustainable development in these areas.

### 4.3.2 Drakensberg Mountain Context

The Drakensberg mountain which forms an important part of the study area has at least three unique features which require financial and administrative resources to ensure that the mountain is properly managed as a national heritage. The **first** of these is water production. While South Africa is not richly blessed with natural resources such as water (Smith, 1997), the Upper Tugela Area is regarded as one of the most important water catchments in the country. Three important tributaries of the Uthukela river have their sources in the Upper Tugela area. The Mlambhonja flows in a south-east direction below Cathedral Peak before it enters the Woodstock dam. The Mnweni river rises next to the North Peak and rolls down before it enters the Woodstock dam. The third one is the Uthukela which drains from the amphitheater into the Amazizi Tribal Authority area before it enters the Woodstock dam. Collectively this quaternary catchment produces over one third of South Africa's water needs (IPS, 1998). It further contributes approximately 25% of this province's water needs (ibid, 1998). In view of expected future developments (both industrialization and urbanization, especially around the Richards Bay-Empangeni Complex), the primary objective of government intervention in the area should be concerned with the permanent conservation and utilization of water resources in this area.

**Secondly**, the area is well endowed with biodiversity resources of both national and international significance. A number of studies, (eg, Martin, 1990; McIntosh, 1994; and, Federation of Drakensberg User Group (FDUG), 2000), have confirmed the importance of the mountain from a biodiversity conservation point of view. It is argued within these studies that the Drakensberg has the following features:

- vegetation which is considered 'unique' because it contains important center of regional endemism (Martin, 1990); and
- a localized center of speciation which is considered to be of outstanding importance. For example, it is estimated that approximately 300 endemics out of 1 800 plant species are found in this mountain range.

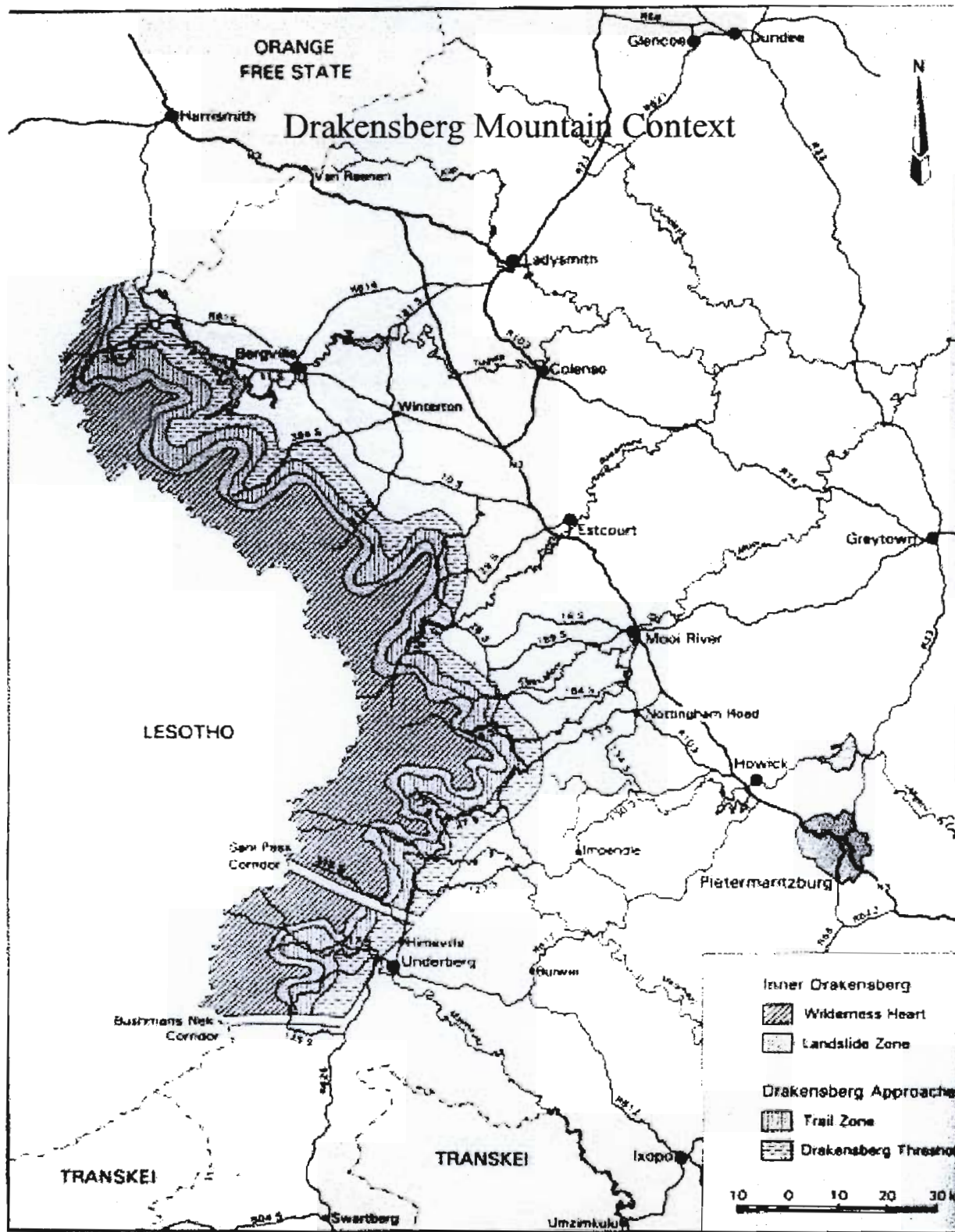
The analysis of classification reveals that climax communities are predominantly characterized by forest, fynbos and heath. According to Martin (1990), these plant species communities comprise the montane belt, the sub-alpine and alpine respectively. These ecological zones will normally be found between the 1 280 and the 3 358 contour limits.

According to IPS (1998), and Martin (1990), with the exception of *Cannabis* cultivation and its related activities, including clearance of vegetation cover, walk paths, and use of caves as storage facilities, the vegetation to be found above the cave sandstone is predominantly pristine. However, below this level, human activities and livestock have dramatically altered plant diversity and led to decimation of wildlife. These different zones have been classified as Wilderness zone, Landslide zone, Trail zone and Threshold zone. See **map 4.3** (Martin, 1990) for the description of the ecological zones.

While no comprehensive survey has been done to determine the status of wildlife or to increase the botanical knowledge of the area, the basic information available regarding indigenous animals reveals that there is a variety of mammals occupying different habitats provided by the mountain, especially in the higher lying sections where the human influence is minimal. Species and habitats of conservation importance to be found in the study area include nesting sites for a number of endangered or threatened species including Cape Vultures, Black Storks, Bald Ibis and Black Ibis.

**Thirdly**, the study area is important for scenic beauty and also possesses cultural heritage of international importance. From this perspective, IPS (1998); FDUG, (2000) and other studies describe the beauty and magnificence of this section of the mountain range as one of the great visual spectacles of Africa. The near perfect state and highly specialized skill in rock painting by Bushmen found in this area makes it one of the greatest galleries of rock art in the world (FDUG, 2000).

Map 4.3: Drakensberg Mountain Context (Martin, 1990)



However, these resources of both national and international importance are under severe pressure due partly to a lack of appropriate institutional structure to promote and coordinate local development processes. If one were to apply the status of mountain environment indicators, suggested by Fuggle and Rabie (1992), the Upper Tugela section of the Drakensberg can be classified as fair to poor. The general catchment conditions show moderate to severe degradation and damage to vegetation cover. This is also illustrated by fair to advanced signs of denudation and soil erosion, especially where there is excessive grazing and cultivation of fields. These and other concerns which require greater government intervention are well referenced in the literature about the area (IPS, 1998; Martin, 1990; McIntosh, 1994; Smith, 1997). Based on the above analysis, whatever institutional intervention is finally decided on as suitable for the area should, sensitively, grapple with the basic realities of the area.

On the one hand, there is a dire need for economic development to fight poverty, and on the other, there is a need to ensure that further deterioration of natural resources of the mountain is arrested and the conditions improved. Yet, for these to be successful, they will have to be sensitive of the local dynamics which further define the study.

### **4.3 Existing Local Institutions**

Institutionally, the area under study is currently represented by a network of different organizations. Important institutions in this regard include: the uThukela Regional Council; Amangwane and Amazizi Traditional Authorities; and various local development committees.

#### **4.3.1 Regional Council**

The uThukela Regional Council extends over 10975km<sup>2</sup> and is divided into three geographic or District Committee Areas (uMtshezi, uKhahlamba and uMnambithi), map 4.2 above depicts some of these areas. The Bergville, oKhahlamba and eMnambithi Magisterial Districts are included in the region. The study area is part of the uKhahlamba sub-region. The institutional and administrative structure of the Regional Council comprises of elected Councillors from rural and TLC areas who serve on various Standing Committees and the Regional Council itself.

In addition to the above, the Regional Council is advised on sectoral development issues by up to 6 project linked Standing Committees, including Councillors, Regional Council staff and specialists, where appropriate. The Spatial Standing Committees are responsible for

representing local interests on development issues and the prioritization of development projects. The executive functions of the Regional Council are split into a number of directorates under the management of the Chief Executive Officer. The directorates typically include technical services dealing with reticulation of water as their primary responsibility. The uThukela Regional Council is under tremendous political pressure to deliver basic services and infrastructure in a majority of the 'remaining areas' which have been described as poverty stricken. This is the challenge which is going to be inherited by the newly inaugurated District and Local Councils.

#### **4.3.2 UKhahlamba Municipality (KZ235)**

The new Local Council will consist of what were the three Transitional Local Councils (TLCs), commercial agricultural areas, three Traditional Authority areas, and sections of protected areas managed by KwaZulu Natal Nature Conservation Service. The three TLCs included Cathkin Park, Winterton and Bergville, and the two of the three Traditional Authority areas included Amazizi and Amangwane.

While the Local Council will be expected to promote local economic development, and fight poverty, the most important challenge will be around the question of capacity to administer these developments in such a way that promote local economic sustainability. While this may be so, the current reality indicates that it will take a very long time before that stage can be reached. There are a number of explanations for this situation. For example, with the exception of a limited amount of tax base existing within the three former TLCs, and the agricultural levy from the commercial farmers, the general lack of tax base will force the Council to rely heavily on the national government grants.

#### **4.3.3 Traditional Authorities**

The study area falls within the Amangwane Tribal Authority with iNkosi Hlongwane assuming responsibility for the administration of customary law in the area. The Tribal Court is located in Dukuza. The Amangwane Tribal Authority is divided into 24 sub-wards, three of which are the subject of this study - Khokhwana, Mabhulesini and Manzana. Amazizi on the other hand comprises about 4-5 sub-wards and oKhombe is one of these. Inkosi Miya is the Head of the tribal area and therefore assumes the administration of the area. Table 4.1 below summarizes different local institutions, and different roles they play in the local development process.

##### **4.3.3.1 Mnweni Valley Triangle Ward**

This area is known as Mnweni Valley Triangle because its three sub-wards, namely,

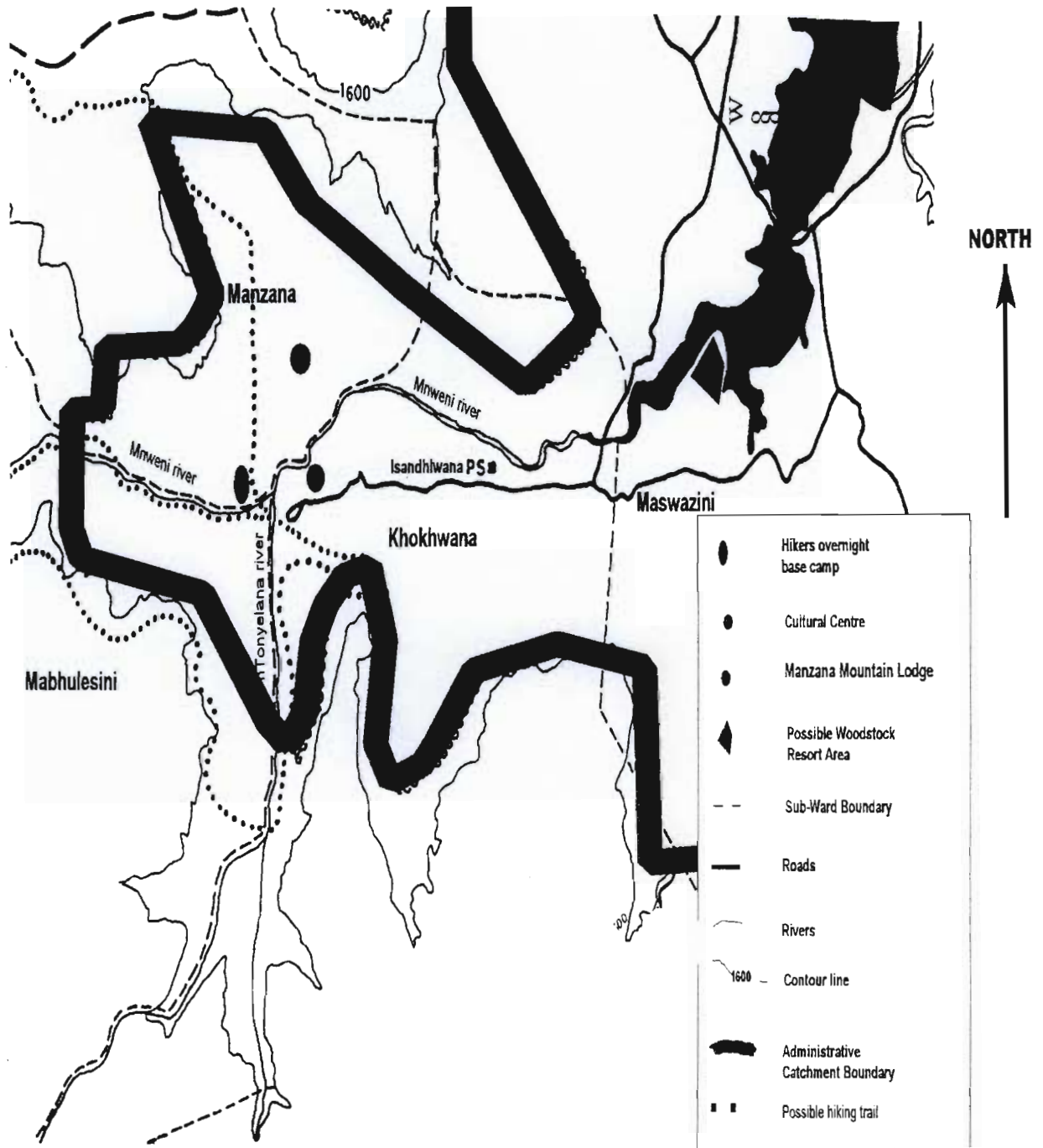
Khokhwane, Mabhulesini and Manzana decided to formally work together to develop the entire valley. The Mnweni Valley as a ward forms part of a much bigger Amangwane Traditional Authority area. There is a very high reliance on natural resources. For example, it is often argued that most of the people from these sub-wards generate income from the seasonal sale of thatching and grass work. These activities are supplemented by the widely practised subsistence agriculture. Maize is the most common crop.

