STAKEHOLDER PARTICIPATION IN THE ESTABLISHMENT OF THE BERG CATCHMENT MANAGEMENT AGENCY, SOUTH AFRICA

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ABSTRACT

Enacted in 1998, the New South African Water Act has just introduced a new approach to water resource management, founded on the principle of decentralization of the management of water resources to regional and local levels and the public participation. The approach has been captured in the new National Water Act (Act 36 of 1998), which allows the establishment of Catchment Management Agencies (CMA).

The overall purpose of this study was to understand the trends of public participation in the establishment of CMAs in South Africa, by presenting the case of the Berg CMA. Based on an analysis of the participatory process undertaken on the establishment of the Berg CMA, this study outlines specific challenges that lie ahead the following issues: (1) stakeholders analysis and identification; (2) stakeholders' participation; (4) stakeholders representation; and (5) stakeholder power relations.

The study reported here focused on the Berg CMA Reference Group established in 2005 to provide representation for the population of the Berg Water Management Area. The findings of this paper draw specifically on the results of the data gathered in the Berg WMA from June 2006 to October 2006, using a combination of documentary review (minutes from Reference Group meetings and legal documentary materials), interviews with key informants, such as the consultant and DWAF officials who run the process, Reference Group members, and constituencies of organizations represented in the Reference Group, group discussion and Reference Group' meetings observation.

DECLARATION

I declare that this mini-thesis is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references and that this work has not been submitted before for any other degree at any other university.

Full name:

Signed:

Date:

DEDICATION

To my wife, for her unshakable belief, her unending inspiration, her eternal love.

To my lovely kids for waiting for me.

To my parents for their support and encouragement.

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CHAPTER ONE: INTRODUCTION

1.1 Background to the Study

Intense world wide actions intended to bring about improvement of water resources management culminated, recently, with a decisive rupture with the traditional centred practices of water governance, embracing a new approach that is decentralised and participatory-oriented (Serageldin, 1995; Savenije & van der Zaag, 2000; Dube & Swatuk, 2002; Kujinga, 2002; Tapela, 2002; Manzungo, 2004; Chikozo, 2005).

Influenced by this agenda, the southern African countries have been replacing their traditional approach to water management to match those of international best practices (Eberhard & Robinson, 2003). In line with these trends, South Africa, which is considered as being at the forefront of applying innovative approaches to water and river basin management in the Southern African region (Wester el al, 2003), adopted an integrated water resources management approach that includes, inter alia, the establishment of water management institutions at different levels, and more direct participation by the population in the decision-making process (Manzungu, 2002; Chikozho, 2005). These changes were formally established in the 1998 National Water Act, which places special interest on the development and application of methods involving communities in the management of water resources.

DWAF has been leading the establishment of Catchment Management Agencies (CMAs) throughout the country, for the purpose of, among others, involving local communities in the management of water resources. However, the dynamics of public participation in those institutions and in its establishment are not being extensively researched and documented (Manzungu, 2004).

Thus, this study aims to investigate the trends of public participation in the establishment of CMAs in South Africa. The participatory process undertaken within the Berg Reference Group was chosen for this project. In so doing, the study centred on four themes namely: stakeholder identification and analysis;

stakeholder participation; stakeholder power relations; and stakeholder representation.

1.2 Problem Statement

The concept CMA in the history of South African water resources management is to some extent relatively new (Schreiner & van Koppen, 2002). Actually this is one of the key aspects of the New Water Act enacted in 1998 (Act 36 of 1998). The Act clearly states that the main body responsible for the implementation of the Act will be the CMA and that public participation is crucial to the process of its establishment. Thus, public participation and representation in the establishment process and later in the Governing Board and activities of the CMAs are legally required.

The few existing studies on public participation in the management of water resources in South Africa analyse the trend of public participation within the already established institutions, not paying much attention on their participation in the establishment of those institutions. This study seeks to address this particular issue.

1.3 Aim and Objectives of the Study

1.3.1 Aim of the study

The overall purpose of this study is to understand the trends of public participation in the establishment of CMAs in South Africa, by presenting the case of the Berg CMA.

1.3.2 Objectives of the study

The study which specifically focus on (1) stakeholders analysis and identification; (2) stakeholder participation; (3) stakeholder representation; and (4) stakeholder power relations, seeks to attain the following specific objectives:

- To examine how stakeholders analysis and identification were handled

- To assess the degree of participation of the disadvantaged groups in the activities of the Reference Group
- To investigate the dynamics of power relations between different stakeholder groups within the Reference Group
- To examine the structure of stakeholder representation.

1.4 Hypothesis of the study

This study is based on the following hypothesis:

- Stakeholder analysis and identification was not strong.
- Stakeholder participation was ineffective
- Stakeholder representation was weak
- Stakeholder power relations were characterized by dominance from the already empowered group of stakeholders.

1.5 Significance of the study

Stakeholder participation currently forms an important element of the South African government's policy. Despite the fact that in a way this is being implemented, few studies are known that investigate the trends of public participation in the new institutions, in particular with regard to their involvement in their establishment.

Therefore, as stakeholder participation is regarded as a critical element of IWRM, by conducting this study, the researcher hopes that it would provide new insights for the improvement of water resources management, particularly with regard to participation of stakeholders in the establishment of CMAs. Consequently this study will contribute to filling the gap in the academic literature on public participation in the management of water resources.

The results of this study can also make a useful contribution towards a situation where it will help stakeholders to be aware of the importance of their participation

in the management of water resources, since it is a valuable tool to ensure that their needs are taken into account when it comes to decision-making.

1.6 Interpretation of key Terms

In this section, a number of terms and concepts, which form the basis of this study, are defined. Some of the definitions given are those defined by DWAF for the purposes of DWAF's public participation processes, and are considered the most suitable for this study.

1.6.1 Historically Disadvantaged Individuals (HDIs)

In general terms, Edmunds & Wollenberg (2001) define 'disadvantaged groups' as people with limited power to influence decisions in multi-stakeholder settings. In terms of South African governance, and specifically in respect to water resources management the term 'Historically Disadvantaged Individuals' is used to mean "all the persons who were deprived of certain rights during the past dispensation, i.e. Black, Coloured, Asian people as well as women" (Faysse, 2004). Accordingly this author identifies four categories of HDIs water users namely: (i) emerging farmers – perceived as the small-scale farmers who have a water license or who are supposed to get one soon, (ii) upcoming farmers - persons are who compelled to wait for farming mainly because of a lack of water licence, (iii) rural communities, and (iv) farm workers living in the farm.

1.6.2 Integrated Water Resource Management

Debates about what is understood as IWRM has been evolving over decades. However, as is recognised by many authors, Savenije & van der Zaag (2000) and Jonker (2000) among them, the concept of IWRM still has not been unequivocally defined. Jonker even goes as far to say that 'there is still a long way to go to achieve a common understanding of IWRM and to develop and refine approaches for its successful implementation'.

In this study, the best known and most used definition of IWRM is used:

> "Integrated Water Resources Management is a process which promotes the coordinated development and management of water, land and related resources, in order to maximize the resultant economic and social welfare in an equitable manner without compromising the sustainability of vital ecosystems" (GWP, 2000).

1.6.3 Stakeholder

The concept Stakeholder appears to have been subject to different perceptions and interpretations among scholars and practitioners from various water-related fields. This resulted in many definitions of stakeholder. However, for the purpose of this thesis the definition of stakeholder taken from the "Generic Public Participation Guidelines" published by DWAF, is adopted. The definition is: "individuals, groups and organizations that have an interest in and are affected (directly or indirectly) by an initiative, and who may affect the outcome of an initiative" (DWAF, 2002: IV). Essentially this definition captures the all range of stakeholders involved in the water sector.

For the purpose of public participation, DWAF introduced the concept of *Role Players*, referred to as all parties involved in a public participation process, that include the public, government departments, public participation facilitators, technical specialists and the project proponent (DWAF, 2001).

1.6.4 Stakeholder Participation

The term stakeholder participation is found in a lot of publications on water resources management. Soma (2003) tracks the definitions on participation to community and popular participation to the 1950s and 1960s. According to him, since then, concepts of participation have widened to include not only the rural poor but also other sectors of civil society (Soma, 2003).

As defined by DWAF public participation is:

> "the ongoing interaction between role-players that is aimed at improving decision-making during the planning, design,

implementation and evaluation of DWAF's development projects and processes" (DWAF, 2001: IV).

DWAF makes special reference to the involvement of the traditionally marginalized groups such as women and the youth, whose views should be considered during the decision-making process. DWAF (2001), identifies several methods that can be used in public participation ranging from public information and education through to partnerships. In terms of DWAF's commitment, the best method for public participation "can only be identified once the objectives of the initiative and the purpose of the participation have been established (DWAF, 2001:45)**.**

1.7. Organization of thesis

This thesis is divided into five chapters.
The first is an introductory chapter that provides the background information on the scope of the study (the statement of the problem, its aims, hypothesis, and significance), followed by a brief description of the definition of the concepts that form the basis of this study. The second chapter reviews some of the existing literature on the ongoing worldwide debate on participatory approaches, aiming to provide clarity and background for an adequate understanding of the participatory process undertaken in the establishment of the Berg CMA, in South Africa.

The third chapter presents the methodology for gathering data in the study area with regard to the participatory process undertaken on the establishment of the Berg CMA.

Chapter four is devoted to present and discuss the findings of the data gathered, particularly with regards to the following issues:

- Stakeholder analysis and identification
- Stakeholder participation
- Stakeholder power relations

- Stakeholder representation

Chapter Five is the concluding chapter. In this chapter the major findings of the study are revisited. Also, recommendations and concluding remarks are made.

CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction

The purpose of this Chapter is to review some of the existing literature on the ongoing debate on participatory approaches, aiming to provide clarity and background for an adequate understanding of the participatory process undertaken in the establishment of the Berg CMA, in South Africa.

In so doing, firstly the perspective of participatory approach evolution in the area of development (in the international arena) is traced in brief. Literature addressing the trends and experiences of public participation in the Southern Africa region will also be reviewed.

Secondly, literature discussing the reasons that influence the adoption of participatory approaches in the field of natural resources management, with particular focus on the management of water resources will be reviewed. The benefits and constraints of participation will also be looked at in this section.

Thirdly, the literature presented in this chapter discusses issues that are most directly related with the focus of this thesis, namely stakeholder analysis and identification; stakeholder participation; stakeholder representation; and stakeholder power relations.

Lastly, prominence will be given to reviewing the main features of water resources management in South Africa, particularly with respect to the country's experience in handling participatory approaches within water institutions.

2.2 Public Participation in the management of water resources

2.2.1 Paradigm shift in the water resources management

Available academic literature posits that a decisive shift was made recently in the field of natural resources management. This is reflected in the divorce that occurred from the traditional centralized approach of natural resources management to a decentralised and participatory-oriented one (Serageldin, 1995;

Savenije & van der Zaag, 2000; Dube and Swatuk, 2002; Kujinga, 2002; Schreiner & van Koppen, 2002; Tapela, 2002; Manzungo, 2004; Chikozo, 2005).

Attached benefits of this move were widely recognized and supported by a vast array of development agencies, natural resource management scholars, and national governments over the world. Indeed, in supporting the adoption of this approach, Mulwafu & Msosa (2005:964) stated that "IWRM is recognized as an important mechanism for the efficient and effective conservation and management of water resources …" while Schreiner & van Koppen (2002:972), are of view that "An integrated approach to water development and management with strong people's participation is especially essential". They are supported by Kgarebe (2002) who argues that consideration of an integrated approach with the involvement of stakeholders in a transparent manner is unavoidable.

Indeed, water management scholars and policy makers recognized that under the traditional approach of natural resources management, water was conventionally managed in a fragmented rather than holistic manner, and the public was ignored in the decision-making process (Beukman, 2000).

A universal consensus prevails between many scholars (Savenije & van der Zaag, 2000; Manzungu, 2004; Chikozo, 2005) among others, that the shift to IWRM was fuelled by the international developments that occurred in the last decades of the 21st century. In fact, recent literature is unanimous in respect to the influence of the international conferences and particularly the so-called Dublin-Rio Conferences in the changes, which occurred in the area of development, in general, and in the field of water resources management, in particular.

Stakeholder participation in water management, owes its origin to the Rio-Dublin principles (Manzungu & Mabiza, 2004). As has been stated, the 1992 Dublin-Rio Conferences led to the formulation of the globally recognized and accepted principles of Integrated Water Resources Management (Manzungu, 2004). It is no wonder that Savenije & van der Zaag (2000), conceptualising the framework for the management of both the SADC and European shared river basins, suggested

that the principles enshrined in Dublin should be taken as the point of departure, in the management of river basins.

In fact, the second and third Dublin Principles that states respectively "Water resources development and management should be based on a participatory approach, involving all relevant stakeholders"; and "Women play a central role in the provision and safeguard of water", are considered to be of overriding importance (Savenije & van der Zaag, 2000; Manzungu, 2004).

In recent years, the perspective on participation of women has been expanded to the domain of water resources management as a whole. The equal participation of women and men is perceived as a first basic attribute for achieving effective water governance (Singh, 2006). Reasons for inclusion of the public, particularly of women, in water management decision-making roles, are frequently put forward. It is believed that water can make an immense difference in development, if both men and women manage it. Not less important, authors assume that participation of women in decision-making will bring about their empowerment, which in turn will enhance automatically their participation (Singh, 2006).

Consequently, a great deal of attention has been given to the role of women in development over the past few years, and therefore stressed as being very crucial for managing water in an integrated manner (Manzungu, 2004). Gender equality is thus recognised as important in realising the development vision (McEwan, 2003). Dube & Swatuk (2000:868), clearly advise "A failure to provide adequate opportunities for the equal participation of women in the management of water will compromise the long-term objective of the development and efficient utilization of the resource".

Alongside recognising the need of involving stakeholders in the management of water resources, the new approach also recognises the "*river basin*" as the most appropriate unit for water resources management (Granit, 2000; Savenije & van der Zaag, 2000; Jaspers, 2003; Wester et al, 2003; Anderson, 2005; Chikozho, 2005).

Savenije & van der Zaag (2000) and Jaspers (2003) are irreducible in respect to their positions in considering it unthinkable and unavoidable to manage water resources without considering the river basin as the reasonable unit for water resources management. Explaining the reasons for this consideration, Savenije & van der Zaag (2002) stress that some decisions can only be successfully made at that level. Jaspers (2003) states that it is at the river and sub-basin levels that appropriate institutions should be effected, as a *sine qua non* pre-condition to bring public participation into effect.

2.2.2 The Participatory Approach and its Benefits

Public participation approaches in the management of natural resources, in general, and in water resources management, in particular, have created a large and rapidly expanding international body of academic literature embracing vigorous discussions on its other related issues.

The imperative of public participation has thus become an obligated term in policy discourse. Given its recognized importance, Savenije & van der Zaag (2000), Kgarebe (2002), Dungumaro & Madulu (2003), Jaspers (2003), Mushauri & Plumm (2005) and van Hove (2006) view public participation as being an approach that contributes to sustainable water resources management, and therefore should be ensured.

Many other reasons are advanced in support of the implementation of this approach. It is said that active participation of stakeholders (a) offers a unique opportunity for stakeholders to raise their interests (Jaspers, 2003); (b) helps in devising of sustainable and equitable solutions (Savenije & van der Zaag, 2000); (c) improve decision-making (World Bank, 2000); (d) increase legitimacy and acceptance of plans and management strategies (Granit, 2000; Savenije & van der Zaag, 2000; Welp, 2001; Buanes et al, 2004; Cowie & Borret, 2005). As a result, a wide range of governments and other segments of the society universally accepted the objectives and benefits of participation. At least, there is no work to the researcher's knowledge that demonstrates the contrary. The ongoing debate

on public participation is on its social implications, practicability and methods of its implementation.

As agreed public participation may take different forms and has many different functions (Mushauri & Plumm, 2005; Manzungu, 2004). Therefore it is argued that the mechanisms for its implementation are likely to be assigned elsewhere, depending on the local conditions, type of services and availability of resources (Mushauri & Plumm, 2005; Manzungu, 2004; Manzungu, 2005). Mushauri & Plumm (2005) argue that for stakeholder participation to happen as expected there must be a favourable institutional atmosphere, which they consider as the most important pillar of the participatory approach itself. Manzungu (2005) believes that the status of governance plays an important role in shaping stakeholder participation, since effective stakeholder participation cannot occur without a conducive environment.

The key challenge, it seems, is to determine at which level stakeholders should be involved. Mushauri & Plumm (2005) are of view that the whole idea of trying to determine the appropriate level for stakeholder participation appears to be defective. However, they consider that participation should occur in key decisions that affect them directly and indirectly. Buanes et al (2004) suggest that if users are not entirely pleased with the outcome, they may at least be satisfied with a decision-making process in which they were able to express their concerns, explain their situation and argue their views.

Jaspers (2003) echoes the sentiments of these authors by considering the involvement of stakeholders, at least in decision-making process, as un-negotiable (2003). On this purpose, Savenije & van der Zaag postulate that "letting local stakeholders have a voice in decision-making, they may revise their opinion from opposition to active cooperation" (2000:32). In this regard Bond et al (2004) suggest that opportunities for participation should start early in the decision-making process, as is required by the Arhus Convention. Jaspers (2003) further contends that depending on the level of decision-making and the specific management function envisaged, stakeholder participation can also be influential in planning, monitoring and enforcement.

As such, some scholars strongly believe that any action developed without the involvement of stakeholders has a reduced chance of achievement (Savenije & van der Zaag, 2000; Masango, 2002; Jaspers, 2003), in view of the fact that people can chose to avoid or simply disregard the decisions (Savenije & van der Zaag, 2000). In these circumstances legitimacy and credibility of decisions and its public support are likely to be endangered (Cowie & Borret, 2005). For this and other reasons "stakeholder participation is a condition which has to be fulfilled to make water resources management effective" (Jaspers, 2003).

Savenije & van der Zaag (2000) and Kgarebe (2002) advise that a participatory approach involves a tedious process of change and is expensive in the short-term. Savenije & van der Zaag (2000) warned that some resistance to changes should also be expected. Dube & Swatuk (2002) pointed out that all this has to do with existing habits of management methods that have evolved over many years.

Cowie & Borret (2005) also warns that participation efforts may be populist. In their support, Dube & Swatuk (2002:865) state, "To simply assume that inclusivist language translates into wider benefits for society is to ignore the profoundly political nature of the entire water reform processes". Thus, according to them, it cannot be implemented over-night.

2.2.3 Water Reforms in the Southern African Region

Within the context of the global water management paradigm shift (van Koppen, 2003; Manzungu, 2004; Chikozho, 2005), African countries subscribe to and adopted the Dublin Principles (Kujinga, 2002; Manzungu, 2004; Swatuk, n.d.). Some authors are to some extent optimistic that participatory approaches are increasingly being implemented and quietly gathering momentum in the region (Manzungu, 2004). Of course, a number of these countries, such as Malawi (2001), Mozambique (1995), Namibia (2000), South Africa (1998), Swaziland (2002), Tanzania (2002), Zambia (1994), and Zimbabwe (1998), went some steps further and when embarking on water sector reforms (Manzungu, 2004; Kujinga & Manzungu, 2004; Chikozho, 2005), identified stakeholder participation as a

critical component towards achieving sustainable water resource management (Kujinga & Manzungu, 2004). This led Swatuk (n.d) to assert that 'the Dublin/Rio Principles inform, if not underpin, the character and context of current water reforms in Southern Africa".

The objectives of the water sector reforms undertaken are basically common for all southern African countries. Inter alia, adoption of a decentralized and participatory-oriented approach of water resources management was regarded as the foundation of the reforms (Manzungu, 2002). In South Africa and Zimbabwe, however, basic to the reforms was the need of amending the previous situation of racial and gender discrimination in distribution and access to water resources (Dube & Swatuk, 2002; Schreiner & van Koppen, 2002; Manzungu, 2002; van Koppen, 2003; Wester et al, 2003; Faysse, 2004; Manzungu & Mabiza, 2004; Anderson, 2005), inherited from their histories.

In effecting these objectives, those countries made provisions in their respective Water Laws for the establishment of water resources management institutions at different levels. Thus, participatory approaches in the management of water resources was, somewhat, "guaranteed", at least theoretically, in the new dispensation in the Southern African region.

Consequently, a set of institutional arrangements has been put in place everywhere in most of the southern African countries. Not only do differences exist between countries at the level at which stakeholder participation is organized: (1) catchment - South Africa and Zimbabwe; (2) river basin - Mozambique and Tanzania; (3) basin level - Swaziland (Manzungu, 2004); but also such institutions have been given different denomination: (1) Catchment and sub-Catchment Councils in Zimbabwe; (2) Catchment Management Agencies in South Africa; (3) Regional Water Administrations in Mozambique; (4) Water Parliaments in Namibia, and so on.

In Zimbabwe, for example, translating into practice these objectives, the country was divided operationally into seven catchment areas each with a catchment council (Dube & Swatuk, 2002; Kujinga, 2002; Tapela, 2002; Kujinga &

Manzungu, 2004; Manzungu & Mabiza, 2004). In turn, each of those Catchments was then subdivided into sub-catchments (Kujinga, 2002; Tepela, 2002) and those into Water User Boards or Associations (Tapela, 2002). Each catchment area is under the management of a Catchment Council, which is sub-divided into sub-catchment areas supervised by Sub-catchment Councils (Kujinga & Manzugu, 2004). In South Africa, the reforms led to the establishment of two types of user-driven water resources management institutions, CMAs and the Water Users Association (Faysse, 2004). It is argued that the establishment of these institutions allow the incorporation of decision-making at the lowest level (Jaspers, 2003; Manzungu, 2001) and enable communities to move from fragmented to an integrated water management systems (Savenije & van der Zaag, 2000; Tapela. 2002; Jasper, 2003). Dealing with conflicting interests in the process of water resources planning and implementation of water development is one of the functions that are perceived to be accomplished by those institutions (Jaspers, 2003). Basically, the institutions above nominated are perceived as the right place to safeguard the interests of stakeholders (Dube & Swatuk, 2002).

In Zimbabwe, whose water reforms are considered as most advanced in the region (Manzungu, 2004), the catchment councils are supposed to perform the following functions: prepare catchment outline plans, determine applications and grant permits, regulate and supervise the exercise of water rights; supervise performance of sub-catchment councils; and resolve conflicts among water users (Kujinga & Manzungu, 2004; Manzungu & Mabiza, 2004; Manzungu, 2004).

Many analyses put forward the difficulties and weaknesses of these institutions. Some scholars are of the view that institutional evolution in the water sector in many African Countries, has not kept pace with the requirements (Savenije & van der Zaag, 2000; Wester et al, 2003). According to them, Dungumaro & Madulu (2003) and others, the level of involvement of stakeholders in the new water institutions, resulting from water sector reforms is still low. Dube & Swatuk (2002) go as far as to consider that the implementation of participatory approaches at the local level in those countries more often constitutes a linguistic than a practical change (Dube & Swatuk 2002).

Having acknowledged the features of the paradigm shift in the management of water resources, in the following sections I deal with some of the issues which are most directly related with the focus of this thesis, namely stakeholder analysis and identification; stakeholder participation; stakeholder representation and stakeholder power relations.

2.3 Issues in Public participation

The idea captured from various authors is that the achievement of the patterns of the desired participation, particularly of the disadvantaged stakeholders, in the multi-stakeholder institutions, has been somewhat constrained by several factors. (Kujinga, 2002; Manzungu, 2002; Mushauri & Plumm, 2005). The following in particular bear mention: weak stakeholder analysis and identification (Manzungu, 2002); the lack of proper representation (Kujinga, 2002; Manzungu, 2002); and the imbalance of power 2002). In the following sub-sections I discuss each of these issues.

2.3.1 Stakeholders Analysis and Identification

In conceptualising stakeholder analysis the work by Mashove & Vogel (2005) on stakeholder analysis as a tool for conservation area management offer a sound basis for understanding stakeholder analysis. They define Stakeholder Analysis as

> "A range of tools or an approach for understanding a system by identifying the key actors or stakeholders on the basis of their attributes, interrelationships and assessing their respective interests related to the system, issue or resource." (Ramirez, 1999 and Brocklesby et al., 2002 cited in Mashove & Vogel, 2005:185).

The idea taken from those authors is that in stakeholder negotiation platforms it is important to correctly identify legitimate stakeholders to be involved in order to ensure the integration of the interests of everyone, in particular the disadvantaged and less powerful groups. Therefore, emphasis on participation is crucial, and the

formerly disadvantaged must be central targets for participation as key to social development (McEwan, 2003).

Who gets involved is critical because exclusion of any important category of stakeholder can undermine the long-term sustainability of the whole process (Mushauri & Plumm, 2005). However, various studies note that the major difficulty in implementing this approach is the exclusion of key groups from the dialogue (Anderson, 2005). In many cases, this exclusion is involuntary; in some few, intentional (Glicken, 2000).

According to Buanes et al (2004), the inclusion – or exclusion - of interest groups is, of course, a highly political issue, where interests, powers, preferences and social values are prevalent. Thus, failing to identify and ensure the participation of all stakeholders in the negotiations might undermine efforts to improve watershed management.(Ravnborg & Westermann, 2002).

Despite this recognition, studies undertaken elsewhere reveal that these considerations are not taken for granted resulting in the exclusion of important categories of stakeholders. Institutions resulting from processes such as these tend not to address the needs of the excluded ones (Manzugu, 2002).

Therefore, some participatory theory scholars such as Buanes et al (2004), Chikozho (2005) and Mushove & Vogel (2005), and even Manzungu (2002), each one on its own way recognize the need of a comprehensive stakeholder identification and analysis for meaningful and accountable representation of distinctive groups and the creation of a voice for the marginalized and less powerful groups. The crux of the argument is that stakeholder analysis ultimately contributes to the assessment of the appropriateness of the participatory mechanisms to be employed in the initiative.

2.3.2 Stakeholder Representation

Consensual amongst participatory approach supporters is that participation should accommodate various actors ranging from the affected, interested parties, direct,

indirect and potential water users or their representatives, government officials, NGOs, experts, representatives of society at large, planners and policy-makers at all levels (Abma, 2000; Elsasser, 2002; Mulwafu & Msosa, 2005; Cowie & Borret, 2005). Driven by distinct forces, those stakeholders participate in diverse ways, sometime with differing views and different stakes in the result, and with different potential for participation (Abma, 2000; Cowie & Borret, 2005; van Hove, 2006).

It is argued that there is room to accommodate all these diversities since stakeholder participation initiatives are based on the principles and institutional philosophy of pluralism (Fiorino, 1988 cited in Cowie & Borret, 2005) which advocates representative processes involving disparity of people and interests (Blahna & Yonys-Shepard, 1989 cited in Cowie and Borret, 2005). What has been said is that within the aims and claims of the participatory process, diversity in stakeholder participation is generally considered essential for credibility and legitimacy (Mathie, 1997). Bond et al (2004) underscore that public participation must be inclusive taking particular account of minorities.

Studies carried out in different places provide evidence of difficulties on stakeholder representation in water resource management. It is said that the challenge is to ensure that the multi-stakeholder institutions are truly representative of the diverse groups and interests (Manzungu, 2002).

Different studies carried out in Zimbabwe and elsewhere found that despite the fact that women play a central and multi-faceted role in the provision, use and safeguarding of water, their involvement in multi-stakeholder institutions have been very low (Dube & Swatuk, 2002; Tapela, 2002; Manase et al, 2003; Mulwafu & Msosa, 2005). Exclusion of women from user organisations are said to jeopardise equity and the efficiency of organizations (Tapela, 2002). Firstly because the absence of women in organizations may make it difficult for the organization to enforce its rules on women. Secondly, female absence from organisations may hinder their capacity to adequately respond to and influence decisions that directly affect their lives (Zwarteveen, 1997). However, it is warned that improving female participation in water users organisations may not

be easy, because in many societies public decision making and attending public meetings are conceived as typical male activities, associated with political gatherings which are often traditionally confined to men (Zwarteveen, 1997; Dube and Swatuk, 2002; Tapela, 2002).

Apart from the previous considerations, studies have attempted to show that other several barriers prevent women from reaching meaningful levels of participation. Various factors can be identified as responsible for such situations: disinterest in political decision making processes, lack of confidence; low levels of education and professional experience; religious and practical norms and values of a given society (Singh, 2006). Therefore, it is recommended that to go beyond the issue of gender inclusion, and to enhance institutional capacities and mechanisms of ensuring gender empowerment and gender mainstreaming, all institutions in the water sector, should adopt gender approach in their organisational culture and practices (Tapela, 2002), have clear gender policies, and address strategic gender needs through training, education and supporting productive use of water (Manase et al, 967).

Legitimacy of stakeholders in terms of their relationship with their constituencies is also said to be one of the critical issues in participatory processes (Edmunds & Wollenberg, 2001; Mushauri & Plumm, 2005; Thompson, 2005). Edmunds & Wollenberg argue (2001) that this relationship is perhaps most politically charged when representatives of a group are designated by outsiders or are accountable to them. According to him this is only partially and provisionally resolved when representatives act on behalf of a their constituencies.

