

**TOWARDS SUSTAINABILITY VIA PARTICIPATION?  
ENVIRONMENTAL EVALUATION AND LAND USE PLANNING  
IN THE GARDEN ROUTE, SOUTH AFRICA**

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## EXECUTIVE SUMMARY

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This executive summary will provide an overview of the contents of the thesis. The theory and methodology of the research are briefly introduced, while the conclusions are discussed in more detail.

### 1. INTRODUCTION: AIM AND OBJECTIVES

This thesis seeks to relate the concept and practice of public participation to an evolving theory of sustainability. This relationship is framed within the context of the South African local state, where government institutions interact with civil society to support socio-economic development, as well as environmental protection. In this respect, key mechanisms are land use planning and environmental evaluation, which interact to influence decision-making processes surrounding – at times contentious – land development applications. Public participation plays an important role in this process, and to analyse this role is the aim of this thesis.

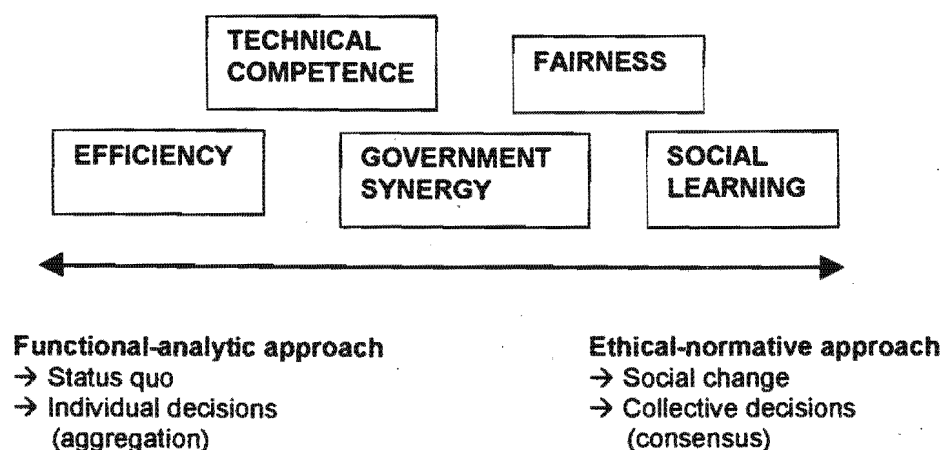
‘Public participation’ may be defined narrowly in terms of the standardised procedures required by the statutory provisions for environmental evaluation and land use planning, as implemented by particular government institutions and private sector consultants (and discussed in Chapter 5). However, this thesis defines public participation more broadly, including the informal interactions between the relevant decision-making

3. **Government synergy:** How well is the process aligned to and supported by government structures and processes?
4. **Fairness:** Is there equal access to the process and can each participant equally affect the process and its outcome?
5. **Social learning:** How well is the potential used to facilitate the development of cognitive abilities and the generation of expanded moral relationships?

Other significant concerns prevalent in the literature, such as citizen power and conflict management may be effectively subsumed within the above criteria.

Importantly, the relationships between these criteria provide for some of the tensions surrounding public participation generally. The first three relate primarily to the given economic and political context in which public participation is implemented. Criteria four and five, on the other hand, represent the potential transformative thrust of public participation. Fairness and social learning probably engender the most far-reaching innovations necessary to current public participation practice, while efficiency and technical competence provide the limiting conditions for such changes. The relationship between these five criteria in relation to underlying paradigmatic approaches (as discussed in Chapter 3) is illustrated schematically in **Figure S-1**. Relating public participation to sustainability provides the incentive for applying a normative approach, and hence emphasising the need for fairness and social learning.

**Figure S-1: Relating the evaluative criteria to underlying paradigmatic approaches**



### 3. METHODOLOGY

The decision-making process is conceptualised by means of a complex system of actors that interact with each other at a variety of scales to create discourse and produce outcomes. The notion of systemic complexity, together with a sceptical approach to scientific objectivity, feeds into a case study methodology that characterises the objects of study in a contingent and context-specific fashion. Hence, an idiographic, i.e. context-specific and historically informed, and interpretative approach is applied (rather than a generalisable and 'objective' approach). Further, the researcher is considered part of the system under investigation, and should therefore be conscious of his / her background and impact on the system.

Broadly speaking, research objects entailed people (as actors / agents), structures (including organisational structure and rules of procedure, e.g. policy), discourse (explanations and arguments used by actors), and networks (the interactions and interrelationships between actors). Underlying these research objects is an investigation of actions and perceptions, which are tentatively distinguished from each other in terms of methodological validity.

In line with case study methodology and in accordance with specific research questions, a variety of data sources and corresponding methods of data generation were used (see **Table S-1**).

**Table S-1:** Data sources and corresponding methods

Data source	Corresponding method
<b>People:</b> local officials, councillors, members of voluntary associations, community groups, engaged individuals, academics, journalists, policy-makers.	<b>Semi-structured interviews</b> (recorded and transcribed); <b>participant observation</b> at meetings; <b>focus groups</b> (group discussions facilitated by the researcher).

<p><b>Documentation:</b> media reports, process reports (e.g. EIA reports), 'in-house' publications (minutes of meetings, internal memoranda, newsletters, etc.), government publications (legislation and policy guidelines), academic articles and theses.</p>	<p><b>Document analysis</b></p>
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An important aspect of methodology is the sampling strategy, i.e. the choice of data sources and – particularly – interviewees. This would influence the data generated, determine the validity of conclusions reached, and markedly affect the research ethics. The strategy entailed an identification of important actors in the local sphere, who had played an important role in previous public participation processes (as evidenced, for instance, in participant lists and minutes of meetings) or who were identified by interviewees as being important role-players. Importantly, such an identification was underpinned by an explicit attempt to include members of disadvantaged communities as data sources.

In total, 62 interviews were conducted during four field trips to the study area and in Cape Town. Most of these were between 45 and 90 minutes long and recorded on tape and transcribed in note form. They were semi-structured, i.e. a key set of questions would inform and guide each interview, but interviewees would be encouraged to independently communicate issues important to them. In addition to the interviews, the researcher attended about 20 meetings or workshops. In a final field trip to the study area three focus groups (group discussions facilitated by the researcher) were held with certain key interviewees for the purpose of providing feedback to them, as well as obtaining their comments on the initial findings. Throughout the research, issues of trust, confidentiality, and transparency played an important role. Research policy in these respects was made explicit to interviewees.

#### 4. RESULTS OF THE FIELDWORK

Chapter 6 is entitled 'The institutional framework: Actors and perceptions'. It is a survey of the main actors in the study area that were identified by means of the sampling strategy. Special emphasis is placed on their perceptions of public participation, their own roles in such processes, and other actors in the study area. As such, the following institutions and groups are discussed in detail:

- The South Cape District Council;
- Knysna and Plettenberg Bay local councils;
- The provincial land use planning authority;
- The provincial environmental evaluation authority (CNC);
- Environmental and planning consultants;
- Environmental interest groups;
- Ratepayers and residents' associations; and
- Community development groups and RDP forums.

The chapter concludes with a discussion on the local environment-related discourse, describing prevalent perceptions pertaining to 'green elitism', the participation of disadvantaged communities, and the need for environmental education and group interaction.

Chapter 7 contains a detailed discussion of the case studies, describing the background to the particular issue, the important role-players, and actors' perceptions regarding the process and other actors. Each case study is analysed and assessed in terms of the evaluative criteria established in Chapter 3. The findings of the case studies, combined with the perceptual analyses contained in Chapter 6 gave rise to the following conclusions.

## 5. CONCLUSIONS

Public participation is embedded in the local socio-political context and in this relationship social capital plays an important role.

Public participation is part of a wider decision-making process that is set within a given policy and institutional framework. Policy flux and capacity constraints in relevant institutions (especially CNC and local authorities) are significant impediments to effective public participation. One particular goal of capacity enhancement should be sociologically trained and informed officials who guide and assess public participation procedures.

Public participation is set within a socio-political context characterised by difference, separation, and the apartheid legacy. Group identities related to socio-economic status, culture, and race intersect with political affiliations to create differing patterns of participation in decision-making processes. Not only are the incentives for influencing decisions markedly different amongst different groups (i.e. different 'priorities'), but the ways of engaging with decision-making processes are different. Hence, formal public participation processes tend to be used by affluent, white citizens to influence decisions, while less affluent, black citizens – representing predominantly ANC constituencies – are more likely to seek influence via party-political and informal channels of communication.

Group identities underpin the creation of loosely defined interest coalitions with respect to the relationship between 'environment' and 'development'. In particular decision-making processes they coalesce around core groups of active individuals who engage with and within state institutions and civil society groups to affect procedures and their outcomes. Hence, the 'public' is not a passive recipient of cues to participate in structured processes – as is implied in much of the EIA literature – but rather actively moulds the public participation process itself.

Social capital is a vital force in the creation, perpetuation and engagement of the interest coalitions. Social interaction, habit, and ease of communication, brought about by

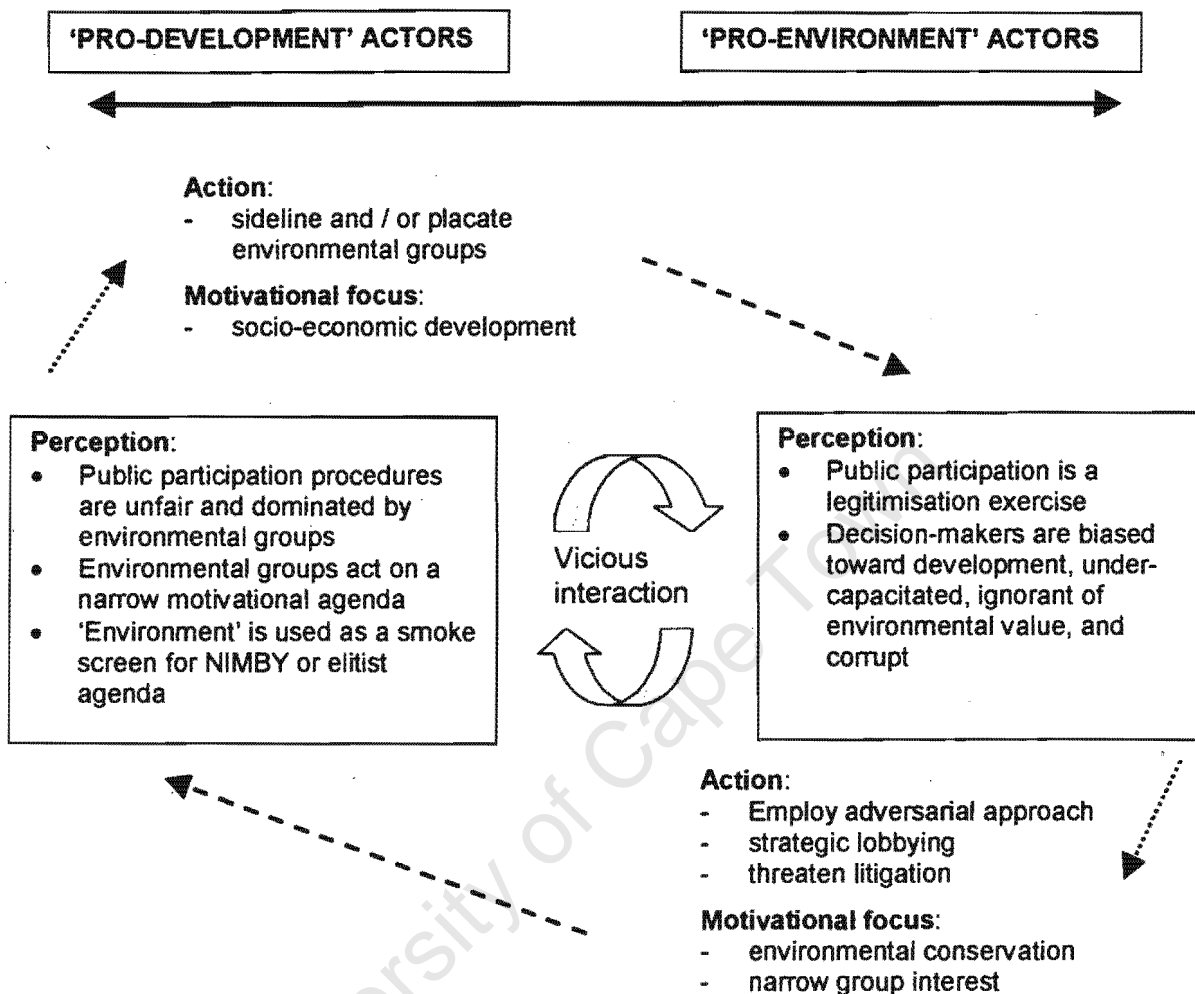
personal relationships and forums of association, create discursive arenas in which trust and common perceptions are created and perpetuated. Personal contacts and channels of communication are actively used to affect the public discourse and influence key role-players.

The state is embedded in these interest coalitions. The engagement of state institutions in this respect is influenced by their policy ambit, as well as the personal engagement of representative officials. Hence, for instance, personal networks linking officials in conservation oriented authorities (CNC, South African National Parks) with members of environmental interest groups will impact upon public participation procedures.

Significantly, the interest coalitions intersect with party-political interests, although by no means in a simple or deterministic manner. Hence, the interactions between elected representatives (especially councillors, but also including provincial and national politicians), local political parties, and their local constituencies is a crucial consideration. In this respect the relatively close interaction between ANC constituencies and their representatives plays an important role in bringing about the parallel channels of engagement in the decision-making process amongst different groups (as described above). Thus, a primary concern should be to affect a convergence of these modes of participation into one arena for open, transparent, and inclusive deliberation.

#### Public participation is plagued by prevalent, diverging perceptions.

Actors' perceptions have a significant impact on environment-related public participation procedures. These perceptions pertain to the process itself, as well as significant role-players. On the one hand, there is the prevalent perception that public participation procedures are skewed towards white, affluent citizens who are predominantly concerned with environmental conservation. On the other, public participation is seen as a 'public relations' exercise without any real influence on the decision-making process. These perceptions tend to reinforce each other and lead to greater divergence of perceptions and modes of engagement in the decision-making process, as is schematically illustrated in **Figure S-2**.

**Figure S-2: Vicious circle of group interaction: diverging perceptions**

Applied public participation procedures tend to be unfair.

The case studies showed the fundamental importance of the fairness criterion for all other public participation criteria. This research suggests that formal public participation procedures in the study area *tend* to be unfair due to the conditions and circumstances created by the interaction between the institutional framework for public participation and the local socio-political context, as described above. (The research methodology makes generalisations regarding criteria problematic; hence, this is a contingent conclusion regarding the prevalent conditions identified in the study area.)

One may tentatively distinguish between substantive fairness (with regard to *who* actually participates) and procedural fairness (with regard to what are the *opportunities* for participation), whereby it is the latter that most requires explicit consideration. In the study area, formal public participation procedures tend to be procedurally unfair because of the absence of fairness as a pre-determined, explicit goal, and, consequently, the lack of a strategic approach to its fulfilment. Hence, the first people to be approached by consultants tend to be members of environmental interest groups (social capital plays an important role here), and the mechanisms applied (i.e. notification, information feedback, public meetings, and questionnaires) tend to compromise the ability of disadvantaged communities to participate.

#### Public participation must be made fairer.

Suggestions for enhancing fairness flow directly from the above, and are also based on the literature.

- A 'social probe' should be prepared prior to commencement of the process to describe the local social context. It should 'disaggregate' the local community, i.e. identify different social groups and spatially defined communities with respect to their interests and participation abilities.
- This information should feed into a public participation plan, which details specific methods and techniques to ensure fair participation for each of the communities.
- There should be an inclusive and comprehensive identification of interested and affected parties based on extensive public advertising and direct notification.
- Similar channels of communication (i.e. direct and indirect) should be used to distribute relevant information for purposes of environmental education and social learning. Communication must be multi-lingual and easily accessible.
- Venues for public meetings must be accessible and free use of a range of languages must be facilitated.
- A variety of methods should be used and sole reliance on public meetings avoided. Alternative methods, such as focus groups and structured interviews with key informants should be considered.

### Public participation should allow for social learning

The application of the social learning concept to public participation was vindicated in the research. Social learning should contribute to a reversal of the vicious circle of group perceptions illustrated in Figure S-2, resulting in virtuous group interaction based on increased communication and trust.

There are primarily two aspects to social learning:

1. *Cognitive enhancement*: The public participation procedure should include a concerted educational ambit. Potential and actual participants should be provided with relevant information at all stages of the process. This includes information about the decision-making process and the spectrum of issues – socio-economic and bio-physical – that relate to the issues at hand.
2. *Moral development*: Information distributed to participants should frame group interests within conceptions of collective benefit. One aspect of this is to connect prevalent comments or inputs with their context. For instance, if a certain interest is limited to a certain area or interest group, this should be made explicit. Another aspect is providing the incentive for participants to relate their personal involvement to interests of other groups. Hence, interests not represented in the public participation process and the relationship between different interests or issues (i.e. potential trade-offs or synergies) should be made explicit. This will allow for a holistic consideration and comparison of the various impacts of a development.

### IDPs represent an important potential for inclusive, holistic, and deliberative public participation.

Different types of public participation procedures have different characteristics and ambits. Project-level public participation procedures (such as the Sparrebosch case study) are inherently limited in terms of their potential to facilitate social learning. They are focused on a particular decision within a policy and institutional framework that seeks to balance collective interests with the private property rights of the landowner or developer. There are significant constraints of time and resources; hence, efficiency and expedience are important incentives for the public participation process.



general, is a crucial endeavour. An active engagement by environmental authorities, professionals, and interest groups with IDPs would contribute to a decrease in perceptions of environmental issues as an elite interest. It would also contribute to the enhancement of the social learning benefits inherent in IDPs.

## 6. TOWARDS SUSTAINABILITY VIA PARTICIPATION?

The thesis has sought to show that 'participation' is as value-laden and theoretically framed as 'sustainability' itself. Hence, by means of inverting the title's question – i.e. applying sustainability as a theoretical framework for participation – a conception of participation as an end in itself has emerged. The result is an emphasis on the criteria of fairness and social learning for public participation procedures.

One conclusion that arises from this is that the relationship between group identities and public participation needs to be the focus of in-depth research. This is the case also for each particular public participation procedure, as advocated above in terms of a social analysis framework. But these probes need to be supported by academic research on the topic. More research is needed into the relationships between group identities, notions of space / place / history, discursive concepts of 'environment' and 'development', and public participation. This represents a vital research arena for geographers, in particular.

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## LIST OF ACRONYMS AND ABBREVIATIONS

ANC	African National Congress
CNC	Cape Nature Conservation (Western Cape Department of Nature and Environmental Conservation)
COSATU	Congress of South African Trade Unions
DEAT	Department of Environmental Affairs and Tourism
DLG	Developmental Local Government
DP	Democratic Party
DWAF	Department of Water Affairs and Forestry
EIA	Environmental Impact Assessment
GRT	Garden Route Trust
IDP	Integrated Development Plan
IEM	Integrated Environmental Management
I&AP	Interested and affected party
LUPO	Land Use Planning Ordinance
NP	National Party (now 'New National Party')
OT	Outeniqualand Trust
PBCEF	Plettenberg Bay Community Environment Forum
Plett	Plettenberg Bay
PP	public participation
PPP	public participation process
RDP	Reconstruction and Development Programme
SANP	South African National Parks
SCDC	South Cape District Council
SCET	South Cape Education Trust
SEA	Strategic Environmental Assessment
SIA	Social Impact Assessment
UCT	University of Cape Town
WCPA	Western Cape Provincial Administration
WESSA	Wildlife and Environment Society of South Africa

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University of Cape Town

# 1. INTRODUCTION

## Chapter contents

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This thesis seeks to relate the concept and practice of public participation (PP) to an evolving theory of sustainability. This relationship is framed within the context of the South African local state, where government institutions interact with civil society to support socio-economic development, as well as environmental protection. In this respect, key mechanisms are land use planning and environmental evaluation, which interact to influence decision-making processes surrounding – at times contentious – land development applications. PP plays an important role in this process, and to analyse this role is the aim of this thesis.

PP is widely recognised as an important part of environmental evaluation and land use planning (Beanlands, 1994; Crance and Draper, 1996; Diduck and Sinclair, 1997; Fowkes and Goudie, 1995; Fuggle, 1995; Khan, 1998; Kakonge, 1995; O’Riordan, 1997; Renn, Webler, and Wiedemann, 1995; Schwella and Muller, 1992; Sowman, Fuggle, and Preston, 1995; Weaver and Rossouw, 1997; VanWyk, 1996; World Bank, 1997). However, there is little clarity as to why PP is important, what it is trying to achieve, and how it should attempt to do so. In some ways, this lack of clarity is because PP, by its nature, is a concept that is loaded with philosophical value.

For instance, a notion underlying much of what follows is the relevance of deeply held personal and cultural convictions and attitudes as they relate to the relationship between

the individual and the collective. Another important issue is the relationship between calls – in varying degrees of explicitness – for social change, on the one hand, and adherence to the status quo, on the other. To be aware of this philosophical background should help when conceptualising objectives and procedures for participation in the environmental management and planning field.

Further, there exists the social and political context within which PP processes are carried out. This context will have a fundamental effect on the degree to which PP can fulfil its objectives according to environmental management practice. Only with due consideration for this context can the efficacy of the institutional arrangements responsible for environmental evaluation and land use planning be assessed.

Hence, this thesis follows a context-specific, idiographic approach to analysing PP within a theoretical framework surrounding the concept of sustainability (Crance and Draper, 1996; Munslow, FitzGerald, and McLennan, 1997; O’Riordan, 1997; O’Riordan, and Voisey, 1997b; O’Riordan, 1998b). This theory needs to be crafted from a self-reflexive stance, within the tensions existing between the imperatives of environmental protection, socio-economic development, and political empowerment in the context of the South African local state. The local state is the setting in which national and provincial legislation, as well as internationally informed environmental management practice, meets with local government institutions and communities (see also Oldfield, 1998; Parnell and Pieterse, 1998).

In this sense, public participation is deeply embedded within the policy and institutional transformation of the new South African dispensation. Before 1994, administrative decision-making was hierarchical, secretive, and deeply unfair to the majority of the people (Sparks, 1990; Fuggle, 1995; Kahn, 1996, 1998; Ngobese and Cock, 1997; Hamann *et al.*, 1999). Conservation related actions of the state were also carried out to the detriment of non-whites, for instance by means of forced removals (Kahn, 1997; Ngobese and Cock, 1997). In attempting a wide-ranging transformation of the country, the new ANC-led government is initiating a host of policies that have important ramifications for environment and land use related decision-making and public

participation, in particular (Hamann *et al.*, 1999). This dynamic of change will play a fundamental role throughout the thesis.

### 1.1 THE GARDEN ROUTE

The study area is given in the title as the 'Garden Route'. Although the term is commonly used in the media and popular discourse, the area lacks precise definition. Usually, it is meant to be the coastal strip, about 150km in length, from Mossel Bay (where the national highway from Cape Town meets the sea) to the provincial boundary east of Plettenberg Bay. The term is frequently used with regard to the region's common identity as a popular tourist destination, based on its natural beauty. As described below, this study focuses on the eastern parts of the region: the approximately 80 km long stretch of coastline from Wilderness to Plettenberg Bay (see **Figure 1-1**).

The area is characterised by a raised coastal plain reaching from the Outeniqua and Tsitsikamma Fold Mountains to the sea, with deeply incised, steep river valleys cutting through it. These rivers create ecologically important estuaries, such as the Knysna and Keurbooms estuaries, or flow into one of several coastal fresh-water lakes that are separated from the sea by high dunes between Wilderness and Sedgefield. It rains in summer (the South Atlantic Anti-Cyclone brings moist air onshore) and in winter (mid-latitude frontal systems), with an annual average of 700-1200mm (Department of Environment Affairs and Tourism, 1998c). Some of the land is covered by fynbos vegetation and there are some remaining patches of indigenous forest with hardwood trees such as Yellow-wood and Stinkwood. Most of the area is used for farming (especially dairy and some deciduous fruit) and commercial timber plantations.

There are a number of towns, predominantly along the coast. The biggest of these, George (ca. 120,000 (WESGRO, 1998)), is situated a few kilometres inland, and is the administrative, business, and service centre of the region. The next largest town (excluding Mossel Bay) is Knysna, with an estimated population of 42,000 in 1997 (WESGRO, 1998). It is also assuming an important role as service centre, especially for the area significant in this thesis. Many of the towns are dominated by the spatially

**Figure 1-1 (page opposite): Map of the study area**

segregated urban form brought about by the group areas legislation during apartheid. As such, white, relatively affluent residential areas are close to the centre and 'non-white' areas are situated further away, commonly with open space, highways or environmental barriers ('buffer zones') in between. Both the affluent and the poor areas commonly experience pressures to expand due to an influx of people who come to live there either permanently or periodically.

The economic sectors most important for employment include agriculture, fishing, forestry, manufacturing (especially related to wood processing), construction, and accommodation and catering. It is often suggested that the tourism industry is the main growth industry in the region. Knysna, for instance, had about 650,000 visitors in 1997, representing a 10% increase in total over 4-5 years (WESGRO, 1998). However, the highly seasonal nature of this industry, combined with the prominence of holiday homes for the affluent, contributes to high monthly variations in local population and economic activity.

## 1.2 THE STUDY AREA

There are some problems with using 'Garden Route' as a study area. Firstly, it is ill defined. There are no administrative or natural boundaries that can easily be used. Secondly, it is too large an area for a study of local environmental governance at the level necessary for an assessment of PP processes. However, it has proven useful to use this area as a point of departure. For a start, it is an area in which the tensions between much needed economic development and environmental protection are very explicit. For instance, environmental issues feature prominently in the local media (as will become apparent in the case study chapter). This is especially because an economic base for the area is frequently seen to be the tourism industry, which in turn is seen to rely on the natural environment. Further, many towns, such as Knysna, are inhabited by



a substantial number of people who were drawn to the area by the scenic environment, for instance, retired persons or holiday-home owners.

This is one of the reasons why there is a relatively active network of environmental pressure groups in the region, who frequently participate in PP processes. Many of these are defined by identification with the Garden Route as a region. Some of these are national organisations, such as the Botanical Society or the Wildlife and Environment Society, which exist as a 'Garden Route branch'. Others are 'indigenous' voluntary organisations that also have a regional, rather than purely local, focus, such as the Outeniqualand Trust and the Garden Route Trust. Hence, starting with a regional approach has provided a better overview of this network of associations. Similarly, it has enabled an appreciation of the nested relationships between local, district and provincial level authorities.

Importantly, a regional approach has allowed a careful choice of more specific case studies. An early choice to downscale the research area focused on the eastern section of the Garden Route, i.e. the coastal area ranging from Wildernis to Plettenberg Bay. This choice was supported by certain administrative demarcations, such as that used in the Knysna-Wildernis-Plettenberg Bay Guide Plan (Department of Constitutional Development and Planning, 1983), encompassing the coastal area (from the sea to the Outeniqua foothills) between the Kaaimans River and Keurboomstrand. It is also congruent with the Outeniqua Sensitive Coastal Area Extension (see Chapter 5), which will become an important environmental provision for the area once enacted. This was the research area defining the scope of a field trip (in June 1998) designed for exploratory research (see Chapter 4).

Another field trip (in November 1998) focused on three particular cases, in which decisions were made relating to environmental and land use planning issues. These are the Sparrebosch golf estate in Knysna, the process of developing a structure plan and Integrated Development Plan for Plettenberg Bay, and the controversy surrounding the proposed development of the 'Pansyshell' site in Plettenberg Bay. Each of these case studies holds particular lessons regarding the processes and contexts important in state – civil society interactions.

### 1.3 ON LINKING ENVIRONMENTAL EVALUATION AND LAND USE PLANNING

Using the two phrases 'environmental evaluation' and 'land use planning' in the title of this thesis effectively attempts to focus its subject matter on the intersection of these two fields. Both terms refer to concepts that encompass their own (but not exclusive) history, professional tradition, and legislative setting. However, it should be pointed out that the simplified use of these terms might encounter some resistance, and, indeed, the relationship between them is a point of some contention. For instance, land use or settlement planning may be seen to intrinsically encompass 'environmental evaluation', with any extra 'environmental' procedure perceived as an uninvited intrusion (Gasson and Todeschini, 1997).

The tradition of environmental evaluation is closely related to the development of environmental impact assessment (EIA) in the wake of the enactment of the National Environmental Policy Act of 1970 in the United States. In South Africa, EIA became a legal requirement for certain activities, including some changes in land use, only in 1997. The conceptual framework for environmental evaluation in South Africa is Integrated Environmental Management (IEM) (see Chapter 5).

Land use planning, on the other hand, has a longer and more varied history. For our purposes, it may be narrowly defined as the institutional implementation of those provisions and procedures regulated primarily by provincial legislation, which pertain to land use zoning schemes and structure plans. These issues are considered in more detail in Chapter 5.

There are two main reasons for why environmental evaluation and land use planning – and the inter-relationship between them – provide an important thematic focus for this thesis. Firstly, the environmental issues confronting the Garden Route area are primarily related to decisions associated with land use. The main social controversies surround questions of whether or not to allow housing or estate developments on land with high biodiversity or aesthetic value. These tensions arise particularly along the coast, on the one hand, due to strong development pressures brought about by the demand for homes and amenity sites, and, on the other, the perceived threat posed by

such developments to the ecological and aesthetic value of the area. As such, the notion of 'environmental' threat or damage needs to be considered carefully in the light of social perceptions of it.

Secondly, the relationship between environmental management and land use planning is an important one generally and not just in the Garden Route. Although environmental evaluation is concerned with a wide array of issues ranging from waste and corporate management systems to genetic engineering, one of its most significant aspects is the regulation of what can and cannot happen on certain areas of land. As such, an important policy objective of IEM has been to harmonise and link with those regulations that have traditionally governed land use decision-making (Sowman, Fuggle, and Preston, 1995; Fuggle, 1998, pers. comm.). This is especially because, due to the separate legislative and institutional frameworks guiding environmental evaluation and land use planning, there have been two separate processes attempting to do essentially similar things. It is also important because land use planning represents a vital opportunity for strategic, pro-active planning, primarily in terms of structure plans. Hence, instituting careful environmental considerations in the development or revision of structure plans must be a prime concern (see e.g. Board of Investigation into the Saldanha Steel Project, 1995; Department of Environmental Affairs and Tourism, 1998a).

There are a variety of factors, which have hindered the harmonisation of environmental evaluation and land use planning procedures. These include, for instance, different professional paradigms and institutional inertia (Fuggle, 1998, pers. comm.; Jordi *et al.*, 1998). One of the objectives of this thesis must be to investigate the institutional arrangements pertaining to this relationship, and how these affect PP processes.

#### 1.4 TOWARDS A BROAD DEFINITION OF PUBLIC PARTICIPATION

Akin to the observation that one's approach to PP will be philosophically informed, there are many different definitions of public participation. This is also the case because there are a variety of disciplines or professions that deal with the term, ranging

from community development workers to environmental scientists and economists. A comfortable and limited distinction would be to focus on that kind of PP that is facilitated by procedures guided by statutory provisions, specifically those relating to environmental management or land use planning. Opportunities for the analysis of such processes were given in the Sparrebosch and the Plettenberg Bay structure plan case studies.

These procedures are required and guided by national and provincial legislation and government guidelines. However, their actual implementation depends to a large degree on the facilitating consultant, the nature of the proposed project or land use plan, the social or community context, and the role of the relevant government institutions. Hence, there is little uniformity in actual PP processes. Nevertheless, guided by legislative and institutional provisions, as well as established forms of behaviour, they present the appearance of a regulated and systematic procedure. Much of the literature on PP in environmental evaluation deals with what this procedure should look like (e.g. Beanlands, 1994; Fowkes and Goudie, 1995; Kakonge, 1995; Sinclair and Diduck, 1995; Weaver and Rossouw, 1997; World Bank, 1997).

However, it should be safe to say even at this stage that participation by the public in decision-making processes is not confined to formalised and regulated procedures. Indeed, it is hypothesised that informal and 'on the side' interactions between decision-makers and members of the public often substantially influence the final decision, as well as the decision-making process itself.

It is posited that an analysis of the background and outcome of the formal procedures is only meaningful with the consideration of the informal interactions between the various actors. Further, many important decisions relating to land use are made before or without any formal PP processes, and members of the public or pressure groups nevertheless have an important role to play in providing information to decision-makers, lobbying for a certain decision, and forming public opinion. The Pansyshell case study is an important example of this.

Hence, the definition of PP needs to be expanded to also include a consideration of the various points of contact between state and civil society actors. An important objective of this thesis, thus, is to analyse this 'informal participation' and relate it to the formal PP procedures. Such an approach demands an engagement with literature going beyond the design of formal participation programmes. Some foundation must be sought in theories of state – civil society interaction, as will be evident in the following chapter.

Another direction for expansion of the PP definition entails the notion of 'government participation'. It refers to the explicit involvement of state departments that could have an interest in the outcome of the decision. This is nothing new in terms of environmental policy. Indeed, the co-operation between different state bodies in environmental matters has become a major thrust of recent South African policy (see Chapter 5; Hamann *et al.*, 1999). However, the only institutionalised way to actively get the views of state departments other than the decision-making authority has been to invite them to the scoping process of the environmental evaluation procedure. These interactions should also become objects of investigation in this thesis.

Hence, the following is provided as a working definition of PP: *The formal and informal interactions between the relevant decision-making institution(s), on the one hand, and individuals, groups, organisations, and government institutions, which seek to influence the decision-making process and its outcome, on the other.*

Such considerations could lead onto a slippery slope, not least methodologically. An inclusive definition of participation, as provided above, is not common in the literature (e.g. Beanlands, 1994; Fowkes and Goudie, 1995; Kakonge, 1995; Sinclair and Diduck, 1995; Weaver and Rossouw, 1997; World Bank, 1997). Renn *et al.* (1995), in a definition that is broader than most, call PP "forums for exchange that are organised for the purpose of facilitating communication between government, citizens, stakeholders and interest groups, and businesses regarding a specific decision or problem" (p.6). This definition has the advantage that it explicitly includes interaction between the participants themselves. As will become apparent in the following chapters, this is a crucial component of PP.

However: what are “forums for exchange”? Are they limited to those mechanisms organised explicitly for the purpose of reaching the “specific decision”? Or do they include the media, for instance, or private discussions between individuals or groups? If we are trying to make sense of the multitude of interactions and scales of activity that go beyond formal forums of communication and that could be relevant for final outcomes, where do we start?

Methodologically, this thesis answers the above questions by delimiting the research area and then focusing on specific decisions and the processes leading up to them. The focus on processes pertaining to environmental evaluation and land use planning leads to a concise identification of the “decision-making institutions” mentioned in the above definition used in this thesis. A further focus is provided by the theory developed in the following chapters, by way of framing the types of “interactions” relevant to this analysis.

### 1.5 DEFINING ADJECTIVES FOR ‘PARTICIPATION’

The above discussion warrants some words on terminology. Obviously, ‘public’ is too broad a term to be of much use. It has been used here as an adjective because it is common in the local rhetoric. It is apparent that there is no coherent entity signified by the word. Some have illustrated this by saying that there are many ‘publics’ with varying interests and inter-relationships (e.g. Renn *et al*, 1995; Sowman, 1996, pers. comm.). Indeed, much of the literature on procedures for participation deals with the question of who it is that should participate. This has brought with it the use of a variety of adjectives in front of ‘participation’. The World Bank (1997), for instance, makes a distinction between ‘popular’ and ‘stakeholder’ participation. The former has as its main purpose the inclusion of poor and marginalised people in decision-making procedures that will directly affect them, whereas the latter focuses on roleplayers who might have a more indirect or mediated interest in the outcome, such as NGOs and lenders. Stakeholder participation has been criticised because “stakeholders do not represent the general public” (Roberts and Marshall, 1996, p.54).

Another common term is 'citizen (or civic) participation' (e.g. Renn *et al.*, 1995; Lunsford, 1997). This is sometimes used when reference is made to the underlying theory of what participation should mean in the political process. As such, a citizen participates in a way that is not defined by his or her own interests only, but that of the collective, civic good.

Finally, an important variant is 'community participation'. 'Community', of course, is a term steeped in as much ambiguity and pliability as 'participation' itself. As Warburton (1998) describes, there is often a 'warm glow' associated with invocations of the word. It is meant to conjure images of harmony, cohesion and clarity of purpose. However, it can also be an arena of conflict, repression and exclusion. Especially in South Africa, this problematic is relevant for any consideration of participation. It will play an important role in the discussion of 'civil society' and 'social capital' in the next chapter.

The use of 'community' does, however, contain the important element of 'locality'. Indeed, locality gives community its relevance in terms of participation in environment-related decisions.

'Community' is that web of personal relationships, group networks, traditions and patterns of behaviour that develops against the backdrop of the physical neighbourhood and its socio-economic situation. (Flecknoe and McLellan, in Warburton, 1998, p.15)

Mention of locality reminds of the scale at which decisions are made, and 'decentralisation' is a term commonly used in relation to participation. The difference between participation and decentralisation, however, is important to bear in mind. The former is primarily an aspect of the process of decision-making, while the latter considers the scale at which decision-making occurs. Both will have an influence on the distribution of power, and decentralisation is often seen as a prerequisite for participation. But they are not mutually inclusive. As Osterfeld (in Barry, 1997, p.129) has argued:

Provided that exit is not barred, a large democracy would be less responsive, and therefore provide less utility to its citizens, than a local dictatorship.

What should have become clear in this short excursion into semantics is that 'participation' itself is a term, whose narrow definition would not do justice to the wider project of creating a 'civic science' (O'Riordan, 1998a; see next chapter) and responsive environmental governance. To illustrate what such an expanded view of participation should look like is the aim of the next two chapters.

## 1.6 AIM AND OBJECTIVES OF THIS THESIS

This thesis aims to assess PP in environmental evaluation and land use planning in the study area within a coherent theoretical framework.

In effect, this translates into three interdependent objectives. Firstly, the concept of PP, and its relationship to the decision-making mechanisms of environmental evaluation and land use planning, needs to be positioned within a theory of 'sustainability'. This must include a consideration of the interplay between the imperatives of economic development (or wealth creation), political empowerment, and environmental protection (Fuggle, 1995; Hamann, O'Riordan, and Booth, 1999; Munslow, FitzGerald, and McLennan, 1997; Ngobese and Cock, 1997; O'Riordan and Voisey, 1997b; O'Riordan, 1998b). Such a theory will provide incentives for what PP is to accomplish and guidelines for how it should do so, allowing for the preparation of a set of key evaluative criteria.

Secondly, the institutional framework within which PP occurs needs to be analysed. A broad definition of 'institution' includes government institutions, as well as civil society groupings such as non-governmental organisations or community associations. Such an 'institutional analysis' entails two aspects. On the one hand, it needs to consider the organisational structure of the relevant institutions. On the other, it needs to identify the rules of procedure governing these institutions. These are *de jure* regulations, such as national or provincial legislation, as well as intangibles such as habit or, generally speaking, the 'culture' of the institution, which will influence the *de facto* implementation of the regulations (O'Riordan, 1998, pers.comm.).

The third and most important objective is to engage with the question: how do these institutions interact within the local socio-political context to create actual PP processes? Further: how does the actual implementation of PP relate to the theoretical principles underpinning sustainability? These questions rely on the application of the evaluative criteria developed under the first objective to the findings of the institutional analysis and, more importantly, the case studies. Answers to these questions should provide an indication as to where there are significant gaps between sustainable governance and actual decision-making.

## 1.7 THESIS OUTLINE

The next two chapters deal with the theoretical aspects of this thesis. Chapter 2 provides the outline of a theory of 'sustainability' and the role of PP in it. Briefly, it will discuss some political debates surrounding the issue of participation as it relates to environmental issues and, more generally, the relationship between the state and civil society. Chapter 3 is mainly concerned with the practical implementation of public participation. This enables the development of a set of key evaluative criteria, with which to assess actual participation processes.

Chapter 4 is the methodology chapter. Primarily, it discusses the data sources used and the methods of data generation applied. Chapter 5 provides a discussion of the relevant legislation, with specific reference to some of the important policy changes that have been occurring after the transition to democracy in 1994.

Chapter 6 contains an overview of the institutional framework in the study area, resulting primarily from the exploratory research stage. Chapter 7 deals with the results of the specific case studies and Chapter 8 offers conclusions.

## 2. SUSTAINABILITY AND PUBLIC PARTICIPATION

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This chapter prepares a theoretical framework for public participation. There are four aspects to this. Firstly, public participation is placed within a theory of sustainability, thereby describing key incentives and requirements for public participation. Secondly, participation is defended from two prevalent critiques: calls for greater technical competence and demands for democratic mandates. Thirdly, and following from this defence, discourse theory is presented as a political philosophy that underpins the imperative for public participation and provides further guiding principles. Finally, 'social capital' is discussed as a concept with far-reaching implications for state-civil society interactions, and hence public participation.

## 2.1 PUBLIC PARTICIPATION WITHIN A THEORY OF SUSTAINABILITY

Sustainability is like democracy and justice. It is a moral ideal, a universally acknowledged goal to strive for, a shared basis for directing the creative and restorative energies that constitutes life on earth, and is notably resplendent in the human condition. Sustainability has that ring of universal desirability about it: no-one is prepared fundamentally to challenge its precepts, no matter how vague these are, simply because there is almost a holistic human wish for a viable future for this unique planet and its inhabitants. It is not surprising that sustainability, democracy and justice are seen as composite and comprehensive human ideals. (O’Riordan and Voisey, 1997a, p.1)

Important consequences arise from lifting ‘sustainability’ into the realm of ‘human ideals’ such as democracy and justice. It effectively deprives proponents of ‘sustainable development’ of the possibility of a single sustainable strategy or game-plan. If everyone aspires to sustainability, then one can be sure that there is no single definition of the term or method for its achievement. This does not mean that there is no value in using the term. Quite to the contrary, the fact that everyone is interested in sustainability makes it an important starting point for any investigation into human – environment relations. Sustainability as an ideal will have to provide the goal posts for theory and practice.

The case studies should show that the abstract notions of sustainability, democracy and justice have very real bearing on on-the-ground events and their interpretation. Especially when considering the role of public participation in environmental issues the ‘composite’ nature of these three ideals becomes apparent. It is the point of departure of this thesis that democracy and justice are fundamental components of sustainability. This is not taken for granted but will be substantiated in what follows.

### 2.1.1 Sustainability is a political issue

There are a variety of perspectives from which to set about defining sustainability. O’Riordan and Voisey (1997a), for instance, discuss the meaning of sustainability in the discursive domains of biologists, economists, philosophers, political scientists and philosophers. Each of these disciplines has its own slant on what sustainability means.

And each has important contributions to make towards a holistic definition, even if, due to the subject matter of this thesis, the political approach seems the most relevant. The fact is that all of these aspects – ecological, economical, political, bureaucratic, legal and ethical – will have a bearing on the way individuals and groups define their identity and position with regard to the relationship between humans and nature.

A dominant theme in theories on sustainability is that natural life-support systems should not be threatened. Hence, there exist thresholds within which human endeavour, in the form of social and economic activity, should be regulated. Of course, the position of such limits or the methods of regulation remain highly contentious.

The fundamental issue and simple point of departure for this thesis is that if the natural world sets limits to human actions, then the definition of these limits and mechanisms for distributing the limited possibilities remaining is a process that is political in nature. Politics, in this sense, is seen to be the process of making decisions by and for a collective of people. A central theme in these decisions is the distribution of resources and an important aspect of the decision-making process is the role of power (and related issues such as legitimacy and coercive potential). This is true for the whole range of scales at which sustainability is an issue, from the planetary scale (e.g. the reduction of greenhouse gas emissions) to the preparation of an environmental management plan for a construction site.

The centrality of politics in sustainability theory might be disputed, for instance, by advocates of a strong market oriented approach. This issue will not be considered here, but for some relevant views see, for example, Beckerman, 1995; Daly, 1995; Elster, 1997; Lesser and Zerbe, 1995; O’Riordan, 1997; and Toman, 1994.

The second potential ‘anti-politics’ stance in things environmental, which is more significant in terms of public participation, is that which holds that decisions should be made primarily in terms of their technical merit. This may still allow for an important role for public participation. Indeed, public participation has arisen to prominence also because infrastructure development projects, for instance, were seen to fail in their delivery of the results expected of them (e.g. Kakonge, 1995; World Bank, 1997). As a

result, public participation procedures were devised to inform the project planners of the needs and behaviour of the local population. However, this is seen primarily as a technical process that is meant to improve the product. Similarly, technical arguments speaking for participation and decentralised decision-making point towards the increased administrative efficiency and responsiveness brought about by increased involvement of local people (e.g. Schwella and Muller, 1992; Schoenwaelder, 1997).

To be sure, there are many technical aspects to decisions relating to the environment. However, many of the most difficult environment-related decisions pertain to trade-offs between different socio-economic and environmental values and interests, especially when accounting for a variety of time scales. There are bound to be losers in such decisions and that is the surest indicator that the issue will become political. Renn *et al.* (1995, p.4) put it succinctly:

Value free evaluation is an oxymoron. By definition, "objective" evaluation does not exist. Evaluating or designing new models of participation must deal with the question of how values can be selected and how they can be traded off against each other.

The same applies to the tools used in such a decision-making process:

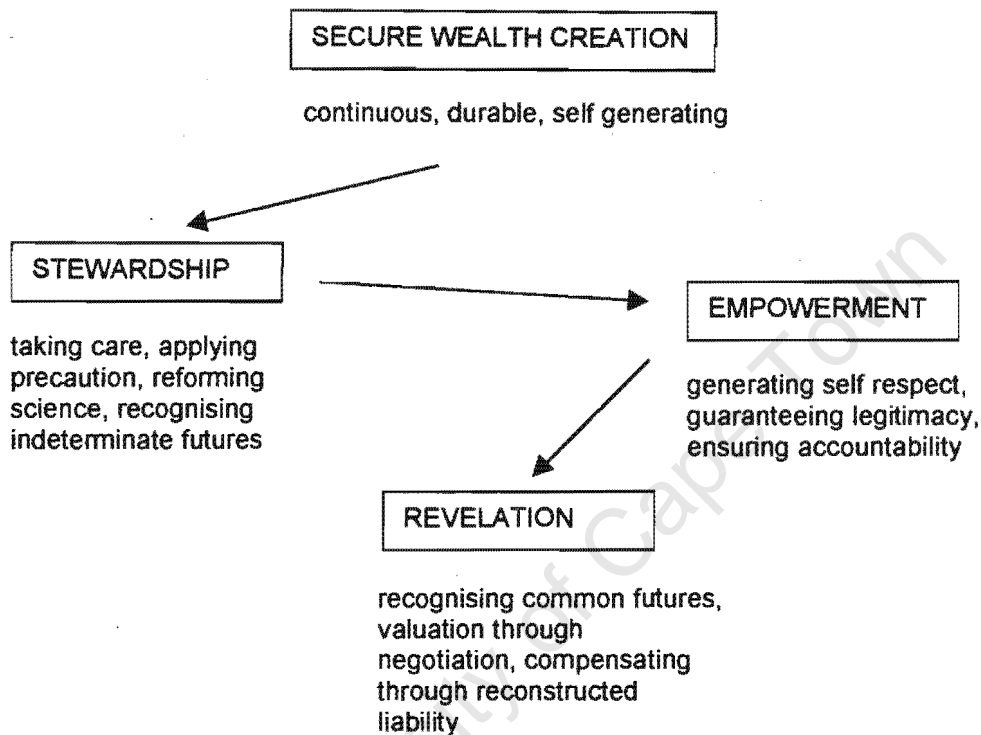
Because EIAs are part of a decision-making process that has distributional impacts, they are, have been, and always will be political. This *does not* mean that they are unfair, unethical, useless, or bad. It is perfectly rational for the public to use EIAs as part of the political debate on any issue where the EIA purports to add to the knowledge of understanding of potential impacts. It therefore seems a bit incongruous when environmental professionals express such surprise and alarm when our work gets used in this way. It would be much more shocking and inexplicable if the public ignored EIAs. (Beattie, 1995, p.112, original emphasis)

### 2.1.2 Four pillars of sustainability

O'Riordan and Voisey (1997b) provide a coherent model for a transition to sustainability, as illustrated in **Figure 2-1**. In effect, it is a synthesis of some of the main conceptions of sustainable development, framed in such a way that it is not too much of a threat to the status quo, but still shows the way towards a far-reaching transition. Hence, in some ways, the four components shown in Figure 2-1 contain

aspects of an “evolutionary staging” (O’Riordan and Voisey, 1997b, p.8), although they are fundamentally complementary and mutually re-enforcing.

**Figure 2-1: Four components of sustainable development (O’Riordan and Voisey, 1997b)**



The first component posits the necessity for sustained economic growth, a demand that is easily agreed upon and that needs a firm footing in any consideration of sustainable development in South Africa.

The first, namely that of *reliable and continuous wealth creation*, is by far the most powerful at present. In essence, it is primarily focused on sustained economic growth, predicated on low inflation, declining levels of public expenditure relative to wealth creation, falling unemployment, and rising rates of investment in technology and industrial innovation. In short, it is the classical economist’s agenda for reliable and prolonged growth, the mainstay of any electoral mandate. Of importance for this analysis, is that this picture is shared by all parties. (O’Riordan and Voisey, 1997b, p.6, original emphasis)

The crux of dominant conceptions of sustainable development rests on the second pillar: the notion of 'stewardship'. It recognises that the simple economic process of wealth creation does not take into account costs incurred on the environment or the social fabric on which it relies. Most of the literature on sustainable development focuses on the theory and practice of considering these effects, be it in the realm of planning, economic analysis and accounting, or environmental and social assessment. It is predicated on the notion of rational management: that the 'good' and 'bad' results of certain actions can be predicted, the 'goods' maximised and the 'bads' minimised. Mechanisms for doing this are sought in adjusting the markets, changing patterns of behaviour, voluntary collective action, and devising statutory regulations (see, e.g., Barrett, 1990; Claassen and Milton, 1992; Crance and Draper, 1996; Fuggle, 1995; Hardin, 1968; O'Riordan, 1997; O'Riordan and Voisey, 1997b; Sowman, Fuggle, and Preston, 1995; VanWyk, 1996). Obviously, science plays an important role in this endeavour, as does the prudent assessment of what science can and cannot tell us with any degree of reliability. Related to this concern is the precautionary principle, or the acceptance that if we cannot be sure, we should err on the side of caution, because damage to nature or community can be irreversible or too costly to repair.

### 2.1.3 Empowerment and public participation

A more recent addition to the mainstream discussions on sustainable development is captured in O'Riordan and Voisey's third perspective: 'empowerment'. In many ways, empowerment encapsulates the idea of public participation and provides its most essential rationale. This rationale has been premised on the realisation that participation and empowerment represent vital conduits for any stewardship effort. If individuals and communities, it is posited, develop the capacity to partake in decision-making processes, they will provide the incentive and the opportunity to find "integrated pathways" that "add value to the development process while protecting the environment" (Munslow *et al.*, 1997, p.5).