Soil erosion is a major problem in the Mnweni Valley area. For example, severe soil erosion is occurring in the vicinity of homesteads, in the fields, and on the valleys, and plateau where livestock graze. As a result, soil erosion is a leading indicator of the extent of physical environmental degradation, and the lack of appropriate action in the area. Erosion is mainly caused through the use of paths accessing streams (particularly by livestock) and routes used to introduce livestock to grazing on steep slopes and the collection of wood. Grazing of livestock occurs between 1300m and 2000m and overgrazing is a serious environmental problem (Masson, 1991). Unfortunately there are no effective existing institutional structures to ensure the following:

- improved livestock management practices in the area;
- improved crop production methods; and,
- overall coordination of physical development relative to sensitive environments.

Map 4.5 below depicts the boundaries of the Mnweni Valley Triangle and its sub-wards.

Map 4.4: Mnweni Valley ward (IPS, 1998)



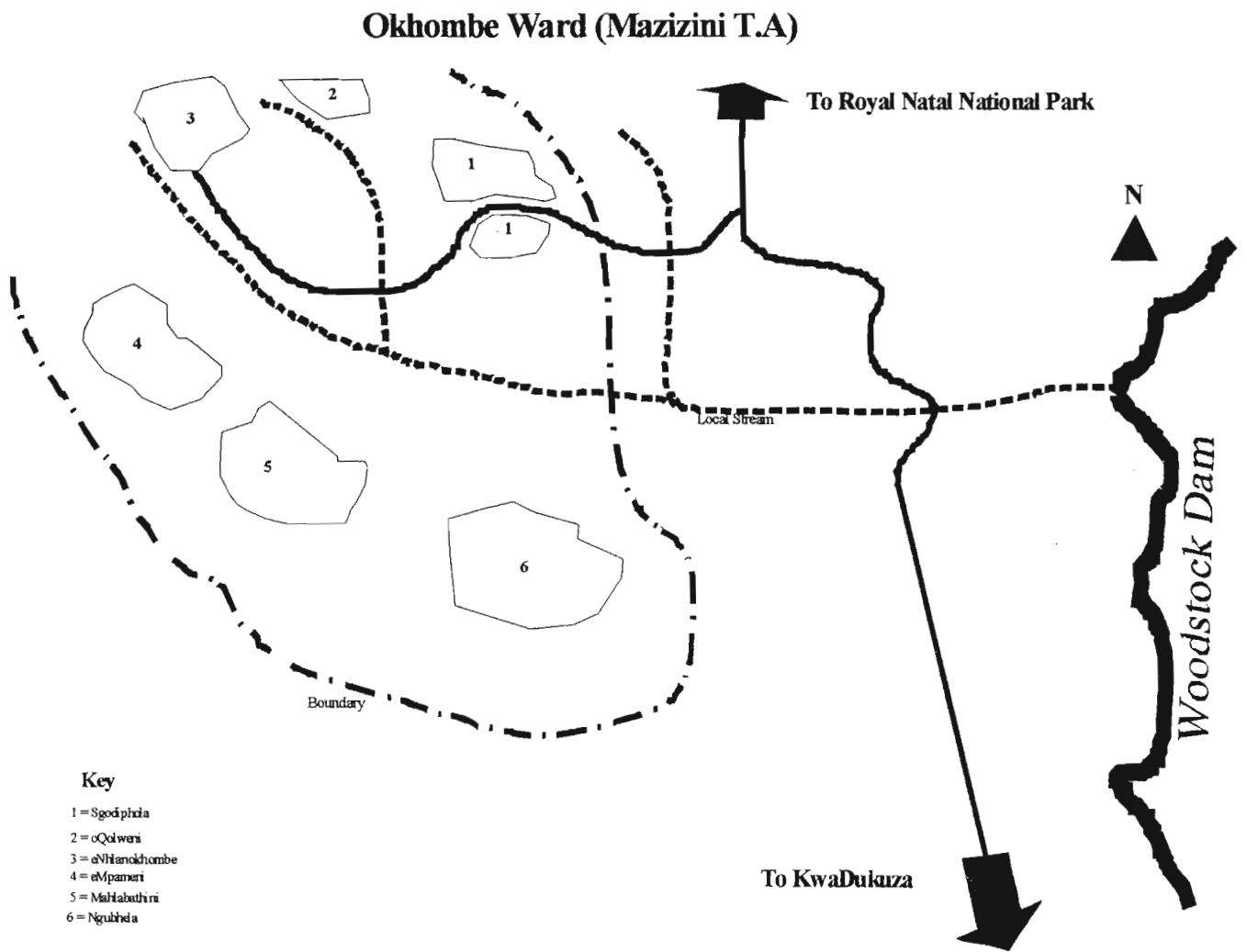
#### **4.3.3.2 OKhombe Communities**

Okhombe ward is situated in the Amazizi Tribal Authority area within the Upper Tugela area. It is surrounded by a 'horse-shoe' of ridges in the foothills of the Drakensberg mountains. OKhombe and the Mnweni Valley Triangle are separated by a ridge called Skiti. The six sub-wards constituting the ward were created during the Betterment Planning in 1961. They include: eMpameni, eNhlanokhombe, eMahlabathini, iNgubhela, eSgodiphola and Oqolweni.

The ward itself is relatively small, approximately 6 km long and 2-3 km wide (Farmer Support Group, 1999). Unlike at Mnweni, the oKhombe ward is relatively accessible. There is evidence that people at oKhombe rely heavily on the surrounding natural resources for their daily living.

While cattle still provides an important source of wealth, maize remains a predominant crop grown within the ward. As a result of Betterment planning, the main agricultural fields and rangelands, are separated from the residential settlements. While they are able to live on their maize crop harvest, their production is relatively very low in comparison to the production within commercial farms. While this might have to do with a number of factors including: lack of proper technology and ignorance, lack of land ownership forces most individual homesteads to rely on less than 5 hectares for maize production.

# Map 4.5: oKhombe



Map not according to scale

**Table 4.1: Local Institutional Structure, Summary**

<b>SUB-REGION</b>	<b>UKHAHLAMBA SUB-REGION</b>							
<b>Place Name</b>	<b>AMAZIZI T.A</b>					<b>AMANGWANE T.A</b>		
<b>Royal House/ administration structure</b>	Chief Miya					Chief Hlongwane		
	Induna Enkulu (Chief Headman)					Induna Enkulu (Chief Headman)		
<b>Ward</b>	oKhombe					Mnweni Valley Triangle		
<b>Sub-wards</b>	Enhlanokhombe	Sgodiphola	Mpameni	oQolweni	Mahlabathini	Khakwane	Mabhulesini	Manzana
	Headman	Headman	Headman	Headman	Headman	Headman	Headman	Headman
	Four Councillors					Two Councillors ( 1 for Khokwane and Mabhulesini) and 1 for Manzana		
<b>Development Committee/s</b>	oKhombe Development Committee					Mnweni Triangle Development Committee		
<b>Representatives</b>	12 members from each sub-ward					12 to 15 from each ward		
<b>Functions</b>	Cattle; Land; Crops; School; Water; Creche					Cattle; Land; Crops; School; Water; Creche		
<b>General Public</b>								

#### **4.4 Conclusion**

The chapter has provided a general context in terms of the area's characteristics. It has highlighted a number of important factors about the Upper Tugela area. The area should enjoy a priority status in terms of most of these factors. For example, as part of the Drakensberg mountain, the area is blessed with biological resources whose importance have been recognised internationally. Secondly, as a water dry country, the conservation of water resources from the Drakensberg should be a national priority. Thirdly, the grand beauty/sense of place and the cultural resources, have been recognized internationally. All the factors highlight the great potential that exists in the area. However, there is the last important factor which still needs to be identified as the greatest weakness in the area, namely, the abject poverty which characterizes the two areas under study. The current government has placed poverty as one of its overriding priorities, namely, RDP.

## **Chapter Five**

### **Findings and Analysis: Local Changes in Environmental Practices**

#### **5.1 Introduction**

This chapter forms the climax of this dissertation and offers the possibility to reflect back, critically, on arguments raised in the preceding chapters. The emerging environmental vision and the guiding principles on how this should be implemented has been explored. Various debates were explored regarding a) the roles and functions of various government institutional structures; b) the political and structural weaknesses which promotes weak institutional structures at local level were identified; and, c) the limited ability of the non-government institutions to influence effective environmental management on a broader scale was highlighted. The debate culminated in a brief synthesis, where a partnership approach was suggested. The partnership approach will allow more synergy between the coalition of smaller independent actors and the government institutional structures.

The chapter evaluates institutional structures and environmental activities in practice within the context presented by the case study. This evaluation of the case study takes the dissertation to its logical conclusion and allows for the critical evaluation of both the main question and the hypothesis which are guiding the entire process of this study. The chapter is divided into two broad sections including: a) people's perceptions regarding the status of their environment, and evaluation of environmental practices; and b) the general discussion.

#### **SECTION A**

#### **5.2 People's Perceptions**

##### **5.2.1 Socio-Economic Characteristics**

A total of forty (40) people participated in the survey from the two wards. Of the total participants, the majority of the respondents were females. This was interpreted as an interesting observation, for the following reasons:

- it can be used to support an often made claim of male absenteeism in the area;
- furthermore, it means that, women feel most of the brunt in terms of poverty and environmental degradation; and,
- therefore, women should be encouraged to participate more actively in intervention

programmes that are aimed at improving environmental conditions.

- **Education Levels**

The survey reveals that the majority of the respondents on both wards, have no education while others have got up to standard five level (grade 7). For example, at Mnweni Valley Triangle a total of 17 respondents (about 85% of the sample) recorded no education; whereas, only 5% were found to have more than primary school education level. The findings at Mnweni were similar to those obtained at oKhombe. At oKhombe, about 75% of the total respondents (15 people) said they have no schooling experience. Only 10% of the respondents had up to between grade 1 and grade 7.

These findings correlate with the findings of the 1996 census. The 1996 census, as quoted in MetroPlan (1999), argues that about 21% of the adult population within the Ukhahlamba sub-region have no schooling. A further 46% had achieved between grade 1 and 7.

Low levels of education have serious implications for effective environmental management in the area. Good level of education enhances one's awareness regarding the state of environment and its associated problems, and can influence one to take an appropriate action to address the problem. On the other hand, low levels of education means that it becomes difficult for an individual to recognize the worsening state of his/her natural environment.

- **Work Status**

This sub-section examines a number of employed and unemployed respondents. Employment was defined to mean those individuals who are earning a salary/wage. Included in this category, were people who receive monthly pension allowances or social grants from the government. Unemployment on the other hand, refers to those people who lack jobs which will allow them a constant access to a salary. Therefore most of the people in this group depend solely on remittances.

The majority of the respondents indicated that they were not working. This was not interpreted as significant. It is interpreted as normal for the majority of women in rural areas, who happened to be the majority of respondents in this survey, to be housewives. However, an interesting observation, was that most participants seem to be aware that part-time jobs become available now and again from the local conservation and development projects.

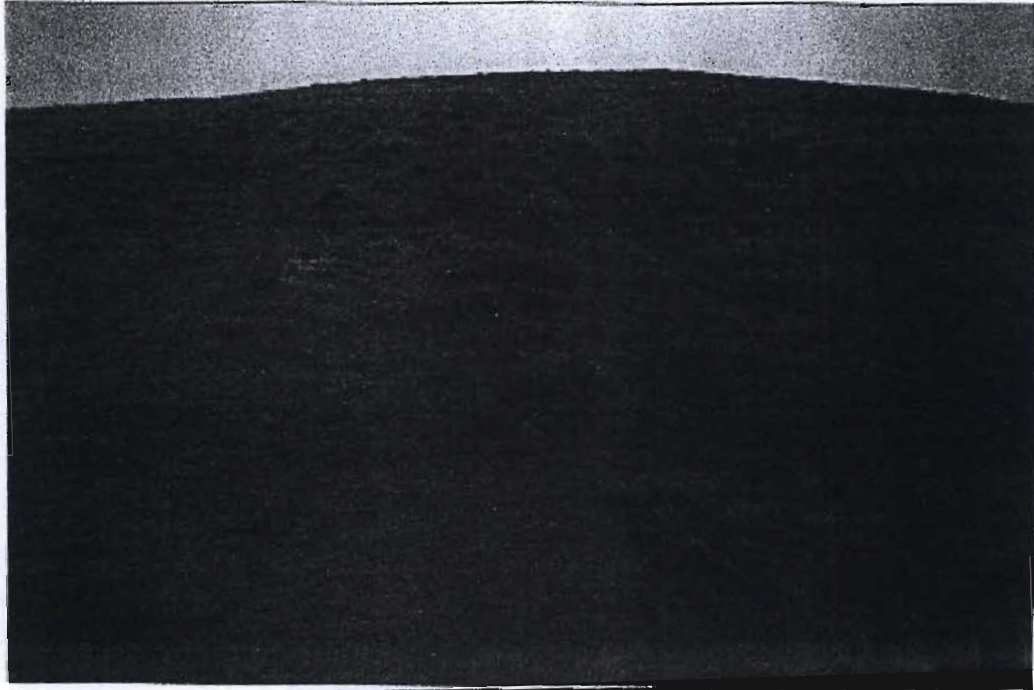
There is a very strong correlation between unemployment and poverty. While unemployment is defined as a lack of regular access to a salary, poverty is expressed as a lack of basic needs for the rural people. This definition covers most facets of living including the absence of jobs and incomes, but also of services and facilities. In other words, poverty is a lack of a totality of human needs.

Likewise, poverty is linked to the environment in complex ways, particularly in rural areas, whose economies are based on natural resources. Poverty is an important factor in accelerating environmental degradation. Poor people are unable to invest in natural resource management such as soil conservation and veld management, amongst others.

- **Status of the Environment**

Predominant natural resources in the study area, both within Amangwane and Amazizi include land, grass, fields and wetlands, especially on lower slopes. The upper sections (approximately 1500m above mean sea level) consist mainly of one of the most fragile and least favourable areas for development in the province. The status of the natural resources is largely degraded, below the 1500m. The majority of the respondents confirmed these observations. When asked to comment about the status of their environment, about 65% of the respondents at Mnweni Valley Triangle; and about 9 or 45% of the respondents from oKhombe, acknowledged that the status of the environment in which they live is degraded. An interesting observation was that the majority of these participants felt that the degraded state of the environment affected their lives directly, and in different ways. Most of the responses linked degraded environment with dirt/untreated water used for domestic consumption; while others linked it with poor productivity of the livestock.

## Picture 1: Type of Environmental Degradation at Mnweni Valley



- **Causes of Degradation**

There was a general consensus among the respondents that, environmental degradation results from lack of proper regulations against illegal veld fires (about 85%) or 17 of the respondents from the Mnweni Valley Triangle; the majority of people at Okhombe felt that, lack of proper local policy and regulations governing grazing regime was much to blame.

Observations of the area reveal that there are grazing camps that are largely not being used, especially at oKhombe. Discussions with a local Induna indicated that the grazing camps established as part of the Betterment Planning had resulted in numerous social and environmental problems. It established grazing policy which lacked institutional structure to implement and ensure the following:

- repair of ageing fence;
- prevent stock theft from neighbouring areas;
- ensure that grazing camps were not creating artificial barriers between residents; and,
- to ensure that capacity and conditions of the veld were maintained so that no camps

become worse off than the other.

People were then asked the question 'whose responsibility is it to care for the natural resources such as grazing land, thatch and so on'. The majority of the respondents felt that, it is the responsibility of everybody involved, including the community as a whole, the Tribal Council and independent institutional structures. Very few responses indicated government departments. This could be interpreted to mean that the government has no capacity/ or no political will for its presence to be felt by the rural people. If the government lacks capacity to undertake its policy and Constitutional mandates, it should consider the adoption of a partnership approach with other relevant role players to achieve effective environmental management in the area.

### **5.3 Environmental Management Practices; A Survey**

This section presents the findings of the investigation of Governmental, independent and Non-governmental organizations, that have statutory or non-statutory responsibility to undertake environmental management practices in the area of study. The main theme was to find out, to what extent are the new environmental policy principles influencing different institutional structures to promote effective environmental management practices on the ground? The survey focussed on roles and responsibilities of various institutions involved in environmental management in the Upper Tugela area. Furthermore, information was collected pertaining to the relationship between these institutions, and approaches they employ towards environmental management. This was compared with the practical progress on the ground.

#### **5.3.1 Environmental Management Practices**

The institutional survey reveals that most government departments have legislation/policy mandate to be involved in environmental management practices in the study area. Environmental initiatives that were identified included: a) the Maloti-Drakensberg Transfrontier Conservation and Development Project; the Drakensberg Special Case Area Plan, all at provincial level; b) oKxahlamba Sub-region Plan, and the Cableway/hotel and entertainment centre, at regional and sub-regional level; and, Randwater Mnweni Valley initiative and oKhombe LandCare programme, at local level.

Overall, seven provincial institutions (both governmental and non-governmental) participated in the survey. They included: the provincial Chief Directorate, Agricultural Affairs; Chief Directorate

Environmental Affairs; Nature Conservation Service; uThukela Regional Council; BergWatch; and, Range and Forage Resources/Farmer Support Group, University of Natal, Pietermaritzburg.

Participants were asked to identify features of the environmental management initiatives applicable or that have implications for the case study. The main aim was to elicit whether these environmental practices have, as part of their objectives, the aim to use social and economic incentives to strengthen natural resource conservation in the area of study. Table 5.1 below summarizes responses in this regard.

### **5.3.2 Environmental Priorities for the Upper Tugela area**

To elicit whether there is a shared common vision for the area, between local people, on the one hand; and the various government institutions on the other, a question “ what is your department’s environmental priority for the area?”, was asked.

#### **Local People**

The majority of the local people (65%) of the respondents felt that their priority was the provision of jobs and services. To illustrate, one elderly respondent, provided a classic, analogy, he argued that without proper jobs, efforts to conserve natural resources in the area, are meaningless. He argued that even if people were to be taught the best grazing methods and how to establish proper grazing camps to prevent soil degradation, hungry people will steal both the camp fences and the livestock inside. Unless people have jobs they cannot pay for herders. He then asked the question, “who then is winning?”

Reading from the old men’s argument, the local people are not saying they do not want their natural resources to be conserved. However, they are arguing that, they cannot conserve on empty stomachs.

#### **Government Institutions**

The analysis of the response suggests that, indeed, different government departments and authorities, have different environmental priorities for the area.

One government institution argued that, ideally, the area should not be inhabited by people. Human settlement is an inappropriate form of land use for the area. It was stated that, if ever

possible, people should be encouraged to move further down to more flatter areas, where the provision of services will be easier. This at the same time will allow the upper slopes to recover from human induced degradation.

Another government department, would like to see the social structure of the community becoming simpler. This department's priority is to see proper agricultural practices taking place in the area. This should include the establishment of local institutions to improve rangeland management and reduce overgrazing. However, there is a big concern about the complex social structure within the area which renders it almost impossible to take quick and fast decisions. Within these areas, even simple technical issues, tend to be politicised.

Yet for another, an important aspect of the department's involvement in the Drakensberg is centred around the efforts at putting a formal mechanism to guide physical development within sensitive ecological zones. Currently, the department's priority is to obtain a 'buy-in' from different stakeholders, including the community representatives of the two wards. However, it was confirmed that at least two government institutions have expressed their reservations about the exercise. It was not clear how community participation has been undertaken.

The last government institution which answered the question, showed a much more radical approach to the whole question of environmental priority for the area. The department's highest priority for the area is the provision of basic services and the creation of jobs. The areas under investigation have been identified as areas of greatest need. It was argued that, more than 75% of the Drakensberg is already under formal conservation. The department felt therefore that it would be politically and morally wrong for them to focus on conservation issues while people are poor.

This section therefore, demonstrates that there is no shared common vision for the area under discussion. It also seems that very few of the projects identified for the area have been influenced by the basic principles within the NEMA or DFA.

**Table 5.1 The Nature of Environmental Management Practices at the Upper Tugela area**

Organization/Department		Environmental Project	Approach	Important Stakeholders
Provincial	Nature Conservation Service	Maloti-Drakensberg Project (Planned)	local participation; enhanced local institutional structures; increased local employment; environmental education/awareness	Still at conceptual/planning phase
	Provincial Department of Agricultural Affairs	Landcare project	local participation; enhanced local institutional structures; increased local employment; environmental awareness	Local People. Works with independent institutional structures such as Farmer Support Group
	Local Government Affairs	Drakensberg Special Case Area	Mainly a zoning exercise	institutional structures such as the Department of Agriculture, Nature Conservation Service, Bergwatch and WESSA, and uThukela Regional Council
uThukela Regional Council		uKhahlamba Sub-regional Plan	A planning exercise which identifies areas of infrastructure and service needs. It also identified areas to be set aside for conservation purposes.	In terms of the legislation, all relevant stakeholders to participate comprehensively
		Cableway/hotel and entertainment attraction centre	The Regional Council emphasizes the job creation aspect of the strategy. It is believed that it provides a best means to fight abject poverty in the area.	This is still at a conceptual stage
RandWater Mweni Trust		RandWater Mweni Conservation and Development initiatives	local participation, working with local institutions; job creation, environmental awareness, and conservation of degraded areas.	Local people, traditional authority representatives, local development committee structures and, RandWater
Farmer Support Group, CSIR, PDA		see Department of Agriculture above		

The question of community participation proved to be an interesting one. While all the departments interviewed said they involve communities in their environmental problems, it emerged that the nature and level of involvement differs markedly. The Maloti-Drakensberg Transfrontier Conservation and Development Project is still in a conceptualization/ design stage. No community participation has yet taken place. There is no evidence of active community participation in other initiatives with the exception of the Landcare and RandWater Mnweni Valley initiative.

Responses obtained suggest that locally based organizations consider the initial and implementation stages of the environmental management programmes as most important for community involvement. However, it is felt that leaving community participation for the later stages of the programme create information gaps between the community and the organization implementing the programme. Similarly, it fails to create a sense of community ownership of the programme rather the whole ownership remains with the organization responsible for its implementation.

Two of the seven organizations who participated in the survey felt that while comprehensive community participation should be supported for individual projects, overall they felt that community participation should be restricted to Regional Councils. The argument was that rural communities are represented by their Traditional leaders within Regional Councils decision making structures. These organizations see limited community participation as beneficial in terms of reduced costs. They also see it as fast tracking the environmental project in terms of fast decision making.

The responses from these two institutions suggest that, while generally participation levels differs from place to place, in most cases full participation in most rural areas remains very difficult. Some of the cited reasons include the following:

- people are not interested to participate where benefit or economic incentives from the participation are not clear; and,
- in some areas people are still distrustful of government departments.

However, the other five organizations whose jobs often force them to work at local level, reported that for them comprehensive involvement of communities at all the stages of the project has a number of advantages with positive implications for the project, and the environment. It was reported that full community participation creates a sense of community ownership, and enhances the sustainability of the environmental project.

Other benefits of comprehensive community participation for environmental projects include

the fact that it is likely to incorporate the real needs of the community within the environmental projects' aims and objectives. Full or comprehensive community participation in environmental management practices is also consistent with the requirements of the National Environmental Management Act. In terms of this Act, environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably.

To find out the extent to which inter and intra-governmental organization is practised, a question "how does your department achieve **integration and coordination** in the different environmental projects your department is involved in?", was asked. What became clear from this question was that there are no formal coordinating structures to integrate the environmental management activities at provincial level in such a way that they influence developments at local level. The only existing structure which has some implications for the study area is the Drakensberg Working Group. While this committee ensures that different institutional structures involved in the Drakensberg communicate to one another, it is not a formal structure, and therefore lacks the legally binding effect. As a result almost all the environmental programmes, identified in table 5.1 above, have been developed largely in isolation of each other. This encouragement of sectoral issues to be considered independent of others undermines any attempt to look at the Drakensberg, and the Upper Tugela settlement, in totality.

Furthermore, it makes it difficult for the larger scale plans such as the Special Case Area (SCA) to give an overall approach to the smaller scale ones. As a result, it is also difficult to achieve a local 'buy in' or to give environmental management practices the much needed policy status. Hence, the smaller scale plans, such as the Landcare and the RandWater Mnweni initiatives cannot be claimed to be feeding into larger scale plans, be at sub-regional, regional or provincial level.

- **Effectiveness of Existing Institutions on the Ground**

With the exception of the Landcare project and RandWater Mnweni Trust initiatives, all other environmental projects are still on the 'drawing board' stage. However, the two projects reviewed, namely, the LandCare and RandWater Mnweni Trust initiative, have a number of physical and institutional projects in the two areas being studied. The overall philosophy behind these environmental projects, is to combine, through participatory methods, development needs of the community, with conservation requirements of the natural resources within the Upper Tugela catchment area.

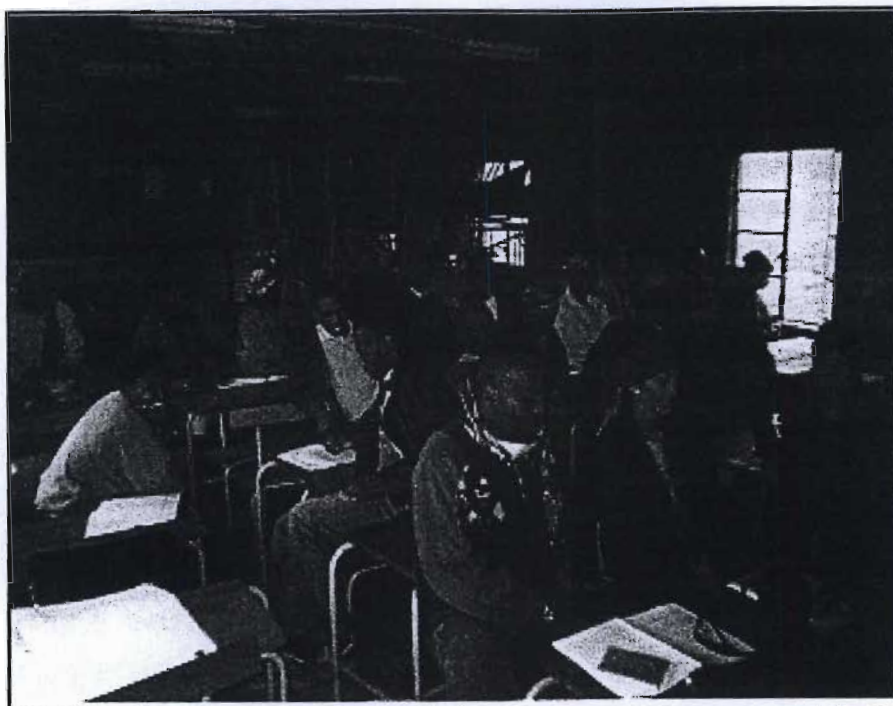
At Mnweni Valley Triangle, the physical projects reviewed include: Donga reclamation project which has conservation activities such stone packing, donga re-vegetation, and path rehabilitation and maintenance. Picture No. 2 below shows a donga in a process of being rehabilitated.

**Picture 2: Donga Rehabilitation, at Mnweni Valley**



In addition a number of institutional and capacity building projects are being implemented in both areas. This seems to be based on the philosophy that, for the communities of Mnweni, and oKhombe to achieve sustainable management of natural resources, they should develop within themselves, the ability to recognize and define problems. This should also be accompanied by the ability to seek, in partnership with other stakeholders, and implement practical and lasting solutions, to their problems. Some of the institutional projects which the author of this paper, briefly took part in, include the on-going general training of development committee members from both wards. This includes cross-visits, where people from both wards are able to share their experiences in catchment rehabilitation methods, general environmental awareness and institutional administration. This also helps to promote effective communication between wards faced with similar environmental problems. Other training projects include: training of local people as wilderness trail guides. Picture 3 below was taken during one of the training sessions.

**Picture 3: Cross-Visit Training Session on Path & Donga Rehabilitation Methods**



## **SECTION B**

### **5.4 General Discussion**

The discussion above has revealed that most of the environmental practices by the majority of government departments are still at a planning stage. People within the sample are not aware that these projects are being planned. This can be interpreted to mean that until now, most government departments have not been effective in the study area. It was interesting to note that people are not aware of the two planning initiatives, one by the uThukela Regional Council and another by the department of Traditional & Local Government Affairs, in conjunction with the KwaZulu-Natal Town and Regional Planning Commission.

It was further, interesting to note that, the uThukela Regional Council proposes an approach which tends to contradict that of the provincial government, in terms of the cableway project proposal. In terms of the SCA, there has to be limited development within the sensitive ecological zones (roughly above 1500m), yet the Regional Council proposes a development project which has been rejected on the ground that it will cause cumulative environmental impact.

The preceding section focused most of its attention on what is happening at local level,

namely, at oKhombe and Mnweni Valley Triangle. While the two projects have considerable similarities, they also have major differences which have implications in terms of their sustainability.

In terms of their similarities, both projects are very localized in nature. Given the severity of environmental degradation and the extent of poverty in the two areas, it would take a very long time before any meaningful results appear on the ground. On the other hand, the RandWater Mnweni Valley initiative seems to be more financially sustainable than the LandCare project. It was found out during the survey that the oKhombe Landcare is budgeted for until sometime in 2001. Therefore, once the LandCare budget is withdrawn, the whole project will collapse.

Similarly, one of the biggest threats facing these local projects is a lack of government policy which can give them adequate protection. Currently, it seems that the government has not fully grasped what is required in remote rural areas for effective environmental management to take place. Non-governmental organizations, in partnership with communities, seem to be facilitating this process.

## **5.5 Conclusion**

This chapter has highlighted a number of pertinent issues regarding the effectiveness of state institutions to implement national policy requirements of effective environmental management. It has demonstrated that very few changes are taking place at a local level, that are aimed either at improving people's lives or improving the natural environment. This is despite the importance of the area as shown in the preceding chapter.

The emerging picture from this chapter is that, despite the plethora of national policy and legislative documents that are trying to promote a strong shared vision and direction for effective environmental management that promote sustainable development, there is no strong evidence of a shared vision for environmental management in the area. Different institutional structures have different environmental priorities, which have very little to do with the principles as set out in the national documents, including the Environmental Management Plans, Land Development objectives, or Integrated Development Plans. This suggests that, the lack of proper local government institutional structures has resulted in a situation where, most rural areas are falling outside of the government policy influence.

It has also emerged that there is still a lack of inter/intra-government coordination. This is in spite of there being the entire chapter of the constitution on the roles and relationships between different spheres of government.

Overall, the national attempt to change the dominant paradigm from being reactive to being more pro-active, within a partnership model, there seems to be problems between the provincial and lower levels. This was clearly illustrated under the environmental priority section. While there is an emergence of cross-sectoral approaches, this is at a very localized level and is not being promoted by state government institutions.

Lastly, there seems to be no specific focus or target for government resources to be channeled to areas that have been identified as being under greater environmental pressure and gender groups such as women.

## **Chapter Six**

### **Conclusion and Recommendations**

#### **6.1 Introduction**

The main aim of this dissertation was to explore the extent to which environmental practices have changed in practice in response to policy changes at national level. To achieve this, chapter two outlined the basic principles underlying the new approach/environmental discourse. It was argued that principles such as community participation, integration and coordination as well as cooperative governance define effective environmental management leading to sustainable development. The manner in which these principles have been adopted, demonstrate the commitment of the current government to effective environmental management and therefore to sustainable development. However, a number of challenges resisting the change were identified. Amongst these, were the absence of environment within national and provincial socio-economic policy documents.

The third chapter took the reader throughout the institutional transformation process. The theme of continuity and change was highlighted. It was argued that the complex nature of institutional structures which existed prior to the 1994 elections in rural areas make the transformation very difficult. Roles of traditional leaders are yet to be clearly defined in relation to the role of elected councillors in these areas. The institutional void in rural areas, known as 'remaining' areas means that a number of government departments have to provide services directly. This created problems with existing local institutions.

The fourth chapter provided a context of the case study to the reader. It was argued that the Upper Tugela area is a microcosm. It was because of these generic and unique features that, the area was identified as needing specific government interventions from all levels.

Chapter five provided findings of the survey. It therefore illustrated a number of arguments raised during the preceding chapters. What was highlighted the most, was the fact that, there is no evidence on the ground that national policy and legislative principles have had an influence on a number of institutions with statutory responsibility over the area. It was also highlighted that the marginal changes on the ground seem to do mainly with the work of non-governmental organizations, although some state institutions are represented. The positive aspect was the emerging partnership approach which also suggest the acknowledgment of the state's inability to work effectively in remote rural areas.

It was also highlighted within this chapter, that the people at Upper Tugela area, have accumulated very low levels of education qualifications. This has a number of serious implications in terms of understanding the environmental policy requirements including law enforcement.

## **6.2 Hypothesis and Research Question, revisited**

Having provided a detailed summary of the main arguments raised in the preceding chapters, it is now appropriate to relate the findings of the dissertation with the hypothesis. The main question of the dissertation was about the extent to which environmental practices have changed in practice, in response to national policy changes. The main argument presented by this thesis was that, despite the widespread attention at national level, environment still lacks priority status at local level, more so in rural areas than in urban areas.

It can be argued that this dissertation has proved that very little is happening within the case study that is consistent with the requirement of the national policy and legislative requirements.

## **6.3 Recommendations**

The Upper Tugela area deserves national government's attention which will consider the area in totality, in both, natural environmental terms and also in terms of socio-economic needs. Meeting these broad objectives require specific actions from several fronts.

Firstly, the issue of consistency between economic policy and those on environmental management. This will complement attempts of cross-sectoral approaches. It will also allow the government at all levels to concentrate resources on needy areas. Specific actions in this regard might include; deliberate investments in environmental training especially for staff involved in environmental work in rural areas and primary environmental education especially to women.

Secondly, enhance environmental partnerships and networks both within individual institutions and with broader range of government institutions, particularly those with experience in working with rural people.

At local level, most government departments still need to orientate themselves with the realities and conditions under which rural people are surviving. This is necessary for a number

of reasons. For example, any intervention that aims to promote effective environmental management in the Upper Tugela area, must be designed so that it is easily adapted to the local people's mode of thinking so that it can develop firm roots within their culture. What this suggests, is that it is only by allowing beneficiaries to internalize the logic that underpins the project through a process of informed participation that environmental management projects can be seen as sustainable. In other words, sustainability within the Upper Tugela area, or any other rural area requires an understanding of the internal dynamics of changing social structures at local level. This changes the whole emphasis of environmental management, from the one emphasizing technical understanding, to the one that requires appreciation of social processes.

Finally, it is recommended that for the Upper Tugela area to achieve effective environmental management status, it requires a formulation of a broad framework based on the principles of the policy and legislation on environmental management in South Africa. This framework should allow the following to happen:

1. should encourage the partnership approach between the state government and non-governmental organizations. This will have a number of advantages. For example, it might mean that the state invest directly in institutional structures that have been created such as the Rand Water Mweni Trust. Secondly, it will give the localized environmental project, a policy status. Lastly, it will mean that the success of these projects can be repeated elsewhere on a different scale;
2. establish a formal communication structure between provincial and local government level, on the one hand, and the local people, on the other; and
3. it should view the area, in total rather than in parts.

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## APPENDIX

### Questionnaire

You are kindly requested to assist in responding to this questionnaire. The questionnaire forms part of the academic research project related to the changing nature of government institutional arrangements and the effect this has for environmental management in the Upper Tugela area.

<b>Ques. No.</b>	
<b>Age Group</b>	
<b>Gender</b>	
<b>Place of residence</b>	
<b>Occupation</b>	

### **1. Background and Socio- economic**

1.1 How long have you lived in this area?

1.2 How did you acquire land?

Bought	
Allocated by the chief	
Rent	
Other	

1.3 Do you own livestock?    a. Yes    b. No  
How many?

1.4 Where do livestock normally graze?

Up in the mountain	
Along the river valleys	
Everywhere	

1.5 How many family members live in this house? No. ....  
Please indicate the family age structure in the box below

Age	X
less than 1 - 5	
6 - 10	
11 - 15	
16 - 20	
above 20	

1.6 Please list in the table below your family's source/s of income?

Source of income	X
formally employed	
pension remittances	
remittances from people working in urban areas	

## 2. Government and Environment Management

2.1 What do you understand by the term "natural" environment? Please explain

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.....

.....

.....

.....

.....

2.2 What do you understand by the term "Nature Conservation"? Please explain

.....  
.....  
.....  
.....  
.....  
.....

2.3 How would you describe the quality of the environment here?

- a. Very Good      b. Good      c. Average      d. Poor      e. Very poor

2.3 a) Do you think this situation affects you? a. Yes      b. No  
How? Please explain

.....  
.....  
.....  
.....  
.....

2.4 What do you think causes environmental degradation in this area? Please explain

.....  
.....  
.....  
.....  
.....

2.5 Who do you think has the responsibility to care for the environment in your area?

.....

2.5(b) Do you know what their main functions are in this areas?  
a. Yes      b. No

2.6 Are you aware of any environmental management (conservation) strategy that has been formulated by a government department for this area?  
a. Yes      b. No

2.7 Which government institution/s is responsible for this strategy?  
a. Department of Environmental Affairs  
b. Regional Council  
c. Department of Agriculture

- d. KwaZulu-Natal Nature Conservation Service
- e. Other (specify)

2.8 What is the name of the strategy?

.....  
.....  
.....

2.9 What is your attitude to these developments in your area?  
a. Positive b. Negative c. Indifferent

2.10 How did you come to know about it? Please explain

.....  
.....  
.....  
.....

2.10.1 Have you contributed to it? a. Yes b. No

2.10.2 Do you know if the community has been involved?  
a. Yes b. No

2.11 Briefly describe the nature of your contribution

.....  
.....  
.....  
.....  
.....

2.12 The concept of democratically elected councillors is very new in rural South Africa. What have some of your experiences been with this process in your area?

.....  
.....  
.....  
.....  
.....

2.13 What do you think is the role of traditional leaders in the process of environmental management? Please explain

.....  
.....  
.....  
.....  
.....

.....

2.14 How do you envisage the role of elected councillors in environmental management for your area?

.....  
.....  
.....  
.....

2.15 Government is required to work in partnership with communities in environmental management - is this occurring in your area?

a. Yes                      b. No

2.16 What do you think are environmental management priorities for your area?

.....  
.....  
.....  
.....

2.17 Do you think there is a conflict between the community and government priorities in your area?    a. Yes            b. No

**Thank you very much for your contribution**