Also agreed is that getting stakeholders to fully and meaningfully participate is also problematic. Obtaining legitimate representation from disadvantaged communities is challenging since these groups have less knowledge and experience in water management (Anderson, 2005). Effective representation as posed by Chikozho (2005) means much more than one's presence in meetings. Studies conducted by Manzungu (2002), in South Africa and Zimbabwe, led him to conclude that substantive stakeholder representation rather than a mere participation is proving elusive, since people tasked to manage participatory

processes put emphases in ensuring stakeholders attendance. Recognizing that almost always 'participation' is superficially understood as the nominal attendance of people (Rovnborg & Westermann, 2002). Sithole (2001:17) ironically states "participation is not defined by active involvement in discussion and exchange of ideas but by presence in a room".

In face of the above, it is advised that efforts devoted to ensuring a headcount of all stakeholders does not hold much promise (Manzungu, 2002), since it overlooks the absence of their perceptions and interests (Rovnborg & Westermann, 2002).

2.3.3 Stakeholders Power Relations

> "Do all stakeholders wield the same influence, and if not, who determines which stakeholders should have more influence?" (Manzungu, 2004:17)

> "Who are the most powerful among the various parties involved? Whose interests and concerns are considered to be the most urgent and justifiable?" (Buanes et al, 2004:207)

The interrogation above is not made without reason. Indeed, a growing literature on stakeholder involvement in natural resources management suggests that "participation occurs in an arena defined by multiple and often highly contested interests" (Sithole, 2001:16). Studies have highlighted the difficulties involved, especially focusing on the dynamics between stakeholders (Buanes et al, 2004). It is said that among the most important of these difficulties are the challenges of engaging the powerful and less powerful together (Mathie, 1997; Buanes et al, 2004). As a matter of fact, in South Africa, for example "powerful stakeholder groups have been observed sometimes to hijack the process of participation to meet their own selfish agendas" (Mushauri & Plumm, 2005).

Among power-distributing cleavages include gender, interest in water resources, political and economic clout, knowledge of language of discourse, and

personality (Kujinga & Manzungu, 2004), levels of communicative competence (Mathie, 1997). In fact, the inclusion of women in decision-making positions does not automatically ensure that women's voices are heard, as there exist power relations between men and women along the lines of age, caste and religion that result in unequal gender voices (Zwarteveen, 1997; Tapela, 2002; Singh, 2006).

Within the water institutions studied, those who wielded power used factors such as experience in water management, language, access to funds and race to negotiate for power and in turn to dominate others (Kujinga & Manzungu, 2004; Chikozho, 2005). As acknowledged, these factors nominated are frequently noted in a lot of literature as being some of the most powerful issue underpinning participation (Dube & Swatuk, 2002; Kujinga, 2002).

Worsening the situation is the fact that, despite that in some countries power has been shifted at least politically to the rural poor who have become the new power elites, in reality, these new power elites do not know how to exercise their power and remain in effect powerless (Sithole, 2001). Instead, stakeholders such as commercial white farmers who appear to have lost power by the new reforms still retain their power by virtue of having resources (Sithole, 2001). As a legacy of the past (Schreiner & van Koppen, 2002), "their power is limited by their social, their representation in public fora or their negotiation capacities" (Edmunds & Wollenberg, 2001:233).

The implication of the obvious imbalance of power can cause serious problems for the legitimacy of the entire participation process (Mushauri & Plumm, 2005). It may discourage stakeholders from participating (Berger-Bartlet & Craig, 2002), and also limit their power to influence decisions (Manzungu, 2002). Consequently, stakeholders may therefore choose to withdrawal from the process (Edmunds & Wollenberg, 2001; Chikozho, 2005).

2.3.3.1 Overcoming power imbalances in multi-stakeholder processes

The review in the previous sub-sections revealed the weakness that exists within the disadvantaged stakeholder in terms of their capacity for active participation.

In face of this, stakeholder's institutions have been adopting different strategies and mobilize different resources to meet the objectives of participation.

Stakeholder empowerment that encompasses capacity building initiatives is recognized as critical for sustaining the participatory process (Mushauri & Plumm, 2005). Thus it is recommended that effective public participation should empower stakeholders (Bond et al, 2004), thus enabling them to develop skills and abilities to become more self-reliant and give them a real opportunity to influence the decision-making process (Soma, 2003).

What is important here is that whatever the motivation, efforts need to be made to ensure equal opportunity to participate despite the disparity in resources and power among the relevant stakeholders (Mushauri & Plumm, 2005). It is a fair observation to note that adequate capacity is an essential pre-requisite to stakeholder participation (Kujinga, 2002; Wester et al, 2003; Anderson, 2005; Mushauri & Plumm; 2005). The latter observation implies that if this capacity does not exist, it stands to reason that it must be created first before stakeholder participation is contemplated.

Effective participation from disadvantaged communities requires more than just getting the parties to the table, but involves sensitivity to the type of communication strategies that will empower and engage all sectors. Anderson (2005) comments that "effective representation is not achieved simply by black stakeholders being physically present in meetings. Rather it is achieved through their active involvement in discussions" (Brown & Woodhouse, 2004 cited in Anderson, 2005:4). In line with this though, Chikozho asserted that "getting the diverse parties to the negotiating table is one thing, but getting them to fully and meaningfully participate is something else".

Dube & Swatuk (2002) advise that "If the water sector hopes to achieve its stated goals of equity of access, and effective, efficient and sustainable management, it is imperative that all users understand the 'system'". In this regard, there is a consensus amongst scholars about the need of building capacity of the stakeholders as a core of the project to ensure their meaningful participation

(Granit, 2000; Savenije & van der Zaag, 2000; Kujinga, 2002; Wester et al, 2003). It is thus recommended that an institutional strategy should include capacity building efforts directed at 'leveling the playing field' (Savenije & van der Zaag, 2000; Kujinga, 2002).

Indications are that limited understanding represents a serious constraint to improved water resources management and development. In fact, literature on public participation almost always acknowledge that levels of education and knowledge are critically important, as these affect the ability of groups to participate in meaningful ways (Thompson, 2005).

Authors such as Kujinga (2002), Dube & Swatuk (2002), Savenije & van der Zaag (2000), and Anderson (2005) argue that the provision of information is a pre-condition for stakeholders to play constructive roles. Dube & Swatuk (2002) argue that a low level of public awareness is what impacts negatively on stakeholder participation. Anderson (2005) suggests that the participatory process should include a focused campaign that uses media and outreach campaigns to inform the general public. According to Anderson (2005), an effective public outreach campaign is a critical component of the participatory process, especially in areas that do not have established networks and representative organizations across all sectors.

Full agreement exists among various authors in respect to the role that should be played by the national governments in facilitating and encouraging public awareness and participation (Kgarebe, 2002; Granit, 2000). Suggestions are made that the government should assist disadvantaged stakeholders through specific capacity building, e. g. familiarisation with technical aspects of water resource management (Mushauri & Plumm, 2005). Some authors suggest that utilization of the experience accumulated by the NGOs in information dissemination as well as in project preparation and implementation should not be underestimated (Granit, 2000).

Having presented and discussed some of the most critical issues in participation, I now look at the main features of water resources management in South Africa,

particularly with respect to the country's experience in handling participatory approaches within the water management institutions.

2.4 Public participation in the management of water resources in SA

Part one of this section focuses on the legal framework surrounding the establishment of the new institutions. It looks especially at the procedures for the establishment of CMAs as contained in the Act. The second part looks at the progress that has been made so far in terms of the implementation of a catchment management approach.

2.4.1 Legal and Institutional Framework for water management

Fuelled by the global shift in water resources management, South Africa also embarked on transformations that should lead, amongst others, to gradual decentralization of water resources managements to the lowest level, as well as public participation in the process (Schreiner & van Koppen, 2002; Wester et al, 2003; Thompson, 2005).

As stated above, in South Africa, basic to the reforms was the need for amending the previous situation of racial and gender discrimination in distribution of natural resources, such as access to water (Dube & Swatuk, 2002; Schreiner & van Koppen, 2002; Manzungu, 2002; Faysse, 2004; Anderson, 2005; van Koppen et al, n.d.), inherited from their past history, which created a highly uneven distribution of land and water rights among its population (Faysse, 2004).

These transformations to the approach of water resource management in South Africa were led through the enactment of the National Water Act (Act 36 of 1998). In actual fact, the Water Act provides the framework (Manzungu, 2002; Faysse, 2004) for the establishment of two types of user-driven water resources management institutions, namely the (1) CMAs, created in order to achieve the management of water resources in an integrated way and the (2) Water Users

Association (WUA), created in order to coordinate different users on a daily basis (Faysse, 2004).

In the new dispensation there is a strong commitment to include the public in the water resources management institutions with special focus on Historically Disadvantaged Individuals (HDIs) (Faysse, 2004). The HDIs were traditionally excluded from all formal and informal water management institutions, as part of their general social and political exclusion from public governance in South Africa (Schreiner & van Koppen, 2002). Furthermore, prior to the enactment of the NWA of 1998, the poor had no say in the management of water resources. This right had been enjoyed by a few white large-scale commercial farmers (Kujinga & Manzungu, 2004).

The NWA states that the management of water resources should as far as possible be devolved to the local level. To achieve this goal, South Africa has been divided into nineteen Water Management Areas (WMAs), covering the entire country. The NWA further stipulates that CMA's must be established in each of the Water Management Areas, thus enabling the Department of Water Affairs and Forestry (DWAF) to gradually delegate water resources management powers to the regional level and thereby involve communities in the management of water. Where the CMAs have not been established or still budding, DWAF will continue carrying out all the functions that are not yet taken up by CMAs (Schreiner & van Koppen, 2002; Manzungu, 2002). Therefore, DWAF is in a restructuring process that will result in the creation of "proto-CMAs" within the DWAF regional offices. These "proto-CMAs" are to be transferred to the CMAs after establishment (Schreiner and van Koppen, 2002; van Koppen et al, n.d). The need to establish CMAs to promote decentralized management, while requiring DWAF to ensure the "leveling of the playing field", has resulted in the policy of phased development of CMAs (over a period of 5 to 10 years) and the retention of certain key functions by DWAF (Pegram & Bofilatos, 2005). A CMA may be established through the efforts of a given community or stakeholder group, or it may be established on the initiative of the Minister. If the initiative comes from the community or stakeholder group, all that is needed is a strong motivation to convince DWAF of the need for the establishment of a CMA (Chikozho, 2005).

The drafting of a proposal is the first phase in the process of establishing a CMA and it is hoped that the results will assist in identifying how mechanisms of empowerment can be initiated into future consultative processes (Anderson, 2005). What is remarkable about this approach is that the Proposal for the Establishment of the Berg CMA follows the guidelines proposed by DWAF, but the contents thereof are determined by the Reference Group (Faysse, 2004).

According to the Water Act, a proposal for the establishment of a CMA must contain the following elements for a CMA proposal to be accepted:

- A proposed name as well as description of the water management area.
- Description of the status and significant water resources.
- Proposed functions of the CMA.
- Possible funding of the CMAs.
- Indication whether there has been consultation in the development of the proposal and the results of the public consultation process.

The NWA clearly states that public participation is crucial to the process of establishing a CMA and the aim is to get adequate representation of all stakeholders in the area, especially those from marginalized groups. As posed by Faysse (2004), the public participation process is an opportunity for HDIs to ask that their needs are taken into account in the CMA functions. Public participation provides a platform from which all members of a community can participate in policy-making and implementation irrespective of their backgrounds (Masango, 2002).

Moreover, public participation and community representation are legally required throughout the process of establishing and running CMA's. The stakeholders are supposed to be involved in decision-making, planning, monitoring, implementation and evaluation of decisions (Anderson, 2005).

The National Water Act states that the proposal[1] will not be approved if there is not substantial proof that the process has been fully inclusive of all role-players, that capacity building took place during the course of the process and that special effort was made to include people previously excluded from such processes. Therefore, it is also required that a chapter in the proposal shall describe every step in the public participation process to ensure that the process is indeed community-driven (Newsletter 2; DWAF, 2003).

CMAs in South Africa have powers to set up Catchment Management Committees. These institutions provide advice to the CMAs on defined issues. The CMA might delegate some of its function to the Catchment Management Committee. The Catchment Management Committees are supposed to play a vital role in acting as conduits for issues of common concern from the respective catchments (Anderson, 2005).

The main purpose for establishing CMAs is to materialize one of the main objectives of the South African Act that is of progressively decentralizing the responsibility and authority for water resource management to appropriate regional and local level institutions in order, among other things, to enable water users and other stakeholders to participate more effectively in the management of water resources.

Thus, a CMA is a water management institution that will allow water user and interest groups to develop a shared understanding of the water resources of all its catchments. They also have the prerogative to decide how they want to manage that water as to allow for its use, development, conservation and protection (Chikozho, 2005).

The CMAs are responsible for managing, using, conserving, protecting, controlling and developing water resources in each of the WMAs. Their role is to

[1] The Proposal is a document compiled by the representatives in the water management area (WMA) to inform the Minister of Water Affairs and Forestry on the roles and functions that the catchment management agency (CMA) for that should take on (Source – Newsletter 1 & 2).

ensure the equitable access to water resources to all stakeholders especially the historically disadvantaged individuals. A governing board representative of the main existing water users, balanced by the interests of emerging and prospective water users, particularly historically disadvantaged individuals, the rural poor and women, is to be established to take charge of the day-to-day water resources, with full power to take the strategic decisions regarding the management of water resources of a given WMA (Anderson, 2005; Faysse, 2004; Pegram & Bofilatos (2005).

The size and composition of the CMA Governing Board is recommended by the Advisory Committee, while the individuals are nominated by the institutions representing the various interests identified for representation (Pegram & Bofilatos, 2005). According to Pegram & Bofilatos (2005), in appointing the Board, the Minister must consider the objective "of achieving a balance among the interests of water users, potential water users, local and provincial government and environmental interest groups". Pegram & Bofilatos (2005) asserted that this provides an important basis for the Advisory Committee to not only consider the existing major users of water, for appointment to the board. However, this is complicated by the DWAF guideline that the Governing Board should consist of between nine and fifteen members. This actually drives the concept of trade-offs between interests and the difficulty in weighting representation according to membership, as there are generally in excess of 15 interest groups. (Pegram & Bofilatos, 2005).

While this is a complication for the Advisory Committee, it is a potential advantage to the CMA Governing Board, because it is likely that no one sector will have a majority on the board, but rather that different groupings may find alignment in interests on different issues towards consensus and cooperation, rather than polarization (Pegram & Bofilatos, 2005). However, according to Chikozho (2005), although the CMA provides a strong voice for the previously disadvantaged communities, their lack of knowledge about water management issues (compared to large-scale commercial farmers, for instance) creates

considerable power imbalances amongst the stakeholders when it comes to debating and deliberating on fundamental basin management issues. As Schreiner & van Koppen (2002) assert, the challenge would be to ensure that the playing fields are ranked to minimize the dominance of the stakeholders with strong vested interests. According to them, this responsibility would mainly reside with the CMA, which has to demonstrate that adequate efforts have been exerted to build the needed capacity in the marginalized (Schreiner & van Koppen, 2002).

The SA Water Act also gives, in Chapter 8, a provision for the establishment of Water User Associations (WUAs). The WUA on the other hand perform functions delegated by the CMA to the local level to ensure equitable supply of water to their members and to manage the use of water within their area of operation. These institutions include water users from all sectors using the water resources in the operational area. They are fully managed and controlled by water users.

2.4.2 Public Participations in the Establishment of CMAs

After examining what the legislation says about how catchment-wide institutions should be set up, this section examines what the practice in establishing those institutions has been to date.

In materializing the objective of adopting a decentralized and participatory model based on cooperative governance, DWAF has since 1990 been establishing CMAs across the country (Anderson, 2005). Despite the fact that the origins of the idea for the establishment of these institutions in South Africa can be traced back to the 1980's (Schreiner & van Koppen, 2002), catchment-based management really came into its own in the 1990's with the promulgation of the New Water Act of 1998 (Schreiner & van Koppen, 2002).

Since the launching of the proposals for the establishment of the Inkomati CMA in 1997, various other initiatives countrywide were launched. Three different modes of CMA establishment and public participation are elaborated by Schreiner & van Koopen (2002).

The establishing of nineteen new organizations (CMA's) is challenging, particularly when the need to establish organizations that are administratively and financially sustainable (Pegram & Bofilatos, 2005). The process is further complicated when the involvement and participation of water users and stakeholders, including historically disadvantaged groups (Anderson, 2005; Chikozho, 2005), should be considered. This is said to be the reason why the first CMA has only been established six years after the promulgation of the NWA (Pegram & Bofilatos, 2005).

The reasons on the delay in the establishment of water resources management organizations in South Africa is seen by Faysse (2004) as having to do with the long-term challenges of achieving meaningful participation of HDIs. Various considerations have been put forward regarding this issue. Pegram & Bofilatos (2005) question whether, in the face of this, the CMA establishment should be delayed until adequate local institutional development, empowerment and water allocation reform has taken place or whether to continue with the process, focusing on capacitating rural and poor community representatives. Though they left this question unanswered, they state that capacitating historically disadvantaged people "is dependent upon adequate representation on the governance structures of CMAs and decision making within a policy framework that reflects the objectives of redress and poverty eradication" (Pegram & Bofilatos, 2005:3).

An answer to Pegram & Bofilatos' (2005) question is given by Mushauri & Plumm (2005) who suggest that in the absence of experience with stakeholder participation in river basin management in South Africa, it would be practical to accept that the "learning by doing" approach is the only way forward while at the same time stakeholder institutional capacity is built.

The Inkomati CMA was established in March 2004 after seven years of public participation and stakeholder negotiations (Anderson, 2005; Chikozho, 2005). It was said that this process was confronted by many challenges, inter alia, the need of engaging disadvantaged communities in complex decisions over scarce water

resources. The negotiations involved dealing with more powerful and knowledgeable water users such as commercial farmers and other groups which could easily dominate the process (Chilozho, 2005).

Three diverging modes of CMA establishment and public participation were elaborated by Schreiner and van Koppen (2002), based on evidence from the Olifants River Basin and the three Water Management Areas in Kwazulu Natal. (Schreiner & van Koppen, 2002), namely:

- *formulation of a technical proposal for the establishment of a CMA* - This approach aims at informing historically disadvantaged communities about the CMA and is increasingly acknowledged to rely too strongly on those who are already well organized. In this approach, the technical proposal is basically written by the technical consultants appointed to play active part in the process of CMA establishment and proposal writing.

- *bottom-up reconnaissance for CMA establishment* – this approach is aimed not only at informing historically disadvantaged communities about the new CMA, but also at identifying water management issues and proposals for management structures with people themselves. Different from the first approach, this second mode of CMA establishment, which focused on the previously disadvantaged groups is conducted in the local language.

- *decentralization of IWRM for CMA establishment* – in this model the Department of Water Affairs adopts a holistic and integrated long-term approach that includes activities other than establishing a CMA. It is said that the process is characterized by extensive information provision in the local language regarding the new rights and responsibilities of water users through the future CMAs. Schreiner & van Koppen (2002) are of the opinion that the public participation process in this approach is conducted in a more articulated and structured way than in the former two approaches. According to Schreiner & van Koppen (2002) the process is all inclusive. Local staff of DWAF and local staff of other government agencies are also more involved, and play a complementary role in one-to-one interaction with disadvantaged

groups for further information provision, problem diagnosis, and mediation in problem solving.

The experiences from the Inkomati participatory process indicate that getting genuine and legitimate representation from disadvantaged communities should not be taken for granted.

2.5 Summary

In this chapter we reviewed some literature on the ongoing debate about the participatory approach in South Africa. The aim is to provide clarity and the background for an adequate understanding of the participatory process undertaken in the establishment of the Berg CMA. In so doing, I traced the evolution of the participatory approach in the area of development. It was shown that a decisive shift was made recently in the field of natural resources management that led to the divorce from the traditional centralised approach of natural resources management to a decentralized and participatory-oriented approach. I also stated that under this shift the world adopted an integrated approach of natural resources management that encompasses the principle of stakeholders' participation (Schreiner & van Koppen, 2002; Mulwafu & Msosa, 2005).

Fuelled by the international trends on water management a number of southern African countries embarked on water sector reforms and identified stakeholder participation as a critical component towards achieving sustainable water resource management.

These transformations on the approach to water resource management in South Africa are exemplified by the National Water Act (Act 36 of 1998). In actual fact, the Water Act provides the framework for the establishment of two types of user-driven water resources management institutions, Catchment Management Agencies and Water Users Associations.

This chapter also reviews literature on critical issues in the participatory processes. The idea captured from various authors is that the achievement of the patterns of the desired participation, particularly of the disadvantaged stakeholders, in the multi-stakeholder institutions, has been somewhat constrained by factors such as weak stakeholder analysis and identification; lack of proper representation; and an imbalance of power.

Ultimately I presented the experience of South Africa in establishing water management institutions. In doing so, I reviewed literature on public participation initiatives in establishing these institutions. It was said that there is not much experience with stakeholder participation in river basin management in South Africa. From this reality, it is suggested that it would be practical to assume that the "learning by doing" approach is the only way forward while at the same time stakeholder institutional capacity is built.

Having presented the ongoing debate on public participation, the following chapter deals with identifying the research methodology employed in collecting data for the present study.

CHAPTER THREE: RESEARCH METHODOLOGY

3.1. Introduction

This research aimed to understand the dynamics of the stakeholder participation in the establishment of the Berg CMA, in South Africa, was conducted in the Berg WMA between January and October 2006, at the time when the Berg CMA establishment process was underway.

The study relied on both primary and secondary data. To ensure a rich description of the study, data were collected from multiple sources. The primary data sources included information provided by the Reference Group Members, DWAF officials, the Consultant, and by other key informants such as the stakeholder constituencies, and from the insights of the Reference Group meetings. Secondary data sources were basically the minutes of the Reference Group Meetings, published literature on public participation in South Africa, and other documents compiled by DWAF and Consultant.

The study revolved around five themes. These include:

- Stakeholder analysis and identification
- Stakeholder participation
- Stakeholder power relations
- Stakeholder representation

The collection of data for this study was in two distinct stages using a combination of four data gathering methods: documentary review; individual interviews, group discussion and participant meeting observation. These qualitative techniques, used by other scholars such as Dube & Swatuk (2002), Kujinga (2002), Tapela (2002) and Manzungu (2002) in assessing stakeholders participation in water resources management elsewhere in Zimbabwe and South Africa, were used for three reasons.

This approach permitted a relationship with the informants and helped the development of their critical and personal view regarding with the process.

3.2. Methods of Data Collection

The first phase of this study, which was mainly a desktop study, consisted of an analysis of the "White Paper on Water Policy" the "National Water Act", the "National Water Resources Strategy" and the "Generic Public Participation Guidelines". These documents provided information on the institutional arrangements and the legal framework for public participation in South Africa.

Also, the minutes of the Reference Group meetings were reviewed in order to obtain a profile of public participation in the Reference Group. Other documents such as the draft of the Proposal (under elaboration at this time this study was conducted), the Newsletters compiled by the Consultant, and copies of the presentations addressed in the Reference Group meetings, were also reviewed. The idea was also to get a better understanding of the current situation of public participation in the establishment of the Berg CMA.

The second phase, which was basically a field work study, consisted in conducting semi-structured interviews and observing Reference Group meetings. The interviews were used to obtain additional information and to clarify issues raised in the minutes and other Reference Group working documents and targeted four categories of respondents, namely DWAF officials, the Consultant who managed the participation process, formal Berg CMA Reference Group members and Constituencies of the organizations represented in the Reference Group. A maximum of 2 respondents were randomly selected from each of the sectors represented in the Reference Group (Emerging Farmers, Urban Water Users and Community Organization). From DWAF and the Consultant only one respondent was interviewed; one to two interviews from the constituencies of those sectors were also selected according to their availability.

A standard interview guide containing 20 questions was drafted. The questions were informed by the literature review on participatory approaches the researcher has done and pertained to the knowledge of theinformant about stakeholder identification processes, stakeholder analysis, stakeholder participation, stakeholder power relations and stakeholder representation. The order of the

questions in the guide was adhered to, although, additional questions were posed when it was appropriate and when it seemed that a follow-up question or further probing would be fruitful to the intent of the study.

The interviews lasted approximately 30 to 45 minutes each. In only one case the interview took a form of a small group discussion rather than an individual interview. This was meant to save time and resources since it was done in a place 150 km away from Bellville. Individual interviews were preferred over other methods to avoid the interference of respondents over each other.

Where possible, interviews were recorded. In all cases, transcription occurred as soon as possible after the interview was done. Where necessary oral translations into Afrikaans and English, the two predominant oral languages spoken by people interviewed, took place during the interviews.

One approach to analysing participation by various stakeholders is to view their discussions, negotiations and attendance as a discursive strategy (Sithole, n.d). Through participant meeting observation method, which consisted in the attendance of the 6th, 7th and the 8th Reference Group meetings, held in June, August and October respectively, the researcher had the opportunity to observe the activities of the Reference Group 'in loco', with focus on the dynamics of participation.

3.2. Data Analysis

The first step on the analysis process was extensive review of the secondary data collected for this study, which were analysed using the thematic approach. The second step was analysing data collected throughout the interviews. These data were placed in themes accordingly to stakeholder categories, and analysed separately due to differences in the characteristics of the respondents. Data was analysed manually and the results were used to compare the findings from different categories of respondents so as to make note of similarities and differences with regard to their responses on each of the following themes:

stakeholder identification process, stakeholder analysis, stakeholder participation, stakeholder power relations and stakeholder representation.

After the thorough reading of the secondary material comparison was made on what had been found similar to the primary data. The information gathered is presented in tabular forms.

3.4 Ethical considerations

For the purpose of this study, which was approved by the Faculty of Sciences at the University of Western Cape, ethics applicable in the field of social research were observed. This, having in mind that ethical issue is a very elementary procedure in a social research, since it 'define what is or is not legitimate to do, or what "moral" research procedure involves' (Norman, 2000, p.26).

Some of these procedures were the following: at the onset, e-mails were addressed and phone calls were made to DWAF and the Consultant informing them about the study and seeking their consent for the study to be conducted, as well their involvement.

Later on phone calls were made for setting up interview appointments with the selected respondents. There were no refusals to participate in the study.

During the research, confidentiality requirements, right of people to privacy, safety, and protection, were observed. In doing so, respondents were assured that the study was being conducted just for academic purposes.

3.5 Study area

3.5.1 Location

The Berg WMA (Figure 1) which the Berg CMA will serve, and whose name derives from the Berg River is situated in the extreme southwest corner of South

Africa and falls entirely within the Western Cape Province, and forms the 19th WMA according to National Water Strategy classification.

The Berg WMA was divided into sub-areas in order to illustrate the water resources situation in the WMA, and to facilitate the applicability and better use of information for strategic management purposes (DWAF, 2004). They are:

- The ***Upper Berg*** - this extends from the source of the Berg River in the Fanschoek Mountains to Misverstand Dam, south of Piketberg.
- The ***Lower Berg*** – this includes the Berg River catchment between Misverstand Dam and the Berg River mouth.
- The ***Greater Cape Town*** - this includes the urban rivers in the Cape Town Metropolitan area, the Kuils, Eerste, Lourens and Sir Lowry's Pass Rivers, as well as the Steenbras River Catchments.

3.5.2. Population

The Berg WMA is densely populated. Ninety-five percent of the population of the WMA resides in urban areas, with 87% concentrated in the Greater Cape Town sub-area, where they are attracted by the economic activity and employment opportunities of the region (DWAF, 2003; DWAF, 2004). Cape Town has a status of second most populous metropolitan area in South Africa (DWAF, 2003). Projections therefore are for continued relatively strong population growth in the urban population.

3.5.3 Economy

The economy of the Berg WMA is highly developed (strong and diversified), essentially dominated by the commercial trade and industry activities, mainly concentrated in the Cape Town Metropolitan area, the towns of Stellenbosch, Paarl and Wellington and in the developing West Coast area of Saldanha Bay.

According to estimates done in 2003, approximately 12% of the Gross Domestic Product of South Africa originates from within the Berg WMA (DWAF, 2003; DWAF, 2004), constituting the third largest single contribution to the national wealth from any of the water management areas.

Agriculture, although one of the smallest sectors in terms of its contribution to the Gross Geographical Product (+/- 2,5%), has strong linkages to other sectors of the regional economy and provides livelihood to a large proportion of the rural population (DWAF, 2003; DWAF, 2004). It had been calculated that about 60% of the Western Cape's economy is in some way or another linked to agriculture. Agriculture also plays a significant role in job creation in the region (Minutes of the Third Meeting).

3.5.4. Water requirements

Current - Close to 60% (according to estimates of 2000) of the total water requirements in the WMA are for urban and industrial use, and about 40% for irrigation. Rural water requirements (other than for irrigation) constitute less than 2% of the total. Geographically, 56% of the total requirements for water occurs within the Greater Cape Town sub-area and 31% in the Upper Berg sub-area, reflecting the dominance of urban/industrial development and irrigation in these two sub-areas, respectively (DWAF, 2003). Requirements for water in the Lower Berg sub-area are relatively small, with irrigation again prominent, and with the industrial developments at Atlantis and Saldanha representing a significant portion of the urban water use.

In general, irrigation practices in the Berg water management area are highly sophisticated and water use by the irrigation sector is relatively efficient compared to many other WMA in the country (DWAF, 2003).

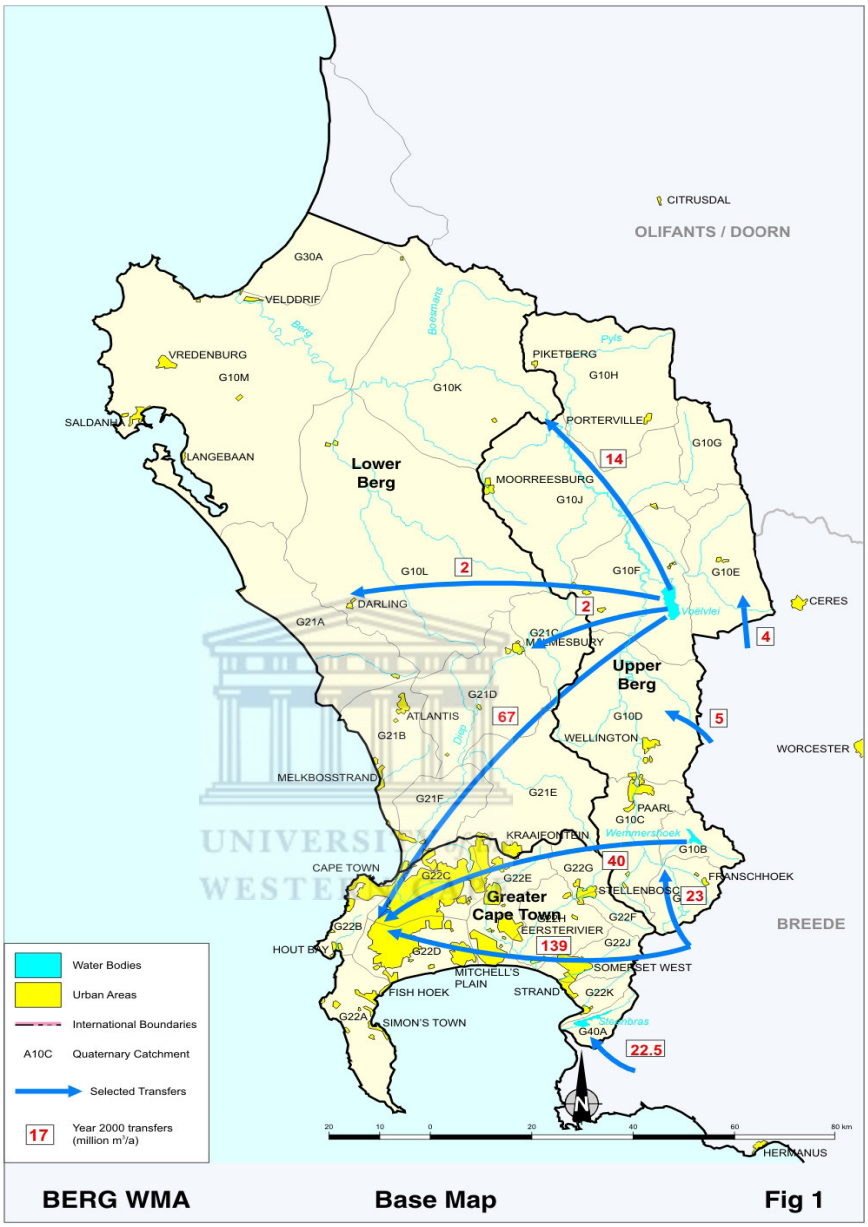
Future - Population growth and economic growth, which also relates to socio-economic standards, are therefore regarded as the primary determinants with respect to future water requirements. Thus, predicted developments and population growth will lead to a dramatic increase in water requirement (DWAF, 2004).

General trends in the Berg WMA are the continued concentration of economic development in the greater Cape Town area and the ongoing dominant urban

character of the population. A strong growth in water requirements can therefore be expected in the greater Cape Town area. Needs also exists for additional water to be made available for irrigation in the WMA, which is likely to be in conflict with the urban requirements and will require judicious prioritisation. Growth in requirements for water is also expected as a result of tourism and other developments along the west coast.

Despite the water conservation and the ongoing application of water demand management measures that are essential in order to suppress the future demands of this potentially water scarce region, urban water demand is increasing at the significant rate of 2% per annum and that existing water supplies, included the Berg Water Project, will not meet the total agricultural and urban demands beyond 2012 (Minutes of 1st meeting).

Figure 1 – Map of the Berg Water Management Area



Source**:** Berg Management Area: Overview of water resources availability and utilization (DWAF, 2003:2)

3.6 Summary

The methodology presented in this Chapter, relayed on a combination of documentary review (minutes from Reference Group meetings, legal

documentary materials, such as policies and laws), interviews with key informants (Reference Group members, DWAF officials, consultants and members of the community), group discussion and Reference Group' meetings observation. Data were gathered in the Berg WMA from June 2006 to October 2006.

Having presented the methodology chosen for collecting data that made possible this study, that included document review, semi-structured interview and meeting observation, the following Chapter presents the findings of the study.

CHAPTER FOUR: STAKEHOLDER PARTICIPATION IN THE ESTABLISHMENT OF THE BERG CATCHMENT MANAGEMENT AGENCY (CMA)

4.1 Introduction

This chapter is devoted to present and discuss the findings of the data gathered in the Berg Water Management Area with regard to the participatory process undertaken in the establishment of the Berg CMA, with focus on the following issues:

- stakeholder analysis and identification
- stakeholder participation
- stakeholder representation
- stakeholder power relations

The first section shows part of the process of establishing the Berg CMA. This particularly provides insights on how the stakeholder analysis and identification were driven.

The second section presents and discusses findings on stakeholder representation. This in particular shows the extent to which different categories of stakeholders were represented in the Berg CMA Reference Group. It also presents the feedback mechanisms that had been used by the Reference Group members to relate with their constituencies.

The third section deals with the participation process per se. It shows how water users and interest groups became involved in the identification and nomination of the Reference Group members and in the proposal development process. This section also presents and discusses findings on the key issues that have been addressed in the Reference Group meetings. The capacity building and empowerment activities that were undertaken in the Reference Group are also discussed.

The fourth section discusses the findings on the data gathered with regard to the dynamics of power relations existing among different categories of stakeholders represented in the Reference Group.

4.2 Establishment of the Berg CMA Reference Group

4.2.1 Stakeholders Identification

For the purpose of ensuring public participation in the establishment of the Berg CMA[2], a Reference Group, representative of various sectors and geographic areas of the Berg Water Management Area had to be created as the platform for direct participation. The deal made was that this role should be performed by DWAF with assistance of an appointed technical consultant. The involvement of the latter in the CMA process would be restricted to technical input.

Thus, under the auspices of DWAF and the Consultant the process of identifying the stakeholders from all over the Berg WMA (BWMA) who should be involved in the establishment of the Berg CMA commenced in May 2005 (Newsletter 1). The identification process was anticipated by awareness campaigns and extensive consultations throughout the BWMA, and was undertaken by the means of a questionnaire sent to the formal contacts of DWAF. These were persons known as having interests in water-related issues, including consultants, local governments, etc.

The first round of public meetings to inform the public about the CMA concept and the process that would be followed in the establishment of the Berg CMA were held on 31 May and 1 & 2 June 2005 in various places in the Berg WMA (Valdriver, Bellville and Paarl). Estimates point out that information and written invitations for the first round of public meetings were sent to more than 5 000 people (Newsletter 1:2). As part of the invitation to these meetings, people were

[2] The CMA is established to perform the duties and functions envisaged at the National Water Act 0f 1998. It materializes one of the main objectives of the South African Act that is of progressively decentralize the responsibility and authority for water resource management to appropriate regional and local level institutions in order, among other things, to enable water users and other stakeholders to participate more effectively in the management of water resources.

requested to indicate whether they would be interested to serve on the Reference Group.

Mention needs to be made to the fact that public participation in the BWMA was very closely tied to the Western Cape Reconciliation Study (WCRSS), which was occurring at the same time. In fact, the awareness and consultation campaigns on the Berg CMA process were conducted as part of the information that was being gathered for the Western Cape Reconciliation Study (WCRSS), which also involved public participation. Indications are that about half of the time allocated to presenting the Reconciliation Study was spent on advertising the CMA. By conducting these two processes concurrently, it was meant to avoid duplication and to save costs and time.

In these meetings people were explained about the importance of their involvement in the forthcoming process of establishing a CMA for the BWMA. As a matter of fact, ensuring public participation, including adequate representation of all stakeholders and their interests, particularly those of marginalized groups, was a sine-quo-non condition for the Minister of Water Affairs to allow the establishment of a CMA. They were then requested to indicate whether they would be interested in serving on the Reference Group, as well as what sector they intended to represent.

Information about the purposes of the Reference Group, were also supplied in those meetings, as to assist in providing inputs required for drafting the Proposal. The Berg CMA Reference Group would be responsible to identify key water resources management issues in the Berg WMA, as well as, proposing the structure of and functions to be undertaken by the future CMA.

As a result of this exercise, a number of sectors that would later be represented in the Reference Group were identified and roughly 200 people coming from different towns and suburbs and representing different entities indicated their interest and availability in becoming involved in the Berg CMA establishment process (Minutes of 21st June 2005).

In fact, during the awareness and consultation campaigns, names of sectors and of individuals to represent the sectors were identified. The number can be regarded as an indication of the level of interest that the public put into this matter. People reacted very positively to the idea of being involved in the process as the CMA is, amongst other things, about ensuring water availability for diverse purposes.

These identified persons were invited to attend the inaugural meeting of the Berg CMA Reference Group held on 21st July 2005, in Stellenbosch. The primary purpose of that meeting was to finalize the composition of the Reference Group and in turn formalize the establishment of the Berg CMA Reference Group.

A number of groupings were initially identified at the public meetings. A refining process was undertaken in the first Reference Group meeting which culminated in the confirmation of the selected sectors and the identification and inclusion of sectors not previously identified. It was claimed that the final list of stakeholders, comprised of the sectors listed below, represented as many of the stakeholders and role-players possible in the Berg WMA (Newsletter 1).

Sectors that made up the membership of the Reference Group were the following: Urban Water Users, Community Organizations, Local Government, Industry and Commerce, Tourism and Recreation, Aquaculture, Environment and Conservation, Forestry, Emerging Farmers[3], Provincial and National Government, Water User Associations, Research and Development as well as Commercial Agriculture (Minutes of 21st July 2005). The study revealed that attention was placed on the principle of inclusive involvement of stakeholders that requires that all relevant stakeholders have the opportunity to be involved (Mharaj & Pietersen, 2004).

[3] In the participatory process the term *emerging farmers* was used to describe historically disadvantaged farmers that are trying to become established as commercial farmers. Some emerging farmers disliked this label as it presumed that they were not farmers, dismissing them as subsistence or dry-land farmers. In this paper the term emerging commercial farmers will be used to describe this sector (Anderson, 2005:9).

Persons present at the first Reference Group meeting determined the number of representatives per sector required and indicated the names of their representatives. A Reference Group composed of a manageable number of 60 members (approximately 3 representatives per sector), was established. This size was impossible to keep because the majority of sectors demanded additional representatives for their sectors. Reasons presented range from sector specific to more generic ones.

4.2.2 The role played by the Stakeholders in the identification and nomination of Reference Group Members

In the process of stakeholder identification, the public in a way played an important role in helping in the identification of sectors and their respective representatives to be involved in the CMA establishment. Later, stakeholders indicated to serve on the Reference Group also played an important role in helping in the identification of gaps in sectoral representivity and in the identification of representatives for those sectors not represented in the first meeting, as this was their primary task as Reference Group members.

It was also found that identification and nomination of some stakeholders, particularly for those sectors not yet represented in the first Reference Group, was to some extent made collectively by the sectors that attended the first Reference Group meeting. Furthermore, some of the people nominated to represent a given sector, were proposed by members of other sectors. That is, every ember had a right in proposing a representative for other sectors. For example, the totality of the representatives for Tourism & Recreation, and Organized Labour sectors were proposed by members of other sectors.

For the sake of the process, in those cases that representatives were not attending, the consultant was requested to find an appropriate representative. Here the inputs from the stakeholders were of vital importance in helping find the appropriate representative for those organisations.

Throughout the process the constituencies of some sectors, such as the Emerging Farmers, Water User Association, Urban Water Users, Community Organizations and Commercial Agriculture were consulted in the nomination of their representatives. In interview with the constituencies of those sectors, the totality of them said that they were involved in choosing their representatives for the Berg CMA Reference Group. It was also found that the consultant, soon after nomination of the representatives approached those constituencies to find out the legitimacy of their said representatives.

Different dynamics of involvement of constituencies in appointing their representatives marked the process in each organization. When some Reference Group members were asked how they were chosen to represent their sectors, they stated that "*we were the only ones who were available to attend the meetings"*. According to some Reference Group members they were asked by the Chairpersons of their organizations who were interested to represent their organizations in the Reference Group. As a result, those who showed availability and willing of representing the organization were confirmed as legitimate representatives.

Thus, the study concludes that availability to attend nine meetings over the period of eighteen months that it would take for the establishment of the Berg CMA was used as a valid criterion, suggesting that the representatives were not elected. In some cases, nominations of some representatives were mainly based on the performance of nominees in their professional field. This view dominated the reasons behind the nomination of some of the sector representatives to the Reference Group, particularly of those without any organizational structure established on the ground, such as, for example, Tourism and Recreation, Aquaculture, Environment & Conservation, and Research & Development. This was the case, for example, of a representative of the Research Development sector who was appointed and nominated for the position because 'he had done a great deal of research on the Berg River as well as in agriculture' (Minutes of the 1st Reference Group meeting, 21 July 2005).

In those cases the Consultant was requested to find appropriate representatives or to approach those identified by the Reference Group members and invite them to participate in the process, as was for example the case of Tourism & Recreation, Aquaculture and Organized Labour.

4.2.3 Stakeholder Analysis

Stakeholder identification in the BWMA was not done arbitrary. Previous stakeholder analysis exercise was carried out to determine which organizations should be involved in the establishment of the BCMA.

Some of the aspects considered were those recommended on the Generic Public Participation Guidelines published by DWAF and are presented below (DWAF, 2001):

Box 1: Stakeholder Analysis

Use the social profile method to analyze stakeholders according to the following:

- The social dynamics of the area in terms of its demographics
- The geographical diversity of the stakeholders
- How stakeholders might be affected by, or interested in the initiative
- The relations between stakeholders, including controversial issues and an assessment of the real or potential conflicts of interest between stakeholders
- The capacity of different stakeholders to participate

Creighton (1998:45-56) cited in DWAF (2001:29).

As will be demonstrated in this section, not all of the above listed aspects where considered in the stakeholders analysis. Aspects considered include demographics; geographical diversity; affected or interested parties; the relations between stakeholders; and the capacity of different stakeholders to participate. The latter, according to DWAF is determined in terms of the following (DWAF, 2001:29):

- Assess to technology and services (e.g. transport)
- Socio-economic characteristics
- Understanding and experience with public participation processes and similar initiatives
- Being informed or uninformed about issues
- Technical understanding of the issues under discussion
- Literacy levels
- Language preference

Data gathered from the minutes point to emphasis being placed from the outset on the need for the Reference Group to be geographically and sectorally representative of the BWMA, including the need for race and gender equilibrium so as to attain the purpose of the Act (Republic of South Africa, 1998). Furthermore, the importance of considering geographic and gender representivity was highly and frequently stressed by both the consultant and DWAF, as it would allow accommodating the vast array of sectors and people from all regions within the BWMA (Minutes of 21st July 2005).

As sketched in the section above, this exercise culminated with the identification of a number of organizations perceived as representing the diversities existing within the boundaries of the Berg Water Management Area. These organizations were afterward grouped in different sectors accordingly to their field.

Further, several similarities were pointed out in the first meeting with regards to the nature of some of the sectors selected. Yet, according to both DWAF and the Consultant, answering the question why specific sectors were selected, they assured that all of them were part of the South African governmental structure. Furthermore, this was pointed out at least once during sectoral identification to justify the identification and integration, for example, of the Organized Labour sector. Indeed, its proponent stated that it was 'a requirement for any government process in South Africa' (Minutes of the First Meeting, 21st July 2005).

The stakeholders enquired, for example, why Community Organizations and the Urban Water Users sectors were not represented by just one sector, since both sectors are linked in with the community. To this, the explanation was that water issues in respect of formal housing differ from those of informal settlements (Minutes of the 1st Meeting). Urban Water Users incorporates a number of civic organisations based more in metropole sites, while Community Organizations are both urban and rural based. The latter is a sort of structured group of people that handle environmental and water issues in the communities. Therefore, it was advised that it would be useful to keep them separate so that informal sectors, which represent disadvantaged groups, could have a strong voice through the Community Based-Organization sector.

Emerging Farmers and Commercial Agriculture which were supposed to be integrated in the WUA were kept separate, because, in some circumstances those organizations were still not yet integrated in the Water Users Associations in their respective areas. The Department of Water Affairs and Forestry went further to say that:

> "*These groups were put separately because they have their own special issues which may be different from other sectors. The Emerging Farmers in some cases they want to farm, however some of them don't even have land. They still try to get a piece of land and maybe they don't fall in a Water Users Association. They still farming now and water is not very much issue for them. The biggest issue is land, that's why we decided to keep them separately.*

In fact, a large majority of these organizations would fall into the category of Water User Association, however due to the specific nature of their interests, it makes sense for them to have their own representation. Their specific area of interest would require that their representation be acknowledged in this context.

However this was not the case of the National Africn farmers Union (NAFU) and other Emerging Farmers organizations that were put together. They both represent the Emerging Farmers, but NAFU is basically the biggest Emerging

Farmer group. They differ in many aspects ranging for exmple from knowledge of water resources management issues to proficiency in language of discourse. The difference prevented NAFU and the other emerging farmers from functioning as one organisation although they appear to be one.

To a question if Urban Sector would not be represented by the municipalities, a representative of that sector said:

> *No, I do not think that Municipalities could well represent my sector. Municipalities are unfortunately at present organs of a political nature, which by definition incorporates a level of bias. Municipalities do not have the expertise to make informed decisions in the interests of the public. In the context of water provision, which is so fundamental to life, there is absolutely no room for either political bias or incapacitated delivery.*

The same informant stated that:

> *As with any institution that upholds the principles of governance, transparency and fairness, there is the fundamental understanding that these institutions need to primarily have the freedom of unbiased and fair decision making. These institutions also need the capacity to make informed decisions.*

Having presented how stakeholder identification was driven in the Berg WMA, the following section shows how people were involved in the identification and nomination of Reference Group members and in the proposal development process.

4.3 Stakeholder Representation in the Berg CMA – Reference Group

4.3.1 Sectoral Representation

The CMA proposal development process, in particular the issue of representation, received continued attention at every meeting of the Berg CMA Reference Group. Various arrangement and efforts were put in place to ensure proper representation of different stakeholders existing in the BWMA

The following special efforts were made to ensure proper representation:

- Active mobilization of grassroots and local communities and other stakeholder organizations to become involved in the process.
- Making available funding for transport and in some cases also arranging the transport.
- Having documents available in 2 languages.
- Allowing that local languages could be spoken at Reference Group meetings.

Particular emphasis was placed on the need for the Reference Group to be geographically and sectorally representative of the BWMA, including the need for racial and gender equilibrium so as to comply with the Act (National Water Act, Act No 36 of 1998, s2). These organizations were afterwards grouped in different sectors according to their field of activity. Where there was no specific interest group, a holistic approach towards the representation was applied.

In the Berg CMA Reference Group, one of the more direct approaches to representation was through membership of the Reference Group, which comprised of 92 individuals. The membership reflected the Reference Group's efforts to create a diverse grouping representative of the BWMA population. This was partially accomplished through the requirements defined within the Guidelines and through informal efforts to identify under-represented groups.

I have already said that despite the establishment of a Reference Group with a limited number of members, membership of the Reference Group was never

closed, so that it could allow the integration of sectors and representatives as they were identified in the course of the Reference Group activities. Should any organization feel that they were not represented on the Reference Group, they could request to become part of the process. This ensured that a large group of non-formal members were involved. Therefore, in the Berg you cannot distinguish between formal and non-formal members since everybody had the same rights of participation. However, so as avoiding making the Reference Group too big, organizations desiring to be integrated should primarily make sure that their sectors were not already represented and if so, request their sector representative to provide them with feedback about the ongoing processes.

Stakeholders requiring greater representation could motivate for it to the rest of the stakeholders and then the matter would be discussed and validated. Accordingly, almost all sectors required more representatives for the Reference Group. Reasons ranged from sector specific to more generic ones. However, ensuring representation was the valid argument forwarded by almost all sectors that requested greater representation. Some other arguments brandished by individual sectors to gain more seats in the Reference Group, were:

- To provide input on Economics/Regional Planning/Demographics issues – Research and Development;
- Diversity of portfolios and number of overlapping functions – Provincial and National Government
- To ensure representation of existing WUAs management committees since it would perform delegated functions of the CMA – WUAs
- Ensure continuity of representation – Emerging Farmers
- Vast area of Mountain Conservation Park Areas covered by WMA – Environment and Conservation
- To accommodate the geographic spread; to consider the diverse functions of each municipality – Local Government

The group accepted without complaints the arguments advanced by some sectors regarding their need of additional representation. However, it was not without

difficulties that they accepted the arguments made by other sectors. For example, appeals made by the Community Organizations sector for additional representation were initially rejected, despite its argument that the Berg WMA is a large area so needing more than three representatives to ensure geographical representation. A representative of the Local Government came to say that the City of Cape Town could help them address their issues.

An analysis of the database (see Annexure 1) shows that the Berg CMA Reference Group is well represented by a diverse range of sectors. However, the number of representatives per sector varies significantly. The Local Government sector comprised the biggest portion (13.8%) of the database followed by the Emerging Farmers (11.9%), Provincial & National Government with (11.0%) and Commercial Agriculture (7.3%). Other sectors were closely grouped in terms of percentages, i.e. Community Organization, Tourism & Recreation, and Environment & Conservation (5.5%); Water Users Association; Research and Development (4.6%); Organized Labour and Forestry (3.6%); Aquaculture and Industry & Commerce (2.7%); and Urban Water Users (1.8%), reflecting a fairly even spread of sectors of water users.

The Local Government, the Emerging Farmers and the Provincial Government seem to be the sectors with more representatives. This is due probably to the fact that these sectors are spread all over the Berg WMA and are by far the biggest water users. Other sectors well represented are the WUA's, Commercial Farmers because they are the people directly affected, and their income is based on water.

Nevertheless, representation in the Reference Group activities was not limited to formal membership. The operations of the Reference Group also allowed for non-member participation. In so doing, Reference Group meetings were held in public and anyone could attend these meetings. As an informant noted, that this characteristic facilitated non-member attendance.

> *It's by involving people, like the meetings are pretty well open, that people can come in to listen to what's going on. We have guests coming in.*

There is a concern that despite great efforts made by the managers of the Berg CMA process to actively involve women in the process, their involvement in the Berg CMA establishment process was very low. About twenty five percent of the membership of the Berg CMA Reference Group is occupied by female representatives. This concern was raised by the consultant in the following terms:

> *We put special emphasis on involving women to participate. We try that at least there is one woman per sector nominated. My general concern is that you can have 50% of the composition taken by women but if they don't participate it is useless.*

The foregoing observations seem to indicate that the Berg CMA Reference Group has yet to achieve a more equitable gender representation. In addressing the issue of gender representation, the Reference Group could be seen as having been strong as much as necessary to implement a gender-responsive approach against the current surge of social attitudes that is opposing women's involvement in strategic decision-making. However, such inclusion did not automatically ensured that women's interests were represented. Primary observation of the dynamics of the Berg CMA Reference Group meetings indeed showed that the women members remained largely silent throughout the meetings.

In general it seems to me that all sectors are adequately represented. However, it was admitted by DWAF and by the Consultant that there could be groups that were missing, but the majority were represented. In fact, attempts to obtain further numbers did not achieve a wider geographic representation, which would have been to the benefit of the reference group. However, lack of representation should not be blamed on DWAF or the Consultant. Furthermore the process was widely publicized. It was clear that DWAF and the Consultant travelled the whole of the Berg WMA to encourage people to join the process.

In the process of establishing the Berg CMA, it was expected that the Reference Group members would interact with their constituencies on a regular basis. A

follow-up through interviews with constituencies of some sectors showed that sectors such as the Emerging Farmers, Community Organizations, Commercial Agriculture and Water Users Association that have established local organizations, had been relating to their constituencies. Many of those sectors arranged their own sector-specific meetings and presented the outcomes of the Reference Group meetings to their constituencies so as to share information, views and provide additional opportunities for comment.

4.3.2 Meeting Attendance

From the Reference Group members it was also expected that they would attend nine meetings over the period of eighteen months, the time required for the establishment of the Berg CMA. However, some of the Reference Group members did not turn up at meetings. Moreover, on various occasions, the Reference Group manifested its dissatisfaction with the lack of participation by the majority of the local authorities in the Reference Group meeting. Apart from the Saldanha and Cape Town Municipalities, whose representatives attended regularly, other municipalities had not been part of the entire process, which was considered unacceptable by the group (Minutes of the 3rd Meeting).

Reference Group members expressed their concern that their key water resource issues voiced at the meetings were not always heard by local government, as the officials from municipalities did not attend the meetings regularly. The absence of Local Governments effectively denied their constituencies the opportunity to voice their concerns with regard to water problems that affect them (Kgarebe, 2002; Dungumaro & Madulu, 2003). Furthermore, the municipalities appeared to have shunted the responsibility of representing the residents of the Berg Water Management Area. Accountability to Reference Group constituency is presumably greater for the disadvantaged groups than it is for the municipalities.

Consequently, in the 7th Reference Group meeting held on 11th October 2005, the Emerging Farmers sector presenting feedback on a capacity building workshop held the week before raised this concern again. The following statement gives a flavour of their dissatisfaction in this regard.:

> "*The Berg CMA will not have the ability to achieve co-operative governance if the municipalities are not committed to the establishment process. This could negatively affect the credibility of the CMA"* (Presentation by the Emerging Farmers sector on 11.10.06).

Follow-up on the absence of the municipalities made by the DWAF and the Consultant did not bring answers. Questioned about the reasons for the persistent absence of the Municipalities, a DWAF official argued that it might be the lack of human resources to do the job. He also added that "*the situation will not change overnight because municipalities lack capacity"*. Indeed, according to them, it is a well known fact that a recent government survey found that only 8% of people in key jobs at the local authority level of government have the requisite skills to do the jobs they hold.

Making sure that "everyone has a right to water" was cited in the presentation as a critical reason why municipalities needed to be involved in the CMA process. It was also stated that Municipalities had a role to play in the educating communities about municipal bills, particularly dwellers of informal settlements who become beneficiaries of Reconstruction Development Programme houses. (Presentation by the Emerging Farmers sector on 11.10.06).

As stressed in that meeting, Local Governments are seen as the key partners for discussion and they are expected to consult their constituencies and bring their views back to the plenary sessions. Consequently not attending the meetings, the views and concerns of their constituencies would not be addressed in the Proposal.

Alongside the municipalities, the Organized Labour representatives, and some other sector's representatives were not attending the meetings. Some of them never attended a single meeting. To the question why it happens, the Consultant stated that it was a political dynamic of South African governance. She went on to say:

If you leave them out, you're the bad guy. You invite them, they don't come, but once they hear a final decision has been taken, they come to contest the decision. Some of those people were there at the first meeting. They nominated themselves but don't come to the meetings and don't even apologise.

Contrary to the dynamics on the attendance of the formal Reference Group members, the Reference Group meetings were attended by a great number of non-formal members. This thanks to the fact that irrespective of the establishment of the Reference Group which comprised of formal members, the meetings of that forum were open for attendance of anyone who wanted to do so. This allowed the general public to be aware of the ongoing process as well as to raise their concerns. Rural participants attended the meeting but their participation was limited to seeking clarification on certain issues.

The study concluded that in the Berg CMA process, the Reference Group members relate regularly with their constituencies. However, the absence of local governments denied their constituencies the opportunity to voice their concerns with regard to water problems that affect them. Furthermore, the municipalities appeared to have shunted the responsibility of representing the residents of the BWMA municipalities in the Berg CMA- Reference Group, since they are expected to consult their constituencies and bring their views back to the plenary sessions (Schreiner and van Koppen, 2002:974). The absence of municipalities will not change overnight because the lack of capacity.

4.4 Stakeholder Participation

4.4.1 Participation in developing the Proposal

Participation in the Berg Reference Group was through presentations, plenary and group discussions. Similar experiences with stakeholder consultation processes have been cited from the Mazowe catchment planning process under the Zimbabwean water sector reform programme and from the Inkomati CMA

establishment (Sithole 2000; Chikozho, 2005; Anderson 2005). As a matter of fact, the presentations delivered at every Reference Group meeting had double objectives. On the one hand they were meant to address technical questions related with water situation in South Africa with particular focus on the Berg WMA and to provide the background information relating to water management issues that the CMA should address as part of its functions. On the other hand, the presentations were addressed as part of capacity building.

DWAF made it possible that the departmental staff responsible for water management in the Berg WMA, representing all disciplines (water quality; water quantity, etc.) were present at the meetings to address the technical questions. Members of the Reference Group were given background information on the existing water resources in the Berg WMA. This included explanations of the existing and future demand on the water resources and the reason for the urgent reconciliation of these resources to determine how they will be able to meet future demands (Newsletter 2). In addition, DWAF provided information about the Governance and functions of a CMA.

The presentations were not restricted to the Consultant and DWAF Officials. Space was created for the stakeholders to make their presentations with regard to their particular concerns and key water resource management issues applicable to their sector as well. Special attention was given to ensure that management issues, as perceived by historically disadvantaged groups, were also captured as part of key water resource issues. This allowed the stakeholders to make meaningful contributions to the process.

The presentations made by the stakeholders included topics on the following issues:

- The need for emerging farmers to have access to water - Emerging farmers.
- The role of WUAs in managing water resources to the benefit of all - Water User Associations:
- The needs and wants of water users in Cape Town with regard to water equity, quality etc. - Urban Water Users.

- The effect of polluted water in the Berg River on farming practices and the export of produce and the knock-on effect thereof on the economy - Commercial Farmers.
- The plight of women on farms and some background to the role the organisation plays - Community Organizations

Reference Group members could address their issues through means other than raising them in the meetings by means of presentations. In fact, they could address their concerns to the Consultant through e-mail, mail, etc. After consideration by the Consultant, those issues considered crucial for the development of the CMA would be incorporated in the draft Proposal and then taken for consideration of the entire group for validation.

Alongside the presentations, DWAF made available background information documents which included the National Water Resource Strategy; the Internal Strategic Perspective of the Berg Water Management Area; and the Profile of Water Management in the Berg, among others.

The interrogation of the degree or level of stakeholder participation in the establishment of the Berg CMA, particularly in respect of inputs to the proposal, is important if not crucial. Indeed, the experiences from participatory process indicate that getting genuine and legitimate representation from disadvantaged communities should not be taken for granted (Anderson, 2005). In fact, compared with some sectors, disadvantaged communities have less knowledge and experience of water management (Anderson 2005).

A few, and almost the same people participated in the discussions in all meetings. Reasons for not participation of the majority, mainly the disadvantaged groups, did range from lack of knowledge to language problems, which makes it difficult for the stakeholders to participate meaningfully (Manzungu, 2004). As stated by Schreiner & van Koppen (2002. p.970),

> "poor people's ability to effectively participate in public decision-making is hampered by sub-standard education, literacy, knowledge of languages, mobility, access to information, and social and political organization within and outside their neighborhoods.

Actually, in the Berg CMA process, lack of knowledge can be ranked as the most powerful issue hampering participation in the Berg CMA Reference Group. Stakeholders interviewed recognized that they did not have knowledge about varied issues, particularly with regards to water resources management. Lack of knowledge in the disadvantaged groups, mainly Emerging Farmers and Community Organizations, was raised in many Reference Group meetings. People expressed their concerns about people's lack of knowledge of water resource management, water use authorisations, water services, access rights, etc. Actually, lack of knowledge can be ranked among the most debated issues.

Recognizing that people had been missing issues raised in the meetings, the need for community capacity-building programmes across all sectors was acknowledged. In face of the above, various strategies were proposed and used to raise awareness and build capacity in the Reference Group. The majority of stakeholders tended to be quiet during the meetings. I observed in many meetings that some people talked while others did not, they were just listening. They would choose to discuss the issues outside of the meeting because, as they said:

> *We feel uncomfortable of standing up and talk in public, because the entire group will blame us of speaking nonsense. Therefore when we don't understand the point, we choose to let it go just to avoid unnecessary complications, said a representative of Emerging Farmers.*

Similarly, another informant in another interview said

> *We are ashamed of standing up and speaking in front of those big brains. Put me in a small group and I won't stop talking. Honestly I*

would like to be able to participate actively. We feel so badly because we think that people think that we go to the meetings just to eat and then go back home.

Actually, some stakeholders, mainly from the Emerging Farmers, because of their low level of education regarded the educated people as people who know everything, and who can take charge of their lives. Because of their incapability, which is seen as inhibiting them from participating, they 'retired voluntarily' from the discussions.

Differently from those groups, a minor section of stakeholders represented in the Reference Group have knowledge about a range of issues mainly because some were dealing with water issues for long time as farmers/land owners, and others because of the nature of their daily activities. Moreover, as reflected by the number of interventions made by certain groups of stakeholders, as captured in the minutes and observed by the researcher, it seems that some sectors dominated the interventions in the Reference Group. Sectors such as Commercial Agriculture, WUA, NAFU, Urban Water Users, have a more holistic view to water provision, therefore they are more vocal and active than others.

Yet, it was observed that with regard to some presentations, people appeared lost. Indeed, the referred to presentations were too technical and therefore not accessible to the majority of the stakeholders. This was observed for example in the 6th meeting, where the presentations were full of tables and graphics, and people could not follow the presentation because of the technical language used by presenters. This was afterwards recognized by the presenters. According to them this could not be avoided given the technical nature of the topics presented, namely (a) hydraulic modelling of the Berg River estuary and (b) conceptual model of the Berg River estuary. Despite this uncomfortable situation, it was found that people kept quiet and allowed the meetings to proceed without complaints. Reason can be found in this statement made by one of the informants, who stated that "*When we don't understand the issue, we let it go just to avoid complications to ourselves*" (representative of Emerging Farmers sector).

This statement simply reveals the lack of confidence in expressing their needs, something that generally characterizes the disadvantaged groups.

As stated above, language was one of the major problems of participation. Despite the fact that the stakeholder representatives in the Reference Group spoke just English, or Afrikaans or Xhosa, the language used in the Reference Group was English. Furthermore, some participants blamed their lack of participation on the use of English in the meeting.

The use of English and the subsequent pressures to respond to statements made in English made most of the arguments presented by the Reference Group members incoherent.

For full involvement and participation, they were given the liberty to participate in their own languages. However, it was observed that translations were provided occasionally from one language to other, this depended on the facilitator..For some participants this seemed to contribute to the difficulty to express themselves.

Questioned on why translations were not provided despite promises made early by the Consultant and DWAF, the Consultant stated that "*it is under the facilitator's capacity to read from the audience and decide whether to translate or not some interventions"*. Yet, according to the Consultant, it was also expected from the stakeholders to demand translations when they felt necessary. However, against any expectations, it was observed for the first time that the 7th Reference Group meeting was totally translated from English to Xhosa and vice-versa. This evidently was because of the frequently complaints of some Reference Group members.

As posed by the Consultant:

> *People prefer to raise their issues in English, because they think is a good way to be understood by everybody. However some of those*

people even struggle to understand what they themselves want to say.

There is another dynamic towards participation revealed by the study. Some members of historically disadvantaged groups said that they were not participating in the discussions because the issues discussed at the meetings were not of their interest, since almost 90% of the issues debated had nothing to do with water allocation and availability. According to those representatives the set of issues discussed in the Reference Group were frustrating. As they said that they accepted to be members of the Reference Group to ensure availability of water to irrigate their lands, and they would speak when it comes to discuss those issues.

Break-away group sessions revealed various dynamics. It was observed that groups were formed according to different topics. Stakeholders chose to join the Group which would discuss the topic on which he/her was most interested in. Some groups would be formed by members of the same sector as we observed at the 6th Reference Group meeting. At that meeting people were supposed to break away and discuss one of the following functional areas: Reconciliation & Water Use Management; Resource protection; Information and monitoring & Finance; Stakeholder empowerment; Institutional & Co-operative governance.

Sporadically groups would be formed randomly. I observed that each Reference Group member took the liberty to choose the group he/her wanted to attend. The researcher joined a group which was supposed to discuss Stakeholder empowerment. What was observed in that group is that it was formed only by the non-vocal members of the Emerging Farmers and Community Organization sectors, people perceived as lacking knowledge. Top ranked and knowledgeable members of those sectors, such as the NAFU representatives joined other groups formed by the more vocal members of the Reference Group.

It was also observed that no facilitator was provided to them. As a result the group lost time trying to find the objective of the task. Apparently it happened with the other groups, since the report-backs reflected different understanding of

the task at hand. In general it was felt that too little time is set aside for group discussions. The request was made to allow at least two hours for group discussions. There was also a request for a time steward to ensure that everything is discussed within the time framework.

It was observed in all meetings attended by the researcher, the facilitator appeared as not performing the task for which he was hired. It was observed that DWAF had appeared many times acting as a facilitator of the Reference Group meetings.

Indications were that the facilitator hired did not have sufficient skills to engage and empower disadvantaged communities and to coordinate a complex public participation process. More emphasis needed to be placed on building a team of facilitators that have expertise beyond just the technical aspects of water management. Facilitators of the CMA process need to develop skills to run complex participatory processes, including skills in conflict resolution, negotiations, and facilitation"

4.4.2 Major Issues Addressed

According to statements made by the Consultant in the Reference Group meetings, stakeholder participation in the establishment of a CMA is all about involving people in setting up the framework for the management of the water resources in a given water management area; and on identification of the major concerns they are confronted with in their daily lives.

The merit of this exercise was that those issues addressed by the Reference Group, were to be considered in the formulation of the Proposal, which should follow the guidelines proposed by DWAF, but the contents thereof should be determined by the Reference Group (Newsletter 3). Therefore, with the end of developing the Proposal, the Berg CMA- Reference Group was tasked to identify key issues in water resources in the Berg WMA and formalizing the functions to be undertaken by the future CMA. In this regard, the stakeholders were urged to make meaningful contributions to the process by raising their concerns and challenges around water resources. According to the Consultant/DWAF, 'this is

what the public participation in the formulation of the Proposal is all about' (Minutes of the 3rd meeting).

With the above in mind, key water resources management issues, which encompass the needs and expectations of the communities in the BWMA, were discussed and listed by the Reference Group members. Special attention was given to ensure that management issues, as perceived by historically disadvantaged groups, were also captured as part of key water resource issues.

A number of water allocation problems were cited. Furthermore, the allocation of the water in the Berg WMA is of concern to various water users. Among the major problems cited is the lack of access and the high price of water. The Emerging Farmers, for example, claimed that the majority of its associates have land but no access to agricultural water.

High water charges were also the concern of the Community Organizations. They mentioned that they often wanted to establish food gardens but did not have access to agricultural water. Making use of municipal drinking water supply was too costly. Mention was also made that families did not have access to clean water with consequential ill-health suffered by them.

Reacting to these complaints, those groups were accused of thinking that the Reference Group was about water supply. Indeed, the facilitator went on to say that the 'CMA is not about water allocation as many thought'. Similar situation was found by Manzungu (2002) in a study conducted in Zimbabwe and South Africa where frequently disadvantaged stakeholders participating in multi-stakeholder platforms were accused of not understanding that Catchment Management processes are not about water supply but about water resource management. However, Manzungu consider it unavoidable. According to him:

> "The situation of these people makes it natural for them to want to talk about water supply rather than the abstract concept of water resource management. Indeed the continued participation of the rural people rests on their felt needs being addressed" (Manzungu, 2002:932).

Needless to say that disadvantaged people have expectations of an immediate higher quality of life, e.g., that they would receive water in areas where access to water still is a problem (Maharaj & Pietersen, 2004). As argued by Pegram & Bofilatos (2005), people tend to participate in water resources management processes, where they have something to gain or loose. Therefore, it is argued that until the rural poor have water allocations (or entitlements) and the means to support livelihoods, they are unlikely to broadly participate in CMA processes (Pegram & Bofilatos, 2005).

The quality of the water in the Berg WMA was of legitimate concern to the commercial agriculture sector. They recognized that there has been, and always will be, a progressive competition between municipalities and agriculture for water. Thus, they suggested that the CMA should therefore look at integrated solutions to manage the water resources to the benefit of all.

Having showed how people participated in the proposal development process, the following section deals with the dynamics of power relations within the Reference Group.

4.5 Stakeholder Power Relation

4.5.1 The dynamics of power relations in the Berg-CMA Reference Group

The Berg CMA Reference Group accommodated various actors that ranged from direct and indirect interested parties, potential water users, government officials, NGOs, experts, representatives of society at large with disparity of backgrounds and interests. As it was the case registered in other CMA establishment processes the negotiations in the Berg CMA Reference Group involved dealing with on the one hand traditionally recognized more powerful and knowledgeable water users such as Commercial Agriculture and very poor and marginalized on the other hand.

As a function of the above, power relations pervaded to some extent the relations between different categories of stakeholders represented in the Reference Group.

As found from other studies carried out elsewhere, power-distributing cleavages include gender, interest in water resources, political and economic clout, knowledge of the language of discourse, and personality (Kujinga & Manzungu, 2004). Space within the water institutions studied, those who wielded power used factors such as experience in water management, language, access to donors and being part of a racial group to negotiate power and in turn dominate water institutions (Kujinga & Manzungu, 2004).

Those power relations were paved by cases of dominance from some category of stakeholder, driven by differing knowledge of water resources management related issues and knowledge of the Reference Group working languages. Consequently the meetings tended to be dominated by those groups, because they had probably more experience in water management compared to the other stakeholders.

As a result of that power imbalance, just a few people and almost the same ones participated in the discussions. Moreover, taken from the number of interventions made by certain groups of stakeholders, it seems to us that some individuals, mainly whites, dominated the interventions in the Reference Group.

Lack of confidence led people to feel uncomfortable to stand up and address their concerns in the meetings. They thought that the entire group would accuse them of speaking nonsense. They would choose to discuss the issues outside of the meeting.

Break-away group sessions revealed other dynamics of power relations within the Reference Group. For example, it was observed that when it came to break-away in group sessions, stakeholders did chose to join people from the some sector or those who mostly identified with them.

Despite direct observation that led to the conclusion that few sectors hold supremacy, people interviewed were unanimous in considering that the degree of participation of the various groups is very well balanced.

The study concluded that powerful and knowledgeable stakeholders did not really mean to dominate or hijack the process. The crux of the argument is that although the various sectors do not interact sufficiently, the relationships between stakeholders are good and there is a general acceptance of understanding for the various issues affecting each of them. For those who feel threatened the relationship is cordial.

The process has however brought to light that besides the belief that because one sector has the ability to dominate, it would be incorrect to assume that they would act in a dominating role. Thus, power relations between different groups in the Berg CMA Reference Group seemed to be not conflictual. Reasons are given to the fact that the Berg WMA

> *"is not a rural area where you find radical and conservative farmers, who traditionally resist changes. Fortunately, the Berg WMA is comprised by farmers that fortunately are not radical and conservative. This played in favour of the Berg CMA process power relations".* A statement made by the Berg CMA facilitator.

However, it was observed that throughout the process those cleavages were decreasing as a result of initiatives undertaken in the Reference Group targeting the disadvantaged groups such as the Emerging Farmers, with the aim of capacitating and empowering them.

4.5.2 Stakeholder empowerment and capacity building initiatives

A number of problems, which complicate participation, were cited. Priority was given to the lack of knowledge within disadvantaged groups about the water issues in general. Consequently it was realized that carrying on empowerment initiatives that encompass among other things capacity building activities could

decrease some of the problems. The need to capacitate representatives from historically disadvantaged groups received special attention to ensure that their needs and input on water resource management were sufficiently addressed. Anderson (2005) in its study clearly stated that "if any form of catchment management is to succeed in South Africa, there must be a far wider acceptance of the need to properly empower people so that they can participate in a transparent decision making process.

Furthermore, capacity building was recognized as key for successful implementation of a participatory approach. According to allusion made in the Reference Group meetings, capacity building was required to ensure that stakeholders were able to effectively fulfil their tasks, functions and responsibilities. As put forward by the Reference Group members:

> A key element in the development of this process (establishment of the Berg CMA) lies in building capacity for its implementation and upgrading, to facilitate effective participatory management by both the authorities and stakeholders (Minutes of the 2nd meeting).

In general all sectors emphasized the importance of capacity building programs required across all sectors and the importance of exchanging information from representatives to their sectors. Therefore, Reference Group members in unison demanded for capacity building programs to empower them, and in turn came up with their capacity building requirements.

In face of the above, various strategies were proposed and used. As stated above some presentations were made by DWAF's technical staff and also by invited guests as part of the capacity building. Members of the Reference Group were exposed to various water resources management issues, resulting in a great deal of capacity building and empowerment.

Additional initiatives took place. These were aimed at further preparation of disadvantaged groups for participation in the work of the Reference Group. In fact, recognizing the weakness of these groups of stakeholders, DWAF and the

Consultant decided, since the 5th Reference Group meeting that before each Reference Group meeting the disadvantaged group would be brought to a sectoral meeting to discuss the issues listed for the next meeting and rise awareness about water resources management related issues..

During the referred workshops stakeholders were not only encouraged to start engaging with one another and share their experiences and interests, but also to start critically analyzing the issues in discussion. This "capacity building exercise" has to some degree assisted in formulating more constructive input to the reference group. Indeed, the knowledge acquired through this participation enhanced stakeholders' potential to participate in the Reference Group meetings.

Site visits and rotation of meeting venues were considered as a valuable capacity-building exercise for the group as well. This was a good example of a more creative space for natural interaction between stakeholders and was used by stakeholders with some effect (Anderson, 2005). This also put members in a position to learn more about the different regions in the WMA and to empower them on the extent and impact of developments on water resources management in the Berg Water Management Area. Therefore it was determined that each meeting should be combined with a site visit to a nearby water resources management scheme within the Berg WMA. Field trips included selected sites of environmental and/or socio-economic strategic importance. Rotation of venues allowed the communities of the meeting venues to be involved, what would not be possible in distant regions.

Stakeholder organizations and community groups within the WMA were also encouraged to invite the Consultant or DWAF to conduct workshops concerning the CMA Process and discuss their concerns. This was one method of how the Consultant and DWAF could reach out and build capacity in communities (Minutes of 3rd Reference Group meeting). Workshops were held periodically on aspects of water resource management targeting disadvantaged groups.

A wide range of water management issues were discussed at sector workshop level and it was truly believed that significant capacity building and empowerment was achieved by giving Reference Group members a broad exposure to water resources management issues in general. Participants agreed that their knowledge and capacity with regard to water resources issues and public participation had been greatly enhanced as a result of capacity building initiatives undertaken throughout the process.

Alongside of all these, as additional source of information, a Newsletter have been published concurrently every three months. This was meant to convey the message concerning water related issues in general and particularly about the ongoing Berg CMA establishment process to the broader community, so they could be informed of, and become involved in the process. Some of the issues addressed in the Newsletters included: aspects of National Water Act; information on the concept of water resource management; principles guiding the establishment of a CMA; background of the Berg CMA establishment process; components of the proposal; key water resource management issues identified by members of the Reference Group, etc.

The study revealed that the Newsletters were accessible to all reference group members but they were not for public consumption in general. Indications were that sectors did not have the capacity to reproduce them in order to make them available to the general public.

4.6 Summary of the Chapter

4.6.1 Establishment of the Berg CMA Reference Group

The identification of stakeholders that later composed the Berg CMA Reference Group placed particular emphasis on geographic and sectoral representivity of the BWMA, including racial and gender equilibrium. Aspects considered in the identification and nomination of the stakeholders to serve on the Reference Group, were namely: be a stakeholder, as defined by DWAF, and be available to attend the Reference Group meetings. Expertise and the value the stakeholder

could add to the process were other aspects considered for nomination of the already privileged groups.

4.6.2 Stakeholder Representation in the Berg CMA – Reference Group

The formation of the Berg CMA Reference Group involved the identification of sectors and the selection of persons who were assumed to be the representatives of all the stakeholders in the Berg WMA. In fact, as a result of the great efforts made to ensure appropriate stakeholders representation, the Berg CMA Reference Group seems to be well represented.

In the Berg CMA Reference Group, one of the more direct approaches to representation was through membership on the Reference Group. However, other strategies were used to allow participation of the majority of the public. On the one hand, membership of the Reference Group was never closed, so that it could allow for the integration of sectors and representatives that would eventually be identified in the course of the Reference Group activities. On the other hand, Reference Group meetings were not closed. This ensured that a large group of non-formal members were involved.

4.6.3 Stakeholder Participation

Participation in the Berg Reference Group was made through presentations, plenary and group discussions. As a matter of fact, the presentations that were being delivered by DWAF Officials, the invited guest and even by the Reference Group members, at every Reference Group meeting were meant to address technical questions related with water situation in South Africa with particular focus on the Berg WMA and to provide the background information relating to water management issues that the CMA should address as part of its functions.

This section showed that few people participated in the discussions undertaken in the Reference Group meetings. Reasons for no participation ranged from lack of knowledge to language problems on the part of disadvantaged groups.

4.6.4 Stakeholder Power Relation

This section shows that in the Berg CMA Reference Group power relation paved by cases of dominance from some category of stakeholder, driven by differing knowledge of water resources management related issues and knowledge of the Reference Group working languages pervaded to some extent the relations between different categories of stakeholders represented in the Reference Group.

In face of the above, various strategies were proposed and used in the Reference Group, resulting in a great deal of capacity building and empowerment of the disadvantaged groups represented in the Reference Group.

CHAPTER FIVE: CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This Chapter is devoted to present the conclusions of the study conducted in the Berg Water Management Area in respect to the participatory process undertaken on the establishment of the Berg CMA.

The conclusions are drawn accordingly to the findings of the study, which sought to attain the following specific objectives:

- To examine how stakeholders analysis and identification was handled
- To examine the structure of stakeholders representation.
- To assess the degree of participation of the disadvantaged groups in the activities of the Reference Group
- To investigate the dynamics of power relations between different stakeholder groups within the Reference Group

Thus, the following sections bring to light the conclusion of the study with regards to each one of the objectives listed above. As a general point it can be concluded that there was some degree of participation from the disadvantaged stakeholders in the establishment of the Berg CMA.

5.2 Stakeholders Analysis and Identification

The process of stakeholders' identification in the BWMA for the purpose of establishing the Berg CMA was conducted in a highly consultative and integrative manner. Thus, the study concluded that the stakeholder analysis that led to the identification of the Reference Group members was to certain extent strong since it was fixated on organizations that represent all water users and interested parties existing in the Berg Water Management Area.

5.3 Stakeholder Representation in the Berg CMA- Reference Group

The people tasked to manage public participation in the establishment of the Berg CMA and the members of the Reference Group on their own demonstrated commitment towards ensuring full representation of all diversities existing in the BWMA. However, despite a clear gender objective propagated throughout the awareness campaigns and the efforts made within the Reference Group, female representatives remained low in number, therefore the women's voice in the Berg CMA Reference Group was rarely heard.

This study concluded that public initiatives are difficult to be inclusive since there is always some people who, voluntarily or not, are left behind. However, it is my view that blame for this can not be laid upon the neither the Consultant nor DWAF since it seemed that the process was very inclusive thanks to the level of awareness campaign carried through the WMA.

5.3 Participation in the Berg-CMA Reference Group

As a general point it can be concluded that there was some degree of participation from the disadvantaged stakeholders in the establishment of the Berg CMA, despite the fact that stakeholder participation was constrained by lack of knowledge about water management issues in some groups, which in turn worked negatively and made it difficult for them to participate meaningfully. Along side of this, the use of English language as a medium of communication has further alienated the people from the process.

This study has demonstrated that disadvantaged groups, particularly women can only participate in decision-making processes if they have appropriate information upon which to make informed decisions, but they are often ill informed about issues that affect their lives directly. Therefore, one of the issues, which came up in this study, is how empowerment and capacity building initiatives can benefit the traditionally disadvantaged groups. While collective knowledge was gained about water resources through the presentations addressed

in the Reference Group meetings, the strategies applied of bringing people to one-to-one pre-meetings seemed to be useful for the disadvantaged groups.

5.4 Power Relations in the Berg-CMA Reference Group

The study concluded that despite the fact that the meetings of the Reference Group tended to be dominated by a few vocal members, mainly those already empowered, the status quo were determined by the greater degree of disparities in terms of expertise and existing differing backgrounds between different groups of stakeholders. Temptation of supremacy from the so-called privileged groups was not seen.

5.6 Recommendations

- There is a need to start capacity building early targeting the disadvantaged especially female representatives so that they can acquire knowledge about water management related issues.

- The involvement of women will need to be particularly addressed in the capacity building programmes of the CMA. Without such a measure, outcomes would be difficult to achieve.

  To promote gender equality in participation, it is necessary to make clear that it is the responsibility of the facilitator to listen carefully to all participants and to make others listen too. It is also his or her responsibility to ensure contributions are valued and participants' self esteem rose.

- Groups must be representative and inclusive of every sector represented in the Reference Group. As they get to hear each other's needs and concerns, and helps to build better understanding and trust. Letting people choose group according to the topic of their choice according to language preference or sectoral affinities, would not be beneficial.

- The breakaway groups do need clearly identified facilitators from DWAF that would be able to guide the stakeholders through a process and reach an outcome. This is essentially important in terms of ensuring that disadvantaged groups get "pulled" into the discussions. The facilitators would also help to guide and ensure that stakeholders get straight to the issues and helps them not get waylaid.

- More time should be allocated for discussion and deliberations. This can be solved with better facilitation. Of course, with better facilitation in the break-away sessions things could be smoother and less time consuming.

- It is indeed essential for the sake of the process that local government participates in the Reference Group meetings since they play a key role in the provision of water resources to the communities. The active involvement of local authorities in the Reference Group meetings is important because these represent a significant proportion of consumers who use water for productive, industrial and other purposes within local authority areas.

The importance of early participation/capacity building initiatives cannot be over emphasised, as in the long run it makes better sense to engage disadvantaged communities early in the beginning of the process.

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ANNEXURE 2

INTERVIEW QUESTIONS: ***Reference Group Members***

1. **Stakeholder identification process**
   - How was your sector identified?
   - Who decided that you should represent your organization?

2. **Stakeholders representation**
   - Have you been relating with your constituencies? If yes, how do you do it? Meetings? Any other methods? If not, why?
   - Do you find any constraint to relate with them?
   - Have you been getting the concerns of the people you represent? Have your been reporting back to them? If not, why?

3. **Stakeholders' Degree of Participation in the Reference Group**
   - How do you evaluate the level of involvement/participation of different stakeholders in terms of sectors, gender and race in the RG discussions? Can you elaborate?
   - Do you think that everybody can follow the discussions? If not, why?
   - In your personal opinion is there any constrain for participation? If yes, what are they?
   - Do you think everybody understand and speak Afrikaans or English? For those who don't understand any of them, what have been done?

4. **Stakeholders' Power relations**
   - Is there any reticence, dominance, hostility, cooperation etc. between the sectors represented in the Reference Group? If any, please elaborate.
   - Are people (particularly women) free to express their concerns?
   - To what extent have the outcomes been acceptable by the stakeholders?
   - To what extent the Consultant and DWAF's' opinions can influence decisions? Does it happen?
   - How do you describe the relationship between male and female representatives?

5. **Stakeholders empowerment**
   - Have you benefited from any capacity building programme? How many times? What was it about? Any specific targets for gender empowerment?
   - Who decided to conduct these workshops? Have your sector ever invited the Consultant or DWAF to conduct any workshop concerning the CMA Process? Did it happen?
   - Do you think that the presentations that have been made in the RG are useful in terms of capacity building? And the site visits how they impact on you?
   - Have you been receiving the Newsletters about the ongoing BCMA establishment process? If yes, are they useful? Are they accessible for the people you represent?

ANNEXURE 3

INTERVIEW QUESTIONS: *Constituencies*

1 Stakeholder identification process

- Do you know about the existence of the Reference Group forum?
- Were you involved in choosing your representatives for the Reference Group?
- How did you selected them (elections? appointment?)
- Have all the stakeholders accepted the representatives proposed? If not, what did you do about this?
- Are they any women represented in your organization? If yes, are any of them selected to be your representative in the Reference Group? If not, why?

2 Stakeholders representation

- Have you been consulted on regarding with the RG issues?
- Have your representatives reporting back the meetings' outcomes?
- Do you feel that your interests are effectively represented by your representative?
    - Do you clearly see the impact of your contributions in the final outcome?
    - Do you fill that you are well represented?

3 Stakeholders empowerment

- Have you been receiving the Newsletters about the ongoing BCMA establishment process?
- If yes, how do they impact in your knowledge about the CMA process?

ANNEXURE 4

INTERVIEW QUESTIONS: ***DWAF & the Consultant***

1. **Stakeholder identification process**
   - Can you describe how the process was undertaken?
   - In your own view, do you think that all the relevant stakeholders were included within the Reference Group?
   - Do you think that the stakeholders identified represent gender and racial diversity existing in the Berg WMA?
   - Did you approach the constituencies to assert whether the said representatives were indicated by them?

2. **Stakeholders' Degree of Participation in the Reference Group**
   - How do you evaluate the level of involvement/participation of different sectors and races in the Reference Group discussions?
   - How language influences participation?
   - What do you view as the main constraints of participation?

3. **Stakeholders' Power relations**
   - From your observations, how do stakeholders respond to each other's participation? Is there any reticence, dominance, hostility, cooperation etc? If any, please elaborate.
   - Do the poor people, particularly women, have a voice in the Reference Group?

4. **Stakeholders representation**
   - Have the Reference Group outcomes and decisions been communicated to the general public? If yes, how?
   - How would you describe the Reference Group's achievements in terms of representation of men and women's interest in the RG?

5. **Stakeholders empowerment**
   - What mechanisms are in place to empower disadvantaged/disempowered groups?
   - There is any specific target for gender empowerment?

6. **Meetings Attendance**
   - Did you follow-up on the absence of participation of the municipalities. If yes, what were the reasons?