However, empowerment could be construed as a concept as vague and ambiguous as sustainability itself. It needs to be grounded by means of another ideal, and that is equity. Empowerment necessitates the insistence that decisions take into account the

interests of all effected in an equal measure. This sounds sufficiently declaratory to be obvious and useless. But the case studies should show that the equity principle is a very real issue in local environmental decision-making procedures, both in a procedural and substantive sense. As it relates to public participation, procedural fairness is thus a pivotal consideration.

Empowerment is a multi-faceted process, riddled with contingent and intangible notions such as trust and expectations. It

refers to procedures that ensure that groups at the local level are treated with self-respect, with dignity and with a capability to reach consensus decisions that fully take into account the legitimate needs and aspirations of others. To achieve this there has to be a network, or networks, of communication and trust that allow the few to speak on behalf of the many. But there also has to be an educational and civic consciousness-raising process that provides those formerly disenfranchised and marginalised to gain the capacity and self confidence to form alliances and to participate meaningfully and authentically, i.e. in a manner that is true to their needs and objectives. (O’Riordan and Preston-Whyte, 1998, p.6).

In effect, empowerment fundamentally has to do with relationships. These are between people, groups, institutions and abstract notions such as the local and the global. Its normative dimension, however, is premised on the requirement to make these relationships more equal in terms of power.

It has been common to describe public participation in terms of the amount of power the public is given in shaping the decision-making process and its outcome. Sinclair and Diduck (1995), for instance, have adapted Arnstein’s ‘ladder of participation’ to create an eight-rung continuum of public power over the decision, ranging from manipulation, through consultation, to citizen control. Similarly, O’Riordan (1998, p.105) uses a four-component “sequence of increasing legitimacy and empowerment” to chart some of the different state-driven or community self-help initiatives in the name of sustainable development in South Africa.

Importantly, however, these models consider only the power relations between the decision-making institutions and the ‘public’, which is presented as a monolithic entity.

This ignores the important role of power imbalances between different groups in civil society, which are based also on differing abilities to access state institutions. These issues will need careful consideration in the following chapters.

It is useful to relate 'empowerment' to another concept that has currency in the participation rhetoric: 'capacity-building'. Agenda 21, for instance, declares:

It is particularly important to focus capacity-building at the local community level in order to support a community-driven approach to sustainability and to establish and strengthen mechanisms to allow sharing of experience and knowledge between community groups at national and international level. (Agenda 21, 3.12, in Warburton, 1998, p.24)

However, as Warburton (1998) argues, there seem to be two approaches to conceiving and implementing capacity-building. The first and dominant one focuses on training, education, and the transfer of skills and technology to the recipients of the capacity-building exercise. The second conception broadens the scope of what it is that needs to be 'built':

Capacity building is a strategy whose starting point is to encourage, reinforce and build social capital. The challenge [...] is to increase trust and the enjoyment of social interaction, while minimising isolation and distrust; in short to build 'loyalty'. (Whitehead and Smyth, in Warburton, 1998, p.25)

It is this approach to capacity building, and public participation in general, that is advocated in this thesis. The notion of social capital will be considered in more detail below.

Empowerment, and the role of participation in it, deals primarily with the role of people in deciding their futures. Closely related to this is another strand of explanation that sees a strong role for public participation. This conception focuses on the ideas themselves that are dealt with, and may hence be called epistemological in character. Accordingly, and in line with the above discussion, 'sustainability' is understood explicitly as a notion that cannot be rigorously defined at the outset, but rather requires context-specific deliberation between those affected by certain decisions (e.g. Crance

and Draper, 1996; O'Hara, 1996; O'Riordan, 1997, 1998a). This is an important theme in what follows and it is further elucidated in discussions on the role of experts (Appendix 1) and on discourse theory (Appendix 2).

The fourth dimension in O'Riordan and Voisey's model of sustainable development is called 'revelation'. It

encompasses the ideal of capturing the spirit of communal obligation and citizenship. It is a process of discourse and negotiation towards consensus that shows that common interests have been recognised. (O'Riordan and Voisey, 1997b, p. 9)

In many ways it is the necessary counterpart of empowerment. Indeed, in a later article, O'Riordan (1998a) subsumes 'revelation' within 'empowerment', arguing that "this, surely, is the basis of true democracy" (p.108). Empowerment deals primarily with the ability of groups or communities to develop common objectives and strategies for their fulfilment. The focus of these objectives is bound to be on the needs and aspirations of the group or community. Hence, there is scope for conflict. This conflict may arise in relation to needs of other communities, regional or national incentives, or, for that matter, the environment. To temper the narrowly defined interests of one group, therefore, is the goal of revelation. It entails "mechanisms through which citizens groups can visualise how a more sustainable future might map out, and be more aware of the consequences of their own ideology for the well being of others" (O'Riordan and Voisey, 1997b, p. 8).

Again, this sounds like wishful thinking of little relevance to environment-related decisions. However, the case studies should vindicate the consideration of identity issues as they pertain to the relationship between environment and development. Yet, it is important that such a consideration is aware of the complexities inherent in the notion of civil society and its relationship to the state. This refers primarily to an appreciation of the local context. By extension, this also has a bearing on research methodology, an interpretative, in-depth approach being favoured over a broad-based, nomothetic one.

In order to deepen the analysis of the role of public participation in this sustainability model, we need to deal with two critiques of participation. They arise from important perceptions as they pertain to the relationship between the environment, participation and democracy. They also relate to the challenge made by participation to established power structures. This will allow for a conception of public participation to be developed, which maintains its coherence and relevance in the face of these critiques.

## **2.2 DEFENDING PARTICIPATION FROM ECOLOGICAL AND DEMOCRATIC CRITIQUES**

In the literature – as well as ‘on the ground’ – two common themes can be discerned, which seek to counter substantive participation. In some ways, they reside at opposite ends of the spectrum relating to the degree to which the environment is a dominant factor in the final decision. The first to be considered below might be characterised by ‘the ecological imperative’, while the second relates to the primacy of democratic power.

### **2.2.1 The ‘ecological imperative’**

The ecological imperative refers to the fundamental limits that are set to human action by the ecological / bio-physical life-support systems of which we are a part. This notion, of course, is an important aspect of the sustainability framework discussed above. However, it is their relationship with democratic decision-making that defines ‘eco-authoritarians’. As such, the ecological imperative limits the degree to which democratic principles, and by extension, participatory procedures may define the outcome. The most common motivation for such a limitation is the severity of the ‘environmental crisis’ and the corresponding need for drastic action. The need for ecological knowledge to organise ecologically harmonious activity would require a focus on ‘competence’ in decision-making rather than popular participation.

But, as the earth and its various territories approach more and more closely to a realisation of the spaceship metaphor with each step toward the ultimate ecological limits, the highest degree of competence will become indispensable for effective rule (Ophuls, in Saward, 1993, p.71).

In addition to the need for ecological expertise in managing environmental problems, a neo-Malthusian interpretation of Hardin's 'tragedy of the commons' would advocate the need for strong, centralised decision-making structures. This view holds that the only way to constrain the individual self-interested behaviour that threatens the collective pool of resources is coercion. Hardin (1968) is vague about the kind of coercion, referring to it as "mutually agreed upon by the majority of the people" (Hardin, 1968, p.1247).

Carter (1993) quotes Schumpeter to express the view that individuals are unable to act even in their own good interests when it comes to policy choices, never mind collective interests. This is because "they do not suffer the direct consequences of their policy choices in the near future and therefore do not learn from their mistakes" (Carter, 1993, p.47). Hence, decisions should be made for the people, rather than by them. Related to this stance is the common assumption that the 'man in the street' has little interest in political issues and decision-making but that people rather "want to get on with their lives" (Dewar, 1998, pers.comm.).

As a consequence of such considerations, there are calls for decisions to be made at a national rather than local level, as the more competent decision-makers are more likely to be found there and decisions will have greater political power. This was voiced in an email discussion on creating a 'wish list' of requirements for EIA regulations in Australia:

My experience is that environmental concerns get a stronger play in national-level analyses than in local reviews. This may be the result of more qualified people working on decisions made at the national level. My observations suggest that a more important factor is that local decision makers are more swayed by moneyed interests and less by their responsibility as guardians of the public interest than are professionals in national-level regulatory agencies. (McCold, 1998)

The possible implication in McCold's message, as appeared in a protesting reply, is that

democracy should be abandoned altogether, and all power placed in the hands of highly qualified professional cadres - provided of course that they are environmental cadres! (George, 1998)

### 2.2.2 Defending participation against the ecological imperative

There are three main pillars of the eco-authoritarian approach, which are, in effect, turned on their heads by those advocating more participation:

1. People's individual incentives harm the common good.
2. People are incapable or uninterested to make competent decisions for the common good.
3. Experts have the scientific knowledge with which to define sustainable pathways.

The first is the 'tragedy of the commons' argument, also referred to, in different variants, as the 'collective action problem' (Taylor, 1996; Putnam, 1993) or the 'social dilemma' (Crance and Draper, 1996). This is the argument that incentives faced by the individual impel him or her to act in a way that is detrimental to the collective benefit. In a variety of forms this may be applied to most environmental problems. As described above, eco-authoritarians would like to see strong state regulation and coercion to affect individuals' behaviour. A variant of this is to assign strong and all-embracing property rights, which would allow for market regulation. Even here, however, the state would be important in order to enforce these property rights (e.g. Taylor, 1996). Advocates of participation, on the other hand, approach the problem differently. They base their arguments on a growing body of literature that indicates that socio-cultural norms of behaviour and institutional arrangements often function more effectively to influence individuals' behaviour such that it incorporates collective values (e.g. Webler *et al*, 1995; Crance and Draper, 1996; Feeny *et al*, 1996). These norms and modes of behaviour are best engendered and supported by processes of decision- and rule-making that actively include those affected.

The second argument of eco-authoritarians is that people are generally incapable or uninterested to make collective decisions, considering that this takes a substantial amount of effort and preparation. Theorists of participatory democracy, however, maintain that ignorant and individualistic behaviour is not necessarily the norm. Politically responsible behaviour can and should be learnt and the best way to do this is to practice participatory forms of decision-making.

Participation develops and fosters the very qualities necessary for it; the more individuals participate the better able they become to do so. Subsidiary hypotheses about participation are that it has an integrative effect and that it aids the acceptance of collective decisions (Pateman, in Carter, 1993, p.48).

However, if people's actions and attitudes depend on the experience of participation and if participation depends on these actions, this gives rise to a vicious circle in which individualistic behaviour reinforces political ignorance and vice versa (Carter, 1993). The question is then: how can this vicious circle be broken? It is suggested that individuals and groups can, out of their own motivation and, importantly, provided with supporting actions by state institutions, engender the necessary process of 'social learning'. Hence, this is seen as a prime motif for public participation procedures, as described in the next chapter.

The third pillar of the 'ecological imperative' approach is the reliance upon objective, scientific knowledge with which experts "distinguish what are, or would be, more sustainable practices from those which are less so" (Murdoch and Clark, 1994, page number unavailable). This issue may be seen to be particularly relevant in South African society, where "the guidance of professional persons [...] is usually followed without debate" (Fuggle, 1995, p.4).

However, this view of scientific knowledge has been seriously undermined by developments in the philosophy and sociology of science. **Appendix I** provides a brief survey of these ideas, including the writings of Murdoch and Clark (1994), Blaikie (1995), Parkin (1994) (who effectively applies theories developed by Callon and Crespi), and O'Riordan (1998a). The conclusions drawn from this survey do not result in an attitude where scientific advice is given a lesser standing. Quite to the contrary, the need for informed debate and thus input of scientists is advocated all the more. What is, however, refuted, is that science provides an objective, homogeneous picture according to which decisions can be made. This points to the need for the opening of 'spaces of negotiation', to use Blaikie's (1995) words. Such spaces would be characterised by more communication, interaction and deliberation.

### 2.2.3 The second challenge: the democratic imperative

If the ecological imperative is one important challenge to participation, there are those, on the proverbial other side of the coin, who feel that the environment might be given too much of a voice in participatory decision-making. This is especially the case where the prospect of more, predominantly local-level participation will threaten the power-claims of those advocating the democratic mandate for their interests.

On a theoretical level, Saward (1993) provides an argument for democracy as the prime imperative, by way of uncovering the contradictions inherent in the relationship between green thought and participation (as evidenced above).

Green principles expressed as imperatives leave open authoritarian solutions in part by having a highly instrumental attachment to democracy (*ibid.*, p.77)

'Democracy as epistemology' describes the process by which absolute truths (such as limits of nature) are abandoned in light of uncertainty and replaced by deliberations in the form of democracy. What kind of democracy? Saward (1996, p.82) argues that the key requirement is that of responsive rule, or of the "necessary correspondence between acts of government and the equally weighted express wishes of citizens with respect to those acts" (p.82). Interestingly, Doherty and deGeus (1996) criticise this version of "liberal democracy" as a defence of the status quo.

However, set in the context of South African history and extreme disparities in income, Saward's argument gains important relevance. Elected representatives may see in increased participation a threat to their hard-won power and legitimacy. This is especially so seeing that those participating in the institutionalised participation procedures are often whites with an 'environmental bias' (Fowkes and Goudie, 1995; Khan, 1996). This bias does not go down well with the dominant imperative for the majority of the people: socio-economic development. This tension should represent one of the most important themes of investigation in the following chapters.

There are, however, important theoretical considerations that have a bearing on the democracy-flavoured critique of participation. One of these is that participation, as a political ideal, has itself arisen from thinking on democracy. In many ways, the ANC has embraced these notions of participatory decision-making in its Reconstruction and Development Programme (ANC, 1994). But the tensions within the party (and government) between centralised decision-making and decentralisation, and between fast-track development procedures and 'people-driven' approaches are significant (e.g. Holliday, 1999, pers.comm.).

There are no conclusive answers to these questions as, indeed, they are long-standing dilemmas of political philosophy. The best one can do is to try to establish a coherent framework within which to assess the particularities of a given situation. The basic outline of this framework has been provided above in terms of O'Riordan and Voisey's sustainability transition. It will be given a further foundation below by a brief discussion of communicative action and social capital.

Another point needs to be made with regard to the role of 'environment' in this troubled relationship between participation and democracy. It refers to what might become a growing 'environmental consciousness', in terms of which environmental deterioration is increasingly felt to be affecting most adversely the poor. Environmental protection is thus seen to be as much an issue of social justice as one of maintaining ecosystem processes and biodiversity, hence giving rise to the phrase 'environmental justice'. In South Africa, an indication of this is given by the rapid growth of the Environmental Justice Networking Forum. This is a network of organisations, including trade unions, political parties, education institutions, non-governmental and community based organisations, which are characterised by their engagement in socio-economic development and / or environmental work and which see a vital connection between the two.

Environmental justice is about social transformation directed towards meeting basic human needs and enhancing our quality of life - economic quality, health care, housing, human rights, environmental protection, and democracy. (EJNF, in McDonald, 1998, p.1)

McDonald (1998, p.2) makes the point that the political leadership of the country has also embraced this broadening of the conception of 'environment':

Once 'the environment' is redefined to include the working and living space of black South Africans it quickly becomes apparent that environmental initiatives are akin to other post-apartheid, democratic objectives. The African National Congress has been making this point for many years now, claiming in its 1992 Ready to Govern document that improving the living and working environments of black South Africans is part and parcel of the struggle for a more just and equitable society (ANC 1992: 21).

Hence, to see to what degree this environmental justice movement has an impact on public participation procedures, actually and potentially, is an important theme for field research.

### 2.3 PARTICIPATION AND DISCOURSE THEORY

As has become apparent thus far, the socio-political context is crucial for public participation. Important questions arise in this respect: Are there socio-political prerequisites for participation? What are they? How might these be catered for?

#### 2.3.1 Socio-political prerequisites for participation?

Representatives of the state are not the only people whose claims to power are potentially threatened by calls for more participation. Within the actor-network described by Parkin (see Appendix 1), there are a host of individuals and groups that have established themselves as influential voices formally or informally. Hence, it is not just the state that needs to make a firm commitment to, for instance, decentralised decision-making. Civil society groups, such as professional organisations or business associations, are also required to abide by the procedural principles that are or could be created for a participatory regime.

Such a commitment is forthcoming in rhetoric but rare in practice. Schoenwaelder (1997), for instance, drawing from South American experience, points to the many

impediments faced by political decentralisation schemes because of “stiff resistance from entrenched élites unwilling to give up their privileges” (p.754).

Furthermore, even decentralisation initiatives that are in fact designed to devolve power to regional and local governments can have unintended effects, in the sense that they strengthen traditional local élites who have no interest in furthering the participation of the poor. (*ibid.*, p.754)

Ritchkin (1997) shares such concerns in the South African context. Particularly in the rural areas, he asserts, the patrimonial and clientelistic character of the local state and the patriarchal social order, suffused with supernatural belief-systems, make the implementation of local-level, ‘people-driven’ development efforts very difficult. Indeed, Ritchkin advocates a diminished role for rural local governments, because these are too vulnerable to being co-opted by local power factions. Further, Ritchkin points to the important tension between the imperative for speedy delivery of development services and the commitment to a ‘people-driven’ approach.

Given the pressure on the state to deliver, it is inevitable that where local capacity is dominated by an élite, this élite will become the people in the eyes of the bureaucracy. [...] Capacity building is no substitute for a political struggle. Using the rhetoric ‘people-driven’ is not helpful in this context. It becomes just that: rhetoric used to give one the authority to access resources. (*ibid.*, p.210)

### 2.3.2 The pluralist option

These issues point to one of the most important questions with regard to participation: what are the social, even cultural, prerequisites for instituting meaningful participation regimes? We have already encountered the critique, brought forward by adherents of an expert approach, that the public does not have the necessary knowledge to participate in decision-making. The argument alluded to above by Schoenwaelder and Ritchkin maintains that the factional nature of local politics could well diminish the responsiveness of the participatory process to local needs and desires.

These concerns are summed up by O’Riordan (1997, p.178):

For one thing it is impossible to be sure that groups are representative of all strands of opinion. For another, resources and information will be very unevenly spread, so some groups will not be equipped to know and to understand as well as others. Then there is the issue of who mediates for the groups and on what terms. Finally what happens if the state cannot or will not adjust policy to allow a consensually reached solution to be implemented? These are the reasons why evaluation by participation requires the institutional setting of pluralistic democracy. Since such a setting does not properly exist, then valuation by participation is inevitably partial and flawed.

Does this toll the death bell for participation? It seems not, since the alternative is even less satisfactory. Instead, we are admonished to “move cautiously yet purposefully to create conditions for legitimacy and participatory valuation” (*ibid.*, p.179).

Yet, what is meant by “pluralistic democracy”? O’Riordan (*ibid.*, p.177) defines his usage of the term in that pluralism

presumes that power is relatively dispersed amongst a variety of actors and groups. Furthermore, pluralism presumes that the political system is sufficiently open and accommodating to allow such interests to form and to mobilise their bias in their favour. So pluralism requires an active citizenry, freedom or good circulation of information, and a willingness to form political pressure points of political action, either in the form of protest or in the manner of social movements or interest groups.

It is apparent that such conditions are difficult, if not impossible to find in any country, especially one such as South Africa, where society is often described as ‘deeply divided’. O’Riordan (*ibid.*) characterises the common actual situation as ‘neo-élitism’, in which interest groups mobilise themselves, create alliances and seek to affect process and outcome in order to protect their collective interest. In order to have greater influence they align themselves into “quasi-stable coalitions circling around policy arenas” (*ibid.*, p.176-177). This is one step up from an ‘élitist’ system where there is a fairly stable group of powerful interests that dominate decision-making.

The notion of pluralist democracy is important in that it points out key features necessary for inclusive and effective participation. However, it does not provide a

coherent incentive for participation itself. This is one of the key strengths of a discursive – or deliberative – conception of democracy, as described below.

### 2.3.3 Probing for a political philosophy: discourse theory

A recurring theme in relation to participation is, basically speaking, the distinction between approaches that see participation as a means to an end and those that see it as an end in itself (see Elster, 1997; Taylor, 1996). As should have become apparent by now, this thesis follows the latter approach. One of the most important writers in this tradition is Juergen Habermas, whose ‘discourse theory’ has received much attention as a possible foundation for an “open and accommodating” (O’Riordan, 1997, p.177) political system. This theory and its relevance to environmental decision-making are discussed in **Appendix 2**.

Some of the essential bearings of discourse theory for public participation are summarised in this quote from Dryzek (in Dobson, 1996, p.135):

Communicative rationality clearly obtains to the degree social interaction is free from domination (the exercise of power), strategizing by the actors involved, and (self-) deception. Further, all actors should be equally and fully capable of making and questioning arguments (communicatively competent). There should be no restrictions on the participation of these competent actors. Under such conditions, the only remaining authority is that of good argument, which can be advanced on behalf of the veracity of empirical description, and understanding and, equally important, the validity of normative judgements.

Such a politico-ethical theory premised upon principles of communication may act as a foundation for conceptions of deliberative democracy. Deliberative democracy, as elucidated by Cohen (1997) provides an important enhancement to a pluralist scheme (see above) in that there is explicit reference to the learning function of political participation and the focus of public deliberation upon the common good.

### 2.3.4 Applying discourse theory to environment-related public participation

O'Hara (1996) goes some way to bridge the gap between abstract political theory and participatory practice. She provides three compelling reasons for why discourse theory finds good application in environmental matters. Firstly, it provides a coherent framework that could allow a truly inter-disciplinary approach to ecosystem evaluation, including economics, ecology and ethics. Akin to the idea of an 'environmental deliberative arena' described in Appendix 2, she states:

Ulich's view that "it is essentially ethics (if anything) which can link ecology and economy" [...] might thus be restated: it may well be the complexity of our ecological problems which can link ethics and economics as well as ethics and science (*ibid.*, p.99).

Building on this, discourse theory's second contribution is to supply a cogent basis from which to acknowledge and act within uncertainty. In this context it is hard to resist invoking Laws' (1996, p.70) quotation of a letter by Keats:

... and at once it struck me, what quality went to form a Man of Achievement, especially in Literature and which Shakespeare possessed so enormously – I mean Negative Capability, that is when a man is capable of being in uncertainties, Mysteries, doubts without any irritable reaching after fact and reason...

O'Hara's third point is that discourse theory allows for a deconstruction of implicit value assumptions that participants bring to the process. This includes those that influence the decisions on who to 'invite' to the process in the first place. In her case study, O'Hara demonstrates how underlying conceptions of what constitutes "relevant / irrelevant, educated / uneducated, or knowledgeable / ignorant" (*ibid.*, p.101) act to exclude knowledge claims of minorities or those based on empathy or experience, rather than objective, distanced analysis. In this vein, it is important to note that discursive practice is not guaranteed by people sitting around a table, but that such talking can be co-opted by existing power relations. It is hence always necessary for the process to commit itself to being

open, respectful, and willing to accept and hear a diversity of voices. Otherwise it will be in danger of deteriorating into a manipulative assertion of predetermined agendas (*ibid.*, p.104).

In an important contribution, Webler (1995) applies discourse theory to suggest two principles – fairness and competence – as “meta-criteria”, which set the parameters for designing and evaluating public participation procedures. According to Habermas’s conception of the ideal speech situation, as illustrated in the quote of Dryzek (see above), validity claims are accepted or refuted on the basis of every participant’s equal access to the discourse and the communicative competence of the participants. Fairness is hence an intrinsic requirement, and communicative competence is premised upon inherent qualities of language, as well as the participants’ desire for sincere and rational communication. Webler goes further in that he defines competence in terms of the general conditions of the discourse, rather than on the level of the individual only (as in Habermas). These conditions should allow the “construction of the most valid understandings and agreements possible given what is reasonably knowable at the time” (*ibid.*, p.58).

Webler’s main contribution is in applying the abstract ideas contained in the ideal speech situation to the practical issue of organising public participation procedures. The results are summarised in **Table 2-1**.

**Table 2-1: Conditions for fairness and competence (Webler, 1995)**

FAIRNESS	COMPETENCE
Anyone may participate	Participants must have minimum standards for cognitive and lingual competence
Anyone may assert validity claims	Every potential participant must have access to relevant knowledge
Anyone may challenge validity claims	Speakers must verify any attempt to translate expressive claims
Anyone can influence the final determinations of validity	Judgements about conflicting validity claims must be made using the most reliable methodological techniques available

## 2.4 SOCIAL CAPITAL AND PUBLIC PARTICIPATION

The ideas above set the scene for the sought relationship between the individual, civil society groups and the state. This relationship may be framed in terms of the concepts of 'civil society' and, more importantly, 'social capital'.

### 2.4.1 On citizenship and civil society

O'Riordan's (1997) call for an "active citizenry" (see above) is echoed by Barry (1993, p.123):

Of particular significance here is the practice of citizenship and the role of active citizens. Citizenship is understood as a mediating practice which connects the individual and the institutional levels of society, as well as a common identity which links otherwise disparate individuals together as a collectivity with common interests.

As a "mediating practice", citizenship is meant to allow for the effective processing of information in a mutually beneficial exchange between laypersons and experts and create feedback mechanisms between state and civil society, thus allowing for better (more responsive) decisions. Citizens should coalesce into interest groups or secondary associations to enhance 'civic consciousness' and improve democratic governance in environmental matters (e.g. Achterberg, 1996).

These sentiments invoke the notion of 'civil society' (for an elucidating introduction to the concept see Taylor, 1997). However, the term needs to be problematised in the African context. Osaghae's (1997) main critique is that 'civil society', defined as the "whole gamut of formal and informal associational life" (*ibid.*, p.15) that occupies the political space between the state and the individual, is a problematic import from European intellectual history. In this sense, civil society is reliant on a middle class "whose independent material base and articulation of universal, as opposed to parochial, values provide the pedestal for protecting society from state intrusion" (*ibid.*, p.17). Further, there needs to be "a recognition that all people have similar rights and obligations and [...] [this] implies a readiness to moderate particular or parochial interests in consideration of some common good" (*ibid.*, p.17). The existence of such a

constituency is clearly problematic in South Africa, given the country's history and socio-economic context.

Osaghae further illustrates this with the concept of the 'two publics' as formulated by Ekeh. The 'civic public' is dominated by the state and its apparati (bureaucratic, military, legislative, etc), which developed from the colonial (or apartheid) administration and consequently is far removed from the lives of most ordinary people and often suffers from legitimisation crises. The 'primordial public' evolved more or less as an alternative to the state, comprising ethnic, religious and similar particularistic organisations, and evoked a strong sense of ownership amongst ordinary citizens. These publics are by no means separated, as members of the élite simultaneously function in both, giving rise, for example, to corruption and ethnicity in state structures. This results in problems for civil society, which provides an "arena of contestation between primordial and civil forces and between primordial organisations" (*ibid.*, p.18). This might be one way of interpreting the very different relationships that people in, say, an African township and those in a 'white' suburb have to the state, NGO's or academic institutions.

Further critiques of too much reliance on civil society centre on the concern that this "overlooks the possibility that only the state is powerful enough to contain the contestation of specific group interests" (Stewart, 1997, p.16). These issues will be picked up below.

#### 2.4.2 Social capital

In the literature relating to civil society and democratic governance the concept of 'social capital' is gaining increasing currency. (It was, for instance, used in one of the key principles in South Africa's White Paper on Local Government (Ministry for Provincial Affairs and Constitutional Development, 1998).) It is applied to a variety of applications ranging from community policing to agricultural intensification schemes. The popularisation of 'social capital' followed the publication of Putnam's *Making Democracy Work* (see, e.g. Taylor, 1996; Evans, 1996a). In it, it is claimed, Putnam effectively provides empirical evidence for something that "those involved in

community economic development have known intuitively for years: the level of interpersonal trust, civic engagement and organisational capability counts" (Wilson, 1997, p.745).

*Making Democracy Work* describes a 20-year study of the provincial governments in Italy, which were instituted with identical organisational structures in 1970. The aim was to see what factors would determine the way these governments fared. Indeed, large differences in their success became evident, for which

the best predictor is one that Alexis de Tocqueville might have expected. Strong traditions of civic engagement--voter turnout, newspaper readership, membership in choral societies and literary circles, Lions Clubs, and soccer clubs--are the hallmarks of a successful region. (Putnam, 1993, WWW document)

This "civic engagement" is conceptualised as 'social capital':

By analogy with notions of physical capital and human capital--tools and training that enhance individual productivity--"social capital" refers to features of social organization, such as networks, norms, and trust, that facilitate coordination and cooperation for mutual benefit. Social capital enhances the benefits of investment in physical and human capital (*ibid.*, WWW Document).

It is evident that this resonates with calls for 'ecological citizenship' and 'associative democracy' for the sake of environmental policy (e.g. Achterberg, 1996; Barry, 1996; O'Riordan, 1997). This is especially so in the way social capital may be applied conceptually to the social dilemma scenario, as is done explicitly by Putnam (1993). It encompasses those socio-cultural activities, such as inter-group communication and mediated rule-making, which have been found to be vital in the resolution of resource-use or other environmental disputes (e.g. Crance and Draper, 1996; Feeny *et al*, 1996). An important aspect of this is the development of trust and norms of reciprocity between individuals as well as groups and institutions. If there is the expectation that the other parties will stick to their side of the agreed procedure or behaviour, then one will also co-operate. Further, the networks of communication between the various parties ensure that defectors are identified and duly sanctioned.

In the language of games theory: through the manifestation of social capital it becomes the rational strategy to co-operate, rather than defect, as long as the 'game' is expected to continue for some time and discount rates are not too high. This allows for solutions in which the stakeholders 'control' themselves in their use of the resource, knowing that the other users do the same. In this way all stakeholders benefit more than if everyone acted on the basis of distrust and took for themselves as much as they could, thus diminishing marginal returns (see, e.g., Barrett, 1990; Taylor, 1996).

Bebbington's (1997) analysis of the activities of local groups and organisations in the Andes is particularly relevant because he explicitly looks at the way they have an effect on the natural environment. In this way he provides a succinct motivation for the linking of natural and social capital.

Discussions of environmental transformations in fragile lands have recognised that market relationships, socio-political hierarchies, the exercise of power, and the distribution of natural resource entitlements and endowments are among the key factors determining whether natural capital is used sustainably or degraded (Turner and Benjamin, 1994; Leach and Mearns, 1991; Mearns, 1996; Peet and Watts, 1996). If this is so, then the existence of local institutions, the 'social capital' available to local people in their interactions with these spheres ought similarly to be an important factor in understanding patterns of intensification, disintensification and degradation – in the Andes and elsewhere. (*ibid.*, p.190)

A key feature of the benefits that social capital brought to the peasants in Bebbington's case studies is the way it allowed them to transcend their geographic, social and economic state of marginalisation. Organisation aided the farmers to re-negotiate land rights, improve production processes, and manage marketing relationships. Interestingly, they did this with 'outside' assistance. For instance, Bebbington gives an example of a university professor providing technical assistance to a group of farmers and another instance where priests acted as a catalyst for organisation.

In all these cases, these individuals not only brought ideas, but more importantly they brought networks of contacts that helped bridge gaps between the locality and non-local institutions and resources (*ibid.*, p.194).

### 2.4.3 'Unsocial' capital

There are problems with using the concept of social capital. It has, for instance been criticised on methodological grounds (e.g. Portes and Landolt, 1996). It also runs the risk of over-simplifying concepts such as trust. According to Levin (1996, p.48) the creation of trust is a complex affair:

Expectations about the behaviour of others form as a result of interactions among groups defined by ethnicity, religion, or some other shared value; confidence in a backdrop of third party sanctions; or sufficient costs to discourage the betrayal of trust.

Importantly, however, "social capital can have a dark side" (Ostrom, in Levin, 1996, p.52). This stresses the need for the understanding that community participation and associational activity can also have negative implications. Associations can act as "conspiracies against the public" (Portes and Landolt, 1996) in that they may exclude, rather than include, citizens in their quest to serve the interests of their members. Further, associations can also act as constraints to individual freedom and as impediments to those efforts which advocate progressive change (*ibid.*). Putnam (1993, WWW Document) himself states:

Social inequalities may be embedded in social capital. Norms and networks that serve some groups may obstruct others, particularly if the norms are discriminatory or the networks socially segregated. Recognizing the importance of social capital in sustaining community life does not exempt us from the need to worry about how that community is defined--who is inside and thus benefits from social capital, and who is outside and does not.

Examples of such 'bad social capital' abound. In this vein, one might even consider the 'Broederbond' – the notorious and secretive clan of Apartheid VIP's – to be a form of social capital. Clearly, this is not what those advocating social capital have in mind, but it serves to demonstrate the need to make careful distinctions between the kinds of associational activities that serve the public interest and those that do not. Of course, this requires some kind of definition of the 'public interest', which puts us in a similarly difficult position as with advocating the ecological imperative. This is where discourse theory could help. It enables us to judge not so much the aims and objectives of an

activity in terms of public good (although this will remain to be vital in the public discourse), but rather the procedural character of the activity, or decisions leading up to it, in terms of the normative ideal of communicative rationality (see Appendix 2). Open deliberation ideally serves to define the 'public good', as it does 'sustainability'.

An obvious example for procedures that automatically disqualify associations from being 'good social capital' is given by Lunsford's (1997, WWW Document) description of an anti-environment movement in the western United States:

Leaders of this movement have used strong rhetoric to denounce advocacy of clean air and water. Their rhetoric creates a climate of hate in which harassment and intimidation of "enemies" is acceptable. Anti-environmental leader, Ron Arnold, commenting on environmentalism said, "Our goal is to destroy, eradicate the environmental movement... We're dead serious - we're going to destroy them".

The distinction between 'good' and 'bad' social capital will also be important in the environmental arena here in South Africa. There are a host of NGO's and interest groups that all purport to be serving the public good in terms of 'saving' the environment. In this vein, O'Riordan (1997, pers. comm.) notes that it is often necessary to distinguish between truly civic NGO's and NIMBY (Not In My Back Yard) groups.

A real danger, however, is the creation of a distinction where there is none. Indeed, social capital can be 'good' and 'bad' at the same time – truly a double-edged sword!

Neighbourhoods (and certain other networks of civic engagement) are a source of trust and neighbourhoods are a source of distrust. They promote trust of those you know and distrust of those you do not, those not in the neighbourhood or outside the networks. (Levin, 1996, p.51)

#### **2.4.4 Social capital and the state, or: participation revisited**

A recurring theme in the literature is the relationship between civil society / social capital and the state. Levin (1996) argues that Putnam does not pay enough attention to the positive role the state can and must play in creating and using social capital and she

criticises the conservative approach of Fukuyama, who would like to see a decrease in state regulations. Putnam (1993, WWW document), however, distances himself from such conservative stances:

Conservatives are right to emphasize the value of intermediary associations, but they misunderstand the potential synergy between private organization and the government. Social capital is not a substitute for effective public policy but rather a prerequisite for it and, in part, a consequence of it. Social capital, as our Italian study suggests, works through and with states and markets, not in place of them.

Much writing has focused on this “potential synergy”. Levin (1996) argues that, although intermediate (i.e. civil society) associations are important in creating “generalised trust”, it is vital that the state provides a stable framework for social and economic transactions. She stresses the significant role that the state can and must play in “establishing and enforcing the property rights that make trust possible” and “establishing peaceful equilibria among otherwise combative groups” (*ibid.*, p.51).

Taylor (1996, p.3) offers a characterisation of this state–social capital relationship, which encompasses many other approaches in the literature:

In the ‘coercive’ approach, hierarchical superiors try to control or regulate or determine the behaviour of subordinates by one-way, top-down, individualised coercion. [...] Hierarchical superiors treat subordinates as individuals, as social isolates, proceeding as if they were unconnected with one another (and by doing so may in fact *make* them less connected); they make no use of (and so do not try to create or foster) any capacities the governed might have to regulate their own behaviour, capacities they are endowed with in virtue of such local community or social networks or organisation as may already exist among them – or, in brief, in virtue of such *social capital* as they possess. There is no recognition that such capacities could, with only a little help from hierarchical superiors, enable the governed to solve their own problems.

This coercive type of governance bears similarity to the approach advocated by those stressing the need for strong centralised control and expert-oriented decision making. The converse to this is the ‘co-operative’ approach, where the (vertical) ties between state and citizens and the (horizontal) relationships between citizens are nurtured. Co-

operative relations are “characterised by long-term repeated interaction, co-operation, reciprocity and trust” (*ibid.*, p.4), and make use of local networks and organisations.

Evans (1996a) introduces two concepts that are useful when analysing in more detail the relationship between the state and civil society. The first is ‘embeddedness’, or the degree to which there are “networks that span the divide between state and civil society” and an “intimate entanglement of public agents and engaged citizens” (*ibid.*, p.1036). He quotes research conducted in Taiwan, for instance, to illustrate how the close relationships that government staff have with local communities allow for the state’s activities to be responsive and accountable to the local population. It also serves as a reminder that state institutions are run by people and that they are affected in some way or other by their interactions with other people. This, coupled with the understanding that the state is not a homogeneous entity, will prepare the analyst for the observation that different sectors of the state align themselves with separate interest coalitions. These issues will require careful consideration in the following chapters.

The second important contribution made by Evans is the analysis of the contextual factors necessary for the creation of state – civil society synergy and the possibilities of ‘constructing’ social capital. In this respect, he is cautiously optimistic. Reviewing various studies, he maintains that the initial ‘endowments’ of social capital in the form of active associations with generalised goals and objectives and high levels of trust and interaction, which, in Putnam’s study, were the result of long historical processes, need not be fundamental constraining factors.

The limits seem to be set less by the initial density of trust and ties at the micro level and more by the difficulties involved in ‘scaling-up’ micro-level social capital to generate solidary ties and social action on a scale that is political and economically efficacious. (Evans, 1996b, p.1124)

The state can and should play an important role in this ‘scaling-up’ process. In many cases, this is to be achieved by generalising the parochial interests of civil society groups into “a more universalistic set of identities” (*ibid.*, p.1125). In the case of rural Mexico, for instance, state social policies applied by ‘reformists’ (in conflict with more conservative parts of the state) successfully supported the organisation of small peasant

groups into a national social movement (Fox, 1996). One of the main factors, then, is the competence and engagement of state institutions. Unfortunately, in most countries, including South Africa, both the organisational structures of these institutions, as well as the attitudes of state officials and bureaucrats severely hampers such mutual support.

Finally, the 'constructability' perspective allows us to focus on those mechanisms that could effectively build synergy. Evans considers the importance of changing perceptions and applying 'soft technologies' – changes to the organisational structures and processes, which will improve communication and co-ordination within and outside the institution. In the case of 'scaling-up' mentioned above, for example, the prime objective is to affect the interests and identity of the individuals and groups who are organising themselves to embrace a wider set of motivations and incentives. One mechanism towards this end would be the dispersal of information regarding those issues that affect disparate groups in similar ways and suggestions as to possibilities for collective action. Here in South Africa, for instance, the Environmental Justice Networking Forum represents an attempt at such a coalescence and consolidation of disparate groups.

## 2.5 CONCLUSION

This chapter has sought to build a solid theoretical foundation for public participation in environmental matters. Positing participation within the empowerment motif of a sustainability transition effectively ties it to the other concurrent imperatives of durable wealth creation and environmental stewardship. From there, it can be coherently defended against criticisms emanating from those advocating the ecological imperative, as well as those who feel their democratic mandates to be threatened. Importantly, this theory provides a perspective on what kind of socio-political circumstances are necessary for meaningful participation. In essence, this demands the development of open and trusting relationships between and within citizen groups and the state. This perspective will enable the elucidation of criteria with which to gauge the effectiveness and sensitivity of actual participation procedures. This is the objective of the next chapter.

### 3. EVALUATION AND DESIGN OF PUBLIC PARTICIPATION PROCEDURES

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The previous chapter has provided theoretical thrusts surrounding public participation (PP). From these, this chapter will distil some of the main principles in terms of their relevance to actual public participation processes (PPPs). These principles will represent the criteria with which theory, policy and case studies will be assessed. Each of the following provides an important category of more concise questions that should be asked when designing or evaluating a public participation procedure.

1. **Technical competence:** How well does the process cater for an improvement of the quality of the decision?
2. **Efficiency:** How well does the process make use of available resources, particularly time?
3. **Government synergy:** How well is the process aligned to and supported by government structures and processes?
4. **Fairness:** Is there equal access to the process and can each participant equally affect the process and its outcome?
5. **Social learning:** How well is the potential used to facilitate multi-way communication between role-players, the development of cognitive abilities, and the generation of expanded moral relationships?

Importantly, the relationships between these criteria provide for some of the tensions surrounding PP generally. The first three – technical competence, efficiency and government synergy – relate primarily to the given socio-economic context in which PP is implemented. In this vein, they are associated most closely with the first two pillars of the sustainability conception described in the previous chapter, i.e. wealth creation and stewardship. Criteria four and five represent the potential transformative thrust of public participation, corresponding primarily with the empowerment and revelation motifs of a sustainability transition. They are the ones that probably engender the most far-reaching innovations necessary to current PP practice, with the other three providing the limiting conditions for such changes. The relationship between these five criteria in relation to underlying notions such as social change will be discussed at the end of this chapter. Importantly, however, although in some ways conflicting, in other ways these criteria are complementary to and re-enforcing of each other.

There are three fundamental aspects of PP, which are not represented by independent criteria. These are citizen power, conflict management, and social sensitivity. Citizen power, of course, has often been the basis for evaluating PPPs (e.g. O’Riordan, 1998b; Sinclair and Diduck, 1995) and the scope for and need to constructively deal with conflict has also been an important lens through which to analyse PP (e.g. Glavovic and Dukes, 1997; Daniels and Walker, 1996). Likewise, the frequent lack of sociological analysis as part of PP has been identified as an important problem particularly here in South Africa (Cock, 1995; Khan (Farieda), 1998). The significance of these issues should also have become apparent in terms of the previous chapter.

The main reason for these issues not being represented as independent criteria is that they have significant bearing on all aspects of PPPs and need to be considered in terms of each of the above criteria. Power, for instance, is a complex notion, which, in essence, relates to the degree to which citizens can influence the decision-making procedure and outcome. In this vein, much depends on the relationship between the PPP and statutory decision-makers, i.e. the third criterion, as well as the specific context and issue at hand. The social learning criterion also contains many aspects important with respect to the enhancement of citizen power, as well as negotiation or mediation

methods applied for conflict management. The fairness criterion will have as one of its main imperatives the explicit consideration of social inequalities and power dynamics, and thus will require a context sensitive approach.

Hence, issues of power, conflict and social context, particularly in local South African terms relevant to the thesis title, will need to be dealt with explicitly in what follows. An extra section will consider the importance of a socially sensitive approach to PP.

### 3.1 TECHNICAL COMPETENCE AND EFFICIENCY

As was discussed in the previous chapter, one of the most important criticisms of PP is that the lay public does not possess the sophistication to deal with the complicated issues common to environment-related decision-making. The fear here is that too much emphasis on PP will skew the decision towards haphazard or whimsical social concerns, without due consideration of scientific or expert advice. Related to this is the concern that public involvement requires too much time and effort to be worth the frequently limited input regarding the technical improvement of the decisions made. Hence, the two principles that engage with these concerns – technical competence and efficiency – are also related, although by no means identical.

Technical competence refers to the degree to and manner in which the PPP improves the technical quality of the decision, in terms of social, economic or biophysical concerns. An important aspect of this is the effective relationship between public involvement and technical input into the planning process. Hence, this connects with the need to make judgements on competing validity claims by means of the most appropriate methodology available, as required in Webler's adaptation of the ideal speech situation above described in the previous chapter.

Efficiency, on the other hand, relates directly to the amount of time and effort that is used in the PPP, and endeavours to limit these as much as possible. Those for whom efficiency is a prime motivation point out that PPPs are often carried out within severe time and financial constraints.

Beanlands (1994) extols the importance of an early “scoping” process to guide and focus EIAs. Public involvement is a vital element of scoping, in that it is the public that needs to operationalise policy objectives such as ‘well-being’ and decide on the ‘significance’ of potential environmental effects.

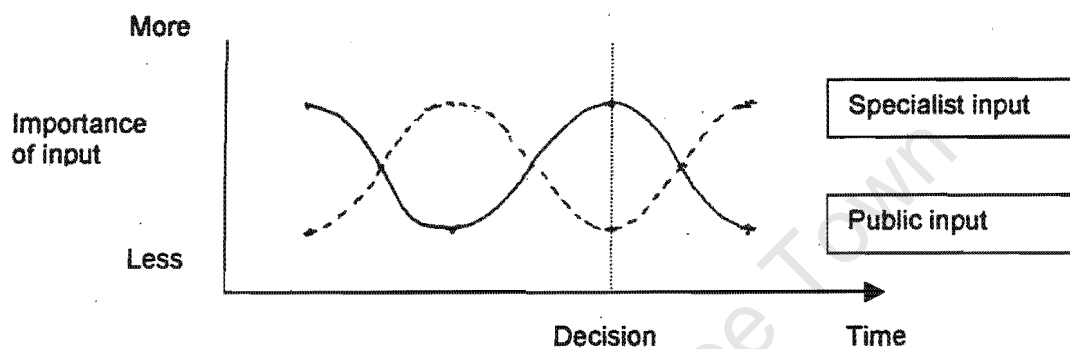
Such judgements, often based on social and economic criteria, reflect the political reality of impact assessment in which significance is translated into public acceptability and desirability. (*ibid.*, p. 35)

Hence, the main reason for involving the public, according to this view, is to elicit these judgements in order to guide the baseline studies, i.e. the scientific studies aimed at collecting relevant background information to make the decision(s). In order for this to happen, the “target population” (*ibid.*, p.37) needs to be clearly defined. Once identified, these persons need to be given adequate, understandable information, enough time to “organise [their] thoughts” (*ibid.*, p.37), and a clear procedure by which to communicate their concerns. This conception of PP is prevalent also in South Africa, whereby the main aim is to “focus the Environmental Impact Assessment (EIA) into concentrating its energies on those key issues which could make or break the project” (Weaver and Rossouw, 1997, p.1). Its representation of a functional / management approach and relationship to the other principles will be discussed briefly in the final section of this chapter.

Once the priority concerns of the target population have been received, these need to feed into the specialist baseline studies. Hence, the focus on public involvement is phased out in favour of scientific activity in preparation of the EIA. When the results of scientific studies become known, these will be the basis of further public involvement, perhaps leading to a decision regarding the advancement of the project. This interactive phasing of public input and expert studies, schematically represented in **Figure 3-1**, is an important concept to guide the relationship between the two, even if actual planning processes are probably more haphazard. However, in line with the discussion of expert knowledge provided in Appendix 1, the relationship between public input and science

must be a mutually supportive and interactive one. Technical competence does not mean that scientists and professionals alone set the standards and aims of the process.

**Figure 3-1: Phased interaction between technical and public input in a public participation process (Beanlands, 1994)**



Another important contribution by Beanlands in these respects is the idea of the decision network (conceptualised rather more simply than by Parkin, as described in Appendix 2). It entails the observation that the project planning process is characterised not by one but by many decisions, frequently made by different actors. Hence, an important aspect of the scoping process should be what Brown and Hill (1995) have termed “decision scoping”, or an analysis of what decisions need to be made by whom at what stages of the planning and implementation process, and what information is necessary for them. The authorities responsible for making decisions, as well as the public, need to be included in the preparation of such a decision timetable. Further, these deliberations should result in guidelines with respect to the relationship between public input and expert studies, as described above. For such a link between PP and project planning to succeed, the facilitators of the PPP need to be included as an important component of the project planning team, or at least have close interaction with it.

### 3.2 ON THE NEED FOR A PUBLIC PARTICIPATION PLAN

What results from the above considerations is the overarching requirement to include the public as early as possible. This has the important advantage that project planning can account for input received from the public, thereby limiting greater costs, as well as conflict, in later stages. Further, the planning process can create buy-in amongst those participants who have been involved from its early stages. Such buy-in should prove valuable to provide some measure of self-control and discipline within those groups who seek to influence the outcome.

Indeed, discipline and self-control are vital attributes of any PPP, particularly in terms of efficiency considerations. All too often, PPPs are dragged out or lead to conflict situations because of certain participants who stubbornly refuse to compromise or who seek to use the process to further other strategic ends. Hence, together with the right to participate in the process, as demanded by the fairness principle, must come the responsibility to abide by certain obligations, which structure the process. These constraints are most likely abided by if they are self-imposed. That is, an important part of any PPP should be the definition of certain rules and procedures.

Hence, at the beginning of the process, the participants should aid in the determination of the terms of reference of the process, which are set out in a public participation plan. This plan should also include the results of the 'decision-scoping' and should lay down guidelines for the interaction between the public and specialists. Decision-making rules should be devised before conflict arises. Frequently, for instance, joint committees are created to represent various stakeholders, which are bogged down by disagreement if there are no mechanisms to provide for closure. Consensus decisions should be endeavoured, but where this is not possible decision rules, such as two-thirds majority decisions, should be defined at the outset.

In this vein, however, technical competence and efficiency are complementary to fairness. Only if the initial determination of procedure and decision rules is made with the input of all who, during the ensuing process, insist on participating, or when the invitation process was such that it satisfied the various groups, will it enable, rather than

hinder, the process. There is, of course, no objective measure of such inclusivity. Rather, the process needs to be initiated with a keen sensitivity to the local circumstances, as would be engendered by a sociological probe discussed below.

### 3.3 CONSIDERATION OF STRATEGIC ISSUES

In addition to having the PPP start off in early stages of project planning, the goals of technical competence and efficiency – as well as the other three criteria – would be aided greatly if PP was instituted at strategic levels. Indeed, the move from specific problems to more strategic, large-scale issues has been described as one of the key requirements for a sustainability-oriented approach to PP (Fowkes and Goudie, 1995). Hence, inclusive and sincere PP for, say, a structure plan would significantly decrease the need to involve the public in decisions provided for in the plan. This is indeed an important concern for environmental and planning policy generally (see, e.g., Department of Environmental Affairs and Tourism, 1998a; Hamann *et al.*, 1999), and PPPs need to adjust to the specific requirements of decision-making at this level.

Strategic planning represents the most important arena for PP, but also the most challenging. This is because the relevant spatial and time scales are diverse, vague and difficult to grasp. Interaction between social, economic and other factors are complex and cumulative. Most importantly, perhaps, it is at this level that differing conceptions of the common good and conflicting visions will manifest themselves, while, simultaneously, tangible decisions are difficult to frame.

As a consequence, in terms of evaluating actual PPPs, these considerations should lead to an assessment of whether or not, or to which degree, strategic issues are debated as part of the process. This requirement is possibly in direct contradiction to the need to focus the PPP. Indeed, this conflict is an important aspect of where PP is seen to reside in terms of paradigmatic approach, as described below. As a rule, however, strategic concerns should only be allowed mention if a strong case is made regarding the link between these and the question at hand, as defined in the PP plan.

### 3.4 GOVERNMENT SYNERGY

In response to the theoretical challenge to PP posed by democratic mandates, as described in the previous chapter, the participation process needs to be aligned closely with established government processes. This criterion is given extra weighting by experience of local forums or stakeholder consultation groupings failing in their intended aims because their relationship to elected representatives were unclear (e.g. Maze, 1999, pers.comm.; Cowling, 1999, pers.comm.). It is also borne out by virtue of recent environment-related legislation, which sees a strong role for state-civil society interaction in, for instance, renewable resource use or the implementation of project-level environmental management plans (Hamann et al., 1999).

State representatives, in the form of elected politicians at local, provincial or national level, as well as civil servants, have very important roles to play in environment-related PPPs. They influence or guide the process, as well as provide input into it. It is important that this interaction is premised upon a well-developed and coherent conception, which is widely shared, of what PP is supposed to achieve and how it should do so.

However, the role of government in PPPs is a sensitive issue in terms of long-standing questions regarding the relationship between the state and civil society. Will a close 'alignment' with state structures not co-opt, or 'corporatise' civil society groupings? Will state-controlled participation structures not hinder objective criticism of government? The approach taken in this thesis on these issues is that there is a real danger that such co-option takes place, but that it is nevertheless necessary to allow close interaction between elected representatives and public participation procedures. The main reasons for this are:

- It will aid the fairness criterion, in that elected representatives should insist on PPPs being as inclusive as possible (at least as far as their constituency goes!)
- It is necessary in terms of the fledgling democratic structures in the country. PPPs should not be a way of circumventing elected government bodies, especially in terms of the need to build local government capacity.

- It is important in terms of the implementation of decisions made as a result of the PPP, as this is often the responsibility of local government (particularly in issues considered in this thesis).

Hence, what is the remedy against co-option? The state itself needs to limit itself in this respect, and the constitution is the most important tool for this. Its administrative justice and right to information clauses are vital in that they provide the necessary mechanisms with which voluntary associations may retain their independence when dealing within state-aligned procedures.

Further considerations in this respect arise out of the previous chapter's discussion on the relationship between the state and social capital, and the notions of 'embeddedness' and 'constructibility'. These concepts point out ways in which state structures and procedures should be moulded to further the goals of social capital formation. In essence, this relates to the insistence that state representatives act in the public interest, that they are accountable, and that they foster networks of communication with and between civil society groupings. Politicians and civil servants should aspire to and implement a culture of 'co-operative hierarchy', as elucidated by Taylor (1996) and described in the previous chapter.

On a more practical level, the literature has little to guide us in terms of what role elected representatives should play in PPPs. Cock (1995) criticises a particular EIA process (the St. Lucia EIA) for not having included democratically elected representatives, while Burger and McCallum (1997) point out that politicians may be over-exposed to conflict prone public meetings. However, as described above, the buy-in of local politicians should be a vital endeavour of the process, and the social analysis framework (see below) should go some way to assess views and perspectives of these politicians. Further, methods used to involve them should be sensitive to, but not over-protective of their exposure to conflict settings.

Fundamentally, the PPP should not be too constricted by rules and regulations. That is, within the above-mentioned requirement for alignment to elected government, the PPP needs to retain some minimum degree of flexibility. That is because each PPP is

context-specific and needs to be sensitive to local conditions (see below). Further, participants need to play an important role in devising the terms of reference of the PPP – there cannot be a schematic process. Underlying these issues is an understanding of the development process as being haphazard and chaotic, and not lending itself to neatly staged, linear planning processes (see Khan (Firoz), 1998).

### 3.5 FAIRNESS AS EQUAL ACCESS

Fairness is perhaps the most fundamental pillar of PP. It is also one of the most difficult to conceptualise and implement. In essence, it relates to the equal opportunity for or ability of people to engage with and influence the PPP (see also the first column of Table 1 in the preceding chapter). This may be applied in terms of physical, as well as intellectual access, i.e. access to meetings, information and decision-making processes such as voting, and freedom to provide input into the proceedings. Such input should be acknowledged and considered according to criteria acceptable to all participants, and such consideration should be documented. Due to its fundamental nature, fairness needs to feed into each of the other criteria discussed here. But there are also specific requirements emanating from the fairness criterion, and these will be discussed in what follows.

At a most basic level, fairness requires an assessment of who would be affected by the decisions to be made. But how does one define ‘affected’? Of course, this issue relates directly to the very definition of PP, as discussed briefly in the Introduction. Fowkes and Goudie (1995) distinguish between “primary stakeholders” – those who are directly affected – and “secondary stakeholders” – those who have an interest in the matter. Although stating that both groups should be included, the distinction might imply that a particular effort should be made to engage the primary stakeholders. Similarly, Webler (1995) distinguishes two approaches to identify stakeholders: the “objective” approach, by which natural and social science methods are applied to identify causal relationships between the intended actions and potentially affected people, and the “subjective” approach, by which people should be allowed to decide for themselves whether or not they are affected. Both should be applied. The objective method should be used in that

it may inform unsuspecting people of possible effects on them, and the subjective approach is in line with the democratic right to participate, even if large participant numbers make logistics difficult.

The ability for people to participate will depend largely on their specific circumstances, as influenced by the local context, and the methodology of the PPP. South Africa's history and present socio-political dynamics are hence of vital significance. It has been frequently argued that these factors are leading to the continued disadvantage of poor, primarily black sectors of the population in terms of PPPs conducted in the environmental field (Cock, 1995; Ngobese and Cock, 1997; Khan, 1996; Khan (Farieda), 1998; Fuggle, 1995; O'Riordan, 1998b). The result is an elitist PPP, in which the rich, eloquent, organised, and predominantly white sectors of society have a dominating influence.

Hence, the attainment of the fairness criterion is impeded by a daunting set of obstacles. As Khan (1996, WWW Document) states:

These obstacles, which pertain particularly to the involvement of poor, mainly black communities, relate firstly to the socio-economic legacy of past apartheid policies, and secondly to the continued use of inappropriate public participation techniques.

Fundamentally, the racially oppressive and technocentric administration of the apartheid era has created a deep distrust among poor people towards the state (Khan, 1996), and little belief or confidence in the feasibility of participating in public decision-making. With the advent of democracy in 1994, however, it may be argued that there are signs of increasing legitimacy ascribed to accessing state power at a variety of levels.

In addition to these political issues relating to the skills and confidence necessary for participation, apartheid's legacy impedes participation by way of mass poverty and illiteracy. This has particular ramifications for environment-related decision-making. Where the primary concerns of large parts of the population are related to unemployment, housing and access to water, food and electricity, environmental and particularly conservation issues will not enjoy high priority, and hence involvement in

PPPs will be low. In other ways, too, environment is a concept that poor, black people have difficulty engaging with. These pertain to the past approach of authorities and environmental organisations, by which conservation ideals were implemented to the detriment of blacks' living conditions, even by means of forced removals (Khan, 1997; Ngobese and Cock, 1997; Hamann et al., 1999). Further, racially-based and forceful resettlements had the effect of dumping people in environments to which they had no relation (Khan, 1996).

Of course, these concerns depend on the issue and context at hand. As discussed in the previous chapter, some environmental concerns, primarily those related to health, enjoy much support as part of a potentially growing environmental justice movement (McDonald, 1998).

However, even if there is a will of poor communities to engage with a PPP, socio-economic factors limit their ability to do so. Low levels of education and widespread illiteracy (only 43% of Africans and 56% of Coloureds are estimated to have completed eighth grade (Khan, 1996, p.4)) make participation very difficult. In addition, environmental issues are frequently characterised and perceived to be complex and sophisticated. For instance, the ANC (Western Cape) Environment Desk chairperson described environmental issues as the prerogative of the party's "intelligentsia" (statement made during ANC (Western Cape) Environment Desk meeting).

Of course, the fundamental issue of language is also very important in a country with 11 official languages!

These difficulties are exacerbated by PP procedures that are inadequate to cater for poor people's situation, thereby impeding the attainment of the fairness criterion.

With regard to inappropriate public participation techniques, too often techniques more suited to a 'first world' approach are applied indiscriminately in poor communities, usually with negative results. [...] [They] are extremely harmful, often either intimidating or antagonising the very communities they are attempting to involve. (Khan (Farieda), 1998, WWW Document)

### 3.6 IMPLEMENTING THE FAIRNESS CRITERION

Khan (1996) (see also Fowkes and Goudie (1995)) provides three fundamental guidelines for making PP more inclusive of disadvantaged communities:

- There is a need to be sensitive to the legacy of apartheid in terms of community perceptions and ongoing inequitable power relations;
- There is a need to remember that communities are not homogenous entities, but contain a variety of groups, perceptions, abilities, etc. Hence, PP should make use of a variety of techniques and strategies to adapt to these differences and enable representative involvement of the local populace;
- PP that endeavours to involve the disadvantaged needs to acknowledge that this requires time and effort, and should budget accordingly.

These considerations will require special attention in the chapters that follow.

Further, Khan (1996, 1998) discusses certain specific mechanisms and procedural enhancements to affect greater fairness:

- Effective feedback mechanisms to keep the participants informed, using clear and accessible language;
- The use of language in documents and meetings that is spoken by participants (i.e. more than one language should be used together with translation services if necessary);
- The use of key informants from the community and alignment with existing associations or organisations;
- Public meetings that are held in accessible venues and at convenient times (transport is an important issue in this respect);
- The use of alternative techniques, such as interviews or house meetings; and
- Environmental education strategies (Khan, 1996).

Cock (1995) augments these suggestions by providing an extended conception of a participative research methodology, including tools such as focus groups or participant observation. Further, she insists that certain vulnerable and marginalised groups, particularly women and youth, should be explicitly targeted as part of the PPP. Such an

approach may be prepared and institutionalised by means of the 'social analysis framework':

The model of a social analysis framework is provided for the South African context by Fowkes and Goudie (1995), building on a paper by Cock (1995). Its aim is to enable the incorporation of sociological concepts and techniques into the conceptual framework for environmental evaluation (Integrated Environmental Management, or IEM, see Chapter 5), given the identified need for this kind of input. This is critically important for the design and implementation of PPPs, as well as those aspects of IEM that deal with the social, economic, and cultural effects of the environment, in accordance with the wide definition of 'environment' in IEM (Department of Environment Affairs, 1992). However, this has been a problematic relationship:

In the past, environmental impact assessments have emphasised objective data, ignored social tensions and given only a token nod to public involvement in the process. (Cock, 1995, p.10)

Fowkes and Goudie (1995, p.3) argue that some of the reasons underlying the stress on bio-physical aspects of the environment, rather than socio-economic ones, include the "general lack of sound conceptual understanding of social issues" and "the absence of social scientists, especially sociologists on EIA teams". Hence, the social analysis framework is to enhance the PPP, as well as the social impact assessment (SIA) aspects of the IEM process, in terms of a better sociological understanding of the local context.

To this effect, however, Cock (1995) points out the distinction between PP and SIA. The former is primarily a process related to allowing access to decision making, while the latter is one aspect of the product. The point is that public participation, as a crucial component of the entire IEM process, should be informed by a "social probe" conducted in the initial stage of IEM (Fowkes and Goudie, 1995). This probe should provide a list of the interested and affected parties (IAPs), relevant issues, and representative organisations or associations, as well as a time line of significant historical events. This information should, in part, be generated by means of in-depth interviews with key informants.

Significantly, the probe is to feed into the preparation of a “public involvement plan” (*ibid.*, p.54), which details the envisaged PPP. This plan is also to describe the participatory research tools (such as interviews, focus groups, participant observation) required for the “community profile” in terms of the SIA (Cock, 1995).

The most significant lesson to be derived from the above discussion must relate to the importance of a detailed public participation plan that is informed by an initial ‘social probe’. The aptness of such a plan was already considered in terms of the technical competence and efficiency criteria, thereby further consolidating its importance.

### 3.7 SOCIAL LEARNING

Social learning is perhaps one of the most important principles to be applied in this thesis. It is a broad, inclusive concept that embodies a shift from a functional, management-oriented approach towards a normative, transformative one. The imperative of social learning arises from linking the need for empowerment to the notion of social capital. It is thus more than the conventional view of capacity building, although that is an important part of it. Its aim, over and above the enhancement of participants’ cognitive understanding of the issues at hand, is the development of broader motivational frameworks, or the creation of a more inclusive social ethic. This is particularly pertinent in the South African context.

Webler *et al.* (1995) present a coherent picture of how social learning is relevant to environmental evaluation. As such, the concept includes individual learning, by which people enhance their understanding of the issue at hand and the role of others in it, as well as group learning, by which group interests are defined and contextualised and where private interests are linked with shared interests. In an applied sense, social learning contains two main components: cognitive enhancement and moral development. Of course, they are closely inter-related and not clearly defined. The former relates to the gaining of knowledge in terms of technical understanding of the issues and procedures, as well as forms of communication and the subjective positions of other role-players. The latter relates to the faculties of distinguishing right from

wrong, and the relating of individual to collective interests. Some of the main aspects of these two components are summarised in **Table 3-1**.

**Table 3-1: The two general components of social learning (adapted from Webler et al., 1995 and Diduck and Sinclair, 1997)**

COGNITIVE ENHANCEMENT	MORAL DEVELOPMENT
<p>Knowledge and grasp of:</p> <ul style="list-style-type: none"> <li>• The problem / decision at hand</li> <li>• Possible solutions / alternatives and related consequences</li> <li>• Procedural and legal issues relating to the decisions to be made</li> <li>• Other people's and group's interests and values</li> <li>• Communication, co-operation and interaction</li> <li>• Holistic and systemic thinking</li> </ul>	<p>Development or appreciation of:</p> <ul style="list-style-type: none"> <li>• A sense of respect for and responsibility to oneself and others</li> <li>• The perspective of others</li> <li>• Skills of moral reasoning; also in terms of integrating cognitive understanding into making value judgements</li> <li>• Group work and co-operation in solving moral problems</li> <li>• Group solidarity, or the adoption of group interests as one's own</li> </ul>

Webler *et al.* (1995) describe the application of social learning in a case study of a waste disposal facility in Switzerland. It is apparent that the elaborate participation model – “a citizen panel type model augmented with stakeholder group participation in designing decision options, expert witnesses, and an expert group Delphi” (*ibid.*, p.446) – finds limited general application, especially in South Africa. However, some of the points made regarding the positive facilitation of social learning are worth mentioning:

- An egalitarian and often informal atmosphere, where participants are free to make comments or ask questions;
  - Face-to-face, repeated and relatively long-term contact and interaction within a relatively stable group of participants, experts and decision makers;
  - A demonstrated commitment to the process shown by the relevant decision makers;
- and

- Far-reaching responsibility given to the participants to design and implement the process; this includes determining the form of interaction with experts.

The “cognitive enhancement” aspects of Webler *et al.*'s social learning concept relate closely to the important role of education in PPPs, which is a theme of great currency in the literature (e.g., Daniels and Walker, 1996; Diduck and Sinclair, 1997; Glavovic and Dukes, 1997; Khan (Farieda), 1998; Sinclair and Diduck, 1995). Significantly, Sinclair and Diduck (1995) provide an important incentive for education by creating a link between education and power:

It is often argued that to be effective, efficient, and fair, public involvement processes should lean toward a greater degree of citizen power in decision-making – rungs 6 to 8 of Arnstein's ladder. What has been largely ignored, however, is that to achieve higher degrees of citizen power, citizens must have a firm understanding of the decision-making process of which they are a part. An effective transfer of power requires an effective transfer of knowledge (*ibid.*, p.228).

In their assessment of Canadian PP practice, Sinclair and Diduck (*ibid.*) find that public education has been largely ignored and that, where there have been education efforts, these were directed mainly at project proponents to guide them through the authorisation process. One might expect a similar assessment here in South Africa.

Further, Sinclair and Diduck (*ibid.*) provide a list of mechanisms or tools, which they recommend to affect the education aspects of an environmental evaluation process. These include citizen training workshops and lectures, computer based teaching and participation, open houses and information days, plain language versions of legislation and other information publications, and audio-visual tools. Although these extra methods are important potential enhancements, the principle of social learning may also be implemented in existing procedures such as public notices (including media advertisements) and public meetings.

Hence, social learning is vital to increase the scope of citizen power. It is also crucial in terms of dealing with conflict. In this vein, conflict is not seen as necessarily a bad thing, but perhaps an arena for positive social change:

The challenge in social learning is therefore not to resolve or eliminate conflict; rather it is to learn about complex issues in an inherently conflictual environment (Daniels and Walker, 1996, p.74).

Daniels and Walker (*ibid.*) combine methods from “soft systems methodology” – to further systemic thinking amongst participants – and “alternative dispute resolution” – to deal with value differences and strategic behaviour – to create their own conception of “collaborative learning”. It is particularly relevant in that it expands social learning with the explicit intention to deal constructively with conflict. The following are some of the main features of this approach (*ibid.*, p.84, emphasis in original):

- Stress on “*improvement* rather than solution”, and “*progress* rather than success”;
- Focus on “*concerns and interests* rather than positions”;
- Encouragement of holistic systems thinking (i.e. appreciation of complexity and inter-relatedness of parts of the environment); and
- Emphasis on “*communication and negotiation interaction* as the means through which learning and progress occur”.

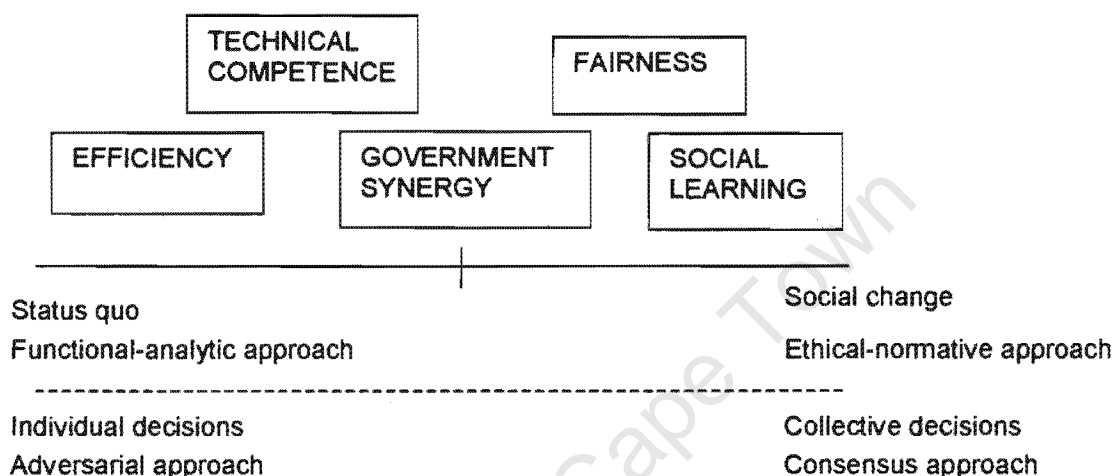
Hence, to round off this section, social learning may be described as the embodiment of a transformative approach to PP, whereby PP is seen as a pro-active mechanism for social change. However, an over-enthusiastic reliance on consensus and negotiated outcomes should be tempered. Indeed, “consensus-based approaches, including mediation, do not provide a panacea for environmental conflict, and frequently supplement, rather than replace, traditional social choice mechanisms” (Glavovic and Dukes, 1997, p.50). These sentiments point to the requirement of effectively integrating or, where necessary, trading-off the principles discussed in this chapter.

### 3.8 RELATING THE PRINCIPLES

It is clear that the five principles discussed above are not necessarily complementary in terms of the way they seek to influence the PPP. For instance, the requirements of fairness and social learning place high demands on effort and time, while the criterion of efficiency seeks to limit these as much as possible. It is therefore useful to relate

these principles in terms of the underlying philosophical notions that have suffused much of the theoretical discussions to this point. **Figure 3-1** is an attempt at schematically illustrating this relationship.

**Figure 3-1: Positioning the principles with respect to paradigmatic approach**



With regard to the paradigmatic axes, firstly, there is the relationship between social change and the status quo. For instance, those focusing on the expedience of PPPs do not place much value on the importance of social change, while change and innovation are pivotal aspects of the social learning criterion. In the terminology applied by Webler (1995), this continuum finds expression in terms of, on the one hand, the “functional-analytic” approach, and, on the other, the “ethical-normative” approach. Such a distinction is also supported by the discussion in Appendix 2 (see Elster, 1997; Schoenwaelder, 1997; Sinclair and Diduck, 1995; Taylor, 1996).

Secondly, there is the relationship between the individual and the collective. Social learning, for instance, has as one of its underlying notions the idea that individual interest should be tempered and informed by perceptions of the common good. In this sense, decisions based on consensus or approaching consensus hold intrinsic value to this approach, in that they influence individuals’ and groups’ attitudes and perceptions

in ways that create social capital. On the other hand, the criterion of efficiency, albeit not explicitly requiring decisions based on choice and compromise between atomised, individual interests and decisions, may be seen to have that effect due to its insistence on expedient decision-making processes. Likewise, the concerns related to technical competence are dominated by the 'fit' of the decision to technical 'systemic structures' (to use Parkin's (1995) terminology). The degree to which participants of the PPP understand or even agree with these issues is thus not an important consideration for this criterion.

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## 4. METHODOLOGY

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This chapter will build on the preceding chapters to elucidate the research questions and describe the research design employed. The latter entails a description of the data sources and corresponding methods of data generation. Importantly, research questions and methodology are closely related, in that the research questions are themselves dependent on the broad methodological approach.

Different methods and research questions applied to different stages of the research process. At the most basic level this may be described in terms of two stages, which were explicitly designed to meet these different needs. The first – the ‘exploratory research’ stage – was aimed at providing a broad overview of the relevant issues and actors involved in the case study area. In the second stage, three particular case studies were researched to apply the evaluative criteria developed in Chapter 3 to actual public participation procedures. These case studies allowed for an in-depth, context-specific analysis of issues identified in the preceding stage.

A short, final phase of research – the ‘feedback’ stage – was designed to provide feedback to interviewees and other participants in the research process. Its aim was to obtain comments on the preliminary research findings.

#### 4.1 THEORETICAL BASIS

In Chapter 2 three inter-related themes were discussed, which underpin the methodological approach:

- The primacy of the political process informs the identification of research objects (regarding concepts such as decision-making process, institution, representation and power).
- The role of the scientist in environment-related decision-making is not objective, distanced or homogeneous. Rather, as part of the wider actor-network, the scientist – and, hence, this researcher – is part of and contingent upon the local discourse.
- Social capital draws attention to the crucial role of the relationships between actors and the principles and conditions upon which these relationships are premised. Hence, the individual actor needs to be seen in the context of his or her interaction with others. Similarly, the researcher needs to be aware of his or her situation within these inter-relationships.

It is evident that there is a close relationship between these concepts. Indeed, it is hoped that these three ideas, together with a fourth concept – complex systems – may underpin a coherent methodological approach. The use of systems terminology is ubiquitous amongst natural and social scientists, but in essence the systems view ascribed to here seeks to portray social and natural systems and human-environment interaction as a web of inter-relationships that is characterised by complexity, a wide variety of scales, and dynamic change.

Such a systems conception may, in effect, subsume the three ideas bulleted above. For instance, the focus on human and institutional relationships in terms of social capital is an important component of the systems approach. Similarly, a systems approach would require an understanding of the researcher as part of a system, and not outside it, hence

giving rise to the subjectivist interpretation of the role of scientists. Obviously, this has certain implications for the research methodology, as will be described below.

The above ideas relate to an approach in the literature, which is in many ways similar to the one advocated here: 'political ecology'. Two of its main tenets are the primacy of the political and the complex nature of human-environment relations. Regarding the first of these: "Looking more closely at the way ecology and politics interrelate then becomes imperative if we are to get a better handle on how to approach environmental / ecological questions" (Harvey, quoted in Bryant, 1997, p.9). In terms of politics, power becomes a central issue. Interestingly, political ecologists define power in terms of 'environment', or the ability of "one actor to exert control over the environment of another actor" (Bryant, 1997, p.11). Such control may be exerted in terms of access to resources, discharge of waste, or, significantly, the "social prioritisation of environmental projects" (*ibid.*, p.11).

Further, power is not only used to influence material outcomes. It will also seek to influence the discourse surrounding the issues of concern in terms of the way the problem is framed and possible solutions discussed (see also Parkin (1995), as discussed in Appendix 1). This is attempted by influencing or even "controlling [...] the 'public transcript' – that is, the 'socially accepted' version of events represented in public documents, legal political ideologies, popular music and theatre, and so on" (Bryant, *ibid.*, p.12). The significance of discourse has important implications for the methodological approach, particularly in terms of research objects.

The second notion important to political ecology is that of systemic complexity, which is "produced by intersecting economic, social and ecological processes operating at different scales" (Taylor, 1997, p.243). This has important ramifications for research method. On a basic level, the researcher does not stand outside the observed phenomena, but is enmeshed with them. He or she is intimately involved in the process of creating meaning from his or her observations. Hence, we should speak of 'data generation', rather than 'data collection' or 'observation' (Mason, 1996). An appreciation for complexity is particularly relevant when combined with a sense for the contingent nature of value and validity judgements in terms of disparate 'lifeworlds'

(see Appendix 2). This leads to an emphasis on a qualitative and interpretative approach, rather than a quantitative or nomothetic one.

#### 4.2 THE RESEARCH APPROACH

The above theory results in three important, inter-related characteristics of the research approach. They relate, respectively, to complexity, reflexivity, and rigour / validity.

The first aspect flows directly from the above discussion. As such, the notions of complexity and diversity feed into the conception of the study objects, and a self-reflexive understanding of the role of the researcher. Knowledge is considered embedded within differing frameworks of meaning and communication. An obvious instance of such difference is the researcher's interaction with members of other cultures, such as Xhosa persons. A direct implication is a cautious approach to making generalisations. It also discourages use of quantitative or standardised methods, such as structured questionnaires. Instead, data generation should be qualitative, and sensitive and adaptive to the needs of the data sources and the relevant context, rather than being based solely on the initial research design. An overly rigorous research structure is hence problematic. Rather, research theory, design and data generation should interact in an iterative fashion. Research questions and method should evolve to adapt to changing foci in theory and a developing understanding of the local context. Indeed, a keen sensitivity to local context is fundamental to this approach, as is endeavoured in the two-stage research design and the application of case study methodology.

The second aspect relates to reflexivity. It is significant because the researcher is not outside the researched phenomena, but rather becomes a part of it in the process of researching. As such, the researcher should be aware of his or her personal and social background in the process of data generation. This is true primarily in terms of the interpretations made, but also by way of the researcher's effects on the situations, which give rise to data generation. Hence, an interview will be influenced by the manner and appearance of the interviewer. There are a variety of considerations in this respect. Firstly, I must be aware of my personal background. I am a white male, which, given

South African society's problematic relationship with race and gender, in some instances brings with it certain implications in terms of, for instance, trust and confidence, depending of course on the context. My socio-economic background is also significant. For instance, as an affluent person I may appreciate poor persons' priorities in terms of food and shelter, but can I truly empathise, as might be necessary when making difficult trade-offs? Finally, my academic approach is also relevant, in that my socio-politically oriented approach and qualitative method set me apart from, for instance, natural scientists who deal with similar issues. It is also important with regard to issues of trust and confidentiality in my dealings with interviewees.

Finally, considerations of complexity and the resulting need for an iterative, flexible, and context-specific approach require temperance with regard to rigour and validity. Indeed, one of the biggest problems of the interpretative, contingent approach advocated here is the issue of validity. In other words, given the scepticism towards objective truth claims, does this leave interpretations made in the light of this research unverifiable or un-defendable? As may be argued in terms of discourse theory, validation is a function of method or process itself. At each stage of research design and interpretation questions of thematic coherence, logical consistency, and ontic direction should be considered explicitly. (Ontic direction refers to the need to maintain an ontological focus in research questions and interpretations. For instance, when asking a question about the actions of an individual, discursive concepts or collective activities do not suffice, i.e. actions are not the same as ideas and individuals are not the same as groups (Griggs, 1996, pers. comm.; see also Bhaskar, 1975; Sayer, 1992). Hence, what is important is that theory, research design and questions, research objects, data generation and interpretation relate to and follow each other according to a clear, explicit logic. Issues relating to validity will feature more prominently in the section on case study methodology below.

### **4.3 APPLYING CASE STUDY METHODOLOGY**

A two-stage approach was used in the empirical research for this thesis. Broadly speaking, each stage encompassed a particular set of research questions, methodology,

and specific research field trip. However, in the light of the above discussion, both stages shared certain methodological characteristics, making them both instances of case study research.

Case study research is holistic and idiographic. The focus is on the broad set of variables that affect outcomes, without a pre-determined limitation on key aspects. Likewise, special recognition is granted for the specific context. Further, no control is exerted over the events or objects under study, although interaction between the researcher and the studied environment is acknowledged. This contrasts case study research to experimental forms of research (Tellis, 1997), where variables are related in a controlled or determined environment.

The second feature of case study research is the use of multiple data sources. This has special bearing on the approach described above, by which social reality is considered complex, contingent and subject to interpretation, rather than determination. Hence, the use of a variety of data sources is an important mechanism to further the validity of interpretations made in terms of social research. As such, evidence may be corroborated or compared by different data sources – such as newspaper reports, interviews, and direct observation – describing the same thing, e.g. a construction site.

As considered below in the section on sampling strategy, the use of triangulation techniques, i.e. comparing data from different data sources or generated by means of different methods, may also be transferred to interpretations and explanations. This has been referred to as “multi-perspectival analysis” (Tellis, 1997). As such, the consideration of a variety of interpretations of the same event or issue will aid in making the researcher’s interpretations more valid.

Finally, one of the problems of case study research is related to the frequent criticism that it does not lend itself to making universally valid generalisations. Yin (in Tellis, 1997) provides an important argument against this by distinguishing between analytic and statistical generalisations. (Mason (1996) provides a similar distinction in terms of theoretical and empirical types of generalisation.) The latter attempts to make universally valid generalisations with respect to a statistical set of objects or events, or

some kind of population. This is evidently problematic for case study research because of the particular and context-specific nature of the research framework. Analytic generalisations, on the other hand, seek to relate the findings of the empirical research to a previously defined and continuously refined theoretical framework. Hence, it is by means of theoretical propositions regarding the character of and relationships between research objects that generalised validity claims are constructed. Case study research is well adapted to this type of generalisation.

Both research stages followed a case study research methodology. However, the aim, focus, and research questions used in each were (in some ways) different. The exploratory stage aimed to provide an overview of the case study area (as described in the Introduction) and the relevant actors and issues. Importantly, the research questions and interview formats were not concisely defined, so that the data generated would aid in constructing a more concise and context-specific research framework for the subsequent stage.

Because of this broad approach, the sorting and categorisation of the generated data was an important process. Its aim was to provide a coherent overview of the pertinent information, in such a way that it would further the overall research questions (see below) and aid in designing the in-depth case study research.

Hence, the exploratory research identified and characterised key actors and led to the identification of three case studies that would further the aims and objectives of the thesis. The following cases were chosen:

- The Sparrebosch Golf Course Estate development in Knysna;
- The Pansyshell proposed housing development in Plettenberg Bay; and
- The development of the Plettenberg Bay structure plan and the Plettenberg Bay Integrated Development Plan (IDP) process (these two processes are distinct, yet closely related, and so are considered as a single case study).

The choice of these cases was informed by:

- Their relevance to the theme and research questions of the thesis, i.e. the role of public participation in decisions related to land use and environmental evaluation;

- Their complementarity to each other – i.e. each case has important particular lessons, and together they provide for most of the issues relevant to the research questions; and
- Issues of convenience: all cases occurred in timeframes and locations accessible to the researcher.

In the case study research stage, research questions became more in-depth and specific. Further, the concise nature of the specific case studies allowed for a more overtly evaluative approach using the criteria developed in Chapter 3.

#### 4.4 OBJECTS OF STUDY

The objects of study are closely linked with the theoretical approach. Broadly speaking, this entails an institutional perspective, with an inclusive definition of 'institution' as individuals or groups of people acting and interacting to affect certain outcomes. In effect, 'institution' represents a tangible 'handle' with which to characterise and analyse the complex and dynamic social system and its interaction with the environment. In this way, the research approach can be structured to include consideration of the various state institutions at national, provincial and local levels, para-statal organisations, and the large variety of voluntary associations that represent communities or interests such as business or environmental protection.

Studying institutions has important methodological implications in that it entails a need to consider both organisational structure as well as rules of procedure (O'Riordan, 1998, pers.comm.). Hence, the term 'institution' in many ways subsumes 'actor', which is another popular term in social agent oriented research, and expands on it by means of including process considerations. In this way, an institutional approach also attempts to bypass the agency-structure debate (see, e.g., Giddens, 1984; Werlen, 1993).

Combined with the above discussion on theory, this leads to the following objects of study:

- People: people are social actors or agents; this includes their attitudes and beliefs as well as their actions and statements; people act within and affect structures.
- Structures: these are the explicit or implicit organisational structures (rights and obligations of people and groups) as well as rules of procedure (which can be *de facto* and / or *de jure*); hence, policy and legislation becomes an important focus of research.
- Discourse: this considers the explanations and arguments used by people in the way problems are identified, other actors characterised, and possible solutions phrased.
- Networks: this focuses on the interactions and relationships between social entities (people or institutions).

It should perhaps be noted that this represents a fairly broad approach in terms of objects of study. However, these objects are in many ways complementary. For instance, characterising the role of a certain institution will require a consideration of its structure, as well as its conceptual approach to certain issues, and hence its contribution to the respective discourse. Further, such an inclusive approach may be justified by means of the case study methodology (as described above) and the focus on a specific subject matter (the linkage between land use planning and environmental evaluation).

Fundamentally, though, there are two notions that dominated data generation and interpretation: 'perceptions' and 'actions'. These may also be (tentatively) characterised in terms of different ontic categories (Griggs, 1996, pers.comm.; see also Cloke *et al*, 1991; Sayer, 1992; Bhaskar, 1975). That is, perceptions and actions have inherently different characteristics and the epistemological approach in terms of researching and explaining them needs to be sensitive to this difference.

Simply put, perceptions refer to the views, opinions and feelings displayed by people / groups / actors towards other research objects, such as discursive concepts (e.g. 'environment'), other actors, or actions / events. Generation and interpretation of data pertaining to perceptions needs to be especially cognisant of contingency and situatedness. Hence, this aspect of the research is particularly interpretative and qualitative in character.

Actions and events, on the other hand, lend themselves more easily to data triangulation and might be described as a more tangible ontic category. As such, actions are 'fixed' by verifiable variables such as time, space, and the responsible agent(s). However, in researching actions or events the qualitative methodology advocated in this chapter still applies.

In terms of the two primary research stages, the study of perceptions played an important role in both the explanatory and the case study research. The study of actions, on the other hand, was particularly relevant in the case study stage. That is, the specific public participation process under investigation consisted of certain actions and events that constituted important research objects.

#### 4.5 RESEARCH QUESTIONS

The above discussion underpins a coherent set of research questions that guide data source identification, data generation, and interpretation. The formulation of these questions requires the consideration of the aim and objectives of the thesis, as described in the Introduction, and the criteria established in Chapter 3.

1. **What are the *de jure* public participation and decision-making procedures in terms of land-use planning and environmental evaluation?** This entails an assessment of who makes the decisions, what the procedure is for doing so, and how this procedure caters for public participation. This will include an assessment of the relevant procedural tools significant in land use planning and environmental evaluation, i.e. zoning schemes, structure plans, the newly developed concept of integrated development plans, and, of course, environmental impact assessments, as well as any other tools that may prove to be important.

Crucially, one needs to distinguish between *de jure* and *de facto* procedures. *De jure* procedures are those, which are prescribed in legislation or regulations, or otherwise made explicit in public documents. *De facto* procedures are those that result when *de jure* procedures are applied in a local context with attending

institutional constraints and inherent power relations. It is apparent that this distinction, although somewhat blurred, lies at the heart of this thesis' subject matter.

2. **What is the institutional context in the case study area?** That is, which are the relevant institutions in the case study area, what is their character, and how do they relate to decision-making procedures considered in the first research question? A number of issues need clarification here. Firstly, one aspect of this question is to determine what is meant by 'relevant institutions'. This will be discussed below under the sub-heading 'sampling strategy'. Questioning an institution's 'character' is short-hand for seeking to describe its constituency, aims and objectives, and its preferred method of affecting outcomes.
3. **How do the institutions interact to produce *de facto* public participation and decision-making procedures?** This requires the investigation of the interactions between the institutions considered in the second research question, in the light of the theory discussed in the preceding chapters. It is these interactions that are responsible for the *de facto* implementation of the *de jure* public participation procedures. In line with the inclusive definition given for 'public participation' in the Introduction, this entails the analysis of formal, as well as informal institutional interactions. Importantly, this question will require the synthesis of the perceptual analysis and the study of actions / events.
4. **How well do the decision-making procedures allow for public participation according to the criteria established in Chapter 3?** This is where theory and empirical research meet, and where description and analysis yields to evaluation. It entails applying the criteria of technical competence, efficiency, government synergy, fairness, and social learning to the *de facto* public participation procedures.

#### 4.6 DATA SOURCES AND DATA GENERATION

In line with the objects of study identified above – people, structures, discourse, and networks – there is a wide variety of data sources, which were used to generate data:

- People who are active in the case study area as members of institutions, e.g. councillors, NGO activists;
- People who are active outside the case study area and are more indirectly involved, by way of, for instance, policy development; these might include, e.g., academics, journalists;
- Groups of people in formal and informal meetings;
- Media reports (journals, newspapers, neighbourhood and community newsletters, radio and television);
- ‘In-house’ publications, such as council meeting minutes, internal memoranda, association newsletters, or private correspondence;
- Government publications, including statutes, regulations and guidelines;
- Academic articles and theses.

Correspondingly, the following were the primary methods and techniques:

- Interviews;
- Participant observation;
- Document analysis; and
- Focus groups (facilitated group discussions held in the feedback stage).

In line with the above discussion on validity, it is important to maintain a clear and reasoned relationship between research question, data sources, data generation, and interpretation. **Table 4-1** provides an overview of this relationship and the relevant justification.

**Table 4-1: Relating research questions and data sources / corresponding method**

RESEARCH QUESTIONS	DATA SOURCE / CORRESPONDING METHOD	JUSTIFICATION
<p>1. What are the <i>de jure</i> decision-making procedures in terms of land-use planning and environmental evaluation in the study area?</p> <p>→ Who is responsible for decisions? → What is the prescribed process?</p>	<p>Documentation:</p> <ul style="list-style-type: none"> <li>- Legislation</li> <li>- National and provincial government regulations and guidelines</li> </ul> <p>People:</p> <ul style="list-style-type: none"> <li>- Semi-structured interviews</li> </ul>	<p>Legislation provides the overall framework within which state institutions act, and, together with departmental regulations and guidelines, provide their rules of procedure. However, even in an analysis of <i>de jure</i> procedures (i.e. generally applicable rules and regulations), there are uncertainties and ambiguities; in this respect semi-structured interviews with policy-makers and academics are required.</p>
<p>2. What is the institutional context in the case study area?</p> <p>→ Which institutions are 'relevant'? → What is their character (aims and objectives, methods of affecting outcomes)?</p>	<p>Documentation:</p> <ul style="list-style-type: none"> <li>- Attendance lists / minutes of PPPs</li> <li>- Media reports</li> <li>- Association publications (newsletters, constitutions)</li> <li>- Local planning documents (structure plans, zoning maps, EIAs)</li> </ul> <p>People:</p> <ul style="list-style-type: none"> <li>- Semi-structured interviews</li> </ul> <p>Meetings:</p> <ul style="list-style-type: none"> <li>- Participant observation</li> </ul>	<p>Attendance lists and interviews provide vital information in establishing a list of 'relevant' institutions (see section on sampling strategy); all of the data sources provided are important in characterising the various institutions – however, a distinction could be made between primary sources, i.e. a representative speaking or a document informing about or on behalf of an institution, and secondary sources, i.e. someone / something relating information about another institution; both kinds of information, and particularly actual settings of interaction, i.e. meetings, are important in analysing networks / institutional interactions.</p>
<p>3. How do the institutions interact to produce <i>de facto</i> public participation and decision-making procedures?</p> <p>→ What were / are the significant events characterising the public</p>	<p>Same as above, with particular significance attached to interviews and case-specific documentation (e.g. the Sparrebosch EIA report, minutes of the Plett structure plan steering committee meetings, or</p>	<p>The two dominant objects of investigation are perceptions and actions / events. Interviews are the most significant data generation method in both respects. Documentation – especially case-specific documents – is important to validate data</p>

<p>participation procedure?  → What are prevalent perceptions of the process and how do they affect the process?  → What are prevalent perceptions of important actors and how do they affect the process?</p>	<p>IDP working documents).</p>	<p>regarding actions and events (for instance, by means of triangulation).</p>
<p>4. How well do the decision-making procedures allow for public participation according to the criteria established in Chapter 3?</p>	<p>An assessment of the findings for question 3 in the light of the evaluative framework established in Chapter 3.</p>	<p>An assessment based on linking research theory and empirical findings.</p>

#### 4.7 SAMPLING STRATEGY

In many ways, the sampling strategy, i.e. decisions regarding the choice of data sources, is a pivotal aspect of the research approach. This is especially the case with the choice of people to interview. Firstly, this is because the people interviewed and the institutions they represent will have an important influence on the spread of information, perceptions and feelings, which feed into data generation and analysis. A second point related to the first is that the sampling strategy and its implications represent an important parallel to one of the most significant issues surrounding PPPs, as outlined in the previous chapter: the identification of 'interested and affected parties'. This includes the fairness imperative and the related need to involve representation of poor or marginalised sectors of the population.

An important mechanism to start off the research was to identify key participants in public participation processes that had been or were being conducted in the study area. Lists of participants and their contact details were obtained for a number of initiatives. The most important of these were the Coastal Management Policy Process (CMPP), the Sparrebosch Golf Course EIA, the Plettenberg Bay structure plan process, and, at a later stage, the Plettenberg Bay IDP process. Institutions mentioned in these lists were

chosen for interviews or other methods of concise data generation on the basis of one or more of the following:

- It was evident from the attendance lists and other documents (minutes of meetings, etc.) that they were involved in local, environment related issues on a recurring basis;
- Interviews with the facilitators of the participation procedures, in terms of their assessment of which individuals and groups provide much input into the processes, wield much power in affecting outcomes, or are generally knowledgeable in matters pertaining to the research questions;
- Interviews with participants / actors, with regard to who they identify as important role-players (as mentioned above); and
- Considerations regarding representation of all groups and potential stakeholders, particularly disadvantaged groups, in terms of the fairness criterion.

Hence, the identification of data sources and the establishment of a data source list was a continuous and iterative process.

The final point listed above is perhaps the most important aspect of the sampling strategy, in that it embodies the theory developed in Chapters 2 and 3 in its application to the research methodology. Hence, it is a necessary component in guaranteeing theory–method coherence and methodological validity, thereby fulfilling an important ethical requirement of any research. Only by ensuring that ‘circles of reference’ are broken, can the voices of the disadvantaged or under-represented be incorporated in the construction of valid descriptions and explanations.

In the same vein, sampling should attempt to gain sufficient representation of alternative or competing interpretations of the processes or events under study. An initial characterisation of such differing interpretations is important to this effect. In addition to being an important tool to identify significant actors and perspectives, such considerations will aid in making the researcher’s analysis more valid, because differing and perhaps competing interpretations are investigated. Such an approach is an important aspect of case-study methodology in general, in terms of multi-perspectival consideration and data source-triangulation (Tellis, 1997). Obviously, though, an over-

enthusiastic approach to generalising and categorising perspectives should be guarded against, for fear of reified categories and imposed structures in the researcher's interpretations.

#### 4.8 DATA GENERATION METHODS

Interviews were the most important method of data generation. Excluding informal talks or chats, and including all interviews that were relevant to the subject matter of this thesis, these totalled 62. Eight of these were conducted by telephone. Hence, around 54 interviews were conducted according to a similar pattern. Their length ranged from 45 to 90 minutes and most were recorded on tape (in two instances, the interviewee preferred that the discussion not be recorded). In essence, they were semi-structured interviews. That is, there would be a list of questions drawn up prior to the interview, which would be used to guide the discussion and which should have been answered during its course. In doing so, the interviewee was given ample opportunity to phrase questions important to him or her or re-phrase those offered by the interviewer.

Hence, a similar set of questions – in line with the research questions listed in Table 4-1 – was used in most interviews. Further, with respect to interview questions pertaining to inter-group relations and social learning the same graphic illustration was used to communicate the questions and related concerns.

Most interviews were transcribed from the tapes. In the beginning stages of the research these transcripts were word-for-word representations. Although this was useful especially to analyse and correct the interview style, it proved too laborious. In later stages transcripts were written to summarise the main points of the interview and to contain important quotes. A list of interviews with interviewee names, affiliations, and contact details is given in Table 4-2.

**Table 4-2: List of interviews**

NAME	AFFILIATION	PHONE	DATE
<b>April field trip</b>			
Clive Moses	SANP (Knysna)	(0445) 22095	Apr 22, 1998
<b>In Cape Town</b>			
Tony Barbour	SRK Consulting	(021) 217182	May 26, 1998
Paul Hardcastle	CNC (CT)	(021) 4834095	June 3, 1998
Niel Lambrechts	WCPA	(021) 4833697	June 5, 1998
Chris Woods	(University of Manchester)		June 9, 1998
<b>June field trip</b>			
Delarey Viljoen	SCDC (planning)	(044) 8744040	June 11, 1998
Willem De Kock	Nel&DeKock	(044) 8745207	June 12, 1998
Bob and Elena McIntyre	Wildernis Residents' and Ratepayers' Association and Outeniqualand Trust	(044) 8771360	June 14, 1998
Ludolph Gericke	Knysna municipality (planning)	(0445) 825066	June 15, 1998
Prof. Brian Allanson	Outeniqualand Trust, Knysna Basin Project, Knysna Residents' and Ratepayers' Association	(0445) 826107	June 15, 1998
Jim Saunders	Outeniqualand Trust, Knysna Residents' and Ratepayers' Association	(0445) 21586	June 16, 1998
Chris Gaigher	CONDEV, Outeniqualand Trust	(044) 8771182	June 17, 1998
Bev Moodie	Knysna Business Outreach Centre	(0445) 826398	June 18, 1998
Bart Ngxolwana	Knysna RDP Forum	(0445) 851328	June 18, 1998
Andrew West	CNC (George)	(044) 8742160	June 19, 1998
Ilse Scholtz	Knysna Tourism Bureau	(0445) 21610	June 19, 1998
Jenny Lawrence	Garden Route Trust, Department of Water Affairs and Forestry	(04457) 48751	June 22, 1998
Alan Kock	Knysna council (Mayor) (ANC)	(0445) 826752	June 23, 1998
Michael Spies	The Green Machine	(0445) 825363	June 24, 1998
Andile Namntu	Plett RDP Forum	(04457) 32050	June 25, 1998
Anton Meintjies	Plett municipality (planning)	(04457) 32050	June 25, 1998
<b>July / August (short) field trip</b>			
Mrs. Roux (telephone)	Department of Public Works, State Property Holdings	(021) 402 2911	Aug 1, 1998
Kenny Leluma	Plett municipality (community services)	(04457) 32050	Aug 6, 1998
Dinah Eppel	Plett RDP Forum	(04457) 30746	Aug 7, 1998
Nancy Stratten	Democratic Party (Plettenberg Bay)	(04457) 31254	Aug 5, 1998

<b>In Cape Town</b>			
Dinah Eppel (telephone)	Plett RDP Forum	(04457) 30746	Aug 28, 1998
Prof. Richard Fuggle	UCT	(021) 6502874	Sept 3, 1998
Tony Barbour	SRK Consultants	(021) 217182	Nov 4, 1998
Stanley Wang	PK Development	(021) 4182227	Nov 4, 1998
<b>November field trip</b>			
Willem DeKock	Nel&DeKock Town and Regional Planners	(044) 8745207	Nov 11, 1998
Peet Joubert	SANP (Knysna)	(0445) 22095	Nov 12, 1998
Gavin Hellstrom (telephone)	COMMAP (environmental consultancy)	(044) 8733793	Nov 12, 1998
Cathy Avierinos	COMMAP	(044) 8733793	Nov 13, 1998
Hendryk Percy	Tower Security Co.		Nov 13, 1998
Henri Avontuur	Knysna council (ANC)	(0445) 825066	Nov 14, 1998
Ralph Stander	Knysna council (ANC)	(0445) 825066	Nov 16, 1998
Prof. Margaret Marker	Resident (ex-Fort Hare geography professor), Outeniqualand Trust	(0445) 24363	Nov 16, 1998
Di and Alasdair Grant	Grant Johnston Associates (architecture and planning consultancy)	(04457) 30728	Nov 16, 1998
Jim Saunders	Outeniqualand Trust, Knysna Residents' and Ratepayers' Association	(0445) 21586	Nov 17, 1998
Wickie Smidt	Knysna municipality (town clerk)	(0445) 825066	Nov 17, 1998
Toni Tonin	Knysna Environment Forum	(0445) 22960	Nov 18, 1998
Jenny Lawrence	Garden Route Trust, Department of Water Affairs and Forestry	(04457) 48751	Nov 20, 1998
Mike Young	Garden Route Trust, Sedgefield council	(044) 3432025	Nov 23, 1998
Ludolph Gericke	Plett municipality (planning)	(0445) 825066	Nov 23, 1998
Mike Wels	Community Development Centre (Plett)	(04457) 9465 or 33141	Nov 24, 1998
Albie Burger	Plettenberg Bay Community Environmental Forum	(04457) 34533 082 569 2588	Nov 24, 1998
Shanette Cowie	Plett municipality (community services)	(04457) 32050	Nov 26, 1998
Rev. Lewendal	Plett council (ANC)	(04457) 32050	Nov 26, 1998
Kobie Snyders (telephone)	The Craggs Primary School (principal)	??	Nov 26, 1998
Peter Stratten	Plett council (DP)	(04457) 31254	Nov 27, 1998
Kenny Leluma	Plett municipality (community services)	(04457) 32050	Nov 27, 1998
Euan Wildeman	Plett council (Mayor) (ANC)	(04457) 32050	Nov 27, 1998
Lulama Mvimbi	Plett council (ANC)	(04457) 32050	Nov 28, 1998
Lloyd Koeberg (telephone)	Formosa Primary School (principal)	(04457) 31621	Dec 2, 1998
<b>In Cape Town</b>			
Mark Friedman	South Cape Educational	(04457) 30987	Dec 7, 1998

(telephone)	Trust	082 771 3641	
Sidney Gerber (telephone)	DEAT	(012) 3103695	Dec 7, 1998
Dr. Alex Weaver (telephone)	CSIR	(021) 8882443	Dec 7, 1998
Dr. Dennis Laidler (teleph.)	CNC (Cape Town)	(021) 4833295	Dec 9, 1998
Keith Wiseman	Cape Metropolitan Council	(021) 4872236	Dec 9, 1998
Francois DuBois	UCT		Mar 2, 1999
Sue Parnell	UCT	(021) 650 2877	Mar 10, 1999
Henk Smith	Legal Resources Centre, Cape Town	083 212 7516	Mar 11, 1999
Philip Grobler	WCPA (planning)	(021) 483 4326	Mar 19, 1999

The second important method of data generation was participant observation at formal and informal meetings or functions. In total, about 19 meetings that related to the study area and issues pertinent to this thesis were attended (as listed in **Table 4-3**). It is apparent that there was a variety of meetings ranging from large, formal, and planned functions, such as the Plettenberg Bay Water Week Launch or the Provincial Development Council Summit, to small, impromptu meetings such as the extraordinary meeting of the Plettenberg Bay Council following the devastating veld fire.

Accordingly, the degree to which the researcher's attendance at these meetings could be planned as an explicit part of the research design varied. It should also be pointed out that those events at which the researcher could not be present were prioritised in terms of accessing relevant documentation, e.g. minutes, in order to maintain data validity and coherence. (Otherwise, data generated might be unduly influenced by per chance attendance at certain meetings.)

Importantly, the researcher's role as participant observer was also very different depending on the type of meeting. In some meetings, this role would be an active one, for instance by way of providing input at the Coastal Management Policy Process (CMPP) Options Generation Meeting, while in others it would be more passive. In contrast to some sociological research, where as unobtrusive a status as possible is desired (see Tellis, 1997), most meetings or events that were attended did not require special efforts at minimising perceptions of my presence.

**Table 4-3: Meetings and functions attended**

MEETING	PLACE	DATE
Plettenberg Bay Water Week Launch	Plettenberg Bay Water Works Centre	Date unavailable
ANC (Western Cape) Environment Desk Meeting (with presentation by Jenny Lawrence)	Valkenburg Centre	April 4, 1998
<b>April field trip</b>		
Wildlife and Environment Society (Garden Route Branch) AGM	Formosa Hotel	April 16, 1998
Plettenberg Bay Council meeting (extraordinary) following the fire	Plettenberg Bay Municipality	April 23, 1998
CMPP – Options Generation Meeting, Environmental Sector	Knysna Protea Hotel	April 24, 1998
<b>June field trip</b>		
Outeniqualand Trust AGM	Knysna Protea Hotel	June 17, 1998
Sensitive Coastal Area Working Group Meeting	SCDC offices building, George	June 22, 1998
Western Cape Demarcation Board public hearing	Knysna Municipality Building	June 23, 1998
Western Cape Demarcation Board public hearing	Sedgefield Municipality Building	June 24, 1998
<b>In Cape Town</b>		
Press Conference: Mark Wiley – Western Cape MEC for Community Safety and Environmental Affairs,	Western Cape Provincial Legislature Building Auditorium	June 30, 1998
Provincial Development Council Annual Summit	Tygerberg Medical Centre	July 23, 1998
<b>July / August (short) field trip</b>		
Ad hoc Council (Plettenberg Bay) meeting re: erf 3922	Plettenberg Bay Council chambers	July 31, 1998
<b>November field trip</b>		
Meeting with provincial planners and Sparrebosch Environmental Monitoring Committee	Sparrebosch construction site	Nov 13, 1998
Plett Structure Plan Steering Committee Meeting	Piesang Valley Community Hall, Plett	Nov 19, 1998
IDP Meeting – The Craggs	Kurland Club, The Craggs	Nov 24, 1998
Plett council meeting	Plett municipality	Nov 25, 1998
Quolweni & Bossiesgif Residents' Committee Meeting	Quolweni township	Nov 25, 1998
IDP Meeting – Harkerville	Harmony Hall, Harkerville	Nov 26, 1998
IDP Workshop – Wards 4 & 5	Piesangs Valley Community Hall	Nov 27, 1998

Documents represent the third important source of data. Of course, their role and significance varied greatly in terms of type and source of the document. Generally speaking, documents were considered as communicative media between actors, and hence information contained therein was subject to rigorous validity testing (for instance, by means of triangulation techniques).

#### 4.9 THE FEEDBACK RESEARCH STAGE

Subsequent to data interpretation and the preparation of a first draft of the thesis, a final field trip was planned in July, 1999. Its aim was to provide feedback to those who had been involved in the research process – primarily interviewees – and to obtain comments regarding this feedback. The incentive for this was twofold:

1. Data generated during this process would greatly enhance methodological validity. Participants in the feedback stage were given the opportunity to comment on any part of the research, and, in particular, the conclusions reached, following a detailed presentation. These comments might support the researcher's findings or, alternatively, point out problems related to data generation or interpretation.
2. Providing feedback is a positive component of research ethics. It is a sign of acknowledgement for the time and effort participants, particularly interviewees, invest in the research process, and it contributes to actors' social learning efforts.

For the feedback research stage, three meetings were scheduled in the main towns in the study area: George, Knysna, and Plettenberg Bay. Invitations were made by telephone from Cape Town, with *ca.* eight to ten key persons invited to each meeting. Special consideration was given to obtaining representation of key interest groups as identified in the research conclusions (see Chapter 8). Attendance at the meetings is summarised in **Table 4-4**.

**Table 4-4: Focus group meetings**

VENUE	DATE	TIME	ATTENDANTS
George (Cape Nature Conservation seminar room)	July 28, 1999	9:00 – 11:30	Andrew West Willem DeKock Cathy Avierinos Chris Gaigher Bob and Elena McIntyre Henry Hill
Knysna (Municipality offices seminar room)	July 29, 1999	9:00 – 11:30	Ludolph Gericke Mike Young Bart Ngxolwana
Plettenberg Bay (Municipality offices seminar room)	July 30, 1999	9:00 – 12:00	Jenny Lawrence Lulama Mvimbi Moloi (Kenny) Leluma Di Scott Dinah Eppel Rene Carstensen

In each of these meetings, the researcher summarised the research process and findings with the aid of an overhead projector. This presentation lasted about 45 minutes. Questions and comments were welcome at any stage of the meeting. Following the presentation, each participant was given an opportunity to comment on the presentation or any other aspect relevant to the research. In line with a simplified focus group methodology (Tellis, 1997; Kasemir and Jaeger, 1998), the researcher facilitated a group discussion amongst participants around key issues, as defined by the researcher or the participants themselves.

#### 4.10 TRUST AND CONFIDENTIALITY

To round off this chapter, the important issue of trust and confidentiality should be mentioned. This was a concern that required explicit attention in the planning and implementation stages of the fieldwork, and played a significant role particularly in the

in-depth case study research. One pertinent example was the Pansyshell controversy, which was still a 'hot potato' during field research in terms of shifting alliances and council deliberations. Some interviewees voiced concern that they might divulge sensitive information that could provide significant advantages to competing parties to the dispute.

Hence, at all stages the researcher needed to maintain a coherent, explicit stance on the status of information received from interviewees or meetings attended. That stance, in essence, related to confidentiality on all information that was supplied on such a premise. Interviewees were encouraged not to say things that they might feel uncomfortable with in the public sphere, and probing and insistent questions were avoided. Underlying these concerns, of course, was a general non-partisan and bona fide approach, which was made explicit in relevant instances. One aspect of this was a clear commitment to informing interviewees of my background and the aims, objectives and intended products of the research.



## 5. THE POLICY FRAMEWORK

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This chapter is a brief discussion of the key policy thrusts important to environmental evaluation and development planning in South Africa. In legal terms, this encompasses “environmental law” (e.g. Rabie, 1992) and “planning law” (e.g. VanWyk, 1996), as well as other legislation that is relevant to public participation and local government. This chapter will focus on those aspects of national and provincial policy that are immediately relevant to the field research, while some statutes that are of less direct or future relevance are described in **Appendix 3**.

At the outset, one may posit three key aspects of South Africa’s policy framework:

1. It is in a state of flux and there is confusion and uncertainty;
2. It tentatively embodies key concepts of sustainability, as discussed in Chapter 2, by way of aspiring to equality, stewardship, and empowerment; however, these themes are not explicitly brought into relation with each other (O’Riordan, 1998b; Hamann *et al.*, 1999); and

3. The challenge lies in policy implementation (this will be discussed in the final section of this chapter).

The changes apparent in South Africa's legislation are part of the wider project of national transformation after the transition from apartheid to democracy in 1994. This transformation project, embodied in its early stages in the Reconstruction and Development Programme (RDP) (Republic of South Africa (RSA), 1994), contained significant ramifications for land development and environment related policy. An important reason for this was the close relationship between land and resource use control, on the one hand, and apartheid's policies of racial discrimination and dispossession, on the other. DuBois (1999, pers. comm.) describes how, from the earliest days of European settlement in the Cape, environment and resources-related laws were intended to control, spatially restrict, and dispossess native and non-white people. The 1913 Land Act was a prime example of racially based legislation that meant severe disadvantage to blacks (Sparks, 1990). This pattern was intensified during apartheid, by way of, for example, forced removals of blacks in instances of conservation-oriented creation of wildlife parks (e.g. Kahn, 1997; Ngobese and Cock, 1997).

The new government's policy changes, based on the ANC's commitment to a non-racial society (ANC, 1994; Sparks, 1990), were tuned to initiate equality, civil rights, and open and accountable government (O'Riordan, 1998b; O'Riordan and Preston-Whyte, 1998; Hamann *et al.*, 1999). These tenets find expression and fundamental statutory standing in the Constitution (RSA, 1996), and have significant bearing on environmental issues, particularly in as far as they relate to public participation. Of course, government's primary imperatives are economic growth, employment creation, and the provision for basic needs. Any account of sustainability will need to bear in mind the measures initiated to this effect, and analyse their relationship with general public participation provisions and environmental safeguards.

Related to the fundamental nature of the changes required in the wake of apartheid is the high degree of flux experienced in legislative development and attendant institutional adaptation and uncertainty. One of the implications is a nebulous area of

ambiguity and geographical variation in between *de jure* promulgation and *de facto* implementation of legislation.

## 5.1 THE CONSTITUTION

The Constitution contains many clauses important for public participation, decision-making procedures, and the delegation of government powers. With respect to the Bill of Rights, the following are especially relevant:

- The right to equality;
- The environmental right;
- The property clause;
- The locus standi provision;
- The right to information; and
- The right to just administrative action.

For discussions on the environmental right see, for example, Loots (1997a), Winstanley (1997), and Asmal (1996). Budlender *et al* (1998) contains an in-depth consideration of the property clause.

The latter three rights in the above list are particularly important in terms of defining the relationship between the public and the state, and hence in issues related to public participation. The *locus standi* clause (section 38) allows anyone to approach a court, who is, for instance, “acting as a member of, or in the interest of, a group or class of persons” (a so-called ‘class action’) or “acting in the public interest”. Previously, the legal standing of individuals or groups in environmental matters was severely restricted due to the requirement of personal interest or direct involvement in the matter (Rabie *et al*, 1992). Hence, for instance, an environmental NGO could not complain about a polluting activity before a court because it was not directly affected. Now, the same NGO can go to court to force the state to act (in terms of the environmental right in section 24), because it is acting either in the interest of its members, in the public interest (thus not requiring any direct effect on humans), or in the interest of a class of persons.

The rights to information and just administrative action are also very significant in terms of public participation. This is especially so because much of the legislation relevant to environmental planning and management that was inherited from the previous dispensation is of an enabling nature (Rabie, 1992; Rabie *et al*, 1992; Schwella and Muller, 1992), i.e. it allows administrators to devise regulations, impose control measures, and allocate permits. Hence, for instance, the requirement to provide written reasons for a decision is an important step towards accountable decision-making.

The provisions in the Bill of Rights apply with respect to the rights contained therein. That is, the *locus standi* provision would allow access to courts in matters related to any of the constitutional rights, but not necessarily to other pieces of legislation. Further, it is a matter of debate as to whether the Constitution allows horizontal application, i.e. in relations between individuals, over and above the traditional vertical application, i.e. in relations between the state and individuals (DuBois, 1997, pers.comm.). These questions point to the importance of specific pieces of legislation that deal explicitly with these issues. The National Environmental Management Act (RSA, 1998a), for instance, provides for legal standing in environmental matters that goes even further than the Constitution, and the right to information and just administration find explicit consideration in the Open Democracy Bill and the Administrative Justice Action Draft Bill (CONTACT, 1999).

In addition to the Bill of Rights, the Constitution contains important provisions defining the powers and functions of the various levels of government. For a discussion of these in terms of environmental policy, see Winstanley (1997) and Loots (1997b).

Importantly, however, the Constitution defines local, provincial and national levels of government as “spheres of government, which are distinctive, interdependent and interrelated”. As such, they are required to abide by principles of “co-operative governance” and they are admonished to “co-operate with one another in mutual trust and good faith”. This is particularly significant in terms of the new, expanded role envisaged for local government, as described below.

## 5.2 ENVIRONMENTAL LAW

Environmental law may be defined simply as that law that pertains to the environment. Hence, the legal definition of 'environment', as first provided in the Environment Conservation Act (see Rabie, 1992), is an important consideration. See Hamann *et al.* (1999) for a brief discussion on this topic.

### 5.2.1 The Environment Conservation Act

The Environment Conservation Act of 1989 (RSA, 1989) (the 'Act') is still a very significant statute in terms of *de facto* environmental policy implementation, although it has been superseded in many respects by the National Environmental Management Act (NEMA) (RSA, 1998a). The latter act, however, was only passed by parliament in 1998, so it was not of any legal significance in the research.

The Act is significant primarily in terms of its provisions regarding the determination of policy – which eventually led to the NEMA – and the identification of activities that should be assessed by means of the IEM process. At the outset, however:

Perhaps the most outstanding feature of the Act is that it is primarily an enabling statute which leaves the ultimate control of environmental affairs in the hands of the executive and, in traditional fashion, makes no provision for any effective control over the merits or wisdom of administrative actions. In fact, almost all the provisions of the Act are of an empowering nature, which means that they will have effect only if the administrative body concerned utilises the powers conferred upon it. (Rabie, 1992, p.119)

Indeed, it did take a long time before many of the Act's provisions were effectively implemented.

The Act contains some provisions for public participation. It requires any government official involved in an activity in terms of the Act to publish a draft notice in the *Government Gazette* or *Official Gazette*, in order to elicit comments from the public (section 32). There is no requirement for a more user-friendly provision of information, nor does the Act require that the administrative body must consider comments received

(except in the case of declaring a limited development area (section 23)). As Rabie (1992, p.100) puts it: "Without such consideration, the whole exercise [of public participation] will, of course, be meaningless".

The Act makes provision for appeals to the administration (section 35):

This is potentially the most comprehensive form of control since all aspects of an administrative action may be subjected to control, including whether or not the action is environmentally sound. However, since such control is not exercised by an independent body, its value to concerned citizens is restricted (Rabie et al, 1992, p.138).

A judicial review, as provided for in section 36, represents a potentially useful external control of administrative decisions, but there are two substantial short-comings. The first is the strict requirement of *locus standi*, as described above. The second is the fact that the court can only rule on the legality of the administrative decision. Hence, there will be no control of whether or not the action is in the public interest or for the environmental good (Rabie et al., 1992).

In terms of the theme of this thesis, the most important provisions of the Act are those relating to environmental impact assessments (EIAs), which are the primary tools for environmental evaluation. Section 21(1) reads:

The Minister may by notice in the Gazette identify those activities which in his opinion may have a substantial detrimental effect on the environment, whether in general or in respect of certain areas.

An activity which has been thus identified may only be undertaken "by virtue of a written authorisation", which "shall only be issued after consideration of reports concerning the impact of the activity in question and of alternative activities on the environment" (section 22), i.e. EIA reports. This, in effect, is a vital clause of the Act and the lacking legal implementation of its provisions – until 1997 – was an important limitation for environmental management efforts nationally (Fuggle, 1996, pers. comm.).

Such an implementation was finally brought about by the publication of Notices No. R 1182, which identifies activities which may have a substantial detrimental effect on the environment, and No. R 1183, which provides regulations regarding these activities (RSA, 1997). The following are some of the identified activities relevant to this research: The “construction and upgrading of roads, railways, airfields and associated structures outside the borders of town-planning schemes”; “public and private resorts and associated infrastructure”; and “The change of land use from [...] agricultural or undetermined use to any other land use, [or] use of nature conservation or zoned open space to any other land use”.

An application for an authorisation needs to be submitted to the “relevant provincial authority” (unless the activity is of national or international significance), which, in the Western Cape, is the Department of Nature Conservation (commonly known as Cape Nature Conservation). Provincial legislation pertaining to this institution is discussed in Appendix 3.

Of importance for public participation is the provision set out in section 4(6):

The relevant authority must inform the applicant whether the applicant must advertise the application, and of the manner in which this must be done.

The applicant must appoint an independent consultant who will comply with the regulations, i.e. conduct the scoping process and, potentially, prepare the EIA. The applicant is wholly responsible for all the costs incurred and must ensure that the consultant has the necessary credentials and abilities to perform according to the regulations. The authority, on the other hand, must ensure that the officer or consultant evaluating the reports has the necessary abilities. Importantly, the applicant

Is responsible for the public participation process to ensure that all interested parties, including government departments that may have jurisdiction over any aspect of the activity, are given the opportunity to participate in all the relevant procedures contemplated in these regulations (section 3).

Following reception of the application, a “scoping” process is to give an initial overview of the potential environmental impacts of the activity. The scoping report must include, inter alia:

an appendix containing a description of the public participation process followed, including a list of interested parties and their comment (section 6).

The relevant authority may make a decision on the basis of the scoping report itself, or it may require a more in-depth EIA. The resulting report (EIR), again needs to include a description of the public participation process followed.

After having received the report, the authority must make a decision to either issue an authorisation with or without conditions, or refuse the application. Significantly, it must issue a record of decision to the applicant and, on request, to any other interested party.

This record must include, inter alia:

- a description of the proposed activity,
- contact details of the applicant and consultant involved;
- “the conditions of the authorisation (if any), including measures to mitigate, control or manage environmental impacts or to rehabilitate the environment”; and
- “the key factors that led to the decision”.

At the time, this provision was an important improvement in terms of administrative accountability for environmental governance.

### **5.2.2 The conceptual underpinning: Integrated Environmental Management**

The significance of the statutes described above is in their attempt to legally enforce Integrated Environmental Management (IEM), which has been the conceptual underpinning of environmental evaluation in South Africa. IEM was codified in a document published in 1989 by the then statutory Council for the Environment, in which conventional EIA (i.e. the North American and European model of EIA) was described as “too limited in scope, reactive, anti-development, too separate from the planning process, and often the cause of costly delays” (quoted in Sowman *et al*, 1995). Hence, IEM – as a comprehensive, yet flexible procedure outlined in Department of

Environment Affairs (1992) – was seen to be more sensitive to South African circumstances, primarily the need to facilitate rather than obstruct development.

The IEM procedure is divided into 3 stages. The first is planning and assessment, which might, depending on the nature of the application, entail a full impact assessment, an initial assessment or no formal assessment. In the second stage a decision is made by the authority, based on the assessment, which might include conditions of approval. The third stage, “implementation”, considers those management activities necessary after the activity has been approved, including the drafting of a management plan, a monitoring programme and periodic audits.

The Environment Conservation Act and its regulations, however, did not strictly speaking implement IEM, and the difference between the existing provisions and the IEM ideal is important to bear in mind (Hill, 1999, pers. comm.). For instance, the regulations provide primarily for stages one and two of the IEM procedure, i.e. scoping and EIA preparation, and implementation aspects, particularly as they relate to enforcement, are un-regulated. Another limitation of the present legislation is the focus on project level development. Department of Environmental Affairs and Tourism (1998a, p.9) thus foresees special procedures to be applied to “spatial policies, programmes and land use plans”. These concerns are also catered for, in some respects, in the new National Environmental Management Act.

### 5.2.3 IEM and public participation

IEM had a certain amount of force even before legal implementation, relying largely on public pressure, government recommendation, and business peer-pressure and standards of best practice. One of the most significant ways in which IEM influenced general procedure was in terms of public participation, the guidelines for which went far beyond generally applicable procedures in, for instance, planning law (see below).

Indeed, IEM guidelines for public participation contained in DEA (1992) (Document 2: *Guidelines for Scoping*) compare favourably with the evaluative criteria developed in Chapter 3. They include a variety of measures and techniques aimed at identifying,

notifying, and involving interested and affected parties. Regarding identification and notification, the use of established lists (e.g. ratepayer lists, organisational membership lists, etc.), networking (i.e. a chain referral process), and media publications is encouraged. Regarding the actual participation process, a number of methods are introduced, with a discussion of their strengths, weaknesses and procedural guidelines. The document maintains that the use of multiple methods is important and that the overall programme should be “designed to suit the circumstances” (*ibid.*, p.8). The described methods are:

- Public meetings;
- Telephone lines;
- Exhibits / displays;
- Newspaper advertisement;
- Written information (i.e. bulletins, brochures and reports);
- Surveys, interviews and questionnaires;
- Open house;
- Workshops, including brainstorming, nominal group and Delphi techniques; and
- Advisory groups.

In terms of the above techniques, there are a variety of concerns recurring in the guideline documents, which resonate with the criteria identified in Chapter 3:

- Participation efforts are required to be time and cost effective; individual interviews, for instance, are limited in this respect.
- They should be inclusive; e.g. large public meetings are not conducive to people voicing their concerns.
- They should be accessible; e.g. public meetings should be “held at a time and place convenient to the public” (*ibid.*, p.9).
- Disparate abilities to participate should be acknowledged and sufficient background information should be made available to participants; hence, for instance, in disadvantaged communities a number of successive workshops could increase participants’ knowledge of relevant issues.
- Group dynamics must be considered; this includes the occurrence of vocal persons who may “hijack” a public meeting, or the “bandwagon effect”, by which

participants “get carried in a certain direction” (*ibid.*, p.15) because of focus on a particular line of argument.

One particular methodology described in the guidelines, which is significant in the study area and which contains interesting characteristics especially related to the social learning criterion of Chapter 3, is the use of advisory groups:

They usually consist of a relatively small group of people who represent various interests, points of view or fields of expertise to advise the proponent or consultant on the issues of concern associated with the proposed actions or specific proposal. (DEA, 1992, Document 2, p.16)

#### **5.2.4 The National Environmental Management Act**

As indicated above, the NEMA has many very significant provisions, particularly relating to accountable decision-making and public participation. These are described in Appendix 3.

### **5.3 PLANNING LAW AND DEVELOPMENTAL LOCAL GOVERNMENT**

Planning law is a vital arena for post-apartheid legal reform, considering the important role of spatial planning in the apartheid project. Related to this is the increasingly significant position of local authorities with respect to local planning and development. Hence, planning law reform is closely enmeshed with the evolving notion of developmental local government (DLG). First, however, one needs to consider those planning instruments that have played, and still play an important role in the control and pro-active planning of land use: structure plans and zoning schemes.

#### **5.3.1 Structure plans and zoning schemes**

Claassen and Milton (1992) provide an overview of land-use planning provisions as they applied before the transition. These were dominated by the provincial land-use ordinances (in the Western Cape this is the Land Use Planning Ordinance (LUPO), No.

15 of 1985 (Western Cape, 1985)) and the Physical Planning Act, No. 125 of 1991 (RSA, 1991). The latter act was aimed at creating a national planning framework in the dying days of apartheid, and is a strong contender for being repealed soon (Development Planning Commission (DPC), 1998b). Indeed, most of these 'old' provisions are being changed or supplanted by impending legislation, as will be discussed below. However, the methods developed by these laws – structure plans and zoning schemes – are still dominant planning tools.

The LUPO provides for the preparation and application of structure plans. The purpose of these is “to lay down guidelines for the future spatial development of the area to which it relates [...] in such a way as will most effectively promote the order of the area as well as the general welfare of the community concerned” (section 5). This should include a regard “to the preservation of the natural and developed environment” (section 4).

Before a structure plan is submitted for approval (by the provincial or local authority – depending on the type of structure plan), it should be made available to inhabitants of the area or “other interested parties”. These may then lodge objections or make representations, which should be “considered” by the relevant authority (section 4).

In the Cape (LUPO contains provisions that are different to the national Physical Planning Act (see Claassen and Milton, 1992)), the only legal control over land-use is provided by the zoning regulations or schemes. These divide an area into a “variety of regulated and co-ordinated zones” (*ibid.*, p.727). Section 11 reads:

The general purpose of a zoning scheme shall be to determine use rights and to provide for control over use rights and over the utilisation of land in the area of jurisdiction of a local authority.

Claassen and Milton (1992, p.727) describe the character of such schemes:

Typically, a scheme will zone land as residential (subclassified as general or special), industrial (general or special), commercial (general or special), educational, institutional, agricultural or open. The plan will specify the purposes for which the land in each zone may or may not be

used. This specification is elaborated by an additional provision indicating the purposes for which the land may be used at the discretion of the local authority (so-called consent uses).

A significant aspect of zoning schemes with respect to public participation in environmental matters is that they often need to be changed in order for an activity, which might have a detrimental effect on the environment, to be pursued. This change might take the form of an alteration to the restrictions applicable to a certain zone (section 15) or, more fundamentally, a rezoning (section 16). In both cases, the owner of the property has to supply an application to the town clerk, which will be decided upon by the “Administrator” (the provincial minister responsible for planning) or, if so provided in the relevant structure plan, the local authority.

Section 17 specifies the rezoning procedure and parts thereof are important for public participation:

The said town clerk or secretary shall –

- cause such application to be advertised;
- where objections against the said application are received, submit them to the said owner for his comment;
- obtain the relevant comment of any person who in his opinion has an interest in the application; [...]

A similar procedure is to be followed for applications for subdivision of land (section 24).

### **5.3.2 The Development Facilitation Act**

The confused and convoluted state of South Africa’s planning law – related to the legacy of racial planning – required a far-reaching overhaul following the transition to democracy (Smith, 1999, pers.comm). The Development Facilitation Act (DFA) (RSA, 1995) was the first and as yet most important innovation to South Africa’s planning regime. It is described in Appendix 3.

### 5.3.3 Developmental local government and integrated development plans

Concomitant to the efforts related to initiating a more effective and simple planning regime, local government – which sets the scene for most of planning and IEM – is undergoing a fundamental transition. For a survey of the changes that have thus far occurred, see, for example, Pycroft (1997) or Swilling and Boya (1997). In terms of the three-phase transition described in the White Paper on Local Government (Ministry for Provincial Affairs and Constitutional Development, 1998), further far-reaching changes are due to take place, particularly in terms of municipal restructuring and boundary delimitation (see below), before the advent of the “final phase” of transformation with municipal elections. These changes are creating many opportunities for innovation but are also the cause for much insecurity and confusion.

Of fundamental importance has been the re-conceptualisation of the local sphere as ‘developmental local government’, as described enthusiastically by the Chairperson of the Political Committee for the White Paper on Local Government, Pravin Gordhan:

Local government in the past five years has gone through formidable changes. We have had to innovate and transform our vision; the transformation has been fundamental. Developmental local government is a new vision; a new paradigm based on our Constitution. [...] Our democracy must be political, social and economic; it must be transformative. It must embrace development and, vice versa, development must embrace democracy. This means participation is the crucial link. Municipalities and all local governments cannot be passive; we must be proactive and innovative to capture maximum synergy between role-players at the local level and available resources (quoted in Urban Sector Network, 1998, p.1).

The primary implementation tool for developmental local governance is integrated development planning. This new concept is particularly relevant in this account because proactive spatial planning (i.e. the preparation of structure plans) has been subsumed within it, as will be discussed in the Plettenberg Bay case study.

In the Local Government Transition Act Second Amendment Act (Act No. 97 of 1996) (RSA, 1996b), an Integrated Development Plan (IDP) is defined as a “plan aimed at the integrated development and management of the area of jurisdiction of the municipality

concerned” (section 10B). Such an IDP needs to abide by the principles of the Development Facilitation Act and any Land Development Objectives (see Appendix 3) pronounced for the area. Importantly, the local government’s budget is linked to the preparation of an IDP. Section 10G reads, in parts:

Every municipality shall –

- prepare a financial plan in accordance with the integrated development plan in respect of all its powers, duties and objectives; [...]
- regularly monitor and assess its performance against its integrated development plan; and
- annually report to and receive comments from its community regarding the objectives set in its integrated development plan.

Hence, the IDP is meant to provide the link between a participatory process of needs prioritisation and the municipal budgeting process, making the budget the tangible manifestation of the communities’ input. This link is crucial because

They give IDPs muscles. This [...] means that councillors, community members, and officials can look directly to the budget to evaluate if their prioritisation through the IDP process is accurately accounted for and resourced (Urban Sector Network, 1998, p.18).

#### 5.3.4 The IDP process

Concomitant to its insistence that an IDP be prepared, national legislation does not give much guidance as to the detailed content of an IDP or its preparation. Indeed the most coherent picture of what an IDP should look like and how it should be created is provided by guideline booklets produced by the Department of Constitutional Development, NGOs, or research institutes. One reason for this is that a coherent planning policy, and the resulting legislation, is yet to be developed. The pending preparation of the green paper on planning (DPC, 1998a) will be an important milestone in this regard.

The White Paper on Local Government (Ministry for Provincial Affairs and Constitutional Development, 1998) emphasises the importance of IDPs in linking community participation, municipal budgeting, implementation and monitoring in a

continuous fashion. These interactions should be geared towards the short (1 year), medium (up to 5 years), and long (up to 25 years) term. More detailed guidance is provided by two manuals published by the Department of Constitutional Development (DCD, 1999a and 1999b). They encourage local authorities to approach the IDP process in a logical and structured manner. Throughout, support and co-ordination of the process should be located at a high political and official level, and contracting out to consultants is discouraged. Great emphasis is placed on involving communities as much as possible, with the admonishment that “a half-hearted approach to community participation will not deliver these results” (DCD, 1999b). Empowerment and training activities are encouraged to provide an “equal footing” for participants (DCD, 1999a).

It is recognised that IDPs will vary depending on the local government structure and the local socio-economic circumstances. However, according to the more comprehensive manual (DCD, 1999a), five stages should be common to every process. They follow the preparation of a workplan that will detail, for instance, the public participation strategy to be employed and the interaction between the IDP and other planning requirements (e.g. water service development plans, as required by the Water Services Act (No. 108 of 1997)). These stages are:

1. The development perspective / vision phase: the vision statement is meant to guide the IDP process and all local government activities in general and should be formulated by the councillors together with local stakeholders and the public by means of, inter alia, “visioning” workshops.
2. The development framework phase: here the vision is to be translated into actual development goals; importantly this includes the creation of a spatial framework to guide developments such as township extensions, transport infrastructure etc. (the corollary of the ‘old’ structure plans).
3. The strategies phase: this will create a plan including actual projects and programmes and a timing schedule; strategies should not be created by line departments individually but rather by multi-disciplinary teams.
4. The operational planning for implementation phase: this entails the translation of the strategies into financial and institutional management activities.
5. The monitoring, evaluation and review phase: i.e., the ongoing process of assessing the authority’s activities in terms of the IDP and the annual budget; an important

aspect of this is the establishment of, measurement for and assessment against Key Performance Indicators (Urban Sector Network, 1998).

These guidelines go a long way in dealing with the recommendations made for public participation procedures in Chapter 3.

### **5.3.5 Impending local government related legislation**

There are a variety of important statutes, whose promulgation is imminent. They are briefly described in Appendix 3.

## **5.4 STATUTORY PROVISIONS PARTICULAR TO THE CASE STUDY AREA**

Three sets of existing and pending legislation are of particular relevance to the study area in terms of the research questions:

- Outeniqua Sensitive Coastal Area Extension (RSA, 1998b);
- The Lake Areas Development Act (RSA, 1975); and
- Ordinance No.19 of 1974 (Province of the Cape of Good Hope, 1974), which provides for the establishment of Cape Nature Conservation, and the Cape Nature Conservation Board Bill (Province of Western Cape, 1998), which will bring about a restructuring of this institution.

These are briefly described in Appendix 3.

## **5.5 CHALLENGES TO POLICY IMPLEMENTATION**

The biggest immediate problems are severe staff and financial shortages within implementing authorities. In the case of local and provincial level institutions, this will be discussed in more detail in the following chapters. At the national level, the Department of Environmental Affairs and Tourism is widely regarded as severely constrained by insufficient staff and resources in fulfilling its duties (Smith, 1999,

pers.comm.), a point which is also admitted from within the institution (Gerber, 1998, pers.comm.).

Of course, capacity problems are not specific to environmental policy implementation. They are an all-pervasive issue. Referring to the abundance of new legislation on women's rights – “women's laws” – and the divide between the laws and their implementation, Ferial Haffajee (in *Mail&Guardian*, February 19 to 25, 1999, p.14) proclaims: “In that divide is a cesspool of funding shortages, bad attitudes and a skills gap among the civil servants who must carry out the new laws”. An important imperative for co-operative governance will thus be to streamline processes, restructure imbalances in capacity and, generally, achieve more with less. In addition, implementation by the civil service needs to be placed under continuous scrutiny by the legislature, especially, as Haffajee maintains, by the parliamentary committees.

Throughout, implementation will be affected by what happens to the civil service. Calls for far-reaching cuts in the public service have been put on hold until after the election this year, although the Finance Minister has voiced concern that over half of the state's interest-free expenses go to public service payrolls (Department of Finance, 1999). The affirmative action imperative creates further uncertainty for many existing state employees.

At the same time, there are still large parts of the administration that are less than enthusiastic about implementing changes in the way they do things. This is also very pertinent at the local level, in the light of the political transition in many of the country's local councils. The new councillors were frequently inexperienced in bureaucratic and legal matters and the imperative of continued day-to-day functioning of the municipality provided the council officials with much responsibility and power. As a result, implementation of the changing local government priorities has in many cases been thwarted by ‘old-guard’ officials, encouraging Valli Moosa (then national minister responsible for local government) to lament “the tyranny of the town clerks” (source unavailable)! As Latib (1997) maintains, much depends on the degree to which the public service, which is presently still hierarchical and control-driven, can develop an ethos of accountability to the public.

The concept of co-operative governance, which is so important a part of the policy discussed in this chapter, will only work if government representatives and functionaries are willing to further its ends. In this respect, the vagaries of party politicking can have serious effects on policy implementation. The difficulties of implementing the national level DFA in the non-ANC provinces (prior to the 1999 elections) may be seen as an example of this.

Further, the relations between provincial and local government are frequently strained and confused. For policy implementation to be effective, there need to be clear guidelines as to who does what. Pycroft (1997) points out that many provincial departments are bloated and over-staffed, while local authorities are generally under-resourced. Environmental policy implementation will depend on the efficacy of a restructuring of such imbalances. But such changes in the administration will depend on the degree to which the political masters can agree to them. As an indication of the difficulties of such agreement, Mark Swilling (1998) has recently criticised the Gauteng provincial government for having "repeatedly intervened to mess things up" (p. 39) in the affairs of metropolitan Johannesburg.

Finally, one of the most significant criteria regarding successful policy implementation must be the degree to which elected representatives can maintain responsiveness to civil society. There are fears that the emerging political class is less capable of this than would be desired:

The affirmative action imperative, the special status imbued to ANC membership, the loss of many highly skilled professionals to the private sector or overseas, and the inexperience of many political leaders, new administrators, and heads of NGOs suggests that a status of 'politically correct big people' may be solidified among the new socio-political élite. These people, by right of status and using 'racism' and 'neo-colonialism' as excuses, could demand the right not to be challenged or criticised (Picard and Garrity, 1997, p.8).

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## 6. THE INSTITUTIONAL FRAMEWORK: ACTORS AND PERCEPTIONS

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This chapter is the first of two, which deal explicitly with the empirical data generated during the field trips. In accordance with the two-stage research approach described in the methodology chapter, this chapter will provide an exploratory overview of the institutional framework for public participation (PP) in the study area, while the next will deal more specifically with the three case studies.

The bulk of this chapter will be a survey of the main actors that were identified by means of the sampling strategy described in Chapter 4. Part one discusses relevant government institutions at the local and provincial level, part two considers the role of locally active environmental and planning consultants, and part three contains a discussion of some of the most important voluntary associations in the study area.

The fourth part will discuss some of the primary themes, which emerge from the exploratory research, and which will need to be tested in the case studies.

Note: With respect to referencing, interviewee's comments are referenced with their name in brackets. Quoted remarks follow the interviewee's name in bold type. Terms signifying racial or social groups, e.g. 'whites', are used in simple terms throughout the text (without, e.g., inverted commas), notwithstanding legitimate concerns in this regard.

## 6.1 GOVERNMENT INSTITUTIONS

This section will survey key government institutions that are responsible for or frequently participate in environment or land use related decision-making. It also describes prevalent perceptions amongst local authorities regarding PP.

### 6.1.1 The district council

There are essentially only two types of local government in the case study area: the district council (the South Cape District Council) and seven transitional local councils (Sedgefield, Knysna, Plettenberg Bay, Wildernis, Brenton, Belvidere Estate, and Noetzie) (Republic of South Africa (RSA), 1998b). For all of these, the issues of institutional and policy flux and uncertainty, discussed in the previous chapter, apply in very strong measure, and there is little uniformity in their character and activity.

These issues are particularly relevant with respect to the South Cape District Council (SCDC), as the role and constitution of district councils is a matter of some contention

(see Appendix 3). Its area of jurisdiction includes all areas outside municipal boundaries, i.e. the rural areas, where it has important responsibilities in terms of the authorisation of development applications (i.e. rezonings and subdivisions).

These functions are fulfilled primarily by the Planning and Building Control Section of the council's Directorate of Planning and Economic Development (Viljoen). This section is staffed by four planners, one GIS technician and an administrative assistant. Decisions regarding development applications are made on the basis of the "desirability" (Viljoen) of the development and with the help of the guideplans (see below), as well as the Outeniqua Sensitive Coastal Area regulations and – in future – its extension (see Appendix 3). The main problems faced by the planners were described by Viljoen as:

- lacking expertise on their part in environmental matters;
- the requirement to aid the councils of small, rapidly growing towns in making planning decisions in environmentally sensitive areas, given these councils' small size and lack of planning officials; and
- the old, vague and incoherent nature of the proactive planning documents.

Regarding the first point, it was mentioned that the council had recently budgeted for an environmental officer, and that, further, the planners would often ask for assistance from the (provincial) Department of Nature and Environmental Conservation (CNC) if there was need for environmental expertise (Viljoen).

In terms of the planning documents, there are two, which deserve mention here. The first is the Knysna-Wilderness-Plettenberg Bay Guide Plan, which was published in 1983 by the national Department of Constitutional Development and Planning, in terms of the Physical Planning Act of 1967. It explicitly refers to the high conservation value of the area in national terms, and its aim is stated thus:

A balance will have to be struck [...] between development on the one hand and the conservation and protection of ecologically sensitive environmental elements on the other hand. (Department of Constitutional Development and Planning, 1983, p.2)

The second guide plan is the South Cape Sub-Regional Structure Plan (Nel & DeKock, 1997). Significantly, however, neither plan supplies the planners of the SCDC with a more detailed identification of conservation value, much less with a delimitation of “no-go areas for development” (Viljoen).

### 6.1.2 Local councils and the impending demarcation

As an indication of the far-reaching past and impending changes occurring in local government, we may use the Wilderness council as an example. Until 1994, there were five different councils serving the major settlements in the present council's area, which were racially determined and separated from each other. Only ratepayers had the vote. In the first stage of the local government transition, following the national election in 1994, these five councils were subsumed into one and in the 1996 local government election, all residents were entitled to vote (Bob McIntyre).

Presently, there is much uncertainty regarding the future of the Wilderness council in terms of the impending boundary demarcation process. In line with the brief to create larger, economically more feasible municipal areas (Ministry for Provincial Affairs and Constitutional Development, 1998), the main proposals see Wilderness joining either expanded George or Knysna municipalities, or agglomerating with other councils in between these towns to create the ‘Greater Lakes Authority’. The Wilderness council's submission to the provincial Demarcation Board hearings advocated the creation of a Greater Lakes Authority. This would include the present council area of Wilderness and extend up to the Knysna river, including, inter alia, Sedgefield and Brenton councils (Provincial Demarcation Board hearings held at Sedgefield, 24<sup>th</sup> June, 1998) (see Figure 1-1). The latter councils support this, being very opposed to being subsumed in a larger Knysna municipal area. Of course, this is a matter of acute contention, as these councils are accused of, amongst other things, evading responsibility for the poor, informal settlements that are part of the larger Knysna council (DeVilliers, 1998, pers.comm.; Weekly Mail&Guardian, July 17, 1998).

The demarcation debate is too intricate to consider in any detail here. As a summary, the two primary, opposing positions prevalent in the submissions made at the two hearings attended are summarised in Table 6-1.

**Table 6-1: The two key positions prevalent among submissions to the Western Cape Demarcation Board hearings held at Knysna (23<sup>rd</sup> June, 1998) and Sedgefield (24<sup>th</sup> June, 1998).**

Substantive outcome desired	Origin of submissions made	Reasons given
<p>The creation of a Greater Lakes Authority, consisting of the coastal area between the Kaimaans River and the Knysna River and encompassing all council areas listed in the adjacent column.</p>	<ul style="list-style-type: none"> <li>• Transitional councils of Belvidere Estate, Brenton, Sedgefield, Wilderness;</li> <li>• Wilderness Ratepayers' and Residents' Association;</li> <li>• National Party (Brenton);</li> <li>• Old Belvidere Conservation Committee;</li> <li>• Uitzicht Landowners Association;</li> <li>• Wildlife and Environment Society (Sedgefield Branch);</li> <li>• Wilderness Eco-Tourism Association;</li> <li>• Outeniqua Independent Party;</li> <li>• numerous individuals</li> </ul>	<ul style="list-style-type: none"> <li>• The requirement for co-ordinated water catchment management for the Wilderness, Swartvlei and Groenvlei Lakes;</li> <li>• Common economic dependence of the affected areas on eco-tourism, and hence requirement for co-ordinated eco-tourism strategy;</li> <li>• The requirement for a co-ordinated, coherent and decisive strategy of environmental protection in the light of the point above;</li> <li>• The local inhabitants' desire to maintain a "rural, non-industrial economy" (Lochner, 1998, p.3);</li> <li>• Inter-dependence of local economies in relevant area;</li> <li>• More efficient municipal service delivery in larger council area;</li> <li>• Cultural cohesiveness of and inter-personal interaction between different parts of the proposed council area;</li> </ul> <p>The inability or insensitivity of the Knysna and George municipalities with respect to all of the above points.</p>
<p>The creation of a Greater Knysna Municipality, incorporating the presently independent council areas of Brenton, Belvidere Estate, Belvidere Village, Knoetzie, Rheenendal and Buffels Bay.</p>	<ul style="list-style-type: none"> <li>• Knysna municipality;</li> <li>• ANC (South Cape zone);</li> <li>• Rheenendal council (represented by the mayor)</li> </ul>	<ul style="list-style-type: none"> <li>• Cognisance of the 1995 recommendation of the Western Cape Demarcation Board, which supported this outcome;</li> <li>• Better "Integrated Development Planning on a holistic basis" (Knysna municipality, 1998, p.i), including environmental protection and – especially – development of disadvantaged communities, of the</li> </ul>

		<p>Knysna River basin;</p> <ul style="list-style-type: none"> <li>• Existing dependence in terms of municipal services of smaller councils on present Knysna municipality;</li> <li>• The "social and economic interdependence between all the communities concerned, as is evidenced by theoretical models of socio-economic interaction, actual traffic studies, employment statistics, provision of basic services, planning for future development, etc." (<i>ibid.</i>, p.ii).</li> </ul>
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However, there is one aspect of the debate that should be mentioned, and that is the important role of 'the environment' in the discourse surrounding it. As such, those groups that aspire to a Greater Lakes Authority argue their case primarily on the basis of this being ostensibly the best means for environmental conservation and 'sensitive eco-tourism development' (see Table 6-1). They base that argument on the perceived "dismal track-record" of Knysna in terms of environmental conservation, as stated, for example, by Johan Nickel of the Wilderness Eco-Tourism Association (Provincial Demarcation Board hearings held at Sedgefield, 24<sup>th</sup> June, 1998).

The 'environment argument' is used in advocacy of the Greater Lakes Authority notwithstanding the generally accepted imperative to align administrative boundaries in such a way that they encompass important drainage basins. This would obviously not be the case if places like Rheenendal and Belvidere (on or above the western banks of the Knysna lagoon) become part of a Greater Lakes Authority. What this illustrates is a point that will feature prominently in these chapters. At a basic level, it means that 'environment' is a category used by actors to influence outcomes in ways that include a variety of, at times 'non-environmental' motivations.

### 6.1.3 Knysna and Plett: councillors, officials, and political parties

Because the Knysna and Plettenberg Bay ('Plett') local councils are important in the case studies of the next chapter, and because they are the largest municipalities in the

study area, their institutional structure and perceptions of PP shall be discussed in more detail.

The Knysna council has 13 councillors, of which eight are African National Congress (ANC), four are National Party (NP, now called New National Party), and one is independent. On the officials side, there is the town clerk – Wikkie Smidt – who has been in office for 19 years (Smidt), and the principal town planner – Ludolph Gericke – who are of relevance in this account. In total, the municipality employs 412 staff, which requires about 35% of the budget (Smidt, 1998, pers. comm.). In instances of land use planning decisions to be made by the council, it is Gericke who compiles a report (including comments received from the public) and makes a recommendation to the ‘land and engineering committee’ of council, which in turn makes a recommendation to the full council for the final decision.

In Plett there are 16 councillors. Eight of these are ANC and the other eight represent a more or less coherent local opposition to the ANC made up of NP, Democratic Party (DP), and independent councillors. The council’s ‘committee on planning, works and services’ is responsible for preparing a council stance on development applications.

The relationship between officials and councillors is an important one, which differs depending on the local context. In some instances, councillors and officials have very little contact and the town clerk acts as the link between them. In Knysna, however, this relationship was described as good, interactive, and informal by officials (Gericke, Smidt) as well as councillors (Kok, Stander). In Plett, Meintjes described how he was in close interaction with the council’s planning committee, and particularly its chairperson.

Knysna’s mayor, Alan Kok, described the role of local government in terms of the new focus on its developmental ambit. This entails support for infrastructure or housing development that contributes to the communities and, in the case of large developments such as the Sparrebosch project, could provide a substantial increase in rates payments, which would be used to cross-subsidise areas where there is a need for houses and services etc.

Further, Kok maintained that development should strike a balance with the environmental sensitivity of the area. Such a balance was advocated by councillors in Knysna (Stander, Avontuur) and Plett (Wildeman, Mvimbi, Leuwendal, Peter Stratten). As will become apparent, it is the process of devising such a balance wherein lies the controversy, and where perceptions regarding PP become significant.

The interaction between councillors, their local party, and their constituency is an important issue in local government decision-making. An interesting point arises in this respect. ANC councillors (Kok, Stander, Avontuur), officials (Smidt, Gericke), a teacher in Hornlee (Spies), as well as non-ANC observers (DeKock, Young, Moodie) voice the opinion that the local ANC has generally closer interaction with its constituency than the NP or DP. This relationship is based primarily on the interaction between ANC councillors and ward committees, local party branches, and civic associations. Further, it is intricately wound up with issues of race and the history of the apartheid local state.

**Gericke:** The way local government operated in the past under the white government was once every four years we voted for a councillor and between then and the next election, you give them a mandate to decide on your behalf. Democracy [now] is an ongoing thing – every Coloured councillor in this town has very close contact with his voters. He doesn't even need to call them to a public meeting to voice their concerns because he's got his little ward meetings and community meetings where they talk about these things. So when he goes to the council from his ward, he knows on an ongoing basis what these people are saying. Whereas the white people are missing out on that; it's the way things happened in the past.

A similar assessment was made for Plettenberg Bay by an ANC councillor (Wildeman), a white DP councillor (Peter Stratten), as well as the local RDP forum's secretary (Eppel).

#### **6.1.4 Local government perceptions of public participation**

Both the Knysna and Plettenberg Bay municipalities – in terms of councillors and officials – have a cautious and, in some instances, sceptical view of PP as required by

planning and environmental policy. Knysna's principal town planner, Gericke, described how this scepticism is based largely on the experiences made with previous participation efforts. Firstly, there has been low attendance at participation opportunities for smaller projects:

**Gericke:** [We would] have a public meeting where we invite interested people to come and ask questions directly to the applicant [for rezonings, for instance]. [...] And I tried it for a year and on average very few people attended those meetings. It's not that we're not trying to do it – that is the reality of what happened when we tried to get people involved.

Gericke lamented a similar lack in commitment with respect to his efforts to initiate an Advisory Committee for Knysna, consisting of conservation authority representatives and community representatives: "Then I had three meetings with them, and at that stage at most three of them would show up". As one of the reasons for this, Gericke suggested: "People haven't got time!"

This issue of commitment and attendance is a recurring theme. DeKock maintained that people attend the first one or two meetings in a structure planning process, but then loose interest. This is exacerbated by the frequency of PP processes (PPPs): people "become tired of it" (DeKock). A related concern is that people tend to become interested at the end of a process, close to when a decision is to be made, and then complain that they were not included from the beginning (Meintjes, DeKock, Gericke, Leluma).

Secondly, Gericke described the difficulties of organising procedures that are convenient for people, implying that much of the criticism levelled at the municipality for inadequate opportunities to participate are unjustified.

**Gericke:** I've had meetings in the morning – then I've been criticised by the working people: they say they can't attend the meeting, which is understandable. Then I've had meetings in the afternoon or after work or later during the evening – they say they can't come, it's too cold, it's too late. [...] Whatever we do, somebody is going to be unhappy with it!

Thirdly, and perhaps most importantly, there is an archetypal characterisation of those people or groups that regularly participate in environment-related PPPs. On a basic level, this is connected to the required commitment and effort of those participating, leading to a lopsided representation of views:

**Gericke:** Only people who feel strong enough to object to something will attend public meetings or go to the press and talk about it. [...] If you don't really care one way or another, you're not going to attend the meeting. If you do think it is a good development, and you know from experience that the people at the meeting are really the objectors, it's very difficult to stand up at a public meeting and say: "listen, people, I think this is a good development". It doesn't happen that way.

This is an important recurring point. Gericke is supported in this assessment by environmental consultants Barbour and Gaigher, as well as planning consultant DeKock:

**DeKock:** Our experience is that the people who are against the thing, they turn up – the pro-environment people. But those who don't care or those who are for the proposal, they don't turn up. So you get a very skewed view at these meetings.

Of course, who participates and why is at the heart of the PP problematic. The point that should be made here is that the perceptions of participants' underlying motivations are crucial and very much embedded in the local political and historical context.

Importantly, certain councillors, particularly those from disadvantaged backgrounds, voiced strong objections about the perceived motivations of environmental interest groups. Ralph Stander, an ANC councillor in Knysna, likened the environmental lobby to a new form of colonialism: "The greenies are not interested in other issues – only themselves!" Councillor Mvimbi, previous mayor of Plett, argued:

**Mvimbi:** Environmentalists are very opportunistic. If they are against a development for personal reasons, for competition or commercial reasons, they argue under the guise of the 'environment'. If you look at the person's motivations with a microscope you find that there are personal reasons, and they are not doing it for the sake of the environment.

Needless to say, such perceptions have fundamental impact on PP at the local level! Importantly, it is not only black councillors, who have these concerns, as will be described in the final section.

A crucial final point in this respect is that concerns regarding 'environmental elitism' carry over into the perception, held by local councillors and others, of those state institutions, which have environmental protection as their primary concerns, i.e. CNC and South African National Parks (SANP) (Kok, Stander, Avontuur, Gaigher, Mvimbi). These concerns are expressed succinctly by Gaigher, who was a long-standing official at CNC:

**Gaigher:** The officials and the people on the projects are people who do not have enough vision for the broader picture. They think the project hinges on whether or not there is a rare plant. [...] Environmental officials are acting like Greenpeace operatives at the moment. They must realise that your social issues are as important as your bio-physical issues.

### 6.1.5 The provincial planning authority

The Western Cape Provincial Administration has its offices in Cape Town, about 500 km away from the study area. Provincial government is important primarily because planning decisions made at the local council level may be appealed, in which case they are made by the provincial government, i.e. the MEC responsible for planning (see Chapter 4; note that this will change with the implementation of the provincial Planning and Development Bill, see Appendix 3). Significantly, the relevant politician or portfolio description changes relatively frequently in line with political posturing (Lambrechts). The same is true for the 'environmental' portfolio, thus making sustained, coherent policy implementation difficult (Laidler).

The MEC for planning is advised by the Directorate of Planning Services, which employs "about 30 to 40 people" (Lambrechts) and has five sections. One of these sections is dedicated to the Southern Cape, which includes the study area. At the time of the interview, Lambrechts counted about 60 cases of appeals regarding subdivisions or rezonings coming from the Southern Cape, which needed to be processed. These

appeals are predominantly made by development proponents whose applications were refused by the local councils (Lambrechts).

Regarding the process of considering appeals, Lambrechts stressed the need to obtain all relevant information, including the consultants' reports, public objections, as well as site visits and discussions with the town planner and applicant. There does not seem to be a clear set of criteria with which provincial planners assess appeals. Instead, Lambrechts suggested certain factors of "desirability", including the relevant structure plan, accessibility, and the environment.

Lambrechts noted that presently there were not severe capacity problems in his directorate. He did, however, mention that CNC were experiencing such problems. Interestingly, it was expected that capacity constraints might become a problem with the implementation of the new provincial Planning and Development Bill, as it would require much effort in terms of forward planning and co-ordination of local-level IDPs (Lambrechts).

#### 6.1.6 The provincial environmental evaluation authority

The provincial Department of Nature and Environmental Conservation (CNC) is a crucial organisation in terms of land use planning and environmental evaluation (see previous chapter). More specifically, it is the 'development appraisal group', headed by Dennis Laidler, which is responsible for development authorisations. This entails the review of relevant EIA reports and, potentially, site visits and discussions with interested parties (Laidler, West, Hardcastle).

It is here where many of the concerns regarding environmental policy implementation find direct application. The most immediate concern is lacking staff and resources:

**Laidler:** Everyone is talking about capacity problems, but it goes a lot further than what people think. At this very moment there are about 150 applications, some the size of 15cm piles of paper, waiting to be processed by four people.

At the time of the interview, Laidler said that there were four people in the Cape Town office and two in the George office. One of the latter, Andrew West, is responsible for the region including the study area. It should be noted that CNC have been employing staff subsequently to the time of research, so these descriptions are not necessarily valid at present.

West also described how the staffing situation is hopelessly inadequate given CNC's wide-ranging powers and responsibilities. According to him, there should ideally be an environmental officer doing his job in each of the big towns. Instead, he is responsible for an area larger than the study area, including, for instance, George.

In terms of his responsibilities, West described the need to determine whether or not EIAs need to be prepared and how this should be done. Applicants are encouraged to come to CNC early in the planning process, in case the proposal qualifies as a "show-stopper" (West), i.e. an application that will have no chance of proceeding through the authorisation process. Accordingly, one of the first steps is an 'authority scoping' exercise, whereby, for instance, the Department of Water Affairs and Forestry, SANP, and local councils are asked to comment on the proposal. This is generally followed by the prescribed EIA process (see previous chapter).

Significantly, West described the importance of frequent, informal interaction between himself and the consultants, as well as the relevant role-players in other authorities. This is particularly so with the town planners, due to the "dual processes" (West) of planning authorisation and environmental authorisation (also: Laidler, Viljoen, Gericke, Hardcastle). Hence, for instance, time and resources are spared if the relevant officials go on site visits together with the applicant. Sometimes such co-ordination occurs, depending also on the effectiveness of the consultant, and other times "they [the applicant and the consultants] run around a little bit" (West).

Significantly, the interaction between environmental and planning officials has markedly improved in recent years, as described by CNC officials (West, Hardcastle), as well as planners at provincial (Lambrechts), district (Viljoen), and local (Meintjes) level. Reasons given include the newly instituted statutory position of CNC in terms of

obligatory EIA procedures, as well as a heightened sensitivity on the part of planners as to the importance of environmental considerations in development appraisals (West, Viljoen).

One crucial aspect of the way CNC sees its role needs to be mentioned, particularly in relation to the above discussion on some actors' perceptions of 'green elitism'. It relates to the environmental officials' acknowledgement of their limitations regarding the assessment of socio-economic impacts of development projects (West, Laidler, Hardcastle).

*West:* Socio-economic issues... often a developer will come with the argument that this particular development is going to create jobs for the underprivileged [...] It's difficult to get a handle on that, because often it creates jobs for a limited time period and they're left without jobs. So we try and stick to the ecological issues, not so much the socio-economic. [...] We're not trained as sociologists or economists. [...] But we start asking such questions and the EIA should incorporate them. It's a huge learning curve for us, with the help of you guys [academics] and NGOs. [...] Maybe the social issues of development have been underplayed.

## 6.2 ENVIRONMENTAL AND PLANNING CONSULTANTS

Fuggle (1998, pers.comm.) described how the professions, which developed in the private consultancy sector around environmental evaluation and land use planning, have been separated by a rift that has practical as well as paradigmatic underpinnings (see also Introduction). Importantly, however, informal interaction between planning and environmental evaluation consultants was described by, for instance, DeKock and Gaigher, as bridging some of the institutional separations brought about by (as yet) unco-ordinated policy (see previous chapter).

There are only a few consultancy firms that are based in the study area. Many of the tenders for larger projects are won by firms that are based in Cape Town. **Table 6-2** lists some of the firms relevant to the case study research, their representatives interviewed, and some of their pertinent activities. All of the listed firms except SRK,

which is internationally active, are relatively small companies with less than five employees. CONDEV, for instance, is a “one-man-show” (Gaigher).

**Table 6-2: Some consultancy firms and their activities relevant to the case study research**

CONSULTANCY FIRM	INTERVIEWEE(S)	EXAMPLE ACTIVITIES
<i>Environmental consultants</i>		
Steffen, Robertson and Kirsten Consulting Engineers and Scientists (Cape Town)	Tony Barbour	Sparrebosch EIA (see next chapter)
Allanson Grange Associates Consulting Aquatic Ecologists and Environmental Scientists (Knysna)	Prof. Brian Allanson	Specialist reports for Sparrebosch EIA (water, sewerage and coastal zone) Knysna Basin Study
CONDEV Conservation and Development Facilitation Services (Wilderness)	Chris Gaigher	Frequent assistance with planning applications compiled by, inter alia, Nel&DeKock
HillLand Associates Environmental and Ecological Consultants (now COMMAP) (George)	Cathy Avierinos; Gavin Hellstrom	Specialist studies for Sparrebosch EIA (vegetation) Cathy Avierinos is Environmental Officer for Sparrebosch construction site
<i>Planning consultants</i>		
Nel & DeKock Town and Regional Planners (George)	Willem DeKock	Greater Plettenberg Bay Structure Plan (see next chapter) South Cape Sub-regional Structure Plan
Grant Johnston Associates Architects and Town and Regional Planners (Plettenberg Bay, formerly in Knysna)	Diana and Alastair Grant	Environmental sensitivity map for Greater Plettenberg Bay Structure Plan

Work referral, as well as the actual process of conducting EIAs is significantly affected by the fact that the ‘environmental field’ in South Africa – particularly in the Western Cape – is quite small (e.g. Laidler, Barbour). Hence, many of the professionals know each other personally. Asked whether he thought that was a good or a bad thing, Barbour responded:

**Barbour:** I like it! For instance, the people that go to the IAIA local meetings are mostly consultants and they all know each other and you talk to each other and you can phone each other for information and generally they will say: 'yeah, sure'. Because everyone knows each other at quite a personal level.

Obtaining information is, of course, vital to consultants. In this respect the inter-personal network created by associations such as the local IAIA (International Association for Impact Assessment) branch are very important. The same is true especially in the study area, where this professional network extends into the state and civil society: locally active consultants, officials in the relevant authorities, and representatives of local environmental pressure groups are commonly on first name bases and most have each other's phone numbers. Needless to say, such inter-personal, interactive networks play an important role in the way a PPP is conducted, for instance in terms of the notification process. As was described by Gaigher:

**Gaigher:** From experience I know exactly for every area which the interest groups are. I know the persons themselves and go to see them individually.

The significance of informal, personal interactions becomes all the more pertinent in what Barbour referred to as "informal public participation", a notion which is also apparent in the above quote of Gaigher's.

**Barbour:** The key to public participation is what I call 'informal public participation' and it is before you have your first public meeting. What some [consultants] do is the first time they see the public face to face is at the public meeting. [...] What I like to do [instead], because I think it makes the public meeting much more informal and much more relaxed and constructive, is I spend a whole lot of time meeting those people on a one-to-one basis. So – like the person from the Wildlife Society, or Botanical Society, or the ratepayers' association – I go and meet them and tell them who I am, where I come from, what I do and what the project is. What that does is it establishes a sense of trust and credibility, so they know you face to face and you sit there having a beer or a cup of tea...

It is apparent that this notion has much to do with the concepts of social capital and social learning discussed in Chapters 2 and 3.

Significantly, the supply of adequate and accurate information to participants is seen by most consultants as an important aspect of their facilitative role, primarily in terms of allowing the participation process to proceed without unnecessary conflict:

**Barbour:** An important aspect [of mediation] is the provision of accurate information, especially in the 'informal participation' stage where I go and see people individually. If people are given the chance to make an informed opinion before the public meeting, it will go much better.

Environmental consultants are commonly paid by the project proponent, i.e. the client. Some environmental interest groups perceive this to be detrimental to the consultant's independence (Lawrence). Significantly, some consultants themselves perceive a potential conflict between their relationship with the client, on the one hand, and with the public, on the other.

**Barbour:** This case [an example] is actually quite a sensitive one where the client is saying that the way I am running the public participation process, I am supporting the public. What I am saying is that I am not supporting the public – what I am doing is I am protecting the rights of the public, which is quite different to supporting the public. That is, I am not an activist [...]. The supply of information is also an area of potential conflict with the client. He will often say "well, they don't need to know that!" or "I am not paying you to educate the public – that's not my task!" and he is right in a way. If you buy a computer the shop doesn't have to teach you how to use it – that's your job! So it becomes an issue of who is responsible for educating the public. The consultant's interests are not well defined in this case...

Hence, consultants are in many ways at the 'coal-face' between private and public interests, and are concomitantly unaided by decisive public policy in this regard.

Gaigher expanded on this issue, specifying environmental groups as one of his main "problems":

**Gaigher:** So I am in the unhappy position between the developer and the environmental groups. But I find that as a consultant I can affect developments in such a way that they will limit their ecological damage... I can shape it as it is being proposed. [...] But the problem [is] you have a lot of environmental groups [...] People proclaim environmental interest when actually they are just trying to keep things from changing.

Gaigher thus claimed that it is necessary to extend the scope of the participation effort to include the poor sectors of the community who might support development.

However:

**Gaigher:** I don't really go to the other groups [the marginalised]... I know, from a practical point of view, that if you can get it through the people who are likely to object – the green groups – then you're going to get it through anyway.

These are strong indications as to the significance of social polarisation in the context of environment related PP, and the problematic role of consultants in this respect.

With regard to planning consultants, similar tensions apply. Some argued that planners are particularly compromised in their representing the public interest because their payment depends on the successful outcome of the applicant's proposal (Young). Hence, there is seen to be an undue interest on behalf of the planner to have the application approved.

DeKock described how close interaction with the municipalities is important for his firm (Nel&DeKock) in terms of obtaining work. Indeed, their offices are situated immediately adjacent to those of the SCDC, from where they get most of their contracts (DeKock). Lawrence argued that this close relationship has, over a number of years, unduly influenced tendering procedures, thereby also skewing the substantive outcomes (in terms of the resulting structure plans, for instance).

Perhaps most significantly, DeKock described how the development process in general and the consultant's role in it has changed substantially in the last couple of years:

**DeKock:** Further back, 20 years ago, it was bureaucratic – the authority just compiled a plan and said to the community “this is your plan!” Gradually this thing changed, and of course with the new South Africa the whole democratic idea came to the fore, that you don't only negotiate with local authorities but you negotiate with the general public. And they must structure themselves into associations and groups like the NGOs – when they came to the fore this whole idea of public participation became a very strong thing in any development process. [...] As a consultant it was easier to do things along the old lines because nobody bothered you. You do a plan and if your client is a municipality, they approve the plan and that is it – so it was very easy

for a consultant. But it wasn't satisfactory when you know afterwards that the community doesn't like this plan. It's far more complicated now because you've got to go to all these groups, there's far more meetings. That makes it far more difficult but in the end it is more satisfactory because you know everybody is happy with the end result.

As a result of these changes, according to DeKock, consultants needed to develop participatory methods, such as visioning workshops where participants write down their 'visions' on little cards that are then summarised by the facilitator. The establishment of structure plan steering committees is another aspect of this more participatory approach (see next chapter).

That there has been a fundamental shift in policy and practice towards more participation is rarely disputed. Interestingly, however, consultants voiced the opinion that PP does not result in substantial improvements to the final outcomes (Gaigher, DeKock, Allanson).

**Gaigher:** The problem with the consultation is that normally the consultant knows better than the lay public what the real issues are. So, as a consultant you try to get people to tell you what you already know! It is far more a PR exercise than professional, specialist work.

### 6.3 VOLUNTARY ASSOCIATIONS

This section discusses voluntary associations identified by means of the sampling strategy mentioned in Chapter 3. The initial focus is on environmental interest groups, their motivations, and internal dynamics. Residents and ratepayers' associations are discussed in terms of their interactions with environmental groups and common perceptions of government. Finally, those voluntary associations are considered that have community development, rather than environmental conservation, as their primary aim.

### 6.3.1 Environmental interest groups

One of the important characteristics of the study area, as described in the Introduction, is the prevalence of many environmental interest groups. The primary reasons provided by interviewees for why there was such a strong environmental lobby related to the generally important value of the environment to local residents. Hence, for instance, it was described how many of the permanent or part-time residents were attracted to the region initially because of the pristine character and high amenity value of the area's natural environment (Bob McIntyre). Aesthetic appeal of natural landscapes and biodiversity are important natural characteristics frequently mentioned in this context (Lawrence, Bob and Elena McIntyre, Saunders). Further, the importance of the area's natural environment to the local tourism industry is a very significant concern (Schultz, Lawrence, Saunders, Bob and Elena McIntyre, and others).

The collective of these environmental associations is a dynamic, interactive body, and personalities play an important role in creating new groups, allegiances, or policies.

**Gaigher:** You have a lot of environmental groups. They are built around personalities – kind of like cults. You find that people are wondering from one group to the next depending on who is actually the kingpin at the time.

In the midst of this dynamic grouping of environmental associations, however, four organisations stand out:

- Wildlife and Environment Society of South Africa,
- Botanical Society,
- Outeniqualand Trust, and
- Garden Route Trust.

The first two are national organisations and will be discussed briefly below in their local context. The latter two are local organisations and will each be considered in separate sections.

The Wildlife and Environment Society of South Africa (WESSA) is one of the oldest conservation groups in South Africa, having been formed in 1926 (WESSA, 1999). Its

motto is given as "To promote public participation in caring for the Earth" (WESSA, 1999). Nationally, there are eight regional offices, with one specifically for the Southern Cape, which encompasses the study area. It is, however, the regional office Western Cape, situated in Cape Town, which has employed staff and which is most active, in terms of, for instance, a tri-monthly newsletter. In the Southern Cape, members are active on a voluntary basis.

The Annual General Meeting of the WESSA Garden Route Branch was held at the Formosa Hotel in Plettenberg Bay on the 16<sup>th</sup> of April, 1998. There were about 50 persons present, all of which were white and the majority of which were senior citizens. The main points of discussion revolved around undesired developments, such as the Castleton and Robberg Beach End housing developments in Plettenberg Bay, and the branch's lobbying activities with respect to these. Other concerns related to the branch's efforts at having the Garden Route declared a Natural Protected Area and its activities in connection with the Small Boat Harbour development in Plettenberg Bay.

The Botanical Society is also a national non-governmental organisation with head-office and employed staff in Cape Town. Like the WESSA, it has a Garden Route Branch with voluntary groups ('twigs') in many of the larger towns. At the 1998 AGM of the Garden Route branch, Elena McIntyre counted "40 odd people" with a diverse background and a spread of ages. Rather than protesting against undesired developments, the Botanical Society was described to focus on vegetation conservation, including alien clearance activities, and puts much of its efforts in environmental education in schools or private nature reserves (Elena McIntyre).

### **6.3.2 The Outeniqualand Trust**

Professor Allanson, present chairperson of the Outeniqualand Trust discusses the Trust's history since its inception in 1970 in the Trust's Notice of Annual General Meeting (Allanson, 1998). The Trust's name was derived from "Outeniqualand as a name for the region between the Great Brak and Keurbooms Rivers" (Allanson, 1998, p.6). Regarding its establishment, the then pending upgrading and siting of the national coastal road was a vital stimulus for the Trust's creation: "The Trust's informed

objection did much to delay its construction and cause the simpler upgrading of the present coastal road” (Allanson, 1998, p.8). (Incidentally, the upgrading of the present national road is still a major issue (Bob McIntyre, Allanson, Lawrence, Saunders).)

The Trust has six branches, one in each of the main towns along the ‘Outeniqualand’ coast, and each with a branch chairperson. The executive committee is made up of these branch chairpersons, as well as a Trust chairperson and a Treasurer (Outeniqualand Trust, 1998; Saunders, Allanson). Each branch is meant to report to the executive committee every two months (Saunders).

The Trust’s 1998 Annual General Meeting was held at the Protea Hotel in Knysna on the 17<sup>th</sup> of June, 1998. There were about 55 people present, all of which were white, and most of which were senior citizens. Indeed, those present at this meeting were on average even older than those at the WESSA meeting. Similarly to the WESSA meeting, the main issues of concern related to contentious developments and the Trust’s engagement with these, primarily in terms of interactions with government institutions.

Saunders described how the Trust’s involvement in an environment-related issue frequently occurs on an ad hoc basis:

**Saunders:** What we generally have is a member who brings the attention of the board to a particular issue; board meetings are ad hoc per issue. We go forward with almost an intuitive understanding of what we will do – it is a very informal approach.

Saunders continued to say that this “informal approach”, by which a key group of people engage themselves with a certain issue, might be seen by some to be exclusive. But he maintained that that is not the intention, but rather that it is the consequence of lacking “time and energy” to involve more people in co-ordinated activities. On the other hand, a small group of committed and engaged persons has apparently got its advantages:

**Saunders:** We know who we are – in order to introduce more people into our circle we would spend a lot of time arguing about how to go about things. [...] The associations are still very important; they give the individuals who do things a mandate.

This raises vital questions regarding the representation of group mandates, similar, in some ways, to the relationship between councillors and their constituencies.

In an interesting characterisation of the Trust's activities, Gaigher contrasted it with other, more 'activist' type organisations, referring primarily to the Garden Route Trust (see below):

**Gaigher:** The Outeniqualand Trust is an old established one [environmental group]. It [...] is an unassuming one, the gentleman, a more dignified scene. People there use their influence coming from their previous lives to influence government decisions. They're not activists in any way – they do not want to create a storm and go to the press... more behind the scenes.

Bob and Elena McIntyre described how, although there are 198 members of the Trust, "there are only about half a dozen active members who are actually doing something!" They lamented that one of its main problems is that "there is no young blood" and that many of its members consider it something of a social club without actually "getting their hands dirty".

### 6.3.3 The Garden Route Trust

The Garden Route Trust (GRT) was initiated in 1995 and has been run primarily by Jenny Lawrence, as described in a May 1997 newsletter:

The Garden Route Trust (GRT) was born of the horror that Jenny Lawrence felt at the carnage wrought by developers to build a golf course at Goose Valley, outside Plettenberg Bay. It started as a small group of individuals lobbying and using whatever means they could to draw the attention of those who live here (and the broader community) to the potentially disastrous consequences of the short term actions of people seeking to exploit the unique character of the Garden Route for personal profit. [...] The GRT does not oppose development *per se*, rather it advocates sustainable development, with the long term needs of the present community and those who follow after in mind (GRT, 1997).

Some of the GRT's stated aims include, *inter alia*:

- Encourage a change in attitude within the community at large so that future development is focussed on the long term sustainable community advantage rather than short term profit for few.
- Develop and publicise a “Responsible Development Protocol” as a yardstick against which development proposals may be assessed.
- Identify and work actively with like minded informal groups and established organisations from ALL parts of the community. (GRT, 1997, original emphasis)

With respect to the prominent role played by Jenny Lawrence in the GRT, it illustrates in strong measure the important role played by individuals in the environmental organisations. This is often identified as a weakness of the GRT, in terms of institutional stability and continuity (Fuggle) as well as matters relating to personal inter-relationships (Bob and Elena McIntyre, Gaigher, Saunders).

Indeed, personal relationships play a fundamental role in defining the way actor-networks form and engage with environment related issues in the study area. Again, the GRT is an illustration of this. Lawrence described how issues related to “personal agendas” were largely responsible for thwarting her aim of creating a regional organisation and collecting sufficient funds for it. She also concedes that her “personal style” might be keeping others from joining her ranks (Lawrence). This point was also raised by other interviewees, including members of other environmental groups (Saunders, Bob and Elena McIntyre, Gaigher).

Gaigher: [Lawrence] has this highly emotive ‘save the Garden Route’ thing – stands on soapboxes and weeps. Again, I support her cause, but the way she does it is very strange to me. Some people think it is quite exhilarating!

Generally, however, most members of other environmental groups concede that the GRT, and Jenny Lawrence specifically, has managed to put issues relating to environmental protection effectively into the public realm (Bob and Elena McIntyre, Saunders). By her own account, she has done this by means of a well-developed network of friends and associates, which includes international academics and activists. Further, and perhaps most importantly, she has made pro-active use of a variety of media. Regarding the latter, the most important instance was probably the appearance

in a national prime-time television programme, protesting against a planned development (Lawrence). Such public exposure, of course, also raises the levels of controversy surrounding her:

**Gericke:** If you go on national television or wherever, and you're willing to say: "I know what is going on in this area", then I assume that these people know what is going on – but then she [Lawrence] has never been in my office!

Significantly, controversy surrounding Lawrence's personal activities is not limited to rebuttals in the press or in public meetings:

**Lawrence:** Each time I published it [a local petition], I would receive a copy in the post with graffiti written over it: "fuck the tortoises – you're destroying the local economy!"

Perhaps most importantly, however, the GRT has made a very substantial contribution to the local discourse, which maintains a close, explicit link between environmental protection and community development and empowerment. In this way, in rhetoric at least, the GRT comes closest of all environmental interest groups in advocating sustainable development in line with the theory discussed in Chapters 2 and 3. Significantly, Lawrence described how this issue may also be seen to lie at the root of the difficult relationship she has with other environmental groups:

**Lawrence:** I started hitting my head against Wildlife Society, Outeniqualand Trust – these other societies that have been established for way longer – they had reason to be annoyed with me. But their vision and their approach was not encompassing the needs of the disadvantaged communities. It was not addressing the poverty issue. They were interested and committed to saving the green environment... but there is no way we are going to make sense of conservation of the natural world without engaging with issues of poverty and social transformation. When I was criticised for starting a new organisation I said 'fine, I'll try' [to work in existing structures] but the others were too limiting. They were claustrophobic – I needed the freedom to speak. [... ] I have had the greatest support from the black and coloured communities – because for the first time they feel involved.

### 6.3.4 Ratepayers' and residents' associations

Of course, environmental interest groups are not the only ones actively involved in environment related decision making processes. There are a whole host of community groups and associations that will potentially provide input into PPPs, by a variety of means. However, two types stand out, which are defined, inter alia, by their constituencies and dominant interests. First, there are the ratepayers' and residents' associations (RRAs), which are discussed in this section, and second: community development groups and RDP forums, which are the subject of the next section. Both of these types are intricately related to the country's history in terms of the local level transition from apartheid to democracy, and, of course, there is a lot of variety in both depending on the local context.

The RRAs were originally called 'residents' associations' and were commonly constituted of local property owners only (Bob and Elena McIntyre). Related to the need for them to adapt to the changing political climate, any resident may now become a member. Their membership is determined by the local council area, as these associations' main aim is to interact with local government:

**Bob McIntyre:** Our aim is determined by our constitution – it is mainly to make sure that you have good council. [The association] acts as an interface between the council and the property owners and residents.

Recurring concerns for local RRAs, as evidenced in weekly columns in or submissions to the local newspapers (Knysna Action Ads, Knysna-Plett Herald, Cxpress), are: crime, transparency and accountability of the local council, corruption, maintenance of standards of service provision, and environmental protection.

**Bob McIntyre:** From the ratepayers' point of view, some think it is strange that we get involved with the environment... but probably 90% of the people in the area bought and stay here because of the natural beauty. It's a major issue. Besides of course ensuring good local government. The two are interlinked.

Again it should be pointed out that groups such as RRAs seldom approach the council alone or wholly independently of other groups. Rather, each issue is likely to engender an alliance of active individuals that act under the aegis of their association. This was described above as an “informal approach” (Saunders). Hence, in line with the RRAs’ constituencies and their primary aims and objectives, they are most likely to ‘team up’ with groups such as the Wildlife and Environment Society, the Botanical Society or the Outeniqualand Trust (Bob and Elena McIntyre, Allanson, Saunders, Nancy Stratten). Further, there is a large amount of overlap between the active membership of these groups, thereby facilitating close interaction (Bob and Elena McIntyre, Saunders). For instance, Jim Saunders is branch chairperson of the Outeniqualand Trust, as well as an active member of the Knysna RRA, and Bob McIntyre is chairperson of the Wilderness RRA as well as an active member of the Outeniqualand Trust.

A significant commonality between RRAs and environmental groups is a sceptical and, at times, distrusting perception of local, as well as provincial government. Local councils were often seen as development oriented, and councillors and officials were perceived as insensitive to or ignorant of environmental concerns. Particularly the councillors from disadvantaged communities were characterised as unduly swayed by the imperative to create jobs, as well as the prospect of higher rates for the town. It was also suggested that councillors and officials have vested interests in favour of development, as their income is tied to the rates-level of the municipality, or even because they personally gain from certain developments, by way of indirect benefits or even plain bribes (Saunders, Allanson, Bob and Elena McIntyre, Gaigher, Marker, Lawrence, and others).

Provincial government is also seen with distrust, especially because it is them who most commonly authorise contentious developments, in some instances even in contradiction to the local council. Insensitivity to and ignorance of the concerns and needs of the local communities were common characteristics in these conceptions of provincial government (Bob and Elena McIntyre, Saunders, Marker, and others).

### 6.3.5 Community development groups and RDP Forums

As should have become apparent in the above discussions, the environmental groups and RRAs have constituencies overwhelmingly made up of white, relatively affluent property owners. Of course, in land use related decisions other groups and sectors of the community also have an important stake. Commonly, they are organised in associations that are constituted predominantly by non-white and less affluent members of the communities. Hence, we should mention some of these groups and the nature of their involvement, bearing in mind, of course and yet again, the dangers of undue generalisations and reification.

These associations come in a variety of forms and sizes and include, for instance, ward committees of the ANC (or, to a lesser extent, other political parties), civic associations affiliated to SANCO (South African National Civics Organisation), and community-based organisations such as Knysna's Masakhane Business Association. They are significant because their primary aims are related to job creation and housing, and in this they represent the majority of local residents. Further, they represent important vehicles for community organisation that have their origins in the struggle against apartheid. This is likely to shape their interactions with the local state and, particularly, predominantly white associations such as the RRAs or environmental groups.

In some instances, these groups' aims relating to community development may make them stand in opposition to the demands of environmental groups.

**Ngxolwana:** Development is an issue that affects everybody, so we insist that we are invited [to public participation processes]. [...] Smaller sections of the community might try to block the development while the development could enhance the local economy, provide jobs and so on. So, sometimes you have small groups expressing opinions as if it was a representation of the entire community. So, it is crucial that we are invited to represent the poorer communities. As the RDP forum we understand ourselves as representatives of the wider, broader community.

It is apparent that "small groups" refers to environmental interest groups. This issue will be considered in more detail in the next section.

Significantly, there has been an attempt at national level, as part of the Reconstruction and Development Programme, to institute local level forums where the different role-players come together to deliberate on local development priorities, thereby co-ordinating the implementation of development efforts and the efficient application of resources. A generic name for these is 'RDP forum' or 'Local Development Forum', but they have a variety of names and organisational structures, depending on the local context. They are meant to act as a link between civil society and the authorities at local, regional, and provincial level. This is to be facilitated by means of an accreditation system applied by a provincial body, through which the forum has to prove that it has a clear strategy and close interaction with the local council and the communities (Namnthu), and only one forum per municipal area can be accredited. Accreditation bestows legitimacy upon the forum, as well as the potential to access provincial funds or the institutional structures of provincial or regional development councils. In the Western Cape, the body responsible for accreditation is the Provincial Development Council (PDC) (see **Box 6-1**).

**Box 6-1: The Provincial Development Council and regional development councils**

The Western Cape Provincial Development Council (WCPDC) was established by provincial statute in 1996 and it includes organised business, labour, agriculture, community-based organisations, and non-governmental organisations (including the Environmental Justice Networking Forum). Its functions are described as:

Co-ordinating, facilitating and initiating consensus amongst stakeholders on provincial, regional and local development planning, policy objectives and development strategies to the PDC [...] [by means of] giving advice, facilitating consultation and negotiation. (WCPDC, 1998a, p.7)

The provincial council also entails eight Regional Development Councils "to facilitate effective public participation in the development process at regional level" (*ibid.*, p.14). One of these regional councils is dedicated to the Garden Route region, coinciding with the SCDC's area of jurisdiction. Kok and Lawrence are two interviewees who, by their own account, play a relatively prominent role in this regional council (Lawrence, Kok). The PDC, at provincial and regional level, provides an important forum for debate, *inter alia* having resulted in a glossy strategy document (WCPDC, 1998b). But it remains to be seen how much influence it will have on actual policy or project related decisions.

Only three of the 13 RDP forums existing in the Garden Route region were accredited by the WCDPC as of mid-1998 (WCPDC, 1998a), and, according to interviewees, one of these is the Knysna RDP forum (Ngxolwana) and the other is the Plett RDP forum (Namnthu). Accreditation implies that both bodies have similar levels of organisational sophistication and reliability, and a high degree of influence on the councils' activities. However, as argued below, the Plett forum is much more active and influential than the one in Knysna.

Alan Kok, Knysna's mayor and the local council's representative on the RDP forum, extols the virtues of a well-functioning forum: "We see the RDP forum as a title role player when it comes to the greater development plan". However: "It [the Knysna forum] is going through a historical low [...] It's not working as we would like it to, but that's a debate in itself." Indeed, the local politics that make or break a project like the RDP forum require in-depth consideration, but will not be discussed here. Suffice it to say that Knysna's attempts at creating an inclusive forum seem to have been stifled by personal agendas, group conflicts, and discordant approaches (Kok, Ngxolwana, Alistair and Diana Grant, Lawrence, Moodie, Schultz).

Bart Ngxolwana, the Knysna RDP forum's chairperson, described how the forum consists of 19 constituent organisations. There are a number of sub-forums dedicated to themes such as sport or arts and culture. Regarding the representation of environmental groups, Ngxolwana seemed uncertain:

**Ngxolwana:** We have a sub-forum for the environment; but there are not many organisations which represent the environment, one or two perhaps, I'm not sure.

In Plettenberg Bay, the RDP forum is very much more active, as is evidenced by interviewees' comments, as well as tangible signs of their efforts, such as the yearly 'End Violence Festival'. Andile Namnthu is the forum's chairperson and described some of the important factors underlying its functioning. Firstly, there is close interaction between the forum and the council, primarily by means of a joint council-RDP working group that meets once a month. In general, Namnthu claims: "We have a very supportive council."

Further, there is a clear organisational structure by which smaller, more localised development forums are represented on and interact closely with the central, municipal-level RDP forum. Such an arrangement is necessary also because the Greater Plettenberg Bay municipal area is very large, with a number of small, fairly self-contained settlements. Each of these smaller settlements have their own forum aimed at co-ordinating development efforts at the immediate, local level.

The Plett RDP forum has embarked on a number of projects, such as a Masakhane roadshow, the End Violence Festival, and an RDP environment festival, which are aimed at educating the public. It endeavours to interact closely with all stakeholders, including environmental groups, and Dinah Eppel, the forum's secretary, has a long list of local organisations, which is used to distribute information or organise participation processes (Eppel, Namnthu, Meintjes, DeKock, Lawrence, Nancy Stratten).

These factors have led to the Plett RDP forum becoming an important mechanism to facilitate inclusive and deliberative processes. Pertinent examples include the Small Boat Harbour project and the structure plan and IDP processes, which will be discussed in the next chapter.

Asked for his opinion on why the Plett RDP forum was creating a better 'track record' than that of Knysna, Namnthu replied:

*Namnthu:* [We] realised that to have all these processes [provision of houses, roads, education facilities] you must undergo a transformation of the mind. People should accept each other first of all if there is to be a project for the people; [...] through education, through ensuring that people interact in the process, even the white people have got a role to play in that [...] centre.

#### 6.4 THE LOCAL DISCOURSE: 'ENVIRONMENT' AND 'PARTICIPATION'

The above discussion alludes to the importance of group identities with respect to the formation and perpetuation of voluntary associations and their involvement in environment related PPPs. A crucial aspect of this is the local discourse surrounding

terms such as 'environment' and 'development', or issues such as the participation of disadvantaged communities in decision-making processes.

#### 6.4.1 'Green elitism'

As mentioned above, amongst some local level actors there is the perception that environmental groups, in some instances, use the environmental agenda as a mechanism to obstruct development in the area (Ngxolwana, Mvimbi, Wildeman, Lewendal, Leluma, and others).

**Ngxolwana:** Sometimes the environment is just a scapegoat, a smoke-screen; we sometimes feel that the 'haves', that is to say: the rich 'greens', are at times using the environmental issues as a scapegoat for preserving their own interests. They feel threatened by other developers, who come locally to take a slice of the cake that they have been enjoying. It can be a NIMBY issue – tranquillity, noise...

This, of course, is a pivotal issue in terms of how PPPs will interact with the decision making process. Significantly, these perceptions are not limited to members of development oriented groups in disadvantaged communities. They are shared, to varying degrees, with other actors, including consultants and members of environmental interest groups, such as, notably, Gaigher, DeKock, and Lawrence.

**Gaigher:** People proclaim environmental interest when actually they are just trying to keep things from changing. [...] With this green elitism you will estrange other sectors of the community to very important environmental issues.

The link between environmental conservation and conservatism was also highlighted by DeKock:

**DeKock:** When they bought there it was like this and they don't want it to change, they don't want growth. So they resist any type of development involved.

Hence, there are no straightforward political biases with regard to the perceptions of environmental groups. However, where such concerns coincide with political motivations, they may give rise to substantial potential for conflict. Gaigher describes

how interest groups have organised themselves for the purpose of counter-acting the influence of environmental groups:

**Gaigher:** In Great Brak, for instance, [...] you have a coloured-based group formed with the intention to stop this 'green suppression' as they see it. They are trying to get their sides of the story through – which are social and economic, rather than this abstract notion of 'environment', which they do not really understand anyway. [...] In Sedgefield there is a group called the Greater Sedgefield development forum, which is trying to oppose the way the environmentalists are [...] for instance, hijacking the structure plan process.

#### 6.4.2 'Sensitive development'

Mostly, however, interviewees were not inclined to make explicit the perception of an opposition or contradiction between environmental interest groups and community development interests. Most commonly, the notion of 'sensitive development', which would not unduly harm the environment, but provide benefits to the poor, was espoused by all interviewees. Even the most vocal critics of environmental interest groups, such as Ngxolwana, insisted that environmental protection was an important imperative, especially considering its economic, tourism-related value. On the other hand, Ngxolwana noted that "there [is] still a lot of land; a lot of bushes!"

One important aspect of 'sensitive development' is the use of local labour. Environmental groups have often pointed out that project proponents' claims regarding the job creation benefits of the development are ill founded. Often – as proclaimed by environmentalists – contractors would introduce labour into the area from other parts of the country, thereby actually exacerbating social problems in the locality (Lawrence, Saunders, Bob and Elena McIntyre, and others). This notion has been accepted also by community development groups and councillors, who now insist on the employment of local labour in construction work and other phases of the project (Kok, Stander, Avontuur, Wildeman, Mvimbi, and others). This instance may be seen to have played a significant role in demonstrating to the spectrum of local actors that environmental interest groups are not necessarily at loggerheads with the interests of disadvantaged communities.

Hence, in the comments of many councillors, for instance, there is the belief in the potential for mutually beneficial compromise solutions to development and environment related disputes. Of course, this is very much dependent on the individuals concerned, as well as the particular issue at hand, as will become apparent in the next chapter.

#### 6.4.3 'Differing priorities' and the participation of disadvantaged communities

Importantly, another reason for why opposition between development interests and environmental conservation are not commonly stated explicitly is that this conceptual linkage is not often made explicit. It may be argued that most community development groups move within realms of action in which 'environment' or 'land use' are not pertinent issues. This point was made, for instance, by Bev Moodie, director of Knysna's Business Outreach Centre:

**Moodie:** The Masakhane Business Association wouldn't challenge the Garden Route Trust [...] because they're not thinking about environmental issues; they're thinking about bread and butter issues.

This brings us to one of the most important questions of this thesis, namely: what are the levels of involvement of disadvantaged communities in PPPs, and what are the important underlying factors?

Concluding from the exploratory findings described in this chapter, and pre-empting the outcomes of the next chapter, there is commonly a skewed representation of communities in PPPs. It is the environmental groups that are most likely to pro-actively engage with environment related issues. Further, due to approaches used by local consultants and the responsible authorities, it is them who will be approached directly in terms of the EIA procedure.

What, then, were some of the reasons provided by interviewees for why community development groups do not actively engage with land use related issues? Mostly, they were similar to the point raised by Moodie: community development groups have different priorities. Issues of housing, job creation and crime take precedence over

concerns of environmental protection (Fuggie, Barbour, Ngxolwana, Marker, Mvimbi, Lawrence, and others). It was also mentioned that the issue of differing priorities was especially pertinent with respect to environmental groups' common concern for the aesthetic quality of the environment (Gaigher, Ngxolwana).

Further, those issues discussed at public meetings regarding, e.g., hotel developments, are of more immediate concern to environmental groups, than community development groups, whose interest in the matter would be vague and indirect. For instance, there is little surety about the effects a new hotel will have on the local economy, and hence sustainable job creation. As is evident in this statement by Michael Spies, a teacher in Hornlee:

**Spies:** There is a lack of interest. Take the Sparrebosch case. People don't care, because at the end of the day, what happens there is not going to affect the people living here. How is that going to improve our quality of life? – that is the dominant attitude.

For environmental groups, on the other hand, their cause, as it were, is tangible in the form of used space, threatened fauna and flora, and compromised views.

Related to this is the concern that lacking education and sophistication amongst disadvantaged communities hinders an appreciation of the importance of environmental protection or the issues related to conservation. Such sentiments were expressed by members of environmental associations (Saunders, Bob McIntyre, Allanson, and others), as well as members of disadvantaged communities (Spies, Mvimbi, Wildeman). Wildeman mentioned how even the councillors, who came from disadvantaged backgrounds, showed little interest in land use related problems in council.

However, there were some important objections to this generalisation!

**Ngxolwana:** At times the 'greens' are perceiving us to be naïve or narrow-minded, when it comes to environment. But the indigenous people are more environment oriented than the so-called 'greenies'. Our origins are from Africa, [...] from the bushes! We know how to preserve the environment better than them!

In a similar vein, Lawrence stated:

**Lawrence:** The grassroots people are close to the earth, they know what polluted water is, they know what very harsh living conditions are, because they do not have functioning homes to live in.

#### 6.4.4 Implications for public participation

It is apparent that race plays a huge role in the way people perceive each other's position with respect to environmental issues. This will need to be probed further in the next chapter. Of course, easy dichotomisation in terms of whites and blacks and their stance to development and environment is impossible, and occasional attempts to do so need to be critically assessed. What is, however, important is that race and socio-economic status combine to produce political constellations that are often characterised in terms of stereotypical relations to development and environment.

**Allanson:** Here in the Knysna [council] [...] the majority is African National Congress; and they have quite a different agenda to we Europeans.

Euan Wildeman, mayor of Plettenberg Bay, noted:

**Wildeman:** There are two sides – and it turns out that they are aligned in terms of political sides as well – the white constituency and the black constituency. Where I come from [the Coloured community], the people are not in the least interested in town planning issues. Most of them do not know what it is – they are beginning to do so only now, some of my colleagues [councillors from disadvantaged backgrounds]. They are fighting for issues that are close to the hearts of their communities. It is more the white councillors that are really interested in the town planning issues, and from an environmental perspectives. [Only] 40% of the councillors put their mind on town planning issues, unless a developer wants to make a political thing out of it.

Interviewees also mentioned practical issues such as those discussed in Chapter 3.

**Ngxolwana:** You are dealing with communities that have a certain way of thinking and acting. [...] The way you hold the meetings, what time, is very important. You can have it in town, for instance, there will be 20 cars for 20 people; or you have it in the community – there will be four cars and 100 people. To be more inclusive, the venues have to be changed. Your channels of

communication are also very important. You can put an advert in this local newspaper – the Knysna-Plett Herald – it will only be the educated few who will pick that up. To us communication is like going out with a microphone and announcing: “There will be a meeting tonight!” And that meeting will be well attended!

This notion of “communities that have a certain way of thinking and acting” is pivotal in shaping fair PP. Bev Moodie, for instance, noted:

**Moodie:** They [the black communities] have a way of doing things – very consultative in lots of ways. [...] They’re neighbourly, they live next door to each other – the group is more important than the individual. [...] The black and Coloured community are very polite, they’ll wait to be invited.

Another important aspect of disadvantaged communities, of course, is the disruptions experienced during apartheid. In some ways they relate directly to environmental issues:

**Spies:** For so many years, Apartheid would dump people all over – there was a big area of fynbos here [in Hornlee – a former ‘Coloured township’]. Nobody complained. Now with Sparrebosch – everybody is up in arms about the fynbos. Some of our councillors regard it in this light; there is resentment about this.

One may also argue that the ravages of apartheid have contributed to the difficulties of implementing sound representative structures in disadvantaged communities, as are evidenced, for instance, in the problems faced by Knysna’s RDP forum (Moodie, Alistair Grant).

#### **6.4.5 Education and group interaction, or: social learning revisited**

Finally, we should note some of the ways forward proposed by interviewees regarding this perceived dichotomy in community engagement with environmental issues.

On an immediate level, there are those members of environmental groups or RRAs, who describe how their organisations attempted to engage members of disadvantaged communities in their meetings and so on. These attempts invariably failed, and this was

perceived to be because of mistrust (Bob and Elena McIntyre) and / or different perceptions of socio-economic realities (Allanson).

More significantly, there are two notions that may be distilled from the exploratory research as being fundamental in this respect. Firstly, there was an identified need for more environment-related education in disadvantaged communities. Lulama Mvimbi, former mayor of Plettenberg Bay, noted:

**Mvimbi:** It will always be a racially defined debate until the economic scales are balanced. There will always be cynical developers to exploit that opportunity. Unless there can be an intensive awareness campaign. Then the people on the ground will pressure the councillors.

Secondly, and perhaps most importantly, there was an identified need for more communicative interaction between the various sectors of the communities. This interaction should go beyond invitations to meetings of, say, the local RRA, and would require fresh spaces of interaction. It would also require consideration of all pertinent concerns of the particular communities, i.e., environmental issues need to be linked to other concerns such as employment creation and housing development. The gravity of this imperative needs to be seen in the context of South Africa's troubled history:

**Ngxolwana:** People are coming from worlds apart – it will take time. It will take interaction, education, learning that comes through these workshops; there is a learning process. [...] These interactions form the basis of mutual understandings amongst ourselves. More communication, more affinity, more understanding.

## 7. THE CASE STUDIES

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This chapter will discuss in some detail the case studies and their main findings. For each case study, the discussion will describe the case background, the main actors involved and the manner of their involvement, and the prevalent perceptions regarding the public participation process (PPP). There will also be a brief assessment of the PPP in terms of the evaluative criteria prepared in Chapter 3.

## 7.1 THE SPARREBOSCH ESTATE AND GOLF COURSE DEVELOPMENT IN KNYSNA

The Sparrebosch project is a large estate and golf course development on the Eastern Head, overlooking Knysna lagoon on the one side and the sea on the other (see **Figure 7-1** and **Figure 7-2**). The decision-making process surrounding the development authorisation, which was accompanied by a high degree of controversy, is the object of investigation in this case study.

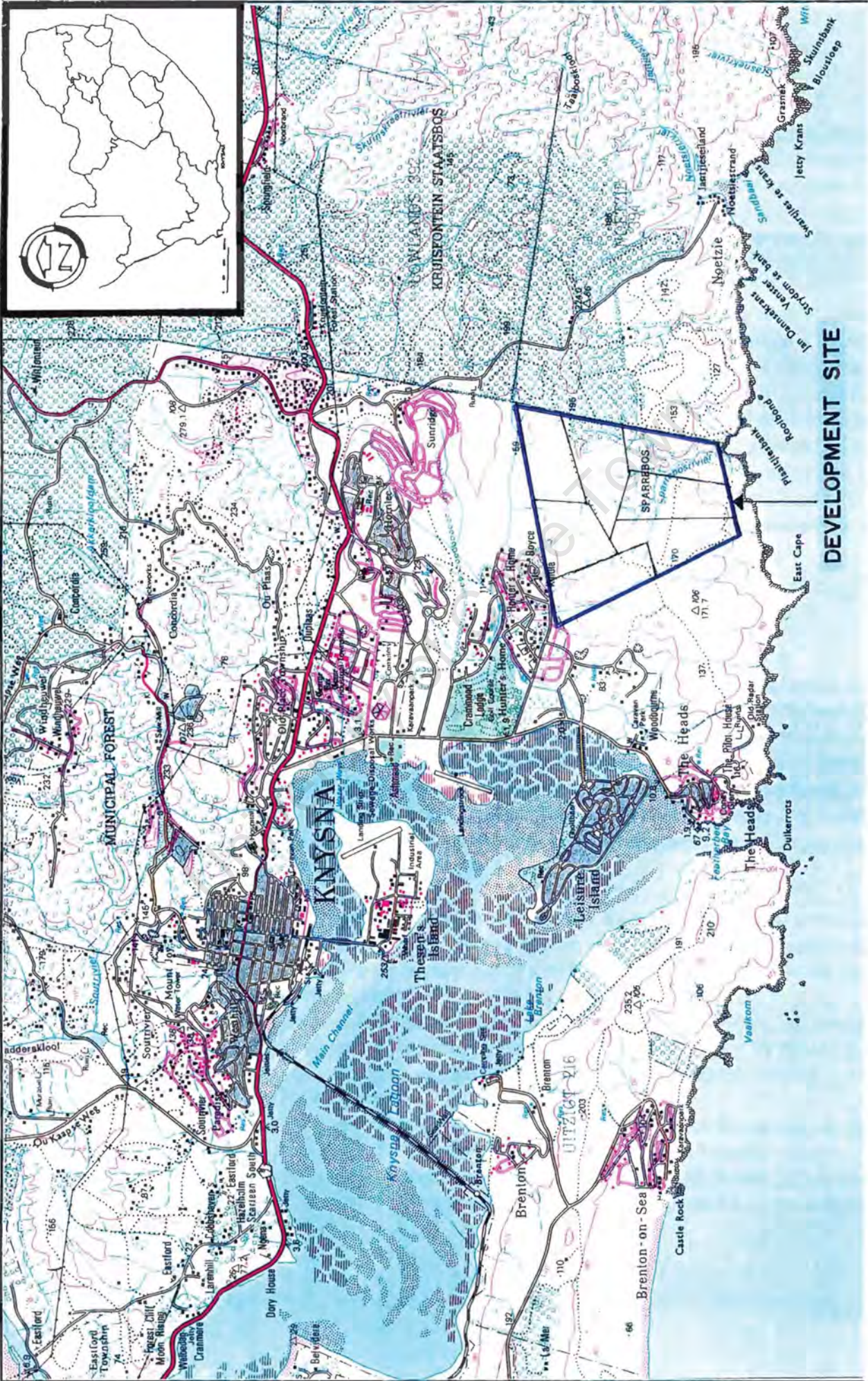
**Figure 7-1 (page opposite): Map of Knysna depicting the Sparrebosch development site (Steffen Robertson and Kirsten, 1997a)**

**Figure 7-2 (page overleaf): Aerial photographs of the Sparrebosch development site; from Knysna, viewing southwards (above), and from the sea, viewing north-westwards (below) (P.K.Development, 1998)**

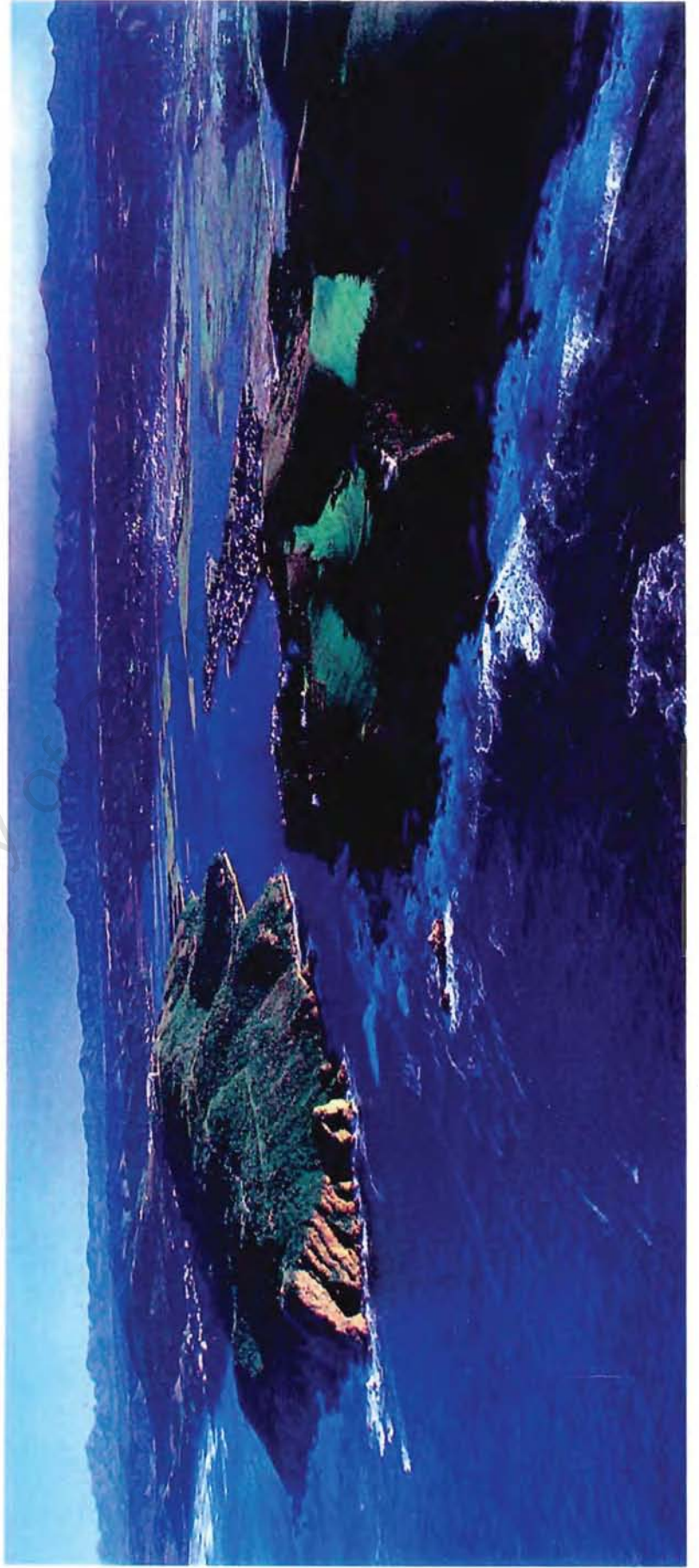
### 7.1.1 Background to the case study

The 1983 Knysna-Wildernis-Plettenberg Bay Guide Plan envisaged most of the Eastern Head to be used as a 'white residential area' (Department of Constitutional Development and Planning, 1983). Knysna's Draft Local Structure Plan, prepared in 1990, also envisaged low to medium residential development on the site, although the draft status of this plan makes its recommendations of limited value (Gericke; SRK, 1996).

The relevant property was bought by a subsidiary of Anglo American Properties in 1969. In 1993 that company submitted a rezoning application to have the property zoned for subdivision to allow a low-density township development of about 500 residential units, which the Knysna town council approved (with amendments) (SRK, 1996).



DEVELOPMENT SITE



In September 1995, the property was bought by Mr. Premchai Karnasuta, and a company was formed – P.K. Development (Pty) Ltd – for the purpose of developing the site, with Stanley Wang as Managing Director (Wang; P.K. Development, 1998). In November 1995 an application was made to amend the existing zoning arrangement to allow for an 18-hole golf course and 250-room hotel, in addition to the 500 low-density housing units. This was approved by the council, subject to a list of conditions stipulated in terms of section 42(3) of the LUPO, including the preparation of an environmental management plan on the basis of an EIA (SRK, 1996; for a list of these conditions see SRK, 1997a).

An issue that would play a prominent role in the PPP was the procedure by which the 1995 amendment had been granted. The LUPO had been interpreted by the municipality in such a way that it was up to the discretion of the town clerk (Wickie Smidt) to advertise the application for an amendment, which he chose not to do (Gericke; SRK, 1997a; Cape Times, May 5, 1997). According to Barbour, this is a 'grey area' in the LUPO and no definite judgement was made on that matter.

Because the authorisation for the development had been granted, the EIA's terms of reference, as determined by the above-mentioned stipulations, did not entail an assessment of alternative land uses on the site in question, but rather aimed at providing input into the Environmental Management Plan (EMP) for the project. As stated explicitly in the EIA (SRK, 1996, p.ii):

The proposed development [...] was approved by the Knysna Town Council on 12 December 1995. It was, therefore, assumed that the establishment of a golf course, a hotel and approximately 500 housing units were feasible development options for the site, and that the primary purpose of the EIA and EMP is to guide the layout, the construction and the management of the development in an environmentally sound and responsible manner. The EIA therefore does not consider alternative land use options for the site.

At the same time, however, the EIA's terms of reference provided for a "public participation process (PPP) to provide the public with an opportunity to comment on the developer's proposals" (*ibid.*, p.i).

The tension between these two aspects of the EIA, i.e. the public participation and the limited potential for change to the project, may be seen as one of the main causes for the substantial conflict that accompanied the decision-making process. Indeed, Wang stated that he had expected some resistance to the development, but that the actual level of acrimony was very surprising.

The EIA was completed in March 1997. The attendant PPP and its role in the decision-making process will be considered in the next section.

One of the most dedicated sources of opposition to the development was a group of residents called the Rexford Road Committee, who were concerned about the use of a road through their neighbourhood as an access route. They took the town council and the developer to the Cape High Court in May 1997, on the basis of alleged irregularities in connection with the rezoning procedure of 1993 and the rezoning amendment in 1995. These irregularities concerned primarily the notification of interested parties, including CNC, of the proposed rezoning. The substantive outcome of the court case was that the site's present zoning was invalid because of a legal detail in the application of the LUPO (Barbour, Wang, Gericke).

Hence, the developer issued a new application for rezoning. The council approved this application in July 1997, but it needed to be considered by the provincial government, because of the explicit objection to the development made by government departments, including CNC and the Department of Water Affairs and Forestry (DWAF) (Kok, Smidt, Barbour, and others). In December 1997 the Minister (Lampie Fick) authorised the rezoning (Department of Housing, Local Government and Planning, 1997).

Attached to this approval was a list of conditions, pertaining primarily to environmental management and conservation concerns, including the preparation of an Environmental Management Plan (EMP) and the establishment of an Environmental Monitoring Committee (EMC).

In the press statements explaining his decision (e.g. Knysna-Plett Herald, January 8, 1998), Minister Fick stated that he was grateful for the contributions of environmental

groups, which, he argued, substantially underpinned the conditions of approval.

Interestingly, though, he stated:

However, the silence of the majority of the community who support the development contributes to the incorrect perception that the environmental groups speak for and on behalf of the whole community.

This account will not consider in detail the implementation of the EMP. Suffice to say that almost all interviewees, except two members of environmental groups (Saunders, Tonin), were either reasonably satisfied or impressed with the way the developer, the EMC, the Environmental Control Officer (ECO), and the council were interacting to minimise environmental damage.

### 7.1.2 Opposition to the development: four key issues

As is apparent in the media reports, in the minutes of the public meetings, the comments received on the draft EIA documents (SRK, 1997b), and in evidence supplied by interviewees, the dominant opposition was voiced under the auspices of the following associations and organisations:

- the Rexford Road Committee (RRC);
- the Garden Route Trust;
- the Knysna Ratepayers' and Residents' Association;
- the Wildlife and Environment Society;
- the Botanical Society;
- CNC;
- SANP; and
- DWAF.

Four issues need to be raised in connection with these groups' involvement in the case. Firstly, their engagement ensued in terms of a loosely organised coalition, which organised itself around a core group of active individuals and which was flexible and adaptive. As such, the Garden Route Trust was very much at the centre of the initial opposition to the project (Lawrence, Saunders), but as the case ensued, Jenny Lawrence

found herself “ostracised” (Lawrence). In mid-1997, then, it was the RRC, which was at the centre of organised opposition to the developer, including the legal challenge described above (SRK, 1997a; Saunders, Lawrence, and others).

The role of the conservation-oriented authorities was clearly in alliance with many of the groups opposing the development (SRK, 1997a; SRK, 1997b; Joubert, Barbour, and others). In some ways, this alliance was underpinned by informal channels of communication and interaction. As Margaret Marker (a member of the Outeniqualand Trust), for instance, noted: “We use CNC and SANP to sort out a mess!”

In this regard, of course, the role of CNC, SANP, and DWAF needs to be distinguished from that of the voluntary associations, in that they are bound by governmental regulations and modes of conduct. As such, for instance, they should prefer to engage in private meetings with other authorities, rather than in public controversy by means of public statements in the media or at public meetings. Indeed, this became a matter of contention when Peet Joubert, the local SANP representative, voiced strong criticism of the decision-making process and the council in the provincial media (see, e.g., Cape Times, April 1, 1997) (Smidt, Gericke, Stander). Further, the input made by local representatives was not necessarily supported by their superiors (SRK, 1997a; Joubert, Stander, Avontuur, Smidt, Gericke).

Secondly, the role of individuals is paramount in actions made under collective mandates. The prominent role of Jenny Lawrence was already mentioned in the previous chapter. In the Sparrebosch case, the figure of Jim Saunders stands out as a focal point of much of the opposition to the development, as is evidenced in interviewees’ submissions, the minutes of meetings, and media reports. As member of the Knysna RRA and the Outeniqualand Trust, but primarily as legal representative of the Rexford Road Committee, he was seen by many as a key figure in the environmental groups’ opposition to the development (Wang, Avontuur, Saunders, Lawrence, Barbour, and others).

Thirdly, the Rexford Road Committee illustrates a point that was made in the previous chapter: opposition to development occurs under a variety of motivations, which are

important in shaping actors' perceptions of the process. Most commonly, reasons given for opposing the development were related to the potential detrimental effects on the fauna and flora, the ecosystem health of the lagoon, water resources for Knysna, and the "ambience of the Knysna amphitheatre" (Cape Times, July 22, 1997). Indeed, the findings of the EIA led Barbour – the EIA facilitator – to remark that had alternative land uses been an issue, the EIA would have recommended that the present proposal not be approved (Barbour).

However, the Rexford Road Committee's primary motivation was related to the road that goes through their neighbourhood, and which was to be used as access road for the development. It was made explicit, including in a written submission, that if the development would entail a different access route, then the Rexford Road Committee would wholly withdraw its opposition to the project (Wang, Barbour, Gericke, Stander, Avierinos). This stance was validated by Saunders in an interview. Again, this has far-reaching impacts on the way input of these groups is perceived by relevant role-players such as councillors or officials, especially in terms of the declared motivations related to environmental protection:

**Stander:** When we met the Rexford Road Committee, they came up with alternatives in terms of the access road – they actually proposed for the road to go through a wetland!

Finally, opposition to the development in terms of public participation would not have had as much public exposure, had it not been for the involvement of the media. In terms of the local newspapers, this involvement relied heavily on the pro-active approach of certain actors to write Letters to the Editor. Perhaps more importantly, the development got a lot of 'bad press' in one of the province's largest newspapers: the Cape Times. In terms of the perceptions of supporters of the development, including the developer and local councillors (Wang, Stander, Avontuur), this was primarily because of the lopsided reporting of Melanie Gosling. It was alleged that she was lacking objectivity when describing the council as 'development hungry' and that she relied on sources that viewed the development negatively. Indeed, in the four articles that appeared between April and December 1997, the overwhelming majority of quotes used were from members of those groups opposing the development, as listed above

(Cape Times, April 1, 1997; Cape Times, May 5, 1997; Cape Times, July 22; Cape Times, December, date unavailable).

### 7.1.3 Support for the development and the role of the council

Gericke described how the Knysna council received letters of support for the Sparrebosch development:

**Gericke:** At that time they represented all the informal communities under the old banner of the Knysna Development Forum, and they wrote a letter to council; also the ANC wrote a letter on its official letterhead as ANC Knysna region: "we support this development proposal!" And then most of the Civic organisations wrote letters on behalf of their communities to say "we support it".

These explicit stances need to be seen in the context of generally low levels of interest in environmental matters in low-income communities, as described by many interviewees, including Spies, Stander, Avontuur, Gericke, Saunders, and others. Related to this is the potential for influential individuals or groups to put forward opinions under collective mandates. As for instance, Spies, a teacher in Hornlee, described:

**Spies:** One of them [councillors] came to our school [to talk about Sparrebosch]. He said that there was a need to consider the fynbos and so on, but that development was needed to bring jobs. He was pushing for development, development, development. They are not prepared to look at the long term.

Hence, levels of collective organisation and accountability become important themes when analysing participation.

This point was taken up by citizens opposing the development, who argued that the disadvantaged communities were fed mis-information and manipulated by a few individuals who would gain from the development, particularly councillors. The promised gains in terms of job creation, they argued, were insubstantial, because jobs created during construction were only short lived and those created permanently on the

estate would be few, low paid, and not conducive to empowering the community (Saunders, Tonin).

Supporters of the development in the municipality, i.e. councillors and officials, however, painted a different picture. They argued that there was overwhelming support for the development, and not only amongst the disadvantaged communities, but also, for instance, from the Chamber of Commerce and the tourism industry (Gericke, Smidt, Stander, Avontuur). Barbour and Scholtz (Director of the Knysna Tourism Association) seconded this claim. Smidt argued that this support was made apparent to the council by means of the above mentioned letters, but also in some public meetings, in the media, and by means of comments received in terms of the LUPO's provisions (advertisements were put in the local papers calling for comments). Frequent mention was also made of the interaction between the councillors and their constituencies (Avontuur, Smidt, Gericke), as described in the previous chapter.

Indeed, it is interesting to note that all parties represented on the council voted for the development. Avontuur attributed this to the requirement for councillors to make a holistic decision for the benefit of the wider community, and not be swayed by "loud opinions".

**Wang:** They voted unanimously for the development. Some of the councillors came from wards where there were many opposing green groups. They took a lot of abuse. Their civic responsibility made them vote for it. They take their jobs seriously in terms of the town's interest and they thought it was a good development.

A further incentive to prepare a unanimous vote was suggested by Young, who argued that councillors would 'go along' with the majority decision to show good faith and strengthen the council's position in the event of ensuing dispute.

The main reasons provided by the councillors in support of the development relate primarily to the prospects of economic growth for the town in general, by means of increased capital expenditure in the local economy, including an increase in the rates base; the creation of job opportunities, with the attendant potential for training of the

workforce; and the provision of access to the land, which was previously off limits to the public (Avontuur, Stander, Smidt).

Hendryk Percy, a security guard on the construction site, described how many of these benefits had already come into effect for members of his community (Hornlee), primarily in terms of work opportunities on the construction site and access to the site in people's free time to "enjoy the views". He also described how there was "lots of talking about the development" prior to any construction activity, and that there had been much hope that it would bring jobs and money to the area. Much of this was apparently supported by councillors such as Kok and Stander, who came to them to talk about the potential benefits of the project. Further, Percy noted, the community had also discussed amongst themselves the potential negative effects of the development, including negative impacts on the insects, birds and plants, that it might make the town dusty, the lagoon dirty, and change the character of the town ("Knysna is a quiet place!").

Of course, Percy's statements are but anecdotal evidence of the level and sophistication of the discourse surrounding the Sparrebosch controversy in the disadvantaged communities. It is not the intention here to substantiate such claims, as this would require a more in-depth sociological analysis of the case study. Needless to say, such research should prove worthwhile in the quest to develop fairer participation practices. What is, however, attempted here, is to show that key role players and representatives of disadvantaged communities spoke out in favour of the development, and that they had certain, unfavourable views of the formal PPP, which is discussed in what follows.

#### **7.1.4 The EIA's formal public participation process**

The EIA, which provided the framework for the formal PPP, was prepared by Steffen Robertson and Kirsten (SRK) Consulting Engineers and Scientists (SRK, 1996). As is described above, one of the most significant aspects of the EIA is its limited terms of reference, i.e. the decision for the project to proceed had been taken independently of the EIA. Concomitantly:

The approval of the amendments to the rezoning [in 1995] also recommended that the general public are kept informed about the development project. Accordingly, a Public Participation Process was included as part of the SRK's brief. (SRK, 1996, p.5)

Hence, to keep the public informed was an important aspect of the formal PPP. Another key incentive was for the public to inform the EIA process as to the issues that required specialist investigations (SRK, 1997a).

In line with the discussion in Chapter 3, public participation played a prominent role in the beginning of the EIA preparation process – the 'issue scoping' phase (SRK, 1996, p.6) – and in the end – the 'feedback' phase (*ibid.*, p.7). In between these phases, and making up the bulk of the EIA, were the specialist reports on vegetation, fauna, avifauna, stormwater management, coastal zone, water and sewage, visual assessment, socio-economic aspects, and bulk services (*ibid.*).

The PPP consisted of the following activities (SRK, 1997a):

- Initial contact with interested and affected parties (IAPs) (19-21 August, 1996);
- Distribution of background information document (19-21 August, 1996);
- Information sharing meeting (3 October, 1996);
- Public workshop (23 October, 1996);
- Distribution of a draft scoping document for comment (4 December, 1996);
- Distribution of the draft EIA and EMP for comment (20 December, 1996); and
- A public feedback meeting (21 January, 1997).

The 'initial contact' activity represents what was referred to by Barbour as the 'informal public participation' part of the process (see previous chapter).

During the site visit, informal meetings were held with representatives of organisations including Wildlife Society, Botanical Society, Knysna Development Forum, Knysna Chamber of Business, Afrikaanse Sakekamer, National Parks Board, Cape Nature Conservation and the Knysna Municipality. [...] The aim of the meetings was to introduce the consultants from SRK involved in co-ordinating the PPP to the key interest groups, outline the scope of the proposed PPP and provide background information about the development. (SRK, 1997a, p.6)

(CNC, on its own request, was removed from this list in subsequent statements (SRK, 1997a).) Those groups contacted in this approach were chosen, it seems, on an intuitive assessment of who would constitute 'key role-players' on a broad spectrum of interests. Further:

**Barbour:** We had meetings with the municipality, interest groups – in that area the environmental network is quite well established, so you know who the Botanical Society is, the Wildlife Society, and so on; also, they had had the Knysna Quays EIA, so there was a list of those people involved in that public participation process.

It is interesting to note that those initial contact meetings were conducted not only with environmental interest groups, as was suggested to be a common approach with environmental consultants in interviewees' comments surveyed in the previous chapter. Rather, the Knysna Development Forum and the English and Afrikaans business chambers were also contacted.

Invitations to the information sharing meeting were issued to a large number of groups and associations: 14 community organisations, such as civic organisations and residents' and ratepayers' associations; 12 non-governmental organisations, including the main environmental interest groups; 15 different authorities; 4 local media representatives; 23 business groups; and two neighbouring land owners. In addition, notices were placed in the local media and public places (SRK, 1997a). The meeting was held at the Protea Hotel, which is situated in the centre of town, at 18h00.

The response at this first meeting was overwhelming:

**Barbour:** We thought we would get 50 or 60 people – but at half past six there were still people queuing to get in! There were about 200 people! [...] I am not sure why there were so many people. Knysna is quite an active community, interested in such issues.

The Scoping Report lists approximately 180 participants at the meeting, representing a wide variety of groups (SRK, 1997a). The majority, however, was made up of white residents (*ibid*; Barbour). At the meeting, Barbour introduced himself and the project management team to the attendees, described the intended PPP, and got participants to

agree to specific rules of behaviour for that meeting. Then members of the management team, including Stanley Wang and the golf course architects, provided a description of the project. An open discussion followed, with Barbour closing the meeting with a summary of the main points and a vote on when to have the workshop (SRK, 1997a).

The workshop was held at the Protea Hotel on the 23<sup>rd</sup> October, 1996, at 17h30. All attendees of the prior meeting had been invited explicitly to the workshop and it had also been advertised in the local press. The workshop was, again, well attended with around 100 persons representing a variety of groups. Again, however, the overwhelming majority was white residents, as is evident in the list of attendants (SRK, 1997a). Significantly, there were only three community group representatives from the disadvantaged communities (W. Filander from the Hornlee Civic Association, Mike Spies from the Green Machine Enviro Club, and V.H. Sigch from Youth for Peace), and none of the prominent ANC councillors present at the workshop.

At the workshop, the facilitator (Barbour) employed a 'visual gathering process' to elicit comments on the issues identified in the information sharing meeting from each of the participants. A prompt questionnaire was distributed and each participant was asked to respond on issue cards numbered according to the questionnaire. These cards were collected, displayed and used as the basis for an open discussion. Further, all the comments received on the issue cards were collated and summarised to give an indication of the relative weighting of the comments received (SRK, 1997a).

Based on these weighted responses with respect to the various issues, a summary chart of the issues scoping process was prepared, with the issues collated into ten groups and listed according to their relative importance in terms of comments received. Thus, the most prominent concerns related to the intended access road through Rexford (Duthie Drive), on-site activities during the construction phase (i.e., impacts on the natural vegetation, erosion, pollution, and potential increases in crime levels), and the issue of water supply (SRK, 1997a, p.10). Potential benefits of the project were also identified and discussed. These related to staff training, job creation, conservation of the Sparrebos forest, local economic growth and the promotion of sport and environmental education (SRK, 1997a, p.16).

The results of the scoping process, i.e. the information sharing meeting and the workshop, were collated in the draft public scoping document that was distributed in the beginning of December. By 20<sup>th</sup> December a draft EIA, including the results of the specialist studies (see above) and the EMP, had been completed and were distributed to local libraries and relevant authorities. This scheduling had been deemed necessary so that “the holiday crowd” would be able to “have a look at it” (Barbour).

The final aspect of the PPP was the feedback meeting held on the 21<sup>st</sup> January, 1997, at the Protea Hotel at 18h00. Again, more than 100 people attended this meeting, as listed in SRK (1997a). Judging from the names and the addresses of these, it is apparent that the overwhelming majority was white residents of the affluent neighbourhoods of Knysna (a methodological caveat: half of the addresses given are P.O.Box numbers that could not be compared to location by the researcher). Indeed, none of the representatives of disadvantaged communities that were identified as part of this research were present at the feedback meeting.

At this point it should be noted that almost all of those interviewed for this thesis, however, were listed in the facilitator’s register of IAPs (SRK, 1997a), and hence did receive invitations to all the meetings.

At the feedback meeting, an overview of the EIA was given by Tony Barbour, and the specialist findings were summarised, in most instances by the relevant consultants themselves. Also, Wang responded to the comments received, and noted that: “There are a group of people who are not represented at this occasion, but who perhaps have the most at stake in the process” (SRK, 1997a). He was, of course, referring to the disadvantaged communities, for whom he pledged to provide a multi-purpose sports facility.

Finally, in terms of the EIA’s formal PPP, it should be mentioned that there was a significant amount of correspondence between the facilitator and certain other groups, including representatives from DWAF, CNC, and the Rexford Road Committee, and

individuals. This correspondence was provided entirely in the scoping document that was distributed as part of the PPP (SRK, 1997a).

### 7.1.5 Perceptions of the PPP

Tony Barbour stressed that the limited terms of reference were a fundamental problem in terms of the EIA:

**Barbour:** Looking back, the EIA should have been done when the original decision for the rezoning took place. When we went in that land use was already approved. The EIA was not questioning whether the development would go ahead or not, it was to ensure that it would have the least impact on the environment.

This was especially awkward because that initial rezoning was over-ruled as a consequence of the legal challenges subsequent to the EIA having been completed. Hence, the EIA had taken something for granted that was then subsequently open to renewed decision-making. This greatly diminished its pertinence in terms of affecting substantial decisions. Further:

**Barbour:** The problem with the IEM process is that when it gets to the political decision making level it becomes quite murky. You can't be sure who is making decisions, whether they have read the report...

As argued by Wang, there was no legal requirement for the EIA, but it was prepared in line with the agreement between the developer and the council.

Notwithstanding these concerns, however, Barbour argued that the EIA had some substantial effects on the ensuing decision-making process. Firstly:

**Barbour:** The EIA had shown that there was incredible fynbos and bird diversity on the site – for the first time there was hard evidence for the public that this was a special site. It provided strong ammunition for those who were opposed to the development.

This point was supported by, inter alia, Avierinos, Wang, and Lawrence. Secondly:

**Barbour:** The EIA certainly guided the developer and the development [...] in terms of showing how the positioning of the buildings, holes, and so on, could minimise damage.

This is an important aspect of the EIA, which many of the interviewees upheld, including Avierinos, Gericke, and Wang. Wang commented: "The cost of what we spend to protect the environment is vast, it goes beyond what I originally expected". Even the most ardent critic of the development, Jim Saunders, acknowledges this indirectly (Saunders).

The EIA also substantiated the claims related to the significant positive impacts the development would have in terms of local economic growth and job creation (SRK, 1996; Barbour).

Regarding the process of EIA preparation itself, including the PPP, there seems to be universal appreciation of the way in which the process was conducted (Barbour, Wang, Avierinos, Lawrence, Stander, Avontuur, Marker, Smidt and others).

**Barbour:** At the end of the process, those who were fundamentally opposed to the project – Jenny Lawrence, Ian Dewar, SANP, BotSoc – said that the process was good. The standard of the specialist studies and the final report was good, so SRK did not get stuck in a controversy around the development.

Specifically, Wang, Stander, and Avontuur noted that the process was transparent and that sufficient efforts had been made to include everybody. Notwithstanding this, however, Stander and Avontuur – both councillors from disadvantaged areas – argued that PPPs, including this particular one, are biased towards participation by white people, adding that, in their communities, apathy, and different priorities kept people from attending public meetings. Stander added that probably their "support was taken for granted!" Wang argued that the process was "geared to those who are motivated to participate, have a telephone and fax machine; [they can] amplify their influence".

Significantly, Barbour, as well as interviewees from the disadvantaged communities (Kok, Stander, Avontuur, Ngxolwana, Percy), commented that the location used for the meetings (Protea Hotel) was not conducive for people from disadvantaged communities

to attend. Communities such as Hornlee (the ex-Coloured township) and the “African” settlements “on the hill” (Stander) are up to five kilometres away from the town centre, with little public transport available, especially in the evenings.

Regarding the impact of the PPP itself, in terms of its substantive contribution to the decision-making process, most interviewees considered this to have been of limited importance. Avierinos noted that it was predominantly the specialist studies that provided the input into the EIA and the EMP. The initial scoping exercises, it was claimed, provided little input into the terms of reference of the specialist studies, over and above what had already been decided upon by the project team (Barbour, Wang, Avierinos). However:

Wang: [The public participation] gives you a way to calibrate the degree of importance of issues. For example, issues of aesthetics – it affects the way people see the development and it was an important issue; the road was another one. So you must deal with the issues that are dealt with in the reports and also with those about which the public feels strongly.

The interviewees most critical of the PPP were Saunders and Tonin. In line with the EIA’s limited terms of reference, they argued that the PPP was merely a “public relations exercise” (Saunders), aimed to “tell the public about the decision that had already been made” (Tonin). Indeed, the input to the PPP was perceived by Saunders to have been inadequately considered and even “modified to justify their [project proponents’] actions”.

Significantly, these respondents felt that this limited scope of the PPP was not made sufficiently clear during the process. In general terms, the process “did not allow for participants to understand the role of the public participation process” (Saunders). Also, the ability for the consultant to act objectively was doubted, because he was on the developer’s payroll (Saunders, Tonin). Further, the insufficient time and limited resources made available to the process – allegedly because of the lacking good faith on the part of the developer – were seen to hinder the process’ ability to adequately deal with the dispute surrounding the issue (Saunders).

### 7.1.6 The PPP and social learning

In line with the theoretical and methodological approach of this study, questions regarding the role of the PPP in educating the participants and, further, allowing for group interaction, played a prominent role in the interviews. Similarly to the concluding remarks of the preceding chapter, two dominant requirements could be distilled from the interview data in this respect. The first was the need for environmental education to occur for all participants, but more importantly in the disadvantaged communities, so that they would be enabled and motivated to participate in PPPs such as the one for Sparrebosch. This was advocated by all interviewees, albeit for slightly different reasons, which will not be further described here.

The second perceived imperative was for environmental or other special interest groups – primarily referring to the Rexford Road Committee – to engage with a wider set of motives and incentives, rather than participate in a way that was perceived to be elitist, exclusive and NIMBY-motivated. This need was identified by most interviewees from disadvantaged communities, as well as others, such as Wang, Avierinos, and Lawrence.

**Wang:** People on both sides need to provide more background and objectivity to the debate, as opposed to only looking for arguments that will stop the development. That is not a constructive approach – you end up in a purely antagonistic situation. [...] The debate is too simplified at the moment. It is basically [represented as] the fight for the last fynbos left in the world. People present the problem as “are you for or against protecting it?” without making the connection to “but are you also for economic development, job creation or improving tourism infrastructure?” You can’t divorce this particular issue from everything else. [...] The environmental groups need to represent a wider set of concerns, all the people of Knysna, of which the majority is black and coloured. For these, the major issues are social and economic.

With regard to the education imperative mentioned above, one of the main incentives for the PPP had been to inform interested parties about the development (SRK, 1996; Smidt). Avierinos described how the feedback meeting in particular played an important role in educating participants as to the likely effects of the proposed development (also: Wang, Barbour). Further, uncertainties could be removed by way of constant, informal interaction between concerned members of the public and members

of the management team and – subsequent to its establishment – the EMC: “they’ve all got my telephone number!” (Avierinos).

However, with regard to the second imperative mentioned above, Avierinos declared: “There is nothing that can be done to get the Rexford Road Committee to think about the wider picture!” Similar sentiments were expressed by Stander and Avontuur, for instance (bearing in mind interviewees’ general reluctance to make declaratory remarks about specific groups).

Significantly, Saunders described attempts by the Rexford Road Committee to “establish dialogue with groups who are for the development”, although this was for the explicit purpose of “getting them on our side” (Saunders). Interestingly, Saunders and Tonin argued that this was a difficult endeavour, especially because councillors were unsuitable to represent the disadvantaged communities, as they had vested interests in favour of the development. Hence, Saunders argued: “I do not know who would be those for the development, except councillors – those in control don’t allow for that debate [with disadvantaged communities]”.

It is apparent that at the meetings conducted as part of the PPP, as described above, there was little interaction between the relatively affluent residents, who attended the meetings, and members of the disadvantaged communities, who were predominantly absent. Indeed, the absence of council members at the meetings, who were from disadvantaged communities, became an issue of some contention, especially at the workshop on the 23<sup>rd</sup> October (SRK, 1997a). In the interviews, Avontuur, Stander, and Kok mentioned that they would be vulnerable to overwhelming criticism and personal attacks at such meetings, which is why they did not attend, an expectation shared by Gericke and Smidt.

Hence, Smidt argued that there was no opportunity in the PPP to “create common ground”. Rather, Minister Fick, in his visits to the town prior to his decision in December 1997, played an important role in bringing “people together to create a win-win situation” (Smidt). Young and Wang shared this opinion.

Significantly, the potential opportunity for social learning was recognised by some interviewees:

**Stander:** Now that you mention it, Sparrebosch was a good opportunity to take people beyond the issues that they were fighting about and to see the other side, but I don't think that happened. All the issues must be explained to people – like: why do we want development or what are the green issues – that wasn't done.

Similarly, Avontuur argued that the facilitator should “get people to interact”, noting that there was “no interaction between the RDP Forum and the Garden Route Trust”. Interestingly, Avontuur and Kok argued that such an inter-group interaction could be achieved as part of the IDP process for the town.

### 7.1.7 Evaluating the PPP

#### *Technical competence*

The PPP did not have significant impact on the choice or design of the technical studies. This seems to have been the case notwithstanding the potential for it to do so, i.e. the PPP was well-g geared, in terms of the staging of the EIA process, to provide input to the preparation of the specialist studies. Further, no substantial dissatisfaction was expressed by interviewees in terms of the specialist studies themselves.

The PPP did, however, play an important role in providing a value-based assessment of the significance of potential impacts of the project, thereby fulfilling one of the most salient objectives of the scoping process. Importantly, though, this needs to be seen in context with the fairness criterion, because for such a weighting of issues to be valid, the process should be reasonably fair.

In terms of relating the specialist studies to the PPP, this was the primary aim of the feedback meeting held in January 1997. It may be argued that this once-off interaction between the specialist studies and the public was not sufficient for a meaningful engagement between the public and the technical issues of the EIA. Hence, more iterations of public – specialist interaction might have been necessary. However,

judging from most of the interviewees' comments little uncertainty or disagreement surrounded the scientific assessment of impacts contained in the EIA.

### *Efficiency*

An important factor in terms of efficiency is the requirement to start the PPP early on in the process. It is apparent that the EIA's PPP was hampered by the inadequacy of public participation during the early, rezoning related decisions made by the council. Many participants felt that they had been involved too late, thereby engendering a deep mistrust of the entire process.

Seen in this context, the actual PPP did, however, contain many features to enhance its efficiency. The relationship between the EIA facilitator and the project management team was described as good and effective by all questioned. Also, the 'informal participation' approach helped to build a good relationship between the facilitator and key participants. Contrary to sentiments expressed by some interviewees, the manner in which the PPP and the EIA related to the overall decision-making process was frequently described in the meetings and in informal interaction (SRK, 1997a; Barbour). Finally, the public meetings were supported by a clear definition of modes of conduct, which were agreed upon by all participants.

However, efficiency might have been enhanced by means of a comprehensive public participation plan (see Chapter 3). Such a plan would include more references to the aims and objectives, scheduling, and methodology of the PPP than is provided in SRK (1997). All participants would have to agree to this plan, thereby providing a point of reference for disciplining the process.

### *Government synergy*

The ability of the PPP to allow for an effective link between the public and the decision-making authorities was limited due to the EIA's problematic relationship with the authorisation process, i.e. the EIA did not affect the actual decision to proceed with the project.

Further, no coherent relationship existed between the council and the PPP. Instead, councillors – particularly those from disadvantaged backgrounds – felt uncomfortable to attend meetings for fear of strong critiques. Strict rules of conduct, including that statements be made to the facilitator instead of other attendants, might have aided in this respect.

At the same time, the perceptions about the PPP dominant amongst certain councillors and officials was a major impediment to close PPP–council interaction. As such, the PPP was not seen as fair and representative and was thus not granted legitimacy in terms of influencing substantial decisions. But such perceptions are also influenced by the views of officials who see public participation as a public relations exercise – to “keep people happy” (Smidt, Gericke).

The relationship with councillors was, however, enhanced by the facilitator’s ‘informal participation’ approach, as attested by many of the interviewees. But this interaction did not feed into an explicit consideration of the council’s concerns regarding the PPP.

### *Fairness*

As has been repeatedly argued, the fairness criterion is *sine qua non* in terms of any evaluation of public participation. In this respect the Sparrebosch PPP contains some positive aspects that enhanced its inclusiveness and representivity, but the overall assessment is that it did not offer an opportunity for fair participation. Many of the reasons for this are outside the realm of the process itself, but there are some changes to the process that would significantly enhance its fairness factor.

In terms of the positive fairness-related aspects of the PPP, the initial identification of interested and affected parties was comprehensive and inclusive, spanning the spectrum of interests in the town. Both objective and subjective methods of identifying potential participants were applied (see Chapter 3), i.e. explicit invitations were issued to a comprehensive set of persons and groups, and there was also a reasonably extensive advertising effort to inform other members of the public. Further, and notwithstanding

what will be argued below, the 'informal participation' effort conducted by the facilitator did go some way to involve those sectors of the community that did not attend the public meetings. Finally, in the workshop, the use of the 'visual gathering' exercise was fruitful to allow all attendants the opportunity to provide input. Hence, this PPP probably did a lot better in terms of inclusiveness than most, as might be inferred, for instance, from Fowkes and Goudie (1995) or Fuggle (1998, pers.comm.).

Underlying the deficiencies of the PPP in terms of fairness is the lack of an explicit, strategic approach to enhance inclusiveness and representivity. One significant aspect of this, as described in Chapter 3, should have been the preparation of a social analysis framework, entailing an initial identification of differing interests and abilities to participate among the various communities. Such a 'disaggregation of community' should have aided in the design of public participation techniques that enhance participation by disadvantaged sectors of the community. An initial social profile was, in fact, prepared in terms of the social impact assessment conducted as part of the EIA, but this was not linked explicitly to the PPP, and it was conducted long after the identification of I&APs and the scoping process.

What, then are some of the ways this PPP could have been made more inclusive, bearing in mind the limits of time and resources? For a start, the advertising process focused on the media, thereby limiting its impact on disadvantaged communities. This approach could have been supplemented with letter drops or the distribution of pamphlets, for instance.

However, the most significant problem with the PPP was the reliance on public meetings as the primary means of interaction with the public. These meetings were held in the centre of town in a venue that was perceived to be inaccessible to members of disadvantaged communities. No transportation was provided. At the meetings the dominant language was English and no translations were made for those speaking other languages.

### *Social learning*

In line with the PPP's explicit aim to inform the public, there were a number of aspects that aimed at educating participants. At each of the meetings and in the distributed documents information was made available relating to the PPP itself, the decision-making process, and the relevant substantive issues. Also, the facilitator was transparent with regard to available information and correspondence with other actors. Finally, the feedback meetings played an important role in terms of informing participants about the results of the specialist studies. Many of the specialists used were locally engaged professionals, which also aided to facilitate interaction between them and I&APs.

However, the education efforts were focused on the participants present at meetings. There was no strategic approach at pro-active information provision, which might have allowed for a more comprehensive supply of information to a broader section of the community. Information documents provided information that was compiled as a response to significant concerns, and they required a fair amount of sophistication to understand (see SRK, 1997a). No background information was provided to supply the basic concepts and procedures applicable in the project's context.

Significantly, the information provision approach in the PPP was limited to the factual representation of questions and issues related to discrete potential impacts of the development, which were identified by participants. As is apparent, for instance, in the prompt questionnaire, on the basis of which participants supplied input to the workshop, the issues considered did not embrace some of the key aspects of the social learning approach discussed in chapter three.

Firstly, there was no consideration of group interests, values, and motivations. Hence, differing groups' perceptions of the issues at hand and of each other remained implicit and unexpressed. Related to this point is that there was no coherent attempt to place issues raised at the public meetings within the broader context of Knysna's development needs – instead this was left to the project proponents, thereby accentuating the potential for distrust and discontent. Further, and as a result of the above, there was

little opportunity for participating individuals or groups to self-reflexively consider their motivations for engagement in the PPP.

Secondly, substantive issues were considered during the PPP as discrete from one another (SRK, 1997a). Hence, there was little support provided to participants to engender holistic, systemic thinking. One important aspect of this is the limited linkage between the negative environmental impacts of the project and its potentially positive socio-economic effects. For instance, there were no questions in the prompt questionnaire asking for the participants' views with respect to trading off positive and negative effects of the development.

Finally, the PPP provided little opportunity for groups with different views of the development to interact. This was due primarily to the reliance on public meetings as the primary participation technique. Because of the difficult role with respect to such interaction of public meetings in general, and the dominance of opponents to the development at the meetings of this PPP, there was little scope for structured, facilitated, and constructive interaction between different groups that had an interest in the matter.

### 7.1.8 Conclusions

In conclusion, the Sparrebosch case study has demonstrated at least three important issues. Firstly, the EIA and its PPP are inherently embedded within a wider decision-making process that sets fundamental constraints to them. Hence, in this case, the initial ambit and the degree of influence of the EIA and the PPP were very inhibited by the fact that the decision to proceed with the project had already been made. This had important consequences for all aspects / criteria of the PPP, including a heightened potential for conflict.

Secondly, the Sparrebosch case study demonstrated the fundamental significance of the fairness criterion. Greater efforts at ensuring fairness from the beginning of the process should have benefited all of the other criteria. Most pertinently, it might have allowed for a closer linkage with the decision-making process, in that the inputs received from

the PPP would have been seen by decision-makers as broadly representative. Notwithstanding this, however, the Sparrebosch PPP did contain certain important aspects to enhance fairness.

Finally, this case study has demonstrated two inter-related characteristics of project-level PPPs, which significantly affect their role with respect to social learning:

1. They are focused on a specific issue / decision, which is closely related to the incentives faced by a particular proponent. This results *inter alia* in constraints of time and resources. Further, the policy and institutional framework provided for these PPPs is geared for this specific focus, i.e. reaching a particular decision. In terms of the criteria of Chapter 3, this translates into a leaning towards expedience, efficiency, and technical competence.
2. Active role-players' engagement with the PPP is also focused on the particular decision, which has different effects – in terms of type and degree – on different groups. Hence, certain groups participate in terms of specific positions, rather than broad interest. These factors hinder the creation of trust and open deliberation.

At the same time, however, the Sparrebosch case study should have shown that social learning is a vital component of project-level PPPs. This is also pertinent in terms of the PPP itself, by way of, for instance, reducing conflict and thereby enhancing efficiency. Most importantly, however, the above considerations point to the important potential role to be played by supra-project level deliberative processes. This will be a significant theme in the third case study.

## 7.2 THE PANSYSHELL CONTROVERSY IN PLETTENBERG BAY

The Pansyshell case study did not involve any formal public participation procedure, i.e. there was no facilitated, structured process of involving the public in the decision-making process. Hence, it holds valuable lessons of how civil society groupings act to influence outcomes, thereby vindicating the initial insistence made in this thesis on using a wide, inclusive definition of 'public participation'.

### 7.2.1 Background to the case study

'Pansyshell' refers to erf 3922, a 3.5 hectare piece of prime real estate situated on the coastal terrace on the fringes of downtown Plettenberg Bay (see **Figure 7-3**). It is currently open space with a popular viewpoint accessible by car, overlooking the beach and the bay. The land is owned by the national Department of Public Works, which, in line with national policy, has been trying to sell it. This had been known by the council for some years (Plettenberg Bay Community Environment Forum (PBCEF), 1998; ad hoc council meeting, July 31, 1998).

The sale of the land would be determined by the Disposal of State Land Act (No. 428 of 1961) (Roux), in combination with a variety of factors stipulated by national policy. As described by Noel Abrahams, Assistant Director of the department's State Property Holdings (ad hoc Plett council meeting 31<sup>st</sup> July, 1998):

- property is sold on the open market, at competitive prices;
- the department will always approach the relevant council first; and
- there is a moratorium on the sale of public land – hence, both the Ministers of Land Affairs and Public Works need to sign an agreement to the sale.

Due to the demand for market-related prices, and the prime nature of the real estate, the council was not able to buy the property from the department (the price was mentioned to be around four million rand (see also Cape Times, 19 August 1998)). Indeed, the 'market-related price' and its relationship to the land's current zoning were important themes in the ensuing dispute.

The sale of state land is a complex issue linked also to the government's efforts at land restitution and redistribution, as well as its housing projects. Hence, the sale of land is guided by the expected use of the land:

**Roux:** We sell either on tender or auction. We sell out-of-hand only to the municipality or the provincial administration. That is usually for the provision of housing or something like that. Or we sell if there is special merit in the application, if it is in the public interest.

**Figure 7-3 (page overleaf): Aerial photograph of erf 3922 (outlined in white) in Plettenberg Bay (Cape Times, August 19, 1998); the parking lot visible at the top (south) of the outlined area is the 'Pansyshell' lookout point.**

Roux implied that it was on the basis of "special merit" that the Department was approached by the South Coast Education Trust (SCET) for the purchase of the land.

On becoming aware of this proposal, the Plettenberg Bay Community Environment Forum (PBCEF) submitted a full-page notice to the local press, warning: "Lookout viewpoint at threat" (What's new in Plett, 23 July, 1998). In the following edition of the same weekly community newspaper, an anonymous letter defended the "Education Trust" (What's new in Plett, 30 July, 1998). It argued that the proposed development – a small number of luxury residential houses – would only occupy a small portion of the land and that it would not harm the environment, as the site was already environmentally damaged. Further, it maintained that the proposed development would have far-reaching socio-economic benefits, particularly for local schools:

The Trust has written into it [the Trust Deed], a clause that makes the previously disadvantaged schools in the greater Plettenberg Bay area a beneficiary of the Trust, receiving a fixed dividend percentage of the sale proceeds directly into their coffers. (What's new in Plett, 30 July, 1998)

And further:

The local schools in these areas have been canvassed, to the extent that their support is vociferous [...]. The [education] trust does in fact have letters of support from these schools to this effect [...]. (*Ibid*)

These claims were substantiated by the SCET's agent in Plettenberg Bay, Mark Friedman. He argued that theirs was an altruistic approach to developing the site, saying that no less than ten percent of the net dividend would go to needy schools (Friedman).



In telephone interviews with two principals (Kobie Snyders and Lloyd Koeberg) of local schools that might identify as disadvantaged, a cautious attitude became apparent with respect to the SCET's claims regarding "vociferous support".

*Snyders:* Teachers in the disadvantaged communities are so desperate for financial support [...] that they will jump at any opportunity, but we must be careful and consider what will be the effects of this development.

Koeberg added that no coherent organised response to the SCET's proposals had been made by the local Principals' Forum. Rather, support for the SCET had been voiced by individual teachers and principals who had been approached individually by the SCET. Further, Koeberg voiced dissatisfaction with the trust deed.

There are a number of factors that led to the significant controversy surrounding the application, most of which were related to the widespread perception that the SCET was not acting in good faith. One of these was the anonymous nature and lacking transparency of its interaction with the public and the authorities (Lawrence, Burger). Secondly, as stated in a notice placed by the PBCEF in the *What's new in Plett*:

Is the "Education Trust" a ploy to buy the support of the underprivileged communities for a scheme that will mainly benefit a few private developers at the expense of the long-term economic and environmental health of Plettenberg Bay? (*What's new in Plett*, 6 August, 1998, no page numbers)

Importantly, such concerns were shared by those councillors who were not canvassed by the developers (Mvimbi, Wildeman).

Indeed, once the trust deeds of the SCET had been investigated, many actors were strengthened in their perception of the Trust as not having the interests of the areas' schools as a bona fide motivation (Koeberg, Wildeman, Mvimbi, Eppel, Burger). The trust deed (South Cape Education Trust, 1998a) specifies two Cape Town businessmen, Stanton and Ralph, as trustees (see also Cape Times, 19 August 1998). They have absolute discretion over virtually all the activities of the Trust (section 26), including

the nomination of beneficiaries (i.e. schools) (section 20) and the distribution of “net income” (section 21) or parts of the Trust Capital (section 23) amongst the beneficiaries.

### 7.2.2 The role of the council and political parties

The party political distribution of power within the council, as well as the internal party discourse and politics were fundamental aspects of the decision-making process. As described in the previous chapter, the Plettenberg Bay council consists of eight seats for the ANC and eight seats for a loosely bound coalition of NP, DP, and independents. Burger described how the eight ‘opposition’ representatives, i.e. the NP/DP/independent councillors, were not inclined to favour the SCET. Significantly, six of the ANC councillors were seen to be supportive of the SCET, while two of them – Mvimbi and Wildeman – were sceptical. This view is substantiated by these latter councillors (Mvimbi, Wildeman), a DP councillor (Stratten), the SCET’s agent (Friedman), as well as the comments made by ANC councillors in the council meeting of 25<sup>th</sup> November 1998. Interestingly, this difference in opinion within the ANC coincides with a frequently perceived split in the local party (Burger, Eppel, Mvimbi). Further, the SCET’s canvassing efforts excluded Mvimbi and Wildeman from the start (Mvimbi, Wildeman).

Underlying the tensions surrounding this issue is the same dichotomisation of group interests that was described in the previous chapter and also played a significant role in the Sparrebosch case study. Mvimbi and Wildeman noted how the SCET’s approach had been to explicitly target those ANC councillors and those representatives of the disadvantaged communities, who would make a strong case for the development on account of the expected benefits for disadvantaged schools. Hence, the issue would become one of political posturing and strategizing in the council, on account of the ANC representing the black and coloured communities – and the perceived benefits of the development – and the NP / DP councillors supporting the conservation of the site as open space (Mvimbi, Wildeman, Lewendal, Stratten, Eppel, Lawrence, and others).

Related to this, again, are the perceptions regarding the motivations of environmental groups in their conservation efforts, as well as the role of councillors in representing the broad community's interests.

**Lewendal:** I feel that there are a few people, whose motives one can question, why they don't want any development. [...] Council has to listen to the views of the disadvantaged communities. There are not very strong bodies in those areas to be a mouthpiece for those communities – they represent a large percentage of the overall population – it depends on the way local government handles the whole issue. The people [councillors] from those areas have very close links with those communities. They consult with them before they put anything before council. The SCET has support from the teachers in those communities.

Friedman also argued that the opposition to the proposed development came from “a small group of vested interests that is established in the local power structures and who don't want development”.

### 7.2.3 The Plettenberg Bay Community Environment Forum

Notwithstanding the absence of a formal participation process, the actions of active individuals and associations were pivotal in affecting the outcome. These actions were predominantly opposed to the development proposal and organised under the banner of the Plettenberg Bay Community Environment Forum (PBCEF).

Because the PBCEF was not described in the previous chapter, it will be briefly discussed here. It is a relatively new association that formed out of the combined resistance to the proposed construction of residential houses close to the Robberg Beach Nature Reserve (What's new in Plett, 23 July, 1998). Rather than being a new environmental association, it is a coalition of groups aimed at ensuring that “future development is according to agreed principles and vision” (*ibid*). With respect to its declared intentions, the PBCEF may be seen to have adopted some of the main aims of the Garden Route Trust, as described in the previous chapter. Its strength lies in the representation of a variety of groups – 20 in total at present (Plettenberg Bay Community Environment Forum, 1999). In addition to the Garden Route Trust, WESSA, Botanical Society, and Outeniqualand Trust, it also represents, at least pro

forma, the ANC and the RDP forum (Municipality of Plettenberg Bay, 1998a; Plettenberg Bay Community Environment Forum, 1999).

Hence, it was the PBCEF that “got wind” of the SCET’s attempts to buy erf 3922 and got the “ball rolling” in terms of activities described below (Burger). It was also responsible for calling for the ad hoc council meeting on the 31<sup>st</sup> July together with representatives of the Department of Public Works (Burger; What’s new in Plett, 23 July, 1998).

Similarly to the Sparrebosch case study, issues of representation became a focal point of debate as to how public participation may aid in determining public interest. At the 31<sup>st</sup> July ad hoc council meeting, for instance, some councillors from the disadvantaged communities argued that the representations made by the PBCEF did not serve the public interest because that organisation was not representative of the broader community.

Indeed, following the council meeting, members of the PBCEF – who were all white, relatively affluent citizens – noted that the lacking representation of members of disadvantaged communities on their association was a concern with regard to their influence on council decisions. Interestingly, the strategy decided upon was to engage more closely with the Plett RDP forum, the secretary of which is also a member of the PBCEF.

Notwithstanding the non-representative constitution of the PBCEF, it succeeded in implementing a multi-pronged strategy to prevent the SCET from acquiring the land. Similarly to what was discussed in the Sparrebosch case study, it was very much the activities of a few key individuals who influenced the course of events, rather than a broad-based, participatory process.

#### **7.2.4 The strategies and activities of the PBCEF**

One of the key actors for the PBCEF was Albie Burger, who, by means of her legal training and contacts, greatly furthered the interests of those opposing the SCET

(Burger, Lawrence, Mvimbi, Eppel). Underlying her description of the Forum's activities, as well as other interviewees' submissions and documentation, one may identify three primary strategies implemented by the PBCEF.

Firstly, the Forum engaged with the local and provincial media in attempting to publicly expose the SCET for what it was perceived to be – a “scam” (Burger). The submissions to the local weekly newspaper are prime examples of this. Further, Melanie Gosling was personally known to some of the Forum's members as someone who might aid in starting a “media campaign” (ad hoc PBCEF meeting on 31<sup>st</sup> July 1998).

Secondly, the PBCEF made contact and interacted with a range of actors in order to directly and indirectly influence key decision-makers. Indeed, Burger made use of her legal profession and relationship with certain councillors to be briefed with providing legal counsel to the council (Burger & Associates, 1998; Burger, Lewendal, Mvimbi).

In line with the party political constellation in the council, as described above, the ANC's caucused view of the issue was of fundamental importance. Hence, the PBCEF thus sought to influence the ANC specifically, as well as council as a whole. To this effect, two strategies were considered. The first – “bottom-up” (Burger) – entailed a concerted engagement with the local communities, which make up the constituencies of the ANC, in order to convince them of the SCET's lacking bona fides. The second – “top-down” (Burger) – entailed approaching the ministers of the relevant state departments (Hanekom for Land Affairs and Radebe for Public Works), as well as the ANC Member of Parliament for the Plettenberg Bay region (Fatima Chohan Khota). The PBCEF decided to go the latter route and canvassed these national politicians for their support. The indirect influence of these national politicians, it was suspected by certain interviewees, brought considerable pressure to bear on councillors to consider the SCET's proposal with circumspection (Burger, Mvimbi, Wildeman).

Parallel to these activities of the PBCEF there was the third strategy, which consisted of a close interaction with the owners of the plots immediately adjacent to the site in question. These landowners were considered by some interviewees as some of the wealthiest people in the country (Lawrence, Mvimbi, Eppel, Stratten). At a meeting

held in Johannesburg and organised by one of the DP councillors (Mundell), the landowners suggested that they could buy the plot themselves, considering the amenity value of the open space. However, the PBCEF persuaded them to take a different approach: to set up a community trust, with an initial contribution by these same landowners, which would be superior to the SCET in terms of its benefits to the disadvantaged community. In this way, the PBCEF argued, the aim of retaining the Pansyshell site as open space would be achieved, as well as providing a signal to the community at large that conservation could occur to the benefit of the disadvantaged (Burger).

Although some sources suggest that the 1.5 million rand 'kick-start fund' has indeed been created (Plettenberg Bay Community Environment Forum, 1999), more recent information laments that it has not yet been created (Mvimbi, 1999, pers. comm.). As the expectation of this fund being created played an important role in denying the SCET access to the land, its implementation will be an important endeavour.

#### **7.2.5 Applying the evaluative criteria**

Notwithstanding the lack of a formal PPP, the criteria developed in Chapter 3 may also be applied to analyse the public participation encountered in the Pansyshell case study.

##### *Technical competence*

To a large degree, the PBCEF markedly influenced the manner of interaction with the decision-making process and the key actors. They were able to do this on account of the substantial technical knowledge and sophistication that was existent amongst their members. The most pertinent example of this is Burger's brief to provide legal opinion to the council. In this way, the PBCEF provided important technical information to the council, in a way that benefited its interests.

It is apparent that the absence of an independent facilitator that was responsible for generating and distributing information was a significant lack. Hence, information was

provided to the various role-players directly by either the active proponents or opponents of the development, without a source of mediation or validation.

### *Efficiency*

One aspect of the efficiency criterion is the timely involvement of interested and affected parties. This did not occur, primarily because of the SCET's veiled approach to the relevant authorities. This approach might have been justified on the grounds of competitive advantage, but in effect it was an important source of distrust amongst actors within the PBCEF, as well as council (Burger, Mvimbi, Wildeman, Stratten).

### *Government synergy*

In line with the absence of a formal participation procedure, there was no structured relationship between government representatives and the public, save for the formal process stipulated for council meetings. Instead, this relationship was determined primarily by the actions of the PBCEF, as well as the SCET. In terms of the PBCEF, its members engaged in a widespread network of contacts and informal communication that included national politicians and high-ranking officials. This markedly affected the power relations between the council and the PBCEF, even though national politicians did not involve themselves directly.

Further, in line with Chapter 2's discussion on 'embeddedness', it is interesting to identify the roles played by different councillors. Certain councillors – particularly Mundell and Stratten – were closely enmeshed with the activities of the PBCEF, and engaged actively on its behalf. The most pertinent example is Mundell's interaction with the landowners, who were personally known to him (Burger, Stratten, Wildeman). Other councillors, on the other hand, saw the PBCEF as representative of elite interests. In their perception, as evidenced by statements made during council meetings or in the interview with Lewendal, the PBCEF's engagement compromised decisions made for the good of the wider community (see Lewendal quote above). These councillors sought to represent those interests that hoped to gain from the proposed development.

### *Fairness*

Due to the lack of a formal participation process, there was no incentive or responsibility assigned to any actor, i.e. facilitator, that would have the creation of fair access to the decision-making process as an imperative, let alone the implementation of a social analysis framework. Hence, there was no formal process of identifying stakeholders or interested parties. Rather, this was left up to the advocacy groups, including the development proponent. The PBCEF was instrumental in creating overall awareness of the issue in the local press as well as certain key stakeholders, including the owners of properties adjacent to the site. This was accomplished with a view to creating a coalition of interests opposing the development. The SCET, on the other hand, created a set of stakeholders by means of its canvassing activities and its promise to assist needy education institutions.

These advocacy groups, of course, represented specific interests. The role of the PBCEF in terms of its concomitant aspiration to be representative of the wider community is fundamental in this respect. This is especially because, by its own admission, it did not live up to this requirement.

Significantly, there was no coherent attempt to gauge the views of disadvantaged communities or those who might otherwise have supported the development. The professed support for the development from teachers and principals was not engaged with directly, but rather mediated by the development proponent or certain councillors.

### *Social learning*

Underlying the process' limited engagement with social learning was the absence of a deliberative arena, where statements could be made, substantiated, or criticised. Instead, the exchange of views and opinions was limited to the local media and council meetings. There was no structured communication process between the council, the I&APs, and the broader community.

Of course, there was no independent facilitator who oversaw the supply of information, as in the Sparrebosch case study, or who might have engaged with education efforts of participants or the wider community. Learning did occur, however, by means of the interactions between individuals and the feedback mechanisms within the associations. As such, one or two active members of the PBCEF would interact with, say, a government representative and then pass on the relevant information to other members of the Forum by means of informal communication networks (by telephone or private meetings).

### 7.2.6 Conclusions

There are three lessons that can be drawn from the Pansyshell case study. Firstly, it demonstrates the significant role played by active groups and individuals. Of course, this was already evident in the Sparrebosch case study. But in this case there was no formal process, so it is very apparent how (primarily) the PBCEF exerted significant influence on the decision-making process and its outcome. This has important implications for the way PP is analysed and conceptualised, especially because in much of the literature civil society actors are implicitly characterised as passive recipients of cues to provide input into the PPP (see, e.g., Beanlands, 1994; Weaver and Rossouw, 1997).

Secondly, this case demonstrates the important benefits of a structured, formal PPP. These relate to all of the criteria of Chapter 3. The facilitator, specifically, plays a vital role, in that he or she provides the incentive for the process to be fair and makes the necessary provisions in this respect. Further, the facilitator is responsible for providing rules for the process, to which all participants agree, thereby providing for the conditions necessary for the creation of trust and 'buy-in'. A formal process also allows for an agreed upon procedure of preparing, distributing, and validating information, thereby providing for a 'deliberative arena'.

The third lesson inherent in the Pansyshell case is related to social learning and it pertains to the demonstrated potential for important actors in the process to create win-win solutions. The perceived dichotomy of group interests described in the previous

chapter, which in this case was explicitly exploited by the developers, and which threatened to become a further source of inter-community conflict, effectively became neutralised by the ability of actors to expand their motivational perspective to include the wider community. Hence, the surrounding landowners were convinced by the PBCEF to 'kick-start' a community fund, thereby gaining the support of the council and the wider community for the maintenance of the open space. This is an important improvement over the adversarial approach, by which the land would have been bought solely for the intention of keeping the open space, and without any tangible benefit for disadvantaged communities.

However, indications that the community fund has not actually been created, notwithstanding the important role of expectations to this effect, point to the crucial importance of the implementation of such plans. Failure to do so would lead to significant setbacks in the ongoing process of trust creation amongst the various actors and groups.

### **7.3 THE PLETTENBERG BAY STRUCTURE PLAN PROCESS AND THE IDP**

The absence of a structure plan for Plettenberg Bay was often lamented as being an important reason for controversy surrounding development applications (Meintjes, Lawrence, Stratten, DeKock, and others; see also Cape Times, August 28, 1997). Hence, in 1996 the town council decided to embark on a structure plan process and briefed Nel&DeKock town and regional planners to do this.

Concomitantly, the council decided to embark on an Integrated Development Plan (IDP) process, and instituted a new Directorate for Community Services for this purpose. The public participation procedure of the structure plan was eventually subsumed within that of the IDP process. Hence, both the structure plan process and the IDP process will be described in what follows.

### 7.3.1 Public participation in terms of the preparation of the structure plan

#### *The steering committee*

In line with the discussion in the previous chapter, DeKock considered public participation an intrinsic part of the structure plan process (DeKock). To this end the first step was the establishment of a steering committee that would represent important interest groups in the area and which would play an important guiding and monitoring role in the preparation of the structure plan. The first meeting of this committee was held on the 29<sup>th</sup> November, 1996, in the Plettenberg Bay Community Hall in Piesangs Valley, which is situated in the 'white' part of town, i.e. wards four and five. People were invited to this meeting by means of an advertisement in the local newspaper. No objective identification of I&APs, by means of direct invitations, was achieved "due to lack of time" (Municipality of Plettenberg Bay, 1996). Nevertheless, 25 persons attended, including six councillors (three from disadvantaged communities) and two members of the local ANC (Municipality of Plettenberg Bay, 1996).

Interestingly, DeKock described how he insisted on the participation of certain individuals.

**DeKock:** So when I was appointed by the council to do the structure plan, I went to them and said "first thing to do is we must form a steering committee, where everybody is represented, and I want Jenny Lawrence on this committee, right here next to me! We are going to plan together, she is not going to stand outside and shout from the outside!" and it's working excellent, she is part of the process, her ideas are also incorporated and we have no problems!

At this first meeting, the functions of the steering committee were explained:

The Committee will meet throughout the planning process and partake in it. Representatives of organisations on the Committee are responsible to report back on progress to their constituencies. (Municipality of Plettenberg Bay, 1996)

Further, the purpose of the structure plan was described, as well as the intended procedure for its preparation. This entailed:

- asking for input from “the public, state departments and organisations”;
- “evaluation of inputs” and “formulation of vision, goals and objectives”;
- developing concept plans, including traffic, infrastructure and environmental studies;
- approval of concept plan by steering committee, council and provincial government;
- concept plan advertised for public comment and referral to state departments; and evaluation of comments; and
- final approval by council and provincial government (Municipality of Plettenberg Bay, 1996).

The next steering committee meeting, held at the same venue on the 30<sup>th</sup> January, 1997, was also well attended with 30 persons present (Municipality of Plettenberg Bay, 1997a). Again, however, members of disadvantaged communities were in the minority, although there were representatives of SANCO, the ANC, COSATU and the RDP forum. At this meeting, attendants were asked to submit written comments as part of a “brain-storming session towards a vision for Plettenberg Bay” (*ibid.*). These comments were collated and reported on in subsequent minutes of steering committee meetings (Municipality of Plettenberg Bay, 1997b). Hence, committee members had far-reaching, substantive input into the plan, i.e. the committee not only guided the process but was a fundamental part of it.

At the committee’s third meeting (in February 1997) the number of attendees dropped to nine, and there were no representatives of associations from the disadvantaged communities (Municipality of Plettenberg Bay, 1997b). DeKock voiced concern and uncertainty regarding this lack in participation:

**DeKock:** There is a steering committee with representatives from many groups – at the first meeting we had 60 people – but there is a core group of about 20 people who come to the meetings. The problem is that it is an unbalanced group. The environmental people all come but not the others: the disadvantaged communities seldom come, because of transport problems, meetings, and so on; I don’t know what it is.

### *Attempts at achieving more inclusive participation*

At the February meeting of the steering committee, Dinah Eppel, secretary of the RDP forum, stated “that it is clear from RDP meetings that the public does not know what a structure plan is. They should be informed at the smaller meetings.” Hence, it was decided to hold smaller meetings “with the various communities outside of Plettenberg Bay [...] to inform them, to obtain their inputs [...] and to look for persons who want to partake further [in the process]” (Municipality of Plettenberg Bay, 1997b; DeKock, Eppel, Lawrence). In addition to these meetings a questionnaire was to attain more written input into the process. Both mechanisms deserve some consideration.

In DeKock’s “analysis of questionnaire” (DeKock, 1997a), he estimates that 6800 questionnaires were distributed to “property owners” (some were left at the cashier’s counter at the municipality) and 558 were returned. Of these, 76% came from “Plett town” (the traditionally ‘white’ part of town, i.e. wards four and five), and only two came from New Horizons (the predominantly ‘coloured’ township) and none came from Kwanokuthula (the predominantly ‘black’ township).

In this respect, one should consider some figures regarding the local demographics. In the Local Economic Profile of Plettenberg Bay (BDM Consulting, 1998), population figures indicate well above 8000 for Kwanokuthula, almost 5000 for New Horizons, and only 7000 for “town”. In addition, a further 17000 people are described to live outside this original municipal area, but within the Greater Plettenberg municipal area (see p.7). In effect, then, the residents of Plettenberg Bay town make up only about one sixth of the total municipal population.

The very unrepresentative quality of the comments received may also be inferred – in the light of the previous chapter’s discussion – from “the overwhelming ideas that come to the fore”. These pertain primarily to issues such as: “The tranquility and natural beauty of the area is foremost and should be maintained” and “Growth should be limited” (DeKock, 1997a).

Notwithstanding this, De Kock (1997a) maintains that the received sample is “nevertheless a good return and fairly representative of the town as a whole”. On the other hand, DeKock concludes:

The less advantaged communities are not represented in the survey, and should be approached again when the draft plan is ready in order to workshop definite proposals with them. (DeKock, 1997a)

Further, the questions contained in the questionnaire, as is apparent in DeKock (1997a), were not geared for uneducated persons. For instance, one of the questions asked about the acceptability of developments subsequent to an “Environmental Impact Statement” being completed, i.e. sophisticated and specialised terms and language were used.

Regarding the ‘smaller meetings’, these comprised, in total, seven meetings that were held in local venues in the smaller communities in the Plett municipal area. These meetings were advertised in the local press, as well as by means of contact with local residents’ and ratepayers’ associations (DeKock). Attendance ranged from 13 (at the Kurland meeting) to about 70 (at one of the Craggs meetings). In DeKock’s summary of inputs (DeKock, 1997b), the most common themes relate to preserving a rural, quiet setting, conservation of the natural environment, and limited expansion of built-up areas. Only the inputs received from the meeting with the Kurland community (a predominantly ‘coloured’ township) stressed above all else the need for infrastructure provision, and employment opportunities (DeKock, 1997b). The lists of attendants at these meetings further support the perception that these meetings did not allow the participation of the majority of citizens.

Concerns regarding the limited representation of the comments received in the questionnaire and the meetings were voiced at the steering committee meeting held in October (Municipality of Plettenberg Bay, 1997c). Two important suggestions are noted in the minutes:

J Lawrence suggests that a meeting be called with the RDP Forum and ANC Executive Committee. L Lewendal suggests that the Structure Plan be explained at a social compact (housing) meeting in New Horizons. (Municipality of Plettenberg Bay, 1997c)

In the interview, DeKock described the meetings with the ANC executive committee and the New Horizons housing compact as having been “useful”. However:

**DeKock:** Even there I didn't get any comments in writing. They are not used to write things... Also, if you talk about housing the meeting will be packed – that is their main concern. But the structure plan is something vague – they can't get to grips with it.

### *Interaction with the impending IDP process*

Parallel to the structure plan preparation process, Kenny Leluma, who had been employed by the council towards the end of 1997 as Director of Community Services, started making preliminary planning arrangements for the impending Integrated Development Planning (IDP) process (Leluma; see also Greater Plettenberg Bay Council, 1998). The close relationship between the IDP and the structure plan was apparent to certain actors at this early stage (Eppel, Leluma, Lawrence). However, the potential for linking these processes before the commencement of the IDP's first round of public meetings was not made explicit in the statements of key actors (DeKock, Leluma) or in relevant documents (Municipality of Plettenberg Bay, 1998b; Municipality of Plettenberg Bay, 1998c; Directorate: Community Services, 1998; Greater Plettenberg Bay Council, 1998).

In a memorandum prepared for Dinah Eppel (Hamann, 1998) this researcher urged a closer interaction between the structure plan preparation process and the IDP process, which had dedicated resources to a public participation process that far exceeded those of the structure plan process. This entailed the “establishment of reliable channels of communication between the implementing groups and persons” (*ibid.*), i.e. the relevant officials, consultants, and steering committee members. Further, it was suggested that “the public participation processes for the IDP and the structure plan be merged” (*ibid.*).

At the meeting of the steering committee on the 20<sup>th</sup> August, 1998, the vital relationship between the structure plan process and the IDP process was stressed by Eppel. This was supported by Stratten and others. As a result, it was agreed that the steering

committee should have a meeting with Leluma to discuss interaction between the two processes (Municipality of Plettenberg Bay, 1998d). As a result, it was decided to use the IDP's public participation process to inform the preparation of the structure plan, in effect substituting the intended public participation efforts for the structure plan (DeKock, Eppel, Lawrence, Leluma, Peter Stratten).

**DeKock:** The structure plan is the spatial component of the IDP. Dinah Eppel insisted on that. [...] The interaction with the IDP was not planned originally. It came along as we were in the process. I do not sit in on the IDP meetings. We, with Anton Meintjes, had a long meeting with Kenny Leluma and we told him what we expect. So I will read his document. It is an informal process, as we go along. People are more inclined to participate in an IDP meeting. Maybe because it is similar to the RDP – there might be solutions in it for them. They perhaps do not understand the structure plan. It is useful for us.

However, it is important to note that, of course, the IDP and the structure plan are not the same thing (see Chapter 5). Indeed, there was a fair amount of confusion regarding their inter-relationship amongst members of the structure plan steering committee (Municipality of Plettenberg Bay, 1998d; steering committee meeting attended on 19<sup>th</sup> November, 1998), as well as the public (IDP meeting held in The Craggs on the 23<sup>rd</sup> November, 1998). However, DeKock and the steering committee members were confident that the input received during the IDP process would be suitable for adaptation for the structure plan (DeKock; steering committee meeting attended on 19<sup>th</sup> November, 1998).

### 7.3.2 The IDP process

The government's policy regarding IDPs and their relationship to the notion of developmental local government was discussed in Chapter 5. The particular aims of the Plettenberg Bay IDP process, as adapted from these national guidelines and proclaimed in interviews (Leluma, Cowie), in newspaper advertisements and articles (e.g. Cxpress, 1-15 October, 1998, and 1-15 November, 1998; What's new in Plett, 12 November, 1998), and in the public meetings and workshops, will thus not be re-iterated here.

The IDP was firmly embedded within the council's institutional structure. As described by Stratten and Wildeman, it had the commitment of key councillors and enjoyed dedicated resourcing (Leluma, Stratten). Further, the facilitator, i.e. Leluma, provided the conceptual framework relating the IDP to the functions of the council:

The IDP must be a negotiated process. The main players are the residents. The Council should not fall into a trap where councillors and the bureaucrats sit in their offices and chambers and come up with what they believe the community requires. On the other hand the council should not allow itself to be manipulated by a sector of the residents. (Directorate: Community Services, 1998).

The most important characteristic of the IDP process, of course, was its public participation effort. It may be described in terms of three inter-related strategies:

1. The establishment of a steering committee;
2. A coherent and comprehensive public relations campaign; and
3. A comprehensive series of public meetings and workshops.

#### *The steering committee*

The steering committee was established at a public meeting held in New Horizons on the 22<sup>nd</sup> of June, 1998, which was advertised in the local press and on the local accounts (Leluma, Lawrence). At this meeting nine persons were elected onto the steering committee, primarily on the basis of their representing a certain area or community within the municipality. Hence, they were meant to play an important role in facilitating interaction between residents in 'their' area and the IDP facilitators.

At this early stage of the process, i.e. the establishment of the steering committee, there was some resentment amongst representatives of environmental groups regarding the process and incentives of the IDP and its facilitator (Lawrence). These were related to perceptions of the initial meeting not having been advertised widely enough and the unusual choice of the venue, as well as feelings of being sidelined in the process of electing a committee. These perceptions may also have arisen from Leluma's explicit intention to limit the influence of "sectarian groups" (Leluma):

**Leluma:** Plett is the biggest municipality in the Western Cape, but we are far behind many towns in terms of infrastructure, because of much lobbying from the greens. They have a very good lobby.

However, during the subsequent field trip it was apparent that Lawrence had reconciled herself with Leluma and the IDP, primarily through increased interaction between themselves (Lawrence, Leluma). Indeed, Lawrence was being instrumental in organising the IDP meetings in her area.

### *The publicity campaign*

One of the most significant aspects of the IDP's public participation process is its comprehensive, coherent publicity campaign. This involved the provision of general background information regarding the process, notification regarding impending public meetings, and feedback information regarding meetings that had occurred in the past. This information was distributed in the local press, in handbills and on municipal accounts, radio announcements and posters in public places (the latter three methods were not validated by the researcher, but were listed by Leluma and Cowie).

The publicity campaign was supported by an underlying concept. Thus, the IDP was called 'Bread and Roses', signifying the juxtaposed requirements for economic development and provision for basic needs, on the one hand, and the enhancement of a sense of place and environmental amenity, on the other (Leluma, Cowie; What's new in Plett, 12 November, 1998). The concept also included the use of a logo that depicts a bread loaf and a rose (see **Figure 7-4**).

Concomitant to the beginning of the first series of public meetings in October, there were notices in the local press in English, Afrikaans, and isiXhosa, providing some background information on the process, and detailing the venue and time of planned meetings and contact details for the facilitators. An example is provided in **Figure 7-4**. Further, every week during the participation process, there would be on the last page of one of the local newspapers a notice providing feedback information, as is shown in **Figure 7-5** and **Figure 7-6**.

### *The public meetings*

In the interview and in Directorate: Community Services (1998), Leluma described preparations for two series of public meetings. The first consisted of an intense – in terms of the facilitators' work efforts (Cowie) – schedule of 13 meetings, which were held during October. These meetings were held in each of the identified communities in a local and accessible venue (Directorate: Community Services, 1998).

The purpose of this first series of meetings was to inform the community about the IDP process and allow for an initial gauging of some of the key issues relevant to the particular community. Further, organisational issues were discussed pertaining to how the IDP process, and particularly the second round of meetings, could be better organised.

The second series of meetings was held during November and entailed longer workshop-style meetings in the same venues as the first series of meetings. At these workshops, the facilitator described the input received during the first round of meetings. Then the workshop participants were divided into groups of between four and six people, and each group discussed amongst itself a list of key issues, desired activities, and 'visions' relevant to their area, within the context of the wider Plett community (Figure 7-7, below). A representative of each group then described to the other workshop attendants 'their' list of issues (Figure 7-7, above), leading up to a collated list of issues, problems, and potential solutions. These were written onto large pieces of paper and pinned to the wall. Finally, each participant was given a certain number (ten in the workshop attended by this researcher) of coloured stickers, which he or she could stick onto a field delineating an issue, such as 'more streetlights along Main Road'. The number of stickers would depend on the importance attached by the individual to that issue. Hence, after all participants had distributed their stickers a picture emerged as to how significant participants perceived the various issues to be (workshop for wards four and five, 27<sup>th</sup> November, 1998; Leluma, Cowie).

**Figure 7-4 (page opposite): Advertisement for the IDP workshop in Wittedrift, Plettenberg Bay (What's new in Plett, November 5, 1998)**

**Figure 7-5 (page overleaf): Information feedback notice for the IDP workshop in Wittedrifts / Green Valley (Whats new in Plett, November 19, 1998)**

**Figure 7-6 (two pages overleaf): Information feedback notice for the IDP workshop in New Horizon, Plettenberg Bay (What's new in Plett, November 26, 1998)**

**Figure 7-7 (three pages overleaf): Photographs of the IDP workshop in Kranshoek, Plettenberg Bay (by Shanette Cowie)**

## *Bread & Rose*

Die Geïntegreerde Ontwikkelingsplan

### **IS U WOONAGTIG IN DIE WITTEDRIFT GEBIED?**

M.a.w. min of meer vanaf Goose Valley, langs die N2, Bitou Riviervallei, Wittedrift, Green Valley en langs die vallei (kloof) tot by die Harkerville grens.

*Die Regering se doel is om  
"die mense na die Regering te bring en die Regering na die mense."*

Elke gemeenskap in die Groter Plettenbergbaai sal die geleentheid kry om te sê hoe hulle die toekoms van hul wyk beoog.

Aan die einde van die proses sal 'n plan en 'n begroting beraam word wat deur die Regering goedgekeur sal word. Hierdie goedkeuring sal ons begroting vir 1999 beïnvloed.

Dit is u geleentheid om kommentaar te lewer en idees voor die dag te lê. Moet dit nie misloop nie!

Na suksesvolle vergaderings op Wittedrift (20.10.98) en Green Valley (29.10.98), sal 'n werkswinkel plaasvind op

**Saterdag 14 November 1998 om 10:00 - ±14:00**  
*By die Wittedrift Skoolsaal.*

Kom sluit by ons aan!! Hierdie geleentheid is uniek en moet nie misgeloop word nie.  
'n Kinderoppaster sal by die Stofpad skool beskikbaar wees.  
(Voltooi 'n vorm by die Green Valley Munisipale kantoor of bel Shanette op 32 050)  
Verversings sal na die vergadering bedien word.

## *Bread & Roses*

The Integrated Development Plan

### **DO YOU LIVE IN WITTEDRIFT AREA?**

ie. Roughly speaking, from Goose Valley, along the N2, Bitou Rivier Valley, Wittedrift village, Green Valley and up to the road that joins the N2 next to Harkerville.

*Government aims to  
"bring the people to the Government and the Government to the people".*

Each community in the Greater Plettenberg Bay area will be given an opportunity to have their say in how they envisage the future of their ward.

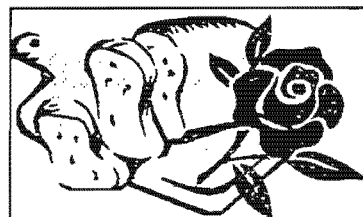
The outcome will be formulated into a plan and budget which will be presented to the Government for approval as it is directly linked to the 1999 budget.

This is your opportunity to put forward your comments and ideas. Don't miss it.

After successful meetings in Wittedrift (20.10.98) and Green Valley (29.10.98) we will be having a workshop on  
**Saturday 14 November 1998 at 10:00 - ±14:00**  
*At the wittedrift School Hall.*

Please join us!! This is an opportunity not to be missed.  
Babysitting services will be provided by arrangement.  
(Fill in the form provided at the  
Green Valley Council Offices or call Shanette on 32 050)  
Refreshments will be served after the meeting.

Kenny Leluma  
Director: Community Services  
Tel: 32050 - Fax: 31415 - E-mail: Kleluma@global.co.za



*Bread and Roses*  
**Plett IDP**

*Bread & Roses*

Integrated Development Program

## Environment comes out tops in Wittedrift / Green Valley

Thank you to the people of Wittedrift and Green Valley who took the time and trouble to participate in the Bread & Roses Information Sessions on 20 and 30 October and the Needs Analysis Workshop on 14 November 1998.

The meetings were widely advertised and about 40 – 60 people attended each of the meetings. The area comprising "Wittedrift" was discussed i.e. from Old Nick, Keurbooms Lagoon, Goose Valley, to Bitou Valley to Plett Timbers (all properties with access to N2) Stofpad, Uplands and Kransbos. Green Valley is part of "Wittedrift".

The process was very democratic and it was wonderful to see people from all walks of life discussing the future of their community. Two people, in addition to Robyn Brouckaert, volunteered to stand on the Steering Committee which will monitor the final results. They are Ben Roos and Zane Guysman. Thank you gentlemen. The final results of voting on priorities were:

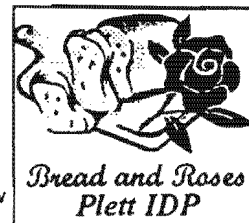
Environment	41
Roads	33
Health	31
Housing	30
Education	29
Economic Development	23
Electricity	23
Security	22
Church Sites	12

Issued by:  
The Directorate :  
Community Services,  
Plettenberg Bay Municipality  
For further information call  
Shanette Cowie 32 050 or 082 784 4602.



*Bread and Roses*  
*Plett IDP*

*Bread & Roses*  
Integrated Development Program



## Stretching towards a New Horizon

### FEEDBACK ON THE IDP MEETING AND WORKSHOP

The initial Information Meeting about the IDP was well attended by the community of New Horizons.

Problems and perceptions were highlighted. The people felt that the Council did not keep promises and the service received was generally 'bad' and they wanted the same service as 'Whites'. Their perception was that the Council did very little for them - yet expected them to pay.

They believed that Kwanokuthula, although more recently established, had far greater benefits than they have. They were disappointed that there were not enough employment opportunities and there was little opportunity for small businesses. However, they still had to pay their rates even though many were unemployed. Those not on welfare had to pay the same rates as those who were on welfare. One gentleman said that he thought that it was unfair that although he was a ratepayer, he could not do what he wanted to do on his land. They felt that no Councillor, other than their Ward Councillor was really interested in New Horizons. The youth and the senior citizens thought that their needs were 'neglected'.

The people felt that it was difficult to budget effectively as their charges changed from month to month and they were resentful when their electricity supply was suddenly cut. They were distressed by the apparent lack of communication i.e. failure to reply to their letters and requests.

Mr Leluma responded by saying that the IDP (Integrated Development Plan) was aimed at encouraging the people to govern themselves. Once they had decided on their needs, it was up to their Council to fulfill those needs as far as possible. He mentioned that other regions, e.g. Kranshoek and Kurland also had the impression that Kwanokuthula residents were much better off than their communities (because the former Mayor was from there). Now allegations are being made that Green Valley is benefiting more than others "because the Mayor comes from that area". He said that one of the main reasons why Kwanokuthula was perceived to be "doing well" was because the people worked together as a community and that if the people of New Horizons worked together they would also start moving in the direction of their dreams. He said the municipality would investigate better communication with those in arrears. He said that there was a move to create jobs through Local Economic Development. More information would be provided on this when it was available.

All these issues were discussed in greater depth at the Workshop held in New Horizons on November 23, 1998. Those present to represent their community 'brainstormed' their needs, problems and vision for New Horizons in great detail and then prioritised the needs. The former Mayor, Lulama Mvimbi and Councillor Len Levendal were both in attendance.

Solutions were suggested eg better communication with and education from the Council, an electricity pay point in New Horizons and the banning of illegal, negative business practices, consideration for the needs of the youth, aged and physically / mentally challenged. The need to prioritise because of the limitation of resources was comprehensively covered.

Priorities were agreed upon as follows:

Topic	No of votes
Housing	43
Sport & Recreation	40
Communication	32
Law Enforcement	26
Electricity issues	24
Community Facilities	22
Controlled tariffs	22
Security	15
Education	15

Details of the community's needs will be recorded in the final IDP document which will be presented to and monitored by the Steering Committee elected by the people. In addition, to Mr W Bezuidenhout, the community also nominated Monica Raubenheimer and Morgan van Willen to represent them on the Steering Committee.

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Plettenberg Bay Municipality



Each of the meetings included some catering for participants (e.g. sandwiches, snacks, and cold drinks). Frequently, this was organised by local citizen groups, who were reimbursed by the facilitator for their costs and efforts.

The results emanating from the meeting and workshop held in each community were described in the local press, as is illustrated in Figures 7-5 and 7-6. They indicate the methodology applied by the facilitators, as described above, as well as some of the issues that played an important role in the different communities.

### **7.3.3 Analysing the public participation process for the structure plan**

#### *Technical competence*

There were primarily two themes for which technical input was important in the preparation of the structure plan: the environmental data, primarily in terms of mapping environmentally sensitive areas, and infrastructure provision and traffic-related issues. The relationship between the technical studies commissioned for these themes and the steering committee was close. There was ample opportunity for those present at most of the meetings to become reasonably familiar with the relevant issues and to influence the terms of reference for these studies. This also included the ability to influence the choice of consultants.

However, the general public had very little opportunity to influence or learn about the technical issues related to the structure plan, let alone the specific specialist studies. In the questionnaire and those meetings conducted by DeKock, only one-way communication, by which respondents or attendants would describe their opinions, was encouraged in a structured manner. Underlying this lack of interaction between the public and the specialist input was the absence of a coherent plan detailing the manner in which such an interaction might be achieved. This was probably because the specialist studies and the public input were conceived as two separate facets of the structure plan preparation process, which were to be integrated subsequently by the consultant (DeKock).

### *Efficiency*

Public participation was considered a priority concern and was initiated early in the structure plan preparation process. However, the efficiency of the process was hampered by the lack of a coherent and detailed plan as to what the public participation process was to achieve and how it would do so. This includes the absence of a clear strategy relating the public and specialist inputs, as described above. In addition, difficulties relating to the procurement of base data were greater than expected, thereby further stifling the facilitator's ability to garner public input regarding relevant spatial issues.

### *Government synergy*

Regarding the interaction between the council and the structure plan preparation process, the council was the key proponent of the process, and hence issues of government synergy, as described in Chapter 3 apply only to a degree. However, it is interesting to note that there was no pro-active strategy to involve councillors over and above the voluntary attendance at the steering committee meetings. Further, the key official responsible for the structure plan (the town planner) has a relatively low profile and does not have much influence in the municipality or in the communities. This is an important constraint to the creation of a necessary threshold of effort in organising public participation events, as will become apparent below in the discussion of the IDP process.

### *Fairness*

One of the most important characteristics of the process was the focus on the steering committee as the primary mechanism for participation. In this respect, of course, it is vital to point out that attendance at the steering committee was fickle and that there was an overwhelming majority of white, affluent citizens at most of the meetings. Hence, in terms of fairness the steering committee was inherently flawed, as was acknowledged by the facilitator and many of the committee members themselves. This also

contributed to the perception of the structure plan process as a whole being biased towards white, environment-related interests (Leluma, Mvimbi).

As reasons for this skewed representation one may suggest the limited advertising effort and the choice of venue for the first meeting, at which the steering committee was selected. Also, it was the environmental groups who were important motivators for the preparation of a structure plan in the first place. Hence, it was them who engaged in a most committed manner from the start of the process.

However, a fairly comprehensive list of stakeholders, including those representing disadvantaged communities, was compiled during the process. Each of the contacts on this list received invitations to pending steering committee meetings, as well as the minutes to past meetings. Still, however, attendance at the meetings by members of disadvantaged communities was very limited. One of the most important reasons for this was probably the absence of 'buy-in' by these stakeholders due to the above factors relating to the beginning of the participation process. Further, there was no active effort to engage such stakeholders in the process, over and above the distribution of invitations. For instance, there was no pro-active strategy of information provision, which might have illustrated to stakeholders the significance of the structure plan preparation process.

In terms of the general public participation process, over and above the activities of the steering committee, the fairness criterion was fundamentally neglected. As described above, the questionnaire was flawed in this respect in terms of its distribution and accessibility (i.e. the language used). The public meetings also did not provide a representative sample of the municipality's population, due to the limited advertising effort and the use of inadequate venues. There were only a few instances at which disadvantaged communities were enabled to provide coherent input into the process, namely the Kurland meeting, the New Horizons housing meeting and the ANC's executive committee meeting.

Similarly to what was mentioned under the efficiency criterion, an underlying cause for these deficiencies was the absence of a coherent plan for the PPP. Further, there was no

appreciation of the differing abilities of different communities to participate, which might have been established by means of social probe. Hence, there was little understanding and no coherent strategy regarding how the participation of disadvantaged communities might have been facilitated.

### *Social learning*

Education potentially played an important role in the interaction between members of the steering committee amongst themselves and with the facilitator and the specialist studies. The insights gained in this way should have become available to the groups and associations represented by the steering committee members, by means of regular interaction between the members and their constituencies. However, the skewed representation on the steering committee limits the value of this education potential.

Another limiting factor in this respect is the lack of a plan detailing the structure plan preparation process, as well as the drawn-out nature of the process itself. This made it difficult for steering committee members, as well as members of the public, to actively engage with issues relevant to the process.

Further, the existing educational efforts of the structure plan process were geared towards white, affluent residents. An important example of this is the significant effort that was put into planning a display of information pertaining to the structure plan during the AGM of the local residents' and ratepayers' association (as was evidenced in the steering committee meeting on the 19<sup>th</sup> November, 1998).

Significantly, in terms of social learning, there was no structured identification of group interests and problematisation of the inter-relationships between them. That is, there was little effort put into identifying potential trade-offs, or allowing negotiation between the interests of different sectors of the community. Such interaction between group interests did occur on the level of the steering committee on some occasions, particularly when there were members of disadvantaged communities present. However, this interaction was stifled by the diminishing participation of members of disadvantaged communities towards later stages, especially because it is at these later

stages where such interaction between group interests was most important in terms of the tangible engagement with the base data (the base map) and the results of specialist studies. Further, and most importantly, no provision was made for trade-offs between group interests to become object of debate in the participation of the public. The questionnaire is an indication of this, in terms of its characterisation of specific issues or problems as discrete and independent of each other.

#### **7.3.4 Analysing the IDP public participation process**

##### *Technical competence*

Technical issues do not play an important part in the PPP for the IDP. Rather, the emphasis is on the needs and aspirations of the various communities, and the way these should be represented in the municipality's budget. Interestingly, it is the structure plan that will contain many of the more technical aspects as they relate to the IDP, especially those concerning the natural environment and infrastructure provision. In this sense, it remains to be seen how the public input received for the IDP will feed into the preparation of the structure plan.

Indeed, the limited interaction between the technical issues considered for the structure plan and the more abstract, 'visioning' aspects of the IDP is a significant shortcoming of the IDP process. Hence, in the communication efforts of the IDP there was little reference to practical constraints to development, including environmental sensitivity or limitations imposed by infrastructure provision. A possible result of this is exaggerated public inputs, as well as high hopes for delivery that might have been tempered by such practical considerations.

Regarding the aims of the IDP itself, it also remains to be seen how well the PPP has fed into the municipality's budgeting process.

### *Efficiency*

The PPP was intensive, energetic, and well co-ordinated. There was a coherent, detailed strategy, plan of action, and process description, including rules and regulations, which were publicised during the process and with which the various role-players could engage and identify with. The intensive publicity campaign allowed for high levels of awareness, leading to motivational 'buy-in' by communities and their representatives, as well as organisational assistance from community associations. Such assistance included the distribution of information or catering for the public meetings, for instance. Finally, it may be posited that the intensive, relatively short period of time within which the meetings were held and most of the publicity campaign was implemented, played an important role in providing a threshold of effort and motivation within communities.

### *Government synergy*

The IDP was an initiative of the council, and hence enjoyed its full support (much more so than was the case with the structure plan (Stratten, Leluma, and others)). This commitment was apparent in the resources made available to the IDP by means of setting up a new directorate in the municipality. Further, this commitment played an important role in creating the community 'buy-in' that was described above.

The IDP facilitator made it an explicit requirement for the councillors to attend the meetings, as there was a lack in attendance at the early meetings. Of course, this pressure was more easily exerted due to his position in the municipality, and due to the nature of the process, but the presence of councillors had an important effect on the meetings themselves (as was apparent, for example, at the meeting attended by the researcher in Harkerville on the 23<sup>rd</sup> November). For instance, attendants seemed to feel more confident that their concerns and inputs were taken seriously.

### *Fairness*

As one of the most important distinguishing characteristics of the IDP process, it was the only one considered in this thesis, which made inclusiveness and representation by all segments of the community an explicit priority. Further, it had a detailed, strategic public participation plan that was geared towards this aim. This plan acknowledged the differing abilities and characteristics of the various communities, and provided for advertising methods and meeting venues that were sensitive to these contexts.

Supporting this approach was the publicity campaign and advertising effort, including the use of the three main languages and a variety of communication methods, which provided for high levels of public awareness of the process. Hence, the subjective identification of I&As (see Chapter 3) was comprehensive, allowing for the fulfilment of the explicit aim to allow the participation of non-organised members of the public – “the man on the street” (Leluma).

This was augmented by an objective identification of stakeholders, i.e. associations and organised groups that were invited to participate and engaged to spread information and organise meetings.

The meetings themselves were also designed to ensure fairness. This entailed the choice of venue, as well as the provision for the use of English, Afrikaans, or isiXhosa at the meetings. The small group discussions in the workshops and the ‘sticker-technique’ described above were also conducive to allowing participation by a maximum number of people.

### *Social learning*

Education and social learning may be described as one of the most significant accomplishments of the process. Through the publicity campaign and at the meetings, important information was provided regarding the IDP process and the role of the public in it. This entailed the discussion of important perspectives on the interaction between

the public and the council, and issues relating to the public, collective interest. Balancing different group interests thus became a recurring theme.

The process itself was geared in such a way that the theme of different group interests would become prominent. The extensive effort at allowing representation of all communities is pivotal in this respect.

The workshops themselves were structured to provide for face to face interaction and inter-personal contact. In some workshops, where members of different races and socio-economic groups were present, this had potentially the greatest effect in terms of expanding participants' frames of reference, as required for social learning (an example was the Wittedrift meeting (Cowie)). But even in meetings where there was a relatively homogenous group of participants, the facilitators ensured that interests of other community groups and the collective interests of the area played a prominent role in the discussions (examples of this were the Craggs meeting and the workshop held for wards four and five).

Indeed, participants at the workshop attended by the researcher (wards four and five) voiced enthusiasm regarding their experience at the workshop, particularly with respect to the opportunities presented to consider a wide range of issues holistically. Similar responses were related by participants at other workshops (Cowie, Lawrence, Eppel, Wildeman).

Hence, and in contrast to the other processes investigated in this thesis, social learning played a significant, explicit role in the IDP process, if by a different name. There was exposure for participants at the meetings, as well as the public in general by means of the media, to the needs and aspirations of the various communities in the municipality. This information was provided generally within the context of a single, collective incentive, i.e. the preparation of a municipal budget. Indeed, the facilitator generally emphasised the need to create a single, common agenda from the various needs identified amongst different communities. Communication and co-operation thus became vital qualities of the participants' engagement in the process. This provided the

opportunity for moral reasoning on the basis of a broader, collective interest, as opposed to instrumental reasoning on the basis of narrow group interests.

### 7.3.5 Conclusions

Three points should be re-iterated in conclusion to this part. Firstly, this case study demonstrated the far-reaching potential inherent in the implementation of national policy concerning integrated development planning. This also refers to the subsumption of the traditional structure plan processes within the new concept of an IDP. At the same time, the case study showed the importance of the local context in this implementation process. Hence, for instance, the council's commitment to the process and the existing civil society structures greatly aided the successful implementation of the IDP concept. As a comparison, in Knysna, the IDP document is drawn up by the planning officials with very few resources budgeted for PP.

The second point, and related to the first, is the fundamental importance of having fairness as an explicit aim for the PPP, and preparing a strategic plan to this effect. A significant aspect of this is the investment of a threshold effort that creates 'buy-in' amongst all role-players.

Thirdly, the IDP process has demonstrated some of the far-reaching possibilities for social learning as a key component of public participation. The IDP's broad, all-engaging, and strategic ambit allowed for deliberation based on interests, rather than positions (see conclusion for Sparrebosch case study). Concomitantly, this consideration of community interests was tied to the incentive of creating a municipal budget. Hence, the balancing and trading-off of the various interests and motivations became an explicit motif in the PPP. Hence, the Plett IDP process provided the potential, if nothing else, for an inclusive and fair public participation process that was strategic, integrative, and holistic in its consideration of community needs and aspirations.

## 8. CONCLUSIONS

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There are five essential, inter-related conclusions drawn from the preceding chapters:

1. Public participation (PP) is embedded in the local socio-political context and in this relationship social capital plays an important role.
2. PP is plagued by prevalent, diverging perceptions held by important role-players.
3. Applied PP procedures tend to be unfair.
4. PP must be made fairer and more conducive to social learning.
5. IDPs represent an important potential for inclusive, holistic, and deliberative PP.

Following a discussion of each of the above, this chapter will provide concluding remarks pertaining to the question posed in the thesis title.

## **8.1 PUBLIC PARTICIPATION IS EMBEDDED**

An underlying conclusion of this research is that public participation procedures are intimately enmeshed with the local context. That is, historical, social, political, and cultural factors all interact to create constraints and opportunities for participation processes.

### **8.1.1 The decision-making process**

PP is part of a wider decision-making process that is set within a given policy and institutional framework. Within this framework there are certain tensions and ambiguities that markedly affect the implementation of PP procedures (PPPs).

Policy is presently in a state of flux. Hence, guidelines for decision-making processes and their aims and objectives are uncertain in some instances. These uncertainties relate to, for example, the relationship between spheres of government. With regard to public participation, project-level decision-making PPPs are guided primarily by means of the IEM guidelines, while municipal planning processes, which are to subsume strategic spatial planning, are guided by legislation pertaining to local government and development planning. As yet, few explicit linkages are made between these policy arenas. However, pending policy developments, including the planning green paper and (in the Western Cape) the Planning and Development Act (see Appendix 3), represent important improvements in this regard.

The effects of these changes and uncertainties in policy are compounded by low levels of capacity in the institutions that are meant to implement policy. Limited staff and resources are serious constraints in this respect. The relevant institutions, notably provincial structures, such as CNC, and local municipalities, are themselves in a state of flux as a result of policy developments.

Capacity constraints also exacerbate the problems related to inadequate policy co-ordination between land-use planning and environmental evaluation. This potentially results in uncertain and limited terms of reference for PPPs, which limit their influence on the decision-making process and compound problems related to conflict and diverging perceptions of the process, as discussed below. The Sparrebosch case study is an important example of this.

However, institutional interactions between CNC and planning departments in local and provincial government are improving in the study area. An important aspect of this is the creation of personal networks and informal channels of communication. Together with recent policy developments, this suggests that land use planning and environmental evaluation are approaching better coordination.

Policy flux and capacity constraints are particularly pertinent issues for CNC. They fundamentally affect EIA-based PPPs, which are guided and assessed by CNC. Two aspects need mention in this respect. Firstly, CNC has too few resources to adequately deal with the workload created by the legislated requirements for EIAs and their accompanying PPPs. This impedes inter-governmental co-ordination, creates backlogs in the decision-making processes and aggravates negative perceptions of environmental evaluation and accompanying PP. Secondly, CNC as an organisation, in terms of its history and staff contingent, is premised upon the consideration of bio-physical aspects of the environment. However, in terms of the broad definition of 'environment' in the IEM guidelines and attendant legislation, CNC is responsible to guide and assess the EIA process and outcome also in terms of socio-economic and cultural aspects of the environment. This is also pertinent in terms of the complex sociological considerations pertaining to the design and implementation of PPPs. Hence, CNC is inadequately capacitated for the IEM provisions, thereby aggravating problems related to perceptions and fairness, as discussed below.

### 8.1.2 The local socio-political context

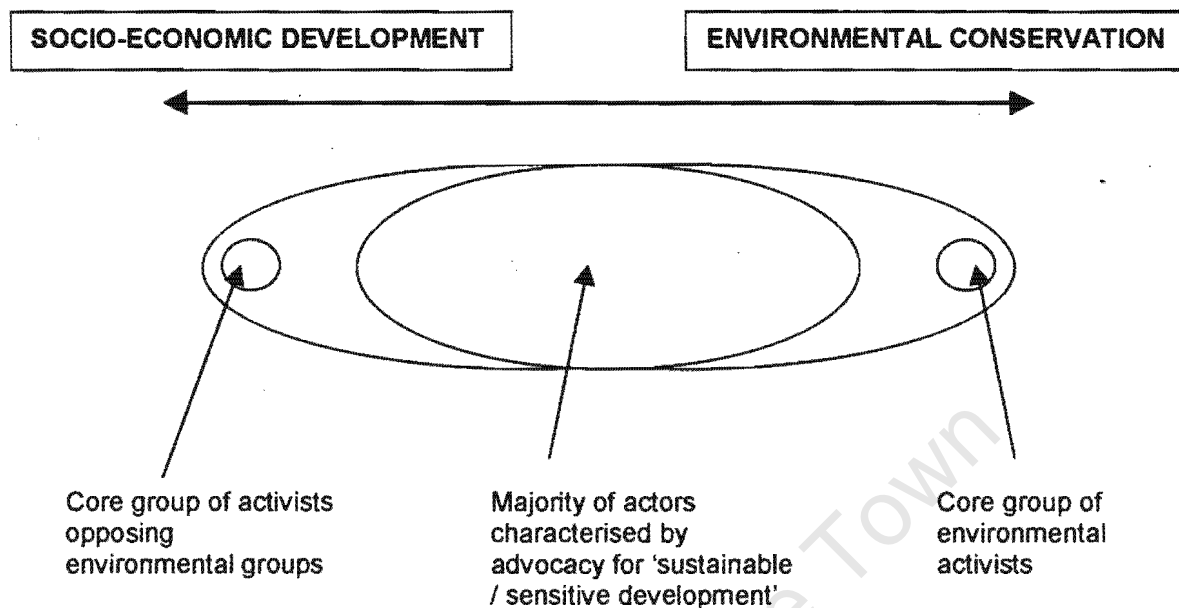
The study area, as most parts of South Africa, is characterised by a complex set of group identities that are markedly affected by the country's history. Such identities are closely related to notions such as socio-economic status, culture, and race, and form the basis of a tentative definition of social groups. The identification of such groups has fundamental ramifications for PP, as these groups have very different abilities, opportunities, and incentives to participate in land use or environment-related decision-making processes. These differences are based on the relationships between individual citizens, on the one hand, and the state, other citizens and groups, (i.e. political identities), and discursive notions such as 'environment' and 'development' (i.e. cultural identities), on the other.

Hence, conceptions related to socio-economic status, culture, and race intersect with local history and political organisation to create differing patterns of participation in decision-making processes. That is, not only are the incentives for influencing decisions markedly different amongst different groups, but the ways of engaging with decision-making processes are different. These differences need to be considered explicitly in any analysis of PP.

### 8.1.3 Interest coalitions as they relate to environment and development

The fieldwork suggests that the group identities mentioned above underpin the creation of loosely defined interest coalitions with respect to decision-making pertaining to the relationship between 'environment' and 'development'. Bearing in mind the dangers of over-simplified and reified categories, this conclusion is made on the basis of prevalent perceptions (see below), as well as actors' actions (i.e. statements and submissions made). These interest coalitions coalesce around pertinent decision-making issues, as may be characterised on a basic level in terms of **Figure 8-1**.

**Figure 8-1: A schematic illustration of the 'pro-development' and 'pro-environment' interest coalitions in the study area**



These interest coalitions are very flexible, ill-defined entities, with much overlap and fluidity. In terms of their engagement with particular decision-making processes, active individuals within voluntary associations play a fundamental role. Hence, in the case of project-level PPPs, there are likely to be core groups of active individuals that engage with and within state institutions and civil society organisations to affect the procedure and its outcomes. Social capital plays a crucial role in this respect, as discussed below.

The fieldwork has shown that engaged individuals and groups can exert a great degree of influence on the decision-making process itself. That is, procedures, which are *de jure* defined by legislation and implemented by institutions bound by internal policies, are very much affected in their *de facto* implementation by actions of civil society groups. This has important ramifications for theories of PP, especially considering that much of the EIA-related literature implicitly characterises civil society actors as passive recipients of cues to participate in structured procedures.

#### 8.1.4 Social capital matters!

Social capital, as discussed in Chapter 2, is a vital force in the creation, perpetuation and engagement of the interest coalitions described above. Individuals within these interest coalitions relate to each other by means of informal interaction and established channels of communication. In many instances, social networks overlap with associations premised upon the engagement with 'environment' or 'development' related issues. Hence, social interaction, habit, and ease of communication brought about by personal relationships and known telephone numbers create discursive arenas in which common perceptions and expectations are created and perpetuated. These perceptions include attitudes pertaining to other groups or actors.

Face-to-face and repeated interactions and common perceptions greatly support the creation of trust amongst actors within these groups. This trust, of course, plays an important role in groups' engagement in PPPs, in that trust is a vital requirement for open and inclusive deliberation, interests-based negotiation, and constructive interaction between actors in conflict situations.

In much the same way as social capital underpins the perpetuation of interest coalitions, active groups within these coalitions invest and apply the 'tools' of social capital in instances where they want to influence decision-making procedures. Hence, personal contacts and channels of communication are used to affect the public discourse or influence key role-players.

This is also pertinent in terms of the relationship between environmental or planning consultants, officials in government institutions, and members of interest groups. Established communication networks act to facilitate interaction between consultants and interest groups: "From experience I know exactly for every area which the interest groups are. I know the persons themselves and go to see them individually" (Gaigher).

In this way, social capital is invested and applied to further the interests of certain groups. In some instances this might entail the limitation of other groups' influence on the decision-making process, if those groups' interests or positions are seen to be in

opposition to one's own. Hence, the self-reflexive definition of actors' motivational agendas and other actors' perceptions of these play a crucial role in the way social capital is applied.

### 8.1.5 The state is embedded

State structures are embedded in the interest coalitions. The engagement of state institutions in this respect is influenced by their policy ambit, as well as the personal engagement of representative officials. Social capital, in terms of personal interactions across the "public-private divide" (Evans, 1997a), plays an important role. As an example, Peet Joubert, the SANP representative in Knysna, was personally known to many of the active individuals in environmental groups in the area, and was commonly perceived by these to be an important 'alliance partner'. Hence, active members of environmental groups would explicitly engage Joubert in the decision-making procedure in order to effect their aims. Another illustration of this is the fact that Andrew West, official at CNC, personally knows and is known by engaged members of environmental groups. These channels of communication and networks of trust affect the creation of an overlapping discourse regarding environmental issues. They also affect the course of specific PPPs in terms of, for instance, notification procedures or the distribution of feedback information.

Significantly, the interest coalitions intersect with party-political interests, although by no means in a simple or deterministic manner. Hence, the interactions between elected representatives (especially councillors, but also including provincial and national politicians), local political parties, and their local constituencies is a crucial consideration. An important issue arises in this respect: ANC constituencies have a closer interaction with their representatives at the local level than other parties' constituencies in the study area. Considering that it is frequently ANC constituencies that tend towards the 'pro-development' side of the interest coalition spectrum (see Figure 8-1), this has significant ramifications. As such, pro-development sentiments are likely to be expressed outside of formal PPPs, by means of party-political channels of communication, while pro-environment concerns find strong expression in the public, formal procedure (e.g. in the public meetings, etc.).

Significantly, these parallel channels of engagement exacerbate the problem of divergent perceptions of PP (see below). Converging these modes of participation into one arena for open, transparent, and inclusive deliberation should hence be a primary concern.

## **8.2 PUBLIC PARTICIPATION IS PLAGUED BY PERCEPTIONS**

Actors' perceptions have a significant impact on environment related PPPs. These perceptions pertain to the process itself, as well as significant role-players.

### **8.2.1 Perceptions of unfairness**

Perhaps the most significant of these perceptions is that voiced by a wide variety of interviewees regarding the fairness of PP. As such, participation in EIA or LUPO-related PPPs is perceived to be skewed towards white, affluent citizens who are predominantly concerned with environmental conservation. This perception is shared by a wide variety of actors, and not just within the 'pro-development' interest coalition. Such views were expressed also by consultants, conservation authority officials, as well as some members of environmental interest groups. However, perhaps the most important representatives of this perception are the decision-makers, in that there is a direct effect on the legitimacy and influence granted to PPPs. As such, the research showed the prevalence of this view amongst officials and councillors, and particularly those from disadvantaged communities.

There are two related perceptions that underpin this negative view of PP. Firstly, common PP mechanisms, i.e. notification procedures, venues used for meetings, etc., are seen to be ill-suited for disadvantaged communities to participate. Secondly, there is a prevalent perception of environmental interest groups acting on a narrow motivational agenda. The weak variant of this view is that these groups are overly concerned with environmental issues, while neglecting the legitimate needs and aspirations of disadvantaged communities. That is, their priorities are seen to be

unrepresentative of the broader community, and hence their dominating engagement in PPPs does not further the collective interest. The strong variant of this view is that environmental groups, or a subset of them, use the environment as a 'smoke screen' for an elitist and conservative agenda that is motivated upon the preservation of privilege.

It is apparent that such perceptions will have fundamental influence on the way the PPP will interact with the decision-making process. In as far as they are existent amongst decision-makers in municipalities and provincial government, they curtail the amount of power granted to the PPP. Further, they impede the creation of trust and buy-in amongst actors, and generally hinder the establishment of open, transparent, and consensus-seeking communication.

### 8.2.2 Perceptions of legitimisation

A perception prevalent amongst members of environmental groups is that PPPs are merely 'public relations' exercises, which do not have any significant impact on decisions. That is, PP is seen as legitimisation for decisions that have already been made.

Related to this is a view of the decision-making institutions as being biased towards urban growth and development. This bias is underpinned, in this view, by councillors and officials having a vested interest in developments, because of increased prestige, personal income, or even bribes. Decision-makers are suspected of being insensitive or ignorant about the importance of environmental conservation. This is ascribed especially to 'new' councillors who come from disadvantaged communities and who are seen to be inadequately educated in environmental matters and overly susceptible to promises of job creation. Further, decision-making institutions are considered under-capacitated and / or unwilling to implement conditions imposed upon developers.

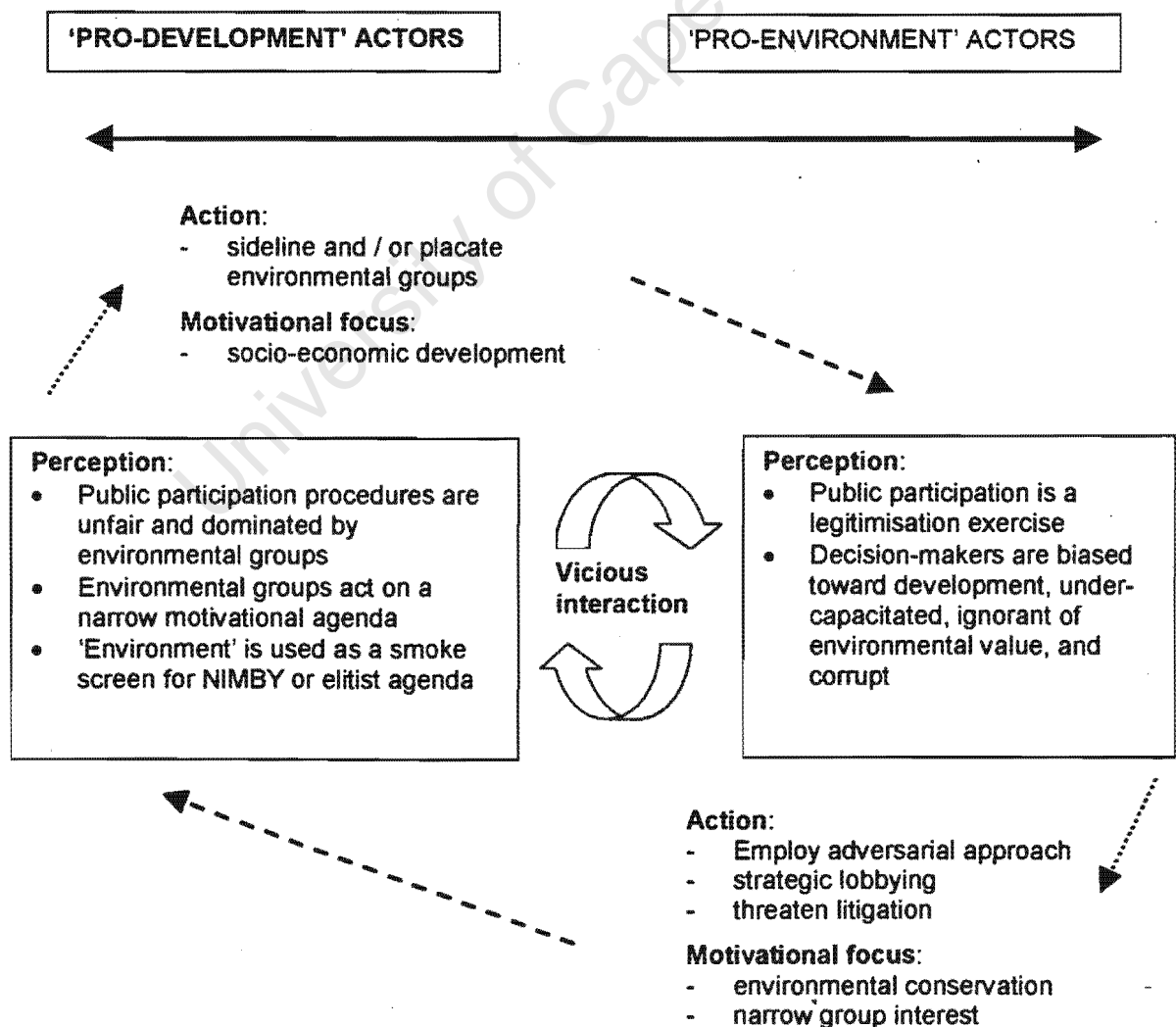
These views of the formal PPP as being a 'waste of time' and the expectation of decision-makers acting in a non-transparent manner without consideration of the formal process as a legitimate decision-making guide will greatly impede the creation of trust and collaborative dialogue. They underpin a strategic approach to influencing the

decision-making process, by which lobbying and legal threats play a more important role than consensus-seeking and transparent communication.

### 8.2.3 Self-reinforcing perceptual divergence

These separate sets of perceptions represent a problem for PP in the study area. They are especially problematic due to their mutual interaction, by which they tend to reinforce each other and lead to greater divergence of perceptions. Such a vicious circle of group interaction, as is schematically illustrated in **Figure 8-2**, may occur within the timeframe of a single PPP, or may occur over an extended period as a result of accumulated experience.

**Figure 2: Vicious circle of group interaction: diverging perceptions.**



The stronger and more prevalent the perception of PP as being unfair and environmental groups as being elitist, the greater the pressures exerted by and upon decision-makers who hold or are influenced by these views to sideline the PPP from the actual decision-making process. Specifically, environmental groups will be characterised as being engaged in ways not beneficial to the collective interest and hence further excluded. This sidelining might involve explicit critique or attempts at co-option or placation. Importantly, the stronger the perception that environmental interests dominate the PPP, the stronger the incentive for those supporting the development to actively engage in a strategic manner. A common result is the over-simplified and categorical characterisation of environmental issues as elite interest.

Thus, as proponents of development adjust their motivations and actions, the perceptions held by members of the pro-environment interest coalition are reinforced. The more environmentalists or other advocacy groups feel that their activities and comments do not meaningfully feed into the decision-making process, the more they believe the process to be tokenistic. Hence, they become distrustful of the developer, the decision-makers, the facilitator and the process itself. This in turn leads to more adversarial tactics, including, for instance, explicit and public criticism of the developer, councillors and officials, or legal challenges. It might also result in a more strategic, covert approach to influencing the decision-making process, such as lobbying higher level politicians. Significantly, these actions are underpinned by an increasingly narrow focus on the group's motivational agenda on its precise position in the matter (e.g. 'the development must not take place!'). This focusing occurs because of the suspicion that the decision-making institutions cannot be trusted to make decisions that are environmentally informed or duly considerate of the concerns raised during the PPP.

### **8.3 PUBLIC PARTICIPATION PROCEDURES TEND TO BE UNFAIR**

The case studies showed the fundamental importance of the fairness criterion for all other criteria developed for the evaluation of PPPs. Hence, the most significant finding

resulting from the analysis of the exploratory and case study research is that the contingent conditions for PPPs are not conducive to fair procedures.

There are two important points that need to be raised with respect to this conclusion. Firstly, a declaratory and nomothetic (i.e. generally and universally applicable) statement such as 'actual PPPs are unfair' is problematic with respect to the methodology of this thesis. That is, the idiographic (i.e. context-specific) research method supports statements that are applicable primarily to the local context, and which are based on theoretical generalisations rather than inductive, statistical ones. Hence, this research suggests that formal PPPs in the study area *tend* to be unfair due to the conditions and circumstances created by the interaction between the institutional framework for PP and the local socio-political context.

### 8.3.1 Substantive and procedural fairness

Secondly, one may make a tentative distinction between substantive fairness and procedural fairness. The former relates to the observation that the participants in environment related PPPs tend to be white, relatively affluent, and primarily conservation oriented. Although this has important ramifications in terms of the prevalent perceptions of PPPs, as described above, this is not in itself a significant critique of PP in terms of fairness because it does not necessarily imply that there is unequal access to the process (i.e. an absence of procedural fairness).

Indeed, there are important reasons for why such skewed representation might occur even in the case of procedural fairness. One is the existence of different realms of engaging with decision-making institutions, i.e. different political cultures, in different communities. As described above, channels of interaction between decision-makers and constituencies are different in white and in black communities. A second reason is the observation that protest and negative sentiments act as stronger incentives to participate in formal procedures, also because negative opinion is frequently based on more tangible, direct effects on personal interests.

Hence, PPPs may be unfair in substantive terms, i.e. with respect to their outcome, without necessarily being procedurally unfair. The question whether this in itself is an important problem will not be considered in detail here, except to say that it does play a significant role in terms of the prevalent perceptions discussed above. It is hence necessary to bring about a convergence of the manners of engagement with the decision-making process, which are currently bringing about parallel manners of PP that fail to interact.

### **8.3.2 Procedures do not provide equal opportunities for participation**

Underlying the tendency for PPPs to be procedurally unfair is the absence of fairness as a pre-determined, explicit goal. In terms of the formal procedures instigated as part of the EIA and structure plan processes, as well as the evidence supplied by the consultants interviewed, there was little reference to a clear commitment to making the procedures as accessible as possible. In this respect, the Plett IDP process was special, as inclusiveness was one of its prime objectives.

The second underlying reason for lacking fairness was the absence of an explicit and transparent strategy to achieve as much inclusiveness as possible. In the case studies and in the comments of EIA or planning-related officials and consultants, little reference was made to the different abilities of communities to participate in formal procedures in terms of special methods that might be applied to achieve the participation of these communities. Partly due to this lack, there was no plan in which a strategic approach to achieving maximum participation might be detailed.

Hence, EIA or planning-related PPPs rely on participation mechanisms that favour those with the incentive and resources to participate in them. In terms of the objective identification of I&APs, local consultants DeKock and Gaigher and environmental official West placed much more emphasis on notifying environmental interest groups than other associations such as local RDP forums: "I don't really go to the other groups [in disadvantaged communities]" (Gaigher). In this respect, however, the Sparrebosch case study represented a positive example of a broad and inclusive objective identification of stakeholders.

In terms of the subjective identification of participants, i.e. public notification, the generally accepted methods – as were applied in the Sparrebosch and Plett structure plan processes and represented in the comments of officials and consultants – were commonly limited to notices in the local press and in public places such as libraries. As was apparent in interviewee's comments, this is not accessible for disadvantaged communities. The Plett IDP process, on the other hand, demonstrated the potential for a coherent publicity campaign, which included the use of all three important languages in public notices and the use of distribution mechanisms such as letter drops and notices on accounts.

Similar principles apply to the provision of introductory or feedback information. A reliance on public meetings or public displays – as was the case with the Sparrebosch and Plett structure plan case studies – is not sufficient if these are not accessible by disadvantaged communities.

Most importantly, the techniques used to garner input were limited to public meetings and the use of questionnaires. The advertising effort, the accessibility of venues used, and provisions made for different languages to be used were very limited. Indeed, the questionnaire used for the structure plan PPP was grossly skewed in terms of its distribution and accessibility of its format, i.e. language used. Again, however, the IDP process demonstrated the potential enhancements entailed by a more inclusive approach to these issues. In none of the PPPs, nor in the references made by interviewees, were alternative, complementary participation methods, such as focus groups or interviews, applied. However, the “informal participation” (Barbour) approach applied by one of the consultants interviewed does go some way to enhance inclusiveness. Efforts at ‘formalising’ this ‘informal participation’ deserve consideration.

#### **8.4 TOWARDS EFFECTIVE PUBLIC PARTICIPATION**

In the light of the above, the primary aspect of PP that requires enhancement is the fairness criterion. This will be discussed in some detail below, while the enhancement

of competence will only be considered briefly. The final suggestions for improved PP practice pertain to social learning.

#### 8.4.1 Enhancing fairness

Suggestions for enhancing the fairness of PPPs flow directly from the above discussion. They are also largely contained in Cock (1995), Fowkes and Goudie (1995), and Kahn (1996).

- An initial social probe should be conducted to create sensitivity to the local context and history, including a description of the various communities, stakeholders and institutional framework relevant to the particular decision-making process. Such a study should be informed by a sociologically astute methodology.
- This information should feed into and be described in a strategic PP plan that declares the attainment of maximum accessibility and representation as one of the main aims of the process. This plan will detail the specific methods and techniques to be applied to ensure fair participation for each of the communities. It should be publicised at the beginning stages of the process and adapted as the process ensues.
- An inclusive and comprehensive identification of I&APs should be based on both subjective (public notification) and objective (direct notification) methods. This entails extensive advertising, the use of context-specific social networks to distribute information, and an inclusive and open-ended list of stakeholders that are directly notified.
- Similar channels of communication should be used to distribute relevant information for purposes of environmental education and social learning. All prevalent languages should be used, language should be simple, and concepts used must be basic or explained for the unsophisticated receiver.
- In line with the PP plan, a variety of methods should be used to allow a variety of communities and individuals access to the process. Sole reliance on public meetings should be avoided, and alternative methods such as focus group discussions and interviews with key informants should be applied. The participation of disadvantaged communities should be pro-actively facilitated by approaching local associations or user groups.

- Finally, within each of these methods, fairness and equal access should be aspired to. For public meetings, for instance, accessible venues should be used and free use of a range of languages, with translations, should be facilitated.

An important step towards the implementation of such enhancements lies in institutional adaptation. As such, CNC, the provincial planning department, and municipal planners require the resources and skills to provide for the social sensitivity called for above.

#### **8.4.2 Enhancing competence**

One of the most important lessons of the case studies is that the interaction between specialists, the facilitator, and participants is fundamentally affected by the institutional and social context of the PPP. Hence, perceptions of the PPP and issues related to social capital, such as trust and personal networks, play a crucial role. Fundamentally, the enhancement of the fairness criterion is necessary for the creation of greater competence in the PPP.

#### **8.4.3 Enhancing social learning**

The incentive to apply the concept of social learning to PP was vindicated in the exploratory and case study research. In interviewees' comments the significant potential of environment-related PPPs for creating an inclusive deliberative arena, which would aid in a convergence of group perceptions and better relations between divided communities, played an important role. In this way, social learning should contribute to a reversal of the vicious circle of group perceptions illustrated in Figure 8-2, resulting in a virtuous interaction between increased communication and trust. Within a PPP itself, as was suggested by the Sparrebosch case study, a social learning approach should facilitate greater competence and efficiency, primarily by means of constructive engagement with conflict.

There are primarily two aspects to social learning:

- The cognitive enhancement component: The PPP should include a concerted educational ambit. Potential and actual participants should be provided with

relevant information regarding the PPP at all stages of the process. This includes information about the decision-making process and the spectrum of issues – socio-economic and bio-physical – that relate to the issues at hand. The information should be provided in the most accessible manner possible, using a variety of media, simple communication methods, and context-specific distribution methods.

- The moral development component: Educational and feedback information distributed to participants, including facilitative comments during public meetings or questions in questionnaires, should frame group interests within conceptions of collective benefit. One aspect of this is to connect prevalent comments or inputs with their context. For instance, if a certain interest is limited to a certain area or interest group, this should be made explicit. Another aspect is providing the incentive for participants to relate their personal involvement to interests of other groups. Hence, interests not represented in the PPP and the relationship between different interests or significant issues should be made explicit. This will allow for a holistic consideration and comparison of different impacts of a development.

In terms of the above point, a note of caution is necessary. Linking comments and interests to interest groups entails dangers inherent in social categorisation. That is, such explicit linkages might artificially produce or perpetuate over-simplified categories, bringing about, rather than ameliorating distrust and conflict. Hence, the practice of social learning requires much sensitivity and a critical focus on the intended aim of allowing for participants' self-reflection and identification with the broader, collective interest.

### **8.5 THE VALUE OF IDPS**

The Sparrebosch case study showed how project-level PPPs were inherently limited in terms of their potential to facilitate social learning. They are focused on a particular decision within a policy and institutional framework that seeks to balance collective interests with the private property rights of the landowner or developer. There are significant constraints of time and resources; hence efficiency and expedience are important incentives for the process. Due to the particular nature of the issue at hand,

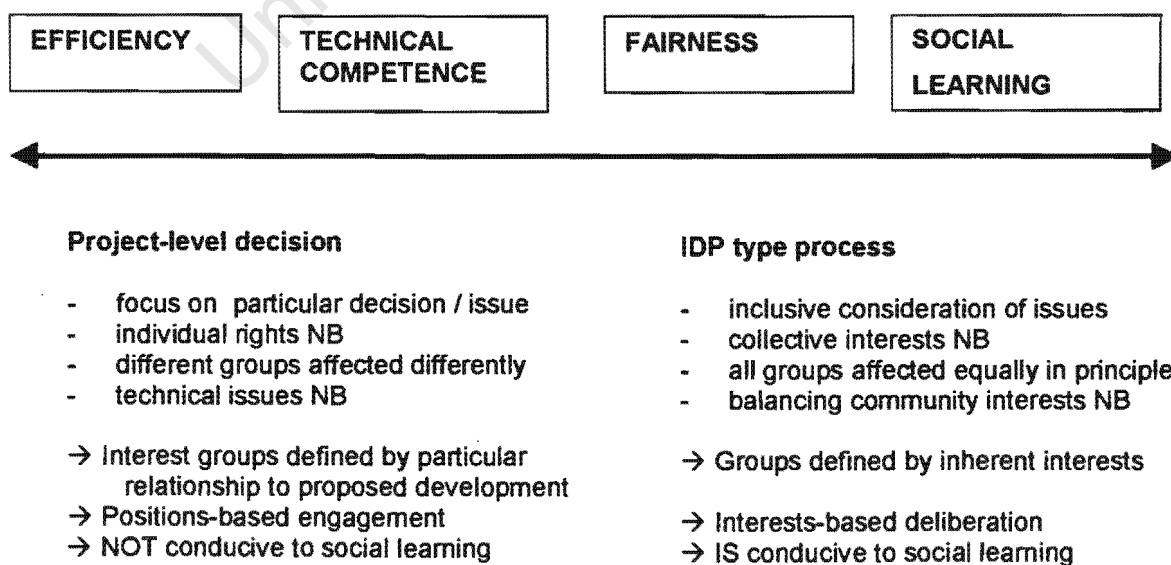
different actors are affected by the pending decisions in different ways. This has important ramifications, in that some groups have a much more direct interest in the decision-making process than others do. These factors act to influence policy development and implementation in project-level PPPs in such a way that the focus is on the criteria of efficiency and technical competence.

### 8.5.1 Relating IDPs and project-level public participation processes

On the other hand, the Plett IDP case study showed the potential for municipal-level, strategic, and deliberative planning processes that facilitate social learning. Its broad and inclusive approach, yet strategic focus on the preparation of a municipal budget, allowed for a holistic consideration of environmental issues concomitantly with other community interests. All participants had equal stakes in the process and the investment of a threshold effort produced the motivational buy-in of a wide variety of local actors.

The relationship between project-level PPPs, such as the Sparrebosch case study, and the IDP concept may be characterised in terms of the paradigmatic spectrum used in Chapter 3 to relate the evaluative criteria. This is illustrated schematically in Figure 8-3.

**Figure 8-3: Relating different types of public participation to key criteria**



Hence, IDPs and project-level PPPs have differing goals and objectives and are thus complementary processes. Due to the circumstances surrounding project-level PPPs, demands of social learning are bound to loose out to the need for efficiency and technical competence. This makes the existence of an inclusive, integrated participatory process such as is offered by an IDP all the more important.

### **8.5.2 Linking IEM and Developmental Local Government**

IDPs are a manifestation of the emerging concept of Developmental Local Government (DLG). This concept is bound to become more important as more responsibilities are devolved to local government level (as is provided, for example, in the Western Cape Planning and Development Act, see Appendix 3). This makes the linking of environmental evaluation with these strategic planning efforts a crucial endeavour.

At the local level, environmental interest groups must engage with the IDP and ensure that there is adequate environmental input into the local planning process. National environmental organisations such as the WESSA or the Botanical Society could play a significant role in creating such buy-in.

More generally, the environmental professions should engage with the broader project of DLG. In academia and research institutions, the relationship between participatory processes, strategic environmental planning, and municipal functioning provides many important research objectives. This is especially so because the technical competence criterion is the weakest link in the notion of IDP, as was apparent in the Plett case study.

IDPs are hence important objects for environmental evaluation in their own right, and the application of strategic environmental assessment to these plans requires further research in the local context. This need would be compounded if IDPs take on the role of Environmental Management Frameworks, which provide a type of 'meta-level' environmental evaluation plan, as has been mooted in some places (Laidler, 1998, pers.comm.; Hutton-Squire, 1999, pers.comm.). Such an expanded role for IDPs would require the establishment of significant institutional capacity to assess their preparation and content.

## 8.6 TOWARDS SUSTAINABILITY VIA PARTICIPATION?

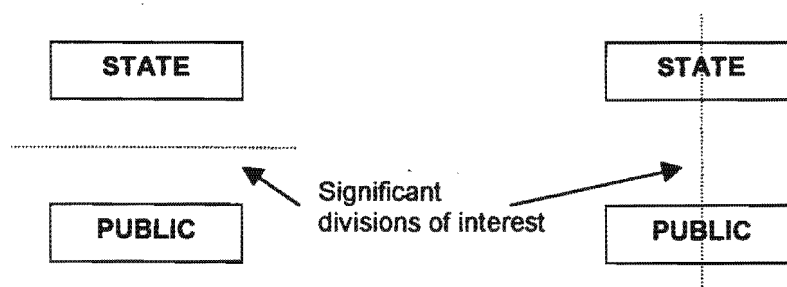
The above discussion has summarised the main findings of this research. What are the implications for the question asked in the title?

Firstly, common responses to this question (in facilitation and academic circles) frame participation as a kind of game-plan or technique. The focus is on participation as a means to an end, and consequently the question is phrased as if there was one 'right' kind of participation, the goal being to devise this 'right' technique or methodology. This thesis has sought to show that 'participation' is as value-laden and theoretically framed as 'sustainability' itself. Hence, by means of inverting the title's question – i.e. applying sustainability as a theoretical framework for participation – a conception of participation as an end in itself has emerged. The result is an emphasis on the criteria of fairness and social learning for public participation procedures.

Secondly, a common theme in the literature is that for participation to be enhanced for the benefit of sustainability there should be greater degrees of citizen power.

Underlying this approach is the conception of the 'state' and the 'public' as monolithic entities, with calls for greater citizen power implying a horizontal divide of interests (and social capital relations) between state and public. This research, however, suggests that public participation is markedly influenced by divisions of interest within the state and within the public. These divisions relate closely to one another by means of social capital interactions between those parts of the state and the public that have similar interests. That is, the significant divide of interests (and social capital interaction) is vertical (see **Figure 8-4**).

**Figure 8-4: Conceptions of state–public relations according to advocates of increased citizen power (left) and this thesis (right)**



An initial consequence of this conception of state–public relations in public participation is a strong incentive for the constitutional notion of co-operative government. Infra-governmental deliberations are hence a vital aspect of improved public participation procedures. Further, the enhancement of PPPs should focus on ensuring equal access to all parts of the state and the public that might be separated by the vertical divisions of interest schematically illustrated in Figure 8-4. Increased citizen power does not make sense if access to the PPP is biased towards certain group interests amongst the public.

Thirdly, responses to the title's question might voice some degree of frustration regarding the absence of focused implementation of enhancements to PPPs, as have been suggested, for instance, by Fowkes and Goudie (1995) or Khan (1996). Such enhancements should indeed be initiated by PP facilitators, as described above. However, this research has shown that the degree to which facilitators can by themselves manifest greater fairness and social learning in PPPs is limited. For a start, project-level PPPs contain certain inherent characteristics that make interest based deliberations difficult to achieve, as discussed above. More fundamentally, facilitators are constrained by the crucial impact that social identities, modes of political engagement, and local institutional structures have on PPPs. Hence, enhancements to PP practice should go hand in hand with the changes brought about by evolving policies, transforming local government structures, and developing stakeholder associations.

The vital conclusion that arises from this is that the relationship between group identities and public participation needs to be the focus of in-depth research. This is the case also for each particular PPP, as advocated above in terms of a social analysis framework. But these probes need to be supported by academic research on the topic. More research is needed into the relationships between group identities, notions of space / place / history, discursive concepts of 'environment' and 'development', and public participation. This should represent a lively research arena for geographers, in particular.

## 9. REFERENCES

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This chapter lists the bibliography referenced in the text. It is divided into separate sections for literature references, personal communication, government publications (including national, provincial, local, and other statutory institutions), and print media.

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## 10. APPENDIX 1: ON THE ROLE OF EXPERTS IN ENVIRONMENT RELATED DECISION-MAKING

As described in Chapter 2, one of the main reasons supplied against the participation of the public in environment related decision-making is the perceived need for specialist knowledge for the understanding of complex ecological or social problems. In the words of Murdoch and Clark (1994, page number unavailable):

In the mainstream of national and international policy-making the scientific disciplines, as the suppliers of knowledge about the natural world occupy a pivotal position in the development of the [...] capacity to distinguish what are, or would be, more sustainable practices from those which are less so.

However, they seldom develop this capacity fully or unequivocally. In the case of the Saldanha Steel Mill, for example, both the proponents and the opponents of the project used science to validate their claims, proposals and demands (Fuggle, 1996, pers. comm.). Nevertheless, the scientific perspective, especially when dealing with descriptions and predictions of the environment made by the natural sciences, is often portrayed as being objective and is thus used to legitimise certain decisions and actions by those using it in their argument. The following will survey some ideas that undermine this conception of the 'objective scientist'. These come mainly from sociological analyses of science while epistemological critiques are not explicitly considered.

Blaikie (1995) provides an introductory framework for such arguments. He identifies a 'seismic shift' in the social sciences over the last 20 years:

Here I refer to the way in which the scientific understanding of the environment is no longer accepted uncritically, but in which scientists too have become a subject in our landscape (*ibid.*, p.203).

Blaikie identifies certain examples in the literature, such as Giddens' structuration theory, which demonstrate this shift away from the 'conventional view'. According to the conventional view, science produces objective truths and provides a rational, non-political basis for policy-making or dispute resolution. Such claims are used as a tool by politicians to rationalise policies and decisions and to de-politicise the issue at hand.

Blaikie identifies three main problems with this view:

1. It falsely separates facts from knowledge claims and values;
2. It reduces the passage of scientific information from scientist to decision-maker as being direct, linear and one-way; and
3. It falsely sees the institutions that produce scientific knowledge as being autonomous.

To redress this situation, Blaikie calls for a perspective that transcends the narrow institutional confines of the academic disciplines. Importantly, there needs to be an engagement with the uncertainty involved in any understanding of an environmental issue. This would lead to the acknowledgement of diverse parties and their interpretations of the issue, thus opening "spaces for negotiation":

The moral is not 'no more research', but 'more research with negotiated problem identification and research frameworks' (*ibid.*, p.294).

An important contribution in this regard is made by Parkin (1994), who presents a model of urban infrastructure decision-making based on the power theories of Callon and Cresspi. This model likens the decision-making environment to an 'actor-network' in which the 'nodes' are made up of involved organisations, individuals and non-human influences. The dynamic and complex interactions between the nodes change as a decision is made or the dispute evolves. Decisions in this network are made on three levels: individual, organisational and network level. Regarding the individual decision-making process, Parkin supports and expands on Blaikie's concept of the 'perceptual lens', presenting cognitive models which show how personal, normative and situational influences cause individuals to select and interpret cues (data) differently.

There are three important, inter-related ideas in Parkin's account. First, he argues that the 'technocratic view' has failed to prevent social and environmental destruction associated with much infrastructure provision and has as a result less influence on decisions as it used to have.

The technical professional is increasingly forced to recognise that he or she is but one of a large number of parties shaping urban infrastructure decisions, which include institutions, organisations, and individuals with diverse and sometimes conflicting interests (*ibid.*, p. 203).

Secondly, Parkin stresses the importance of the definition of the problem at hand. He argues that powerful key actors in the actor-network may use their influence to define the problem in terms of the possible solutions that are their preferred option and correspond to their capabilities. Thus, the technical professional will characterise the problem and the possible solutions in his or her (technical) terms and try to make other actors see things this way. Further, such actors will seek to define the location of other actors in the network in relation to theirs in order to gain support for their views.

The third point made by Parkin, following Crespi, is the importance of the final decision having to fit "normative social systemic structures" (*ibid.*, p.207). Hence, the technical judgement has to fit technical parameters and the social judgement has to fit social norms and values. One might venture the assumption that in a society in which scientific and technical statements are highly respected and valued, such statements will be made in instances where they are not necessarily relevant, veiling social judgements which are not in harmony with society's normative structures.

Indeed, South African administration has in the past, especially, been characterised by a strongly technocratic approach. Fuggle (1995, p.4) describes South African society as highly authoritative, where "the guidance of professional persons [...] is usually followed without debate". Further, he asserts that the natural sciences have largely dominated the social sciences in terms of social standing and "a technocratic bias has consequently crept into decision making" (*ibid.*, p.4). This is exacerbated by the severe difficulties experienced by poorer people to voice their opinions and protests due to

language barriers, remoteness, lacking access to media and insufficient education levels and public participation structures.

Hence, the role of expert judgement is not as straightforward as some might expect. The resulting attitude is not one in which scientific advice is given a lesser standing. Quite to the contrary, the need for informed debate and thus input of scientists is advocated all the more. What is, however, refuted, is that science provides an objective, homogeneous picture according to which decisions can be made. This points to the need for the opening of spaces of negotiation, to use Blaikie's words. Such spaces would be characterised by more communication, interaction and deliberation. Hence, "civic science", a term coined by Kai Lee and expanded upon by O'Riordan (1998a, p. 110), should be sensitive to the

genuine uncertainties in the data record, in the sensitivity of ecosystems to changes, in the vulnerability of societies to stress, and in the tolerances of political institutions to random social change. The engagement in scenario building, with the active help of interested parties, is not only sensible. It is also a form of empowerment in its own right, and hence a crucial part of the new democratic process.

## 11. APPENDIX 2: DISCOURSE THEORY AND DELIBERATIVE DEMOCRACY

A recurring theme in relation to participation is, basically speaking, the distinction between approaches that see participation as a means to an end (a) and those that see it as an end in itself (b) (Elster, 1997; Taylor, 1996). It also occurs in writings on political decentralisation (e.g. Schoenwaelder, 1997) and environmental management (e.g. Sinclair and Diduck, 1995). Approaches (a)

share the conception that the political process is instrumental rather than an end in itself, and the view that the decisive political act is a private rather than a public action, viz. the individual and secret vote. With these usually goes the idea that the goal of politics is the optimal compromise between given, and irreducibly opposed, private interests (Elster, 1997, p.128).

Approaches (b), on the other hand, arise

when one denies, first, the private character of political behaviour and then, secondly, goes on also to deny the instrumental nature of politics. According to the theory of Juergen Habermas, the goal of politics should be rational agreement rather than compromise, and the decisive political act is that of engaging in public debate with a view to the emergence of a consensus. According to the theorists of participatory democracy, from John Stuart Mill to Carole Pateman, the goal of politics is the transformation and education of the participants. Politics, on this view, is an end in itself – indeed many have argued that it represents the good life of man (*ibid.*, p.128).

The writing of Habermas has given rise to discourse theory, a political philosophy that has received much attention as a possible foundation for an “open and accommodating” (O’Riordan, 1997, p.177) political system. It refutes foundationalist values, preferring instead to “clarify a procedure for the questioning and justification of normative validity claims” (Mason, 1997, p.299). As an extension of Kantian ethics, the basic principle is thus:

Only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity as participants in a practical discourse (Habermas, in Mason, 1997, p.283).

The actual manifestation of this discourse relies on the ‘public sphere’, in which “citizens [...] deal with matters of general interest without being subject to coercion” (Habermas, 1997, p.105). This conception of a communicative sphere in which individuals, voluntary organisations, and the state interact in the creation of ‘public opinion’ and social action provides an important idea for public participation. For Habermas, there is no reference to what norms and values derived in this discourse might look like. Such “paternalistic” (Krebs, 1997) approaches are vigorously opposed.

Superficially speaking, one might posit three reasons for why Habermas would be appealing to advocates of participation in environmental issues:

1. Continuing the critical tradition of a critique of instrumental reason (Dobson, 1993) he engages with and effectively refutes key aspects of a post-modern critique. Thus, although he would concede to claims of a ‘centre-less’ society (e.g. Ferris, 1993) he would maintain that there are procedures through which preferences could be compared and chosen. Criteria for such procedures are situated in his theory of communicative (or discursive) action (Reese-Schaefer, 1991).
2. With his concept of *Lebenswelt* or ‘lifeworld’ as an extension of human agency and link between agency and structure he allows for an effective consideration of both behavioural and structural solutions.
3. With his focus on communicative and procedural aspects of social processes he allows for approaches which stress the *process*-nature of decision-making and hence possibilities for social and institutional learning.

In one of the most articulate applications of discourse theory to environmental decision-making, Renn *et al.* (1995, p.9) state:

One of the most important reasons for selecting Habermas’s theory is the credence it gives to individual autonomy. In the tradition of critical theory, Habermas believes that individuals ought to be free of all forms of domination. Once they are free, people are able to enter into social relations that encourage personal development as well as social and cultural reproduction.

The key is critical self reflection. Habermas promotes introspection among free and autonomous beings so that they will think about the type of society *that they want*, before committing to new relations. Public participation can and should be a means to realise the critical awareness.

This opens up a critical arena of questions that relate to the South African context. The notion of the individual is not as unequivocally accepted in African traditions as it is in Europe (Holliday, 1998, pers.comm.; see also Sparks, 1990). This needs to be the subject of more in-depth considerations.

Renn *et al.* (*ibid.*) use Habermas to strike a balance between the dominant sociological theories that, on the one hand, emphasise the consensus-nature of society, and hence participation's role to communicate consensus and maintain the status quo, and on the other hand, those theories that focus on the conflict-nature of society and that see participation as a means to affect social change. Discourse theory allows for the consideration of the interaction between people in the manner described above and has thus little requirement for a fixed stance on social stability or change.

According to Dryzek (in Dobson, 1996, p.135), such interaction should be based on what he calls the principle of communicative – as opposed to instrumental – rationality:

Communicative rationality clearly obtains to the degree social interaction is free from domination (the exercise of power), strategizing by the actors involved, and (self-) deception. Further, all actors should be equally and fully capable of making and questioning arguments (communicatively competent). There should be no restrictions on the participation of these competent actors. Under such conditions, the only remaining authority is that of good argument, which can be advanced on behalf of the veracity of empirical description, and understanding and, equally important, the validity of normative judgements.

Discourse theory does not provide an effective, inherent defence for environmentalists. Krebs (1997), for instance, draws on the premise that a system of ethics, which will aid environmentalists' aims, needs to be able to ascribe an intrinsic value to nature. This is not the case in discursive ethics because there is no way in which nature can partake in a 'symmetrical and argumentative discourse'. Further, non-human beings can not be taken as moral beings as they do not possess what, for Habermas, is the critical attribute for the definition of moral relationships, i.e. 'socio-personal identity' (Krebs, 1997).

Rather, discourse theory should be used here to provide some valuable lessons towards a political theory for participation. Some of these are elucidated by Joshua Cohen (1997) in his account on deliberative democracy, which seeks to describe an 'ideal deliberative procedure'. To start off:

When properly conducted, then, democratic politics involves *public deliberation focused on the common good*, requires some form of *manifest equality* among citizens, and *shapes the identity and interests* of citizens in ways that contribute to the formation of a public conception of common good (*ibid.*, p.144, original emphasis).

These are three requirements that should play an important role in devising actual participation regimes. Further, this conception entails a critique of pluralism, or "a system of bargaining with fair representation for all groups" (*ibid.*, p.145):

Even an ideal pluralist scheme, with equal bargaining power and no barriers to entry, cannot reasonably be expected to advance the common good as defined by the [Rawlsian] difference principle.

There are, then, some particular (ideal) aspects to deliberative democracy that are worth keeping in mind. Firstly, participants are *free*, in that they are "not constrained by the authority of prior norms or requirements" and they "can act from the results" (*ibid.*, p.146). Secondly, deliberation is *reasoned* in that "as Habermas puts it, 'no force except that of the better argument is exercised'" (*ibid.*, p.146). This has important consequences because the insistence on providing reasons maintains that ideas are not accepted merely on the basis of their origin or status and that participants are forced to articulate their reasoning, thus improving the chances that they will reflect upon their motivations. The ideal that the participants are aspiring to a *consensus* decision will allow that their reasoning is based not only on their interests but will include those of other participants. Fourthly, participants are *equal* in that they have equal access to the deliberations and equal power to shape the decision.

It is apparent that the deliberative ideal is just that – an ideal. Its relevance to a society plagued by conflict and communication barriers such as South Africa will probably

elicit well-meant scepticism. However, the acceptance of this as an ideal is more than a theoretical exercise. As Cohen (*ibid.*, p.149) maintains, it entails actual responses in the shaping of institutions to mirror the ideal:

The institutions themselves must provide the framework for the formation of the will [to arrive at deliberative decisions]; they determine whether there is equality, whether deliberation is free and reasoned, whether there is autonomy and so on.

Rather than necessitating institutions of direct democratic rule, Cohen maintains that deliberative democracy requires the “open-ended arenas for deliberation” represented by political parties supported by public funds. One of the reasons given is that

deliberative arenas which are organized exclusively on local, sectional or issue-specific lines are unlikely to produce the open-ended deliberation required to institutionalize a deliberative procedure. Since these arenas bring together only a narrow range of interests, deliberation in them can be expected at best to produce coherent sectional interests, but no more comprehensive conception of the common good (*ibid.*, p.152).

Two important issues need to be raised in connection with this. Firstly, it points to the importance of engaging political parties within the environmental debate, both at the local and the national level. However, even in Europe, where parties such as the German DIE GRUENEN are premised on ecological commitments, environmental issues are “not the stuff of electoral politics” (O’Riordan and Voisey, 1997b, page number unavailable). In the Western Cape (in 1998), the ruling provincial party – the New National Party – does not even have an environment desk (Laidler, 1998, pers. comm.).

The second issue is one that should represent an important field of research in the political philosophy of the environment. And that is the question of what kind of ‘deliberative arena’ environmental issues represent in a country like South Africa. According to Cohen’s description above, environmental issues, especially those being dealt with in this thesis and having to do with local dynamics, could count as local or sectional arenas not conducive to open-ended deliberation. However, environmental questions might prove to go beyond this. Their particular characteristics, viz. the fact

that they affect everyone more or less directly, their relationship to uncertain futures, their inter-disciplinary nature and the fundamental inter-relationship between the environment and life itself, might allow for the creation of a truly inclusive and open-ended arena for deliberation. Such an arena might even represent an important chance in terms of inter-cultural exchange and understanding.

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## 12. APPENDIX 3: THE POLICY FRAMEWORK (CONTINUED)

### Appendix contents

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This appendix contains brief descriptions of policies or laws that are not of immediate pertinence to the case study research, but which do have some relevance or will have in the future.

### 12.1 THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT

As mentioned in Chapter 5, the National Environmental Management Act (the 'Act') was of no legal significance in the empirical research for this thesis. However, it should prove worthwhile to investigate some of its provisions, in that they may pre-empt or further the relevance of data interpretation.

The incentive to create a new act arose from the serious deficiencies of the Environment Conservation Act in the light of the new Constitution, as well as the extensive policy formulation process (CONNEPP) that was initiated in terms of the old act itself. Hence, many of the Act's main thrusts are contained in the 1997 White Paper on Environmental Management Policy (RSA, 1997a).

The NEMA has been described as a sort of 'mother-law' setting the parameters for a wide-reaching reform of environmental law (DuBois, 1998, pers. comm.). Its main

concern is to provide for better arrangements for environmental governance, by establishing principles for environmental decision-making, creating an institutional structure to facilitate improved governmental co-ordination, and providing improved civil rights regarding the environment.

There are a number of principles in the Act that are relevant in terms of public participation. For instance, there are those that declare the importance of environmental justice and equitable access to environmental resources. Of course, the following is particularly relevant:

The participation of all interested and affected parties in environmental governance must be promoted, and all people must have the opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation, and participation by vulnerable and disadvantaged groups must be ensured.

Another principle caters explicitly for "community well-being and empowerment", by means of, inter alia, environmental education. Further principles define the need for open and accountable decision-making and intergovernmental co-ordination and harmonisation of policies, legislation and actions relating to the environment. The last principle maintains that the "environment is held in public trust for the people, and the beneficial use of environmental resources must serve the public interest".

The second contribution of the Act comes in the form of new national institutions that are to further the aims of co-operative environmental governance. This will not be discussed further here. The third major thrust of the Act, however, is significant for our purposes. It relates to procedures related to environmental decision-making and provides for more far-reaching civil rights and more effective state-civil society interaction in this respect.

In the case of an environmental dispute, for instance, the matter may be referred to conciliation, arbitration or to a commission of inquiry. These formalised procedures should play an important role in providing for more procedural certainty in the event of conflict. However, compared with earlier versions of the Bill, these provisions are "watered down" in terms of the requirements for allowing public input (Beaumont,

1998, pers.comm.), the main reason for which was the concern that protracted decision-making procedures will frustrate much-needed developments, such as land-restitution projects (Budlender, 1998, pers.comm.).

A significant chapter in the Act deals explicitly with IEM. Importantly, however, the Act does not seek to wholly replace those provisions relating to environmental evaluation promulgated under the Environment Conservation Act (see Chapter 5). Rather, the Act creates a framework within which new IEM-related regulations may be made, thereby heralding "second-generation IEM regulations" (Laidler, 1998, pers.comm.). The possibility for MECs to define particular procedures should allow for IEM to be brought into gear with provincial planning procedures (and vice versa), hence allowing for harmonised and more efficient development appraisals (e.g. Wiseman, 1998, pers. comm.).

There are a variety of extended environment-related civil rights in the NEMA. These include a worker's right to refuse work, a whistle-blower protection clause, and the right to access environment-related information. Importantly, section 32 expands the *locus standi* provisions of the Constitution for all environment or resource-related statutory provisions: any person may seek relief also in "the interest of protecting the environment". This, in effect, gives the environment a 'right of its own'. Section 32 also provides that a court may decide not to award costs to a claimant, if he or she acted in "the public interest or in the interest of protecting the environment". This is an important provision because frequently environmental complaints were withheld from going to court due to the potentially very large legal costs (e.g. DuBois, 1998, pers. comm.).

Finally, section 35 provides a potentially important tool for public participation efforts:

The Minister and every MEC and municipality, may enter into environmental management co-operation agreements with any person or community for the purpose of promoting compliance with the principles laid down in this Act.

Such an agreement will only be valid given “compliance with such procedures for public participation as the Minister may prescribe by regulation”. Fakir (1998) maintains that: “In this way the state, through law, can mobilise civil-society resources to achieve common policy objectives”. One possible theme of such agreements at the local level might be environmental monitoring committees for big projects or geographic regions, composed of representatives from the relevant role-players. The Sparrebosch case study will present and discuss an important example.

## 12.2 THE DEVELOPMENT FACILITATION ACT

The confused and convoluted state of South Africa’s planning law required a far-reaching overhaul following the transition to democracy (Smith, 1999, pers.comm). This has also been necessary before any meaningful harmonisation with environmental law could take place.

The Development Facilitation Act (DFA, or ‘the Act’) (RSA, 1995) was the first and as yet most important innovation to South Africa’s planning regime. As described in its long title, it seeks to provide the principles, institutional framework and procedures necessary for the speedy “implementation of reconstruction and development programmes and projects in relation to land”. As such the Act was meant primarily to facilitate the transition from racially based regulation to development-oriented, proactive planning, particularly with respect to housing and land resettlement schemes conducted as part of the RDP.

As one of the first ‘new’ pieces of legislation, it provides a list of principles that are to apply in the implementation of the Act or related matters. Some of these principles will be considered below. The second important thrust of the Act was to provide a parallel administrative procedure for development authorisations, in order to circumvent the confused and restrictive system of existing planning laws. These provisions will not be considered in detail here, as they have generally found little application (Smith, 1999, pers.comm., Grobler, 1999, pers.comm.), in the case study area particularly. (Latsky (1998) provides a thorough commentary on these provisions.)

The DFA also created the Development and Planning Commission. Launched in September 1997, it plays an important role in preparing policