

CO-MANAGING THE COMMONS IN THE ‘NEW’ SOUTH AFRICA: ROOM FOR MANOEUVRE?

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Abstract

Co-managing the commons within the new governance structures of South Africa has the potential to promote participatory democracy and improve natural resource management. Inequitable access to and use of natural resources characterised apartheid-era policies and practices. In line with post-1990 democratisation processes, public involvement, participation, community-based initiatives and co-management have been promoted as key aspects of natural resource management policies. Power sharing, empowerment, organisational capacity building and improved natural resource management are some of the key principles of co-management within the South African context. This paper will explore the applicability of the co-management concept to the enhancement of rural livelihoods in South Africa with specific reference to the conservation sector, and coastal and marine resources policy and implementation processes. Co-management initiatives in the fisheries and conservation sectors in South Africa have failed to incorporate many co-management principles, such as joint decision-making and benefit distribution. Instead, co-management has been transformed from a community-based management approach to a more top-down, corporatist approach. The visibility of market liberalisation and privatisation trends in South African natural resource policies reflects the dominance of such thinking in broader macro-economic policies. Thus, the embeddedness of local initiatives within the broader South African political economy explains why co-management, in its present form, provides little respite for the rural poor. In reality, the ‘action space’ created by natural resource management policies for community-based natural resource management, is not being claimed by rural communities. A re-definition of co-management, which addresses the realities of the fractured rural communities of South Africa within a liberalised political economy, is required to develop natural resource management systems that address the injustices of the past. Furthermore, co-management concepts should be re-worked to assist in the ‘de-marginalisation’ of rural communities in South Africa.

1. Background

In South Africa, the action space for community-based natural resource management is largely created by post-apartheid shifts in natural resource policies and programmes. Natural resource management in South Africa should seek to redress the environmental legacy of the colonial and apartheid-eras. The South African government not only faces a legacy of mistrust, dispossession, and forced removals, but it also has to restructure the land distribution regimes that entrenched white ownership and control over natural resources. The feasibility of common property regimes needs to be evaluated as an avenue for addressing the skewed land ownership patterns of the past (Bromley, 1995). ‘Communal’ tenure in South Africa occurs on 12.25% of South Africa’s land surface and it is expected that the national land reform process will increase the proportion of land under ‘communal’ tenure (Shackleton, von Malitz and Evans, 1998). It is thus critical that

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investigations into both the viability of group ownership and also the management of natural resources, are undertaken.

The development of partnerships between local resource users and other stakeholders, broadly termed co-management, has been a key trend in natural resource management initiatives in South Africa and the rest of the region (Christoffersen, 1997; IUCN, 1999). Limited state capacity to implement conservation and natural resource management policies effectively, and the incapacity of local institutions to enforce rules, distribute benefits equitably and manage natural resources sustainably, have all contributed to the evolution, development and promotion of partnerships in natural resource management (Lawry, 1990). Co-management arrangements essentially involve the sharing of power and responsibility between user groups and other groups (McCay, 1998). Though there are many definitions of the term, co-management is generally regarded as a middle-range management option between state and community management (Jentoft, 1989) that *covers various partnership arrangements and degrees of power-sharing and integration of local and centralised management systems* (Pomeroy and Berkes, 1997: 466). Key distinctions therefore relate to the degree of local participation in decision making or the extent of devolution to the local level. Co-management arrangements are therefore situated along a continuum, from philanthropy and coerced relationships to organic partnerships (Katerere, 1999).

One of the key benefits put forward by the proponents of co-management is its ability to move beyond the limitations of either state, private or community management. For example, limited enforcement capacity of community-based institutions, and limited state understanding of local conditions – shortcomings that seriously undermine both state and local-level environmental management – could be addressed by combining the knowledges and strengths of various partners. Co-management is said to produce a further benefit of transcending strictly defined property rights (state, private, communal) and combining them in imaginative ways to build productive, mutually beneficial relationships (Baland and Platteau, 1996).

This paper will assess the impact of co-management in constituting viable and meaningful community-based resource management systems in rural South Africa. The distribution of material poverty in South Africa has a strong rural dimension. 70% of the poor live in rural areas and have limited access to basic services, such as water and sanitation (May, 1998). Natural resource use and harvesting also contribute substantially to the livelihoods of people in the communal areas of South Africa (Shackleton, Shackleton and Cousins, 2000). It is thus important to explore the potential of natural resource management strategies, such as co-management, to build common property regimes in the new South Africa. The findings of exploratory research conducted in two rural communities, co-management of a conservation area in the Richtersveld National Park and of fisheries in Elands Bay, will be presented to assess the potential of co-management in addressing the stark inequalities that face rural people in the ‘new’ South Africa.

2. Natural resources and the emergence of co-management in the ‘new’ South Africa: An overview

Current natural resource issues in the rural economy of South Africa need to be examined in the context of the political and economic policies that have been in force - particularly with respect to agriculture, forestry, water resources and conservation - during the past century, as well as the unique opportunity of structural reforms in rural areas brought about by the achievement of a democratic society in 1994.

(van Zyl, McKenzie and Kirsten, 1996: 237)

In South Africa, a long history of dispossession in the name of conservation, authoritarian conservation practices and a total disregard for meeting the basic needs of the majority of the

population, fuelled a negative perception of the environment (Khan, 1990; Cock, 1991). The environmental legacy of apartheid therefore poses one of the greatest challenges to policy reform processes. Understanding the full extent of the effects of institutionalised racism on the people and environments of South Africa, particularly in rural areas, will need to be a prerequisite for meaningful environmental reform measures.

The land legislation of the early 20th century placed 87% of the land in the hands of the white minority. Homelands and rural reserves, 13% of the 1.25 million km² national territory, were established to house the majority of South Africa's population under some form of communal tenure. A process of not only political but also ecological disenfranchisement of black communities ensued (Durning, 1990). Many of the ecological ills in the communal areas, attributed to poor management of natural resources, are therefore rooted in the context of the political and socio-economic policies that were enforced in all resource sectors. For example, the protectionist policies of the apartheid-era, such as market assistance and subsidies for commercial agriculture, bolstered the 'success' of white commercial farmers. The seemingly successful freehold white commercial farmer was said to be *the least independent – and the least market-oriented – of all the entrepreneurs* (Bromley, 1995: 10) of the apartheid state. The dominance of individual or private property rights is therefore an 'artefact of apartheid' that should be seen within the context of the apartheid project.

The period prior to the first democratic elections in 1994 witnessed the growth of an environmental movement that attempted to link environmental and social justice considerations. This people-centred approach to environmental issues formed part of wider democratisation processes in the country. The formulation of post-apartheid natural resource policies thus incorporates principles of democracy, such as public participation in the decision making processes. Both the substantive and procedural rights of the 'new' South Africa promote principles of local participation, accountability and transparency in natural resource management. The South African constitution, in its Bill of Rights, includes an environmental rights clause. In addition to adopting sustainability as an important policy principle, recent legislation has given effect to decentralised natural resource management by proposing the formation of community-based institutions for managing resources, such as catchment management agencies (National Water Act 1998, Number 38 of 1998). Promoting local governance has therefore been pivotal to the policy reform of natural resource management in South Africa.

A commitment to public participation as a key process in the formulation and implementation of environmental policies in the 'new' South Africa, colours natural resource policies. For example, in its formulation of a national environmental policy, the Department of Environmental Affairs and Tourism embarked on an extensive public participation process, known as the Consultative National Environmental Policy Process. A similar trend has been the promotion of co-management or partnership models. These have featured strongly in natural resources policy development processes and legislation. Resource sectors such as agriculture, forestry and water expressly promote the building of partnerships to facilitate the implementation of national policies. Farm equity share schemes, joint forest management and the local government-private sector partnerships in water provision are examples of these partnership models. The contribution of co-management to the sustainable use and management of natural resources has also featured prominently in recent discussions on natural resource management in South Africa (IUCN, 1999; DEA&T, 1999). These discussions revealed the growing importance of partnerships, particularly with the private sector, in community-based natural resource management in South Africa.

Natural resource policies in South Africa are therefore generally supportive of community-based natural resource management, but are hampered by three key issues. Firstly, policies are fragmented across departments and secondly, there is a gap between policy objectives and implementation. A third issue relates to resource tenure and the failure of government so far to reform the confused and dysfunctional land tenure and administration systems it inherited in the

former 'homelands'. There is a need for policy guidelines to ensure that the action spaces created by policy are taken up by rural communities. We concur with Njobe, Nomtshongwana and Stowell (1999: 34) who state that in practice, *partnerships are being forged and mechanisms to ensure the sustainability of these partnerships will need to be put in place*. We need to assess whether these partnerships incorporate key principles of co-management, such as power sharing, empowerment, organisational capacity building and improved natural resource management.

Co-management in South Africa

The rationale for the co-management approach in South Africa was strongly entrenched in the Reconstruction and Development Programme (RDP)² that focused on three areas of participation/empowerment, economic and institutional transformation towards equity and stability. Hence, the RDP was a collaborative participatory democracy process at local community level between government and user-groups in decision-making arrangements in natural resource management. However, with the adoption of the Growth, Employment and Redistribution strategy (GEAR) the RDP strategy has become increasingly governmentalised and expert-led (Stewart, 1997). Even more important is the focus on growth and entrepreneurship, leading the attention away from community-based initiatives and management strategies.

Nevertheless, the short tradition of co-management in South Africa is characterised by two trends, as we find in Europe and the United States as well. In the one situation, co-management is based on a localised coherent community having responsibility for "their" resources, either in co-operation with central state agencies or by having delegated responsibilities. In the second situation, we find the co-operative tradition, where government is co-operating with functional groups, representing the fishers, the processors etc. While the first tradition is heavily inspired by the successful CAMPFIRE (Communal Areas Management Programme For Indigenous Resources) resource management programme that focuses primarily on wildlife, the second stream is more like the old system in marine fisheries, with the important qualification that only the established white companies participated! In both cases we are discussing user group participation, but in the first instance it is based on territory while in the second it is based on function.

What then is the difference between user group participation and co-management? Here it is important to note that co-management as a concept originated from the social science camp as an alternative to the previous unsuccessful top-down management tradition based on government control. It was equally important to come up with an alternative to the privatisation of resources, in the fisheries most often in terms of Individual Transferable Quotas (ITQs). While Jentoft (1989; 1994) as one of the earliest writers on co-management, was eager to specify the concept, later writers have included nearly everything as co-management. They have thereby diluted the concept, making it less useful as a research tool and a management model. According to Jentoft (1989; 1994) co-management had to include a considerable part of responsibility on behalf of the users, not only token consultations. Furthermore co-management requires a formal set-up delineating the responsibilities and management tasks. Later on the specifications have been less precise. According to Sagdahl (1992), the concept of co-management is widely used but poorly defined.

Berkes, George and Preston (1991:12) suggest that co-management is 'the sharing of power and responsibility between the government and local resource users'. Berkes (1994) then developed the 'ladder of participation', trying to cover the whole range of user group participation. Although the two extremes on this ladder are rather uninteresting (no modern marine fisheries can be based

² The RDP is the vision document of the African National Congress that was subsequently formulated as a government policy guideline document.

on 100% government influence or 100 % local influence), the alternatives given in the middle indicate that there are different types of user group participation. Furthermore, the five basic models of Symes (1997) are also based on the same principle from extreme centralisation of policy making and management functions, to the complete devolution of those functions, to an autonomous, independent, non-governmental organisation. What is more common in democratic countries, is the creation of an 'in between' arena (within the two extremes on the continuum) where user-groups can interact (Hersoug and Ranes, 1996). When examining the definitions of co-management, the key concept relates to power sharing between the state and stakeholders. Hence, fishers', stakeholders' or user-groups' degrees of interests, influence and participation will vary according to the local community and regional conditions. Consequently, there is no patent co-management model, which can be applied to South Africa's 'marginalised' communities. The models have to be developed, specifically according to the type of resource, type of community and the level of capacity to administer this arrangement.

At this stage it may be worthwhile to distinguish between management in general and the more specific task of resource management. In fisheries, management may comprise a large number of tasks including structure, the building of infrastructure, credit, education and training, all important aspects for the fishers where they might like to influence government decisions (Hersoug and Rånes, 1996). Resource management on the other hand should be confined to the fixing of outtake or resource utilisation and distribution. Much of the unfortunate confusion of the co-management debate is due to a mixing of the concepts (Holm, Hersoug and Rånes, 2000). The fact that fishermen are able to share in the controlling of fishing or the allocation of space, does not necessarily prove that they are able to handle the much more intricate question of how much should be fished and how it should be distributed. In order to define resource management at least three minimal requirements have to be considered:

- There has to be an intention of resource management, not unintended effects of measures undertaken for other reasons.
- There has to be some kind of theory linking the resource utilisation to the future state of the resource (this may be formal or more casual, but the idea is important).
- The management measures have to be enforced in practice (not only on paper).

If these requirements are fulfilled we can talk about resource management. If resource management is to function as co-management, we must in addition require that the local users have a significant say in all major decisions regarding the outtake. Defined as strongly as this, there are not many examples of resource co-management in South Africa today. In the remainder of this paper, two co-management initiatives attempted in the conservation and fisheries sectors will be assessed. We will seek to increase our understanding of co-management initiatives, such as the Richtersveld National Park and Elands Bay cases, by evaluating their potential to create viable community-based resource management regimes.

3. A typical fishing community - the case of Elands Bay

What type of community is Elands Bay? According to Hasler (1998:17) *despite the injustices and inequities of apartheid, the Elands Bay model is an example of community based co-management*. However, fieldwork in this area clearly indicates that since the new democracy, local processes in Elands Bay are working against community based natural resource management, and are embracing private entrepreneurship. In many respects the community is a typical fishing company town. The original settlement was based on farming, while the current village is based on the work available through the two original rock lobster factories. More recently, the community has expanded even further through the tourist business, based on city dwellers coming for weekends and holidays. Today Elands Bay has a population of approximately 1,500 inhabitants, of whom 900 are black, 500 'coloured' and 100 whites. The political affiliation, due to the large black

population, results in 80% African National Congress (ANC) and 20% New National Party (NNP), while it is claimed that the Democratic Party (DP) is rising in popularity, taking over more of the previous NNP supporters.

The species involved in the local fisheries include rock lobster, line fish (jakop piewe, hottentot, harder, snoek and white mussel), and to a lesser extent pelagic species like sardine and anchovy and finally hake, fished by long liners. The major form of income includes working at the crayfish factory as packers and fishermen, where some are permanently employed whilst the rest are seasonal workers. Other forms of income include working on the potato and wine farms outside Elands Bay in the Piketberg district, and to a lesser extent construction work. The female population work on the potato farms or as packers in the fishing factories in the area. The salaries in the community range from US\$ 18 per week at the potato farm to US\$ 0.69 per hour as a packer in the crayfish factory, which is seasonal, while permanent workers in the factory range from US\$ 5 to US\$ 8 per day. The fishermen linked to the factories receive US\$ 0.77 to US\$ 0.89 per kg and this is more or less the price offered by the new entrants in the fishing industry as well.

Just like other fishing communities of the Western Cape, Elands Bay is characterised by a high percentage of alcohol and drug abuse, chronic unemployment and physical abuse of women. Other problems include a high rate of tuberculosis and rapid increase in cases of AIDS. The community is still based on an apartheid style stratification regarding living conditions, infrastructure, economy, housing, and education level. The types of dwellings range from spacious dwellings in the 'white' segment, while you find modest brick houses in the 'coloured' segment and rudimentary, two-roomed government housing and shacks in the informal squatter settlement or in the backyards, in the 'black' segment of the community. Integration between the race groups is minimal to non-existent, mainly limited to the work place. Although the village is located only 300 km from Cape Town, it is rather isolated. A trip to Cape Town may cost up to US\$ 77, as no regular bus service is available. Even a connection to the nearest town, 100 km away, is quite an expedition, requiring private transport on a gruelling gravel road. Except for the whites, most others are stuck in Elands Bay!

Wheeling and dealing – the reallocation process on local level

The application process for fishing quotas is highly competitive. For West Coast Rock Lobster (WCRL) alone, more than 900 applications were made and only 203 were successful. Only one out of every eight new entrants that applied was successful. The rock lobster resource is more than fully utilised, which means that reallocation implies taking away quotas from old, established companies and giving out to new entrants from previously disadvantaged communities. This results in a highly competitive arena, with only a few winners and many losers producing slander and accusations about corruption and quite frequently, accusations that successful applicants are "paper quota owners", only concerned with personal enrichment. The main concern that preoccupies the fishing community of Elands Bay is the acquisition of quotas and not the management of the resource. This has led to an increase in individual strategies in order to acquire quotas, primarily by establishing closed corporations or private companies, thereby reducing the collective concern and the culture of group action within the community (see Figure 1). Even when people create a fisherman's 'co-operative', the number of participants is limited and tends to follow colour lines.

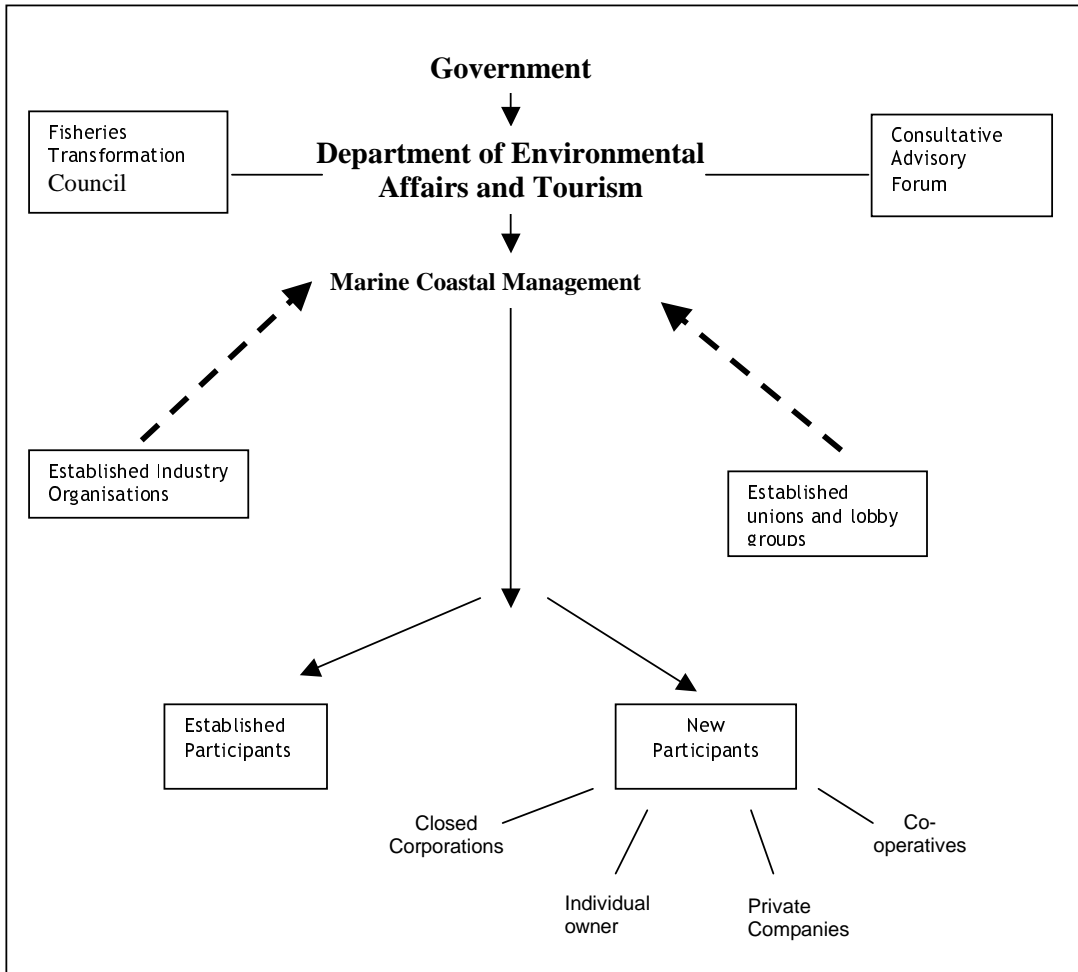


Figure 1: Institutional structure of the South African fisheries

In Elands Bay the competitive players can be classified as the established ‘white’ industry, new entrepreneurial ‘coloureds’, new entrepreneurial ‘blacks’ and the large group of unsuccessful players. The racial segregation in the community leads to racially-based competition and conflict between the various players for the high value rock lobster industry (export price per kg ranges from US\$ 18-20). Elands Bay has two major ‘white owned’ companies (Elandia Visserye Pty. Ltd and Elands Bay Handelsmaatskappy Pty. Ltd) that manage 65 % of the total quotas of the town whilst the 35 % of the total quota are allocated to the new entrants who come from the previously disadvantaged groups (see Table 1). This does not mean that co-operation between them is non-existent. On the one hand we find the new entrants with quotas, but seldom with boats, processing facilities or marketing competence. On the other hand we find established owners and processors eager to utilise their full capacity. The result is, so far, different types of arrangements, whereby the old processors are hired to do fishing, processing or marketing (see Figure 2). If all stages are included we have what in practical terms is labelled a paper quota transaction, whereby the new applicant is just hiring out his fishing right for a rather handsome net profit, without any risk involved. However, according to the rules this cannot be done for more than two years, within which the new entrant will have to acquire some form of equity or run the risk of losing the quota.

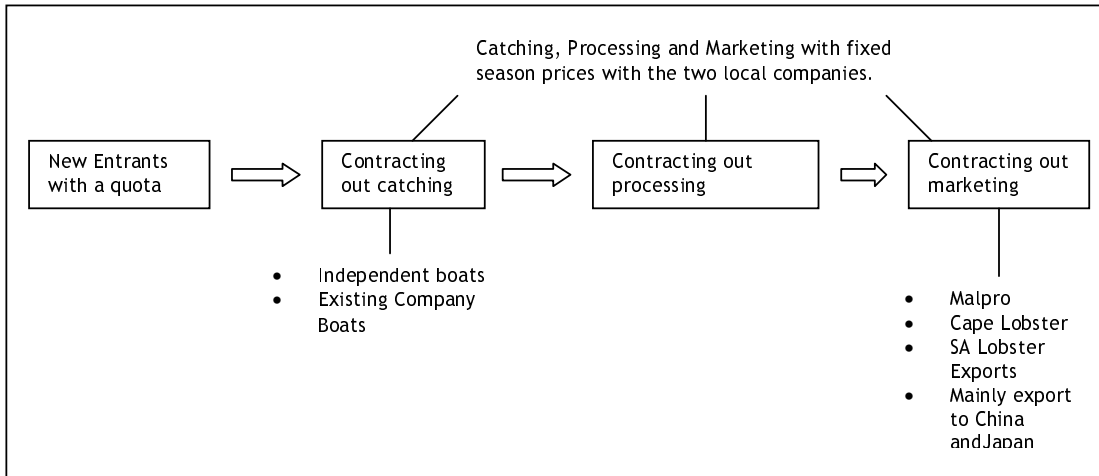


Figure 2: Organisation of New Entrants in the West Coast Rock Lobster Industry in Elands Bay

	Name	Status	Race	95/96	96/97	97/98	98/99	99/00
1	Alpha Visserye Pty .Ltd	New Entrant	Coloured		5,000	7,000	5,857	5,000
2	Bafiaanberg Pty.Ltd	New Entrant	Coloured					5,000
3	Bobbejaanberg Visserye CC	New Entrant	Black		5,000	7,000	5,857	5,857
4	Deseeda Seeproducte Pty. Ltd	Established Industry	White	7,053	7,277	7,277	6,089	6,089
5	Elandia Visserye Pty.Ltd	Established Industry	White	36,544	37,709	37,709	31,551	31,551
6	Elands Bay Handelsmaatskappy Pty. Ltd	Established Industry	White	55,176	56,933	56,933	47,635	43,348
7	Ithuba Fisheries CC	New Entrant	Black		5,000	7,000	5,857	5,857
8	Malgas Visserye CC	New Entrant	Coloured					5,000
9	SACFC (Co-operative)	New Entrant	Coloured					1,400
10	Thandani Fisheries CC	New Entrant	Black					5,000
	Total Amount in Elands Bay			98,773	116,919	122,919	102,846	114,102
	Total Amount WCRL			1,500,000	1,700,000	1,913,500	1,601,000	1,613,477

Table 1: Elands Bay's Quota allocation from 95/96 to 99/00 measured in kg.

The interesting question now is to what extent the new entrants will succeed in establishing new ventures, thereby creating more employment than before and creating a wider distribution of the benefits.

In Elands Bay the history so far is mixed. On the one side are the new entrants, for example Bobbejaansberg Closed Corporation (CC) and Ithuba Fisheries CC with limited knowledge of the industry. They often lack the skills in planning, organising, filling in of quota applications, limited to no knowledge of the harvesting, processing and market value of the rock lobster. Hence, there is a strong dependence on lawyers to assist not only in the running of the organisation but also in the application process. Questionable joint venture agreements are also being constructed with the local established company with the intention to maintain both their quota allocations. Furthermore, allegations are going around in the community that some of the new entrants are using the profits to invest in other sectors (bars and taxis) rather than investing directly in the fishing industry (see Figure 3). However, on the other side, Bafiaansberg Pty. Ltd and a co-operative affiliated to the South African Commercial Fisherman's Corporation, which has a keen interest to make a difference, are more serious with their quota allocation. They have invested in

boats, rock lobster traps and vehicles with the intention to harvest their own quota. They also have clear objectives relating to processing and marketing of their own quota in the future.

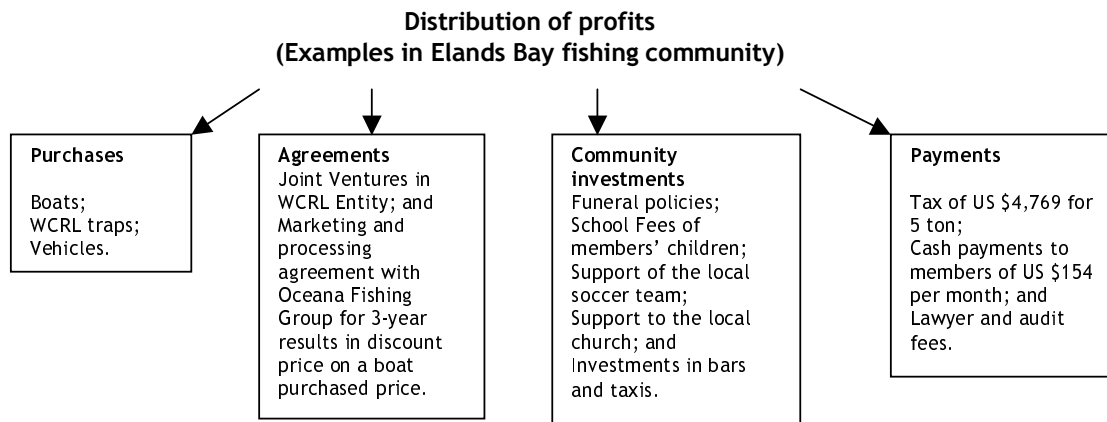


Figure 3: Distribution of profits (Examples in Elands Bay fishing town)

Worst off are the new applicants who invested heavily in support in order to write the application. With lawyers charging US \$769 per application plus a percentage of the value of the quota if successful, the unsuccessful are saddled with large debts, which they cannot pay for years to come with their meagre incomes. So far most inhabitants are unhappy, either because they have not received any quota at all, or they have received a smaller share than anticipated, or they have received less money from their share than anticipated. This is nothing exceptional, taking the sky-high expectations into consideration. The confusion has created room for the organisational entrepreneur, a creature that is becoming increasingly visible on the national scene as well. In the fishing industry the 'organisational entrepreneur' can be defined as someone who uses new opportunities to create a formal or informal organisation within which others can participate actively or non-actively (Oliver and Marwell 1992:268-269). The organisational entrepreneur can also be compared to the local elites and gatekeepers who prevent information from filtering down to the rest of the community or, in this case, fishers. They often have the role of leaders; they are the ones who take the initiative to organise the fishermen, all with the aim of applying for quotas. In Elands Bay 'organisational entrepreneurs' consist of the more advantaged and resourceful persons. Hence, their characteristics, skills and strategies include:

- Management, entrepreneurial experience, computer courses;
- Leadership skills;
- Networking with the dominant political party (ANC);
- Utilise the media to highlight problems in the fishing community
- Utilise the services of lawyers and attorneys to complete the permit/quota application;
- Good communication skills;
- An ability to organise and gain the trust of the fishermen; and
- Own other businesses and are expanding into this industry.

It is evident that these entrepreneurs have the power, skills and much stronger financial assets so that they can take advantage of the enabling environment that the government created, at the expense of the poor and the illiterate. But the situation is more complicated than portrayed in the usual rhetoric, whereby the real fishermen are left out while the new entrepreneurs have grabbed the quotas and the money. In Elands Bay the owners of the new companies do not themselves participate in the actual fishing, nor in the processing.

In any case, the community members are not at all concerned with the actual management of the industry or the resource. They are concerned with the allocation of quotas as ways to get rich quick. Neither is the state, represented by the Directorate: Marine and Coastal Management (MCM), particularly interested in sharing any responsibility. MCM fixes the quota, the Minister decides the distribution (based on advice from MCM), technical regulations are fixed by MCM, and control and surveillance is performed by MCM. Hence, fishers are only responding to top-down initiatives from the government agency. As yet there are absolutely no signs of co-management, even interpreted in its weakest forms as indicated in the diagram below (Figure 4). Furthermore, there is a lack of understanding on the side of the state about the internal heterogeneity, the economic differentiation, the socio-political factionalism and the power structures, not only in the community of Elands Bay but in most rural communities in South Africa.

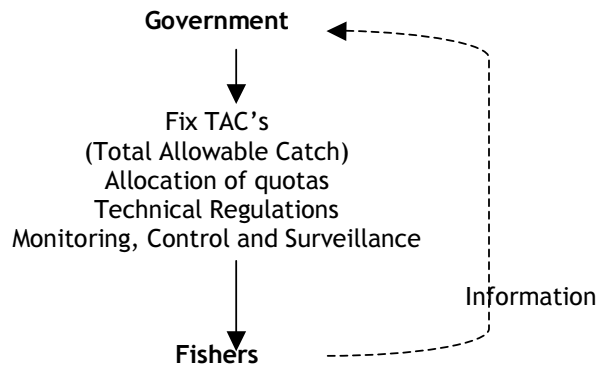


Figure 4: Present system of fisheries ‘co-management’ in South Africa

Ideals and realities – what can be learned from the case of Elands Bay?

The ‘ideal’ community in Elands Bay does not exist. Instead, private entrepreneurship is playing a strong role. Certain groups and individuals who form part of the local elites monopolise power structures, quotas and development at the local level by a process of excluding and preventing the real ‘marginalised’ individuals and groups from actively participating in the local initiatives. On the other hand, given the political position of the state and its commitment to address the needs of the disadvantaged communities (which certainly includes fishing communities), the prospect of a genuine redistribution process does seem positive. Besides on many occasions the South African government has promoted the goal of co-management. So far there are very few viable projects in practice and one reason is clearly that the actors are poorly organised. Hence, some support for organisational initiatives seems to be a prerequisite for a more realistic approach to the co-management question. Whether fishers are going to be organised on the basis of territory or function will have to be decided on a case-by-case basis. For certain species territory will be appropriate while for others (like hake long-lining) functional groups are probably more convenient. If, assistance to community fishing organisations is a priority, then maybe the time has come for co-management! However, before implementing a co-management arrangement in poor fishing communities that in most cases seem to be the ideal setting, certain prerequisites need to be met:

- ❖ A relatively large number of new entrants have been brought into the industry with small quotas per entrant (approximately 25 % of the important hake quota and 31% of the WCRL quota). However, the large companies are still dominating, although the trend is definitely working in the direction of a more **diversified ownership**. But it depends entirely on how the new entrants are organising their quotas and the support structures available to them. At present we have a number of “paper quota owners”, people who

have been allocated a small quota and then either sell or lease it to established operators for cash. That is to be expected, since two years to acquire equity is too brief if one does not have any other access to capital than the value of the quota(s). A possible solution would be a dramatic intervention by government in the transformation process that focuses on the allocation of certain marine resources, for example WCRL, abalone, hake long lining and white mussels, to particular fishing communities. Currently, there are no particular reasons (except historical) for large companies to be in WCRL. The catching is based on simple technology and so is the processing. Selling on advanced export markets can still be handled by the specialised marketing organisations. On the other hand, hake trawling is highly capital intensive and so is part of the processing (freezing), making this sub sector less viable for new entrants. However, there is a need for a strategic transformation plan with clear and specific goals that strike a compromise, between equity (through reallocation) and stability (regarding employment and foreign exchange).

- ❖ Lacking entrepreneurial skills, new rights holders are easy prey for more experienced players. There is an urgent need to establish **training**, especially in entrepreneurial skills. If the policy is to level the playing field, training is a responsibility also for MCM, eventually in 'co-operation' with NGOs and other interested participants. Training should be a requirement for all successful new applicants. The established industry should be made to share in this responsibility, with clear training goals attached.
- ❖ Many of the new operators do not have any access to credit (other than the value of the quota when sold). It goes without saying that investment in boats, processing or marketing facilities is difficult based just on own earnings. Maybe South Africa already has the necessary institutions to establish **credit facilities** but they are certainly not present in the fishing communities. Hence government intervention is needed to support new entrants in becoming more competitive and visible in the industry.
- ❖ One way of promoting co-management is the introduction of a **resource fee** for leasing the fishing right. A resource fee is a means by which society can benefit from giving the fishing industry the privilege of using a national resource. Not everyone can receive a quota as most of the marine resources in South Africa are at maximum capacity level, but everybody can benefit from state income being used for general purposes like education, health and housing.

As pointed out in Hersoug (1999) strong state participation is a necessary but not sufficient requirement to bring about a more equitable participation in the South African fishing industry. The next step will be to include the new rights/quota holders as well as the subsistence and recreational fishers in some form of co-management. The present system is nowhere near co-management as it is usually portrayed in the CAMPFIRE wildlife programme (Martin, 1986; Cumming, 1990, Jansen, 1990; Bond, 1993; Hasler, 1993; Taylor 1993) or fisheries (Jentoft, 1989; Ostrom, 1990; McKay, 1993; Oakerson, 1992; Pomeroy and Williams, 1994; Raakjear-Nielsen and Vedsman, 1996). In order to approach such a system the state will have to relinquish control and enhance local capacity, and the local resource users will have to organise themselves.

4. The Richtersveld Contractual National Park – co-management or co-option?

The local communities of the Richtersveld, an area rich in mineral and natural resources, entered into a contractual agreement with the then National Parks Board³ in July 1991. This agreement was a milestone for the implementation of new conservation policies and practices in South

³ The National Parks Board (NPB) was renamed in 1996 and is now referred to as South African National Parks (SANP).

Africa. This biologically rich area, situated in the northwestern corner of South Africa, had long been earmarked as a potential conservation area. The mountain desert environment, with its associated natural endowments, is said to have the most biologically diverse representation of this particular biome. With substantial support from the wider conservation community, the National Parks Board (NPB) entered into negotiations to establish a contractual national park in the Richtersveld. In August 1991, the 162, 445 hectares Richtersveld National Park (RNP) was proclaimed.

The people of the Richtersveld, a former coloured rural reserve⁴ in the Northern Cape province, are well aware of the wealth contained within the harsh desert environment. In addition to the arrival of colonial settlers in the late 19th century, rich deposits of alluvial diamonds were discovered in the 1920s. The inhabitants of the Richtersveld were subject therefore to not only colonial and apartheid legislation and development schemes, but to the exploitation of the region's mineral wealth by state and private mining operators. While many Richtersvelders were employed in the mining operations, very few benefits and improvements were visible in the towns located in the 'reserve'. Instead, wealth was siphoned from the area to fill distant coffers. The difficulties in establishing the contractual park (described below), have to be seen within the context of this legacy of mistrust created by the exploitative mining industry.

The Richtersveld consists of four towns, Kuboes and Sanddrif in the North and Eksteenfontein and Lekkersing in the South. The people of the Richtersveld are amongst the poor in South Africa and 'both infrastructure and service provision is undeveloped' (Eco-Africa, 1999). Two of the Richtersveld towns were only electrified in December 1999, while roads in the area are in a poor condition. This should be contrasted with the concentration of infrastructure around the mining companies. The ANC is the majority party in the Richtersveld, but other political parties, such as the National Party, are visible. In addition to employment at the mines, the 5000 souls in the Richtersveld depend on the natural resources of the area for their livelihoods. Livestock farming forms an important source of livelihoods, but the mountainous terrain and mining concessions reduce the amount of land available for grazing. Increased pressure is therefore placed on existing grazing lands. An attempt to privatise the communal grazing land of the Richtersveld was met with opposition and was challenged in the Supreme Court in 1989. Communal use of the grazing lands is therefore widespread in the Richtersveld. In the same year, the community objected to the contractual agreement reached by the NPB and the local government for establishing a national park in the Richtersveld. The NPB then had to restart negotiations with community representatives. The park was only proclaimed two years later.

In principle, the process of NPB-community negotiations should have led to community-driven co-management of the RNP. However, poor representation of community interests on the joint management committee results in the conservation agency being, in practice, the lead partner. This is in stark contrast to the principles that underscored the establishment of the park. To the people in the Richtersveld, the park is seen as a '*paper park*' that exists only in the ink on the contractual agreement. Nevertheless, broader political and economic development processes in the Richtersveld have created a space for re-configuring the role of the park in the broader region. It is crucial that privatisation trends observed in other resource sectors, such as fisheries and forestry, not derail the chances for community-based conservation in the Richtersveld.

People and parks in the Richtersveld

Vehement opposition from the Richtersveld communities to the establishment of the RNP led to a court interdict on the eve of the signing of the agreement for proclaiming a national park in the area. Though the park was to be premised on a contractual model, the communities were not

⁴ This refers to land set aside under apartheid legislation for occupation by 'coloured' people.

satisfied with the compensatory mechanisms, or with many other conditions as set out in the agreement with the local authority. Negotiations had primarily been taking place between the NPB and the local authority. A Park Opposition Movement (*'Parkeweerstandsbeweging'*) was formed to ensure that representatives from local communities were included in negotiations around the establishment of the park. After lengthy negotiations, an agreement was finally reached in 1991. This agreement addressed community concerns and culminated in the signing of a contract between the NPB and the community of the Richtersveld. The contract agreement specified a number of conditions for the management of the park, such as the establishment of a joint management committee and the improvement of infrastructure in the area. The key differences between the 1989 and 1991 agreement are outlined in the table below.

The Richtersveld National Park contract		
	Pre 1989	Post 1990
Management structure	NPB - with input from an Advisory Board (no decision making powers) appointed local government.	Management Plan Committee with four members from the NPB and five elected from and by the community - one for each of the villages and one to represent stock farmers.
Use of the park	Three zones with gradual withdrawal of all use within one year 'Corridor west' farms as compensation for grazing	Utilisation of grazing and other natural resources remains. Stock numbers limited to status quo of 1989 but Ceiling of stock numbers to come down as stock enters the 'corridor west' farms for grazing.
Payment of lease	Into coffers of local government.	Trust formed. Community members elect Trustees (who are outsiders).
Lease period	99 years	24 years + 6 year notice period

Table 2: Incorporating community considerations in the RNP contractual agreement (Archer, Turner and Venter, 1996)

According to the contractual agreement, a Management Plan Committee (known by its Afrikaans acronym, BPK) was set up to guide the management of the park. The park accommodated the seemingly competitive land uses of conservation, grazing and mining within its borders. Agreements were reached that existing mining operations could continue and that local stock farmers would be accommodated within the park. The farmers were allowed to graze 6,600 livestock in the park, a figure that would be reviewed and tested over the years. The SANP would also compensate the stock farmers for the loss in grazing by providing two farms for their use. The contribution of the park can be seen in both direct and indirect benefits for the Richtersvelders (Participatory Research and Planning CC, 1999).

The South African National Parks (SANP) leases the park land from the Richtersvelders and the monies are then distributed by a charitable trust, the Richtersveld Community Trust. The trust, which consists of independent board members, administers the funds that are primarily spent on educational and social upliftment programmes in the area. Presently, 16 residents of the Richtersveld are employed at the park in both conservation and other positions, while the park also provided assistance in setting up a social worker in the Richtersveld. The initial fears of the community that stock farming would be phased out (as proposed in the 1989 agreement, see Table 2), have been allayed and the park farmers, that use the grazing land within the park get

assistance and support from the SANP. These tangible benefits do not reflect all the objectives of the contractual agreement, but are nevertheless important signs that some benefits have filtered through to the community.

There have been a number of indirect benefits to the Richtersveld, notably those tied to the realisation of eco-tourism. The RNP has increased the potential of community-based tourism in the area. A revival of cultural tourism, exemplified in the resurgence of Nama language and culture in the Richtersveld, reflects the shifts in conservation thinking. The vision of the SANP is *to acquire and manage a system of national parks that represents indigenous wildlife, vegetation, landscape and associated cultural assets of South Africa* (Joseph and Parris, 2000: 19). This trend is further strengthened by the emergence of 'social ecology' thinking in the national parks structure. A social ecologist is currently working in the RNP and is involved, along with a German-funded programme, TRANSFORM, in an arts and crafts project involving women from the Richtersveld. This project has been replicated in one of the towns in the Richtersveld as well. Though the park has brought important benefits to the Richtersveld, critical questions have emerged as to whether the park is truly a co-management arrangement.

Kiewiet Cloete, a small diamond miner and resident of Kuboes laughs cynically when told the Richtersveld was heralded as (a) landmark of successful people and government co-operation: *Because you see a good eye you forget about the bad parts.*

(van Sleight and Weinberg, 1998:10)

Important shifts in South African conservation thinking have stemmed from the RNP, such as the framework for co-management of conservation areas. But there have been criticisms that the conditions set out in the contractual agreement have not been effected. The first issue relates to the functioning of the BPK. Four town representatives, a stock farmer representative and four SANP officials constitute the BPK. Community representatives are elected on a biennial basis. There are many problems with the functioning of the park, such as a lack of active participation in decision-making by community representatives of the BPK, as well as poor feedback to communities. The community representatives also have to attend BPK meetings at their own cost and distances between the Richtersveld towns are very long. The poor functioning of the BPK relates both to a lack of capacity to participate in decision making, as well as a lack of community interest in the park. The BPK is seen as an ineffectual committee but at the same time community attendance at elections or feedback meetings is poor. Frequent changes in park management do not facilitate continuity on the side of the SANP and it becomes difficult to build the rapport required for the BPK to function effectively. The fact that the BPK continues to meet is a sign that all is not lost and that the Richtersvelders are still willing to make the park work.

The second issue relates to the development of a management plan for the Richtersveld, which nine years since the signing of the agreement, has not been concluded. This is critical as the tenuous relationship between conservation, mining and stock farming, needs to be guided by sound management guidelines. While these are not in place, transgressions by the resource users cannot be effectively monitored and rectified along agreed lines. For example, recent dissatisfaction with road building by the mining company in the park has not been addressed by the BPK. Many other issues, related to mining, grazing and eco-tourism in the park, necessitates the development of a management plan. Research currently being undertaken into the sustainability of grazing within the park could be important in kick-starting the development of a plan. The failure of the SANP to deliver on the promises made during the signing of the agreement and the concomitant social problems facing the Richtersvelders, such as unemployment and poor infrastructure, are a third issue impacting on the agreement. However, many of the promises made by the SANP were unrealistic and beyond the scope of a conservation agency. This has had serious implications in creating a perception that the park had not delivered on its promises.

Underlying these issues is a history of tension between the northern and southern towns of the Richtersveld, further exacerbating the functioning of the park. In practice therefore, the RNP as it currently stands, is a *paper park* or as Fakir (1996) puts it, a 'compensatory mechanism' in which the SANP is the key decision maker. The community at present does not influence the way in which development in the park takes place. However, a number of processes, which include the transfer of the communal land of the Richtersveld, on which the park is situated, bode well for the future of community-based co-management in the Richtersveld.

From a 'paper' to a people's park

There are at present a number of initiatives that provide an opportunity for restructuring the co-management agreement in the RNP. Transfer of communal lands⁵ to the Richtersvelders, local government restructuring, opportunities for community-based tourism development and trans-frontier conservation initiatives are a few of the processes currently impacting on the area. In 1998, the government enacted the transfer of communal lands, held in trust by the Minister of Agriculture and Land Affairs, to the communities living on the land. Communities are then given the option of transferring the land to the municipal authority that will administer and manage the land on behalf of the community or to form a legal entity, such as a communal property association (CPA), which will own and manage the land. The second option, of forming a CPA, appears to be favoured by the Richtersvelders. This will enhance the proprietorship of the Richtersvelders, who could harness the power given them by legal ownership to participate fully in the management of land, whether it is for grazing, conservation or mining purposes. They will therefore be the legal owners of the land on which the RNP is situated.

Local government restructuring incorporates a number of processes aimed at improving local governance and municipal resource allocation. Municipal boundary demarcation is particularly important in addressing the inequalities of municipal resource distribution and service provision under the apartheid governance system. The participatory, community-driven integrated development planning (IDP) process that has just been initiated in the Richtersveld through a series of community meetings and workshops provides an ideal opportunity to set local development objectives, identify priority areas and develop an integrated vision for the Richtersveld. It is therefore critical that conservation plans be integrated into this process. This could be a unique opportunity to ensure that the national park, that remains an important asset for the Richtersveld, can be linked to proposed community conservation initiatives, such as a community 'conservancy' that will link the park to a provincial conservation area⁶. Limited opportunities for the expansion of stock farming and the de-commissioning of the mines in the future point to the need to investigate other land use options. The Richtersvelders fully recognise the importance of conservation and tourism for the region.

The RNP had 5,000 visitors in 1999, with limited benefits to the community. A number of initiatives in the towns of the Richtersveld illustrate the way in which communities are positioning themselves to establish and run community-based tourism initiatives. As noted above, these include the revival of the Nama culture that is shared by many in the Richtersveld. The Nama language is already being taught in one village and is increasingly being spoken. Two of the villages have also built campsites using traditional Nama huts, known as '*matjieshuise*' while community tourism fora have been set up and information pamphlets are being distributed. The

⁵ The Minister of Agriculture and Land Affairs, according to the Transformation of Certain Rural Areas Act 94 of 1998, will transfer the land of the 'coloured' rural 'reserves' to the local municipality or a legal entity. This Act applies specifically to 'coloured' rural areas in South Africa and not the former 'homeland' areas.

⁶ In the southern parts of the Richtersveld lies Helskloof, a conservation area being managed by the provincial government of the Northern Cape.

communities are active in developing the tourism potential of the area and have linked into a new initiative, a consortium of community-based tourism initiatives along the west coast and western interior of South Africa. The 'South-North tourism route' will link a lattice of community-based tourism initiatives that provide a tourism experience vastly different from mainstream tourism in South Africa. The idea is for community-based tourism enterprises situated along this route (which will stretch from Cape Town to Namibia) to market themselves jointly.

Conservation thinking has also shifted towards the notion of trans-frontier conservation. A number of initiatives related to trans-frontier conservation in the Richtersveld have been mooted. This will involve linking the RNP and the Ais Ais Nature Reserve in Namibia, which makes very good conservation sense according to the RNP park manager, as well as a coastal trans-frontier initiative that centres around the Ramsar site at the mouth of the Orange River. For both the Namibian and South African conservation authorities, mining companies pose the biggest challenge in realising trans-frontier initiatives.

These processes have the potential to transform the RNP from a paper to a people's park in that they strengthen the proprietorship of the Richtersvelders, link conservation and development objectives through eco-tourism, and engage local people in setting development objectives and priorities. In this way, they can create opportunities for re-configuring the role of the park and incorporating conservation into broader rural development planning. The days in which parks were fenced and seen as islands of biodiversity are fast disappearing. For the SANP to avoid the legacy of mistrust and exploitation associated with mining companies in the area, the RNP must be reconfigured, in a practical sense, on the fundamental principles of co-management: power sharing, capacity building and equitable benefit distribution. However, as in the fisheries and other natural resource sectors, conservation in South Africa no longer enjoys the influential support that it did during apartheid. Macro-economic changes have prompted broader engagement between the conservation and private sectors.

The SANP has also embarked on a process of commercialisation in which non-core functions, such as lodge development and service provision will be outsourced. The private sector is well placed, in terms of capacity, skills and capital, to perform non-core functions in conservation areas. However, contractual parks bind conservation agencies to identify communities as key partners in conservation development and the increasing eco-tourism opportunities that accompany these. In a market increasingly driven by economic growth rather than redistributive or ecological principles, contractual agreements could thus entrench local involvement in protected area management. The lessons learned from the Richtersveld are therefore key in guiding the shift toward greater local involvement in protected area management in South Africa.

Community-based co-management: lessons for the conservation sector

The RNP was the first park in South Africa that was established, in its entirety, on a contractual basis. Since 1991, the contractual model has increasingly been replicated. Broader developments in South Africa, that include paradigm shifts in conservation, an increase in land claims in and around national parks and changes within the SANP structure all favour the introduction of the co-management model (Cock and Fig, 1999; Wynberg and Kepe, 1999). For example, the negotiation and establishment of contractual agreements with two communities that successfully claimed their lands back from the SANP - the Khomani San in Kalahari Gemsbok National Park and the Makuleke in the Kruger National Park - are currently underway. A model of contractual parks, as they are presently configured in South Africa, is provided below (Figure 5). These incorporate the primary goals of co-management partners.

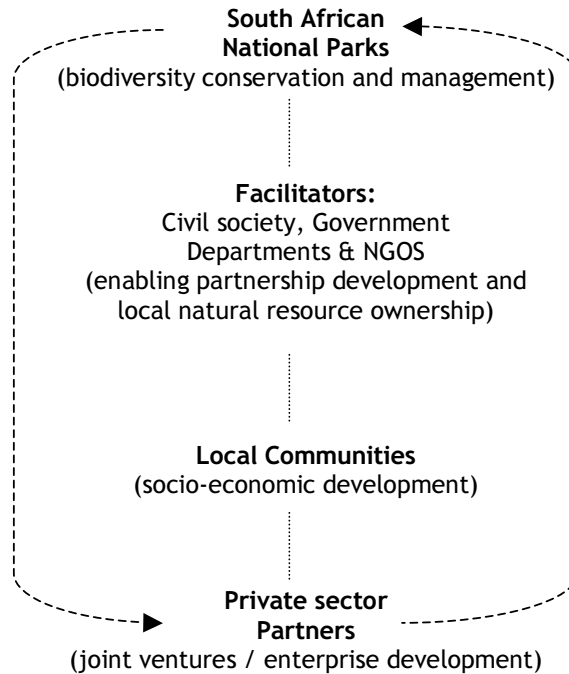


Figure 5: Present system of contractual parks in South Africa

The SANP will therefore increasingly have to engage with different stakeholders and reconcile variable, even competing objectives, into developing parks that work for both nature and people. The most important lessons drawn from the Richtersveld experience are highlighted below.

- ❖ The establishment of **Joint Management Committees** is a critical step in giving effect to the principles of contractual parks. Firstly, one has to ensure that there is clarity about the objectives and that management plans are drawn up in close consultation with community members. Capacity building and training should be tied closely to this process, as limited organisational capacity often exists in rural communities. Though civil society support and technical expertise, such as that of lawyers, are critical during the set-up period of the contractual agreement, external support should lessen with time, yielding to full community involvement. The second issue relates to power sharing within co-management structures, such as Joint Management Committees. This is particularly important in cases where communities are the owners of the land on which the park is situated, thereby holding a powerful position in the partnership. For this to occur, the power relationships, particularly between the conservation authorities and communities need to change. The following quote is from the former Director of the Social Ecology Unit of the SANP:

Equal partnership between local communities and National Parks becomes an elusive concept, because the relationship is at best unequal as the control of resources rests with National Parks officials. Those involved in programme development and implementation exercise considerable power over communities. The nature of the relationship between the community and park needs to change fundamentally.

(Dladla, 1998: 7)

- ❖ While the motivations for entering into contractual agreements often differ, it is critical that a relationship of **mutual trust and respect** exist between partners. The legacy of authoritarian conservation in South Africa behoves conservation authorities to recognise

the importance of restructuring people and parks relations. Without this, conservation authorities will be seen, like the mining companies in the Richtersveld, as acting in their own interests. The most fundamental step in this direction would be to place conservation objectives squarely within the broader socio-political and economic landscape. This is one of the most important lessons drawn from the Richtersveld experience.

- ❖ A number of processes, broadly aimed at **rural restructuring**, such as the integrated development planning process and municipal demarcation, have opened up a space for integrating conservation and development objectives. The detailed planning process that the community has embarked upon will result in the development of an integrated development plan for the whole of the Richtersveld. This plan will be submitted to the provincial government, which will disburse funds along the lines identified and prioritised by the people of the area. It is therefore a unique opportunity to ensure that conservation plans are incorporated with proposals for infrastructure and economic development projects.
- ❖ The transfer of communal land to a legal entity, a Communal Property Association, will hopefully strengthen the sense of **ownership** that Richtersvelders have over the area. The park is situated within this communal area. Though SANP has leased the land from the community for the past ten years, the community now has an opportunity to exercise its full proprietary rights over the management of the land.

There are difficult times ahead for protected area management. Tensions between community involvement and the increasing importance of private sector involvement in resource conservation and eco-tourism need to be reconciled. The challenge to communities is to position themselves to occupy the action space created by macro-economic and paradigm shifts in conservation. Broader legal, political and economic restructuring processes, like the local government restructuring processes are currently afoot in the whole of South Africa. These processes provide an opportunity for local communities to engage fully in setting and prioritising local development objectives. It is only through this active engagement, within the context of rural people's struggles and needs, that co-management initiatives can meaningfully integrate conservation and development objectives.

5. Conclusions

Landlessness, unemployment and a lack of basic services continue to be all too common in rural South Africa. Resource management, in the context of communal lands and common pool resources in South Africa, faces many pressures. While co-management has been put forward as a way to engage rural communities in managing the commons, limited capacity within local communities could result in the usurpation of local needs and priorities by outside goals. Community involvement therefore needs to move beyond coercion and consultation to full participation.

Co-management does provide a framework to develop local incentives for sustainable natural resource use. It can facilitate power sharing for natural resource management and conservation, participation of local peoples, legitimacy, and an opportunity to introduce enterprise-based partnerships with the private sector (Jentoft, 1989; McCay, 1998; Hara, 1999). However, in South Africa, co-management increasingly implies direct engagement of rural communities with market forces. It thus falls in line with macro-economic agendas, such as privatisation and the liberalisation of markets. Though sustainable use of natural resources was one of the key goals in the RDP, it has received far less attention in the new macro-economic strategy of the government, Growth, Employment and Redistribution (GEAR). This strategy, premised on neo-liberal trends, such as privatisation and a decrease in social expenditure, has come under criticism from a

number of quarters (National Institute for Economic Policy, 1996). While the RDP vision of meeting basic needs and developing human resources remains in the new policy principles, the practical implementation arena is dominated by the neo-liberal vision of GEAR. Tensions between economic growth, sustainable growth and job creation, are not addressed by GEAR. Nor is the focus on individual entrepreneurship in the natural resource sector, which is significantly less job creating than group management, being questioned.

Further cause for concern lies in the absence of sustainable development objectives from the GEAR strategy. This is manifested in decreasing budget allocations to the Department of Environmental Affairs and Tourism. Fragmentation of environmental policies (Peart and Wilson, 1997) and signs of weakness in the environment movement (Fakir, 2000), further threaten coherent action on environmental issues in South Africa. Researchers are expressing fears about the rapid privatisation and commercialisation processes impacting on communities. For example, rapid privatisation of South Africa's state forests has important implications for community claims on forest plantations (Evans and von Malitz, 1999). The move towards privatisation and market liberalisation (globalisation) across the southern African region confirm that the private sector is increasingly becoming involved in economic development programmes linked to the utilisation of the region's rich natural resource base. Critical questions are emerging, such as how to reconcile short-term priorities of the private sector, such as profit-generation, with local benefits and goals related to sustainable natural resource use, justice and equity. This is an important source of concern as market considerations could undermine local priorities.

The pressures on the creation of community-based co-management leave little room for communities to manoeuvre and to place themselves in favourable positions. For co-management in both the fisheries and conservation sectors, there needs to be a clearer understanding of the contribution of common pool resources to the livelihoods of the poor. In both sectors, privatisation looms large on the horizon, organisational entrepreneurs are emerging and there is a lack of organisational capacity at the local level. However, opportunities for redistribution and ownership of the commons exist in both the conservation and fisheries sectors. In order to seize these opportunities, power sharing and resource redistribution have to be made a reality. Even then, co-management will have to be seen more as a long-term process, rather than a fixed short-term goal.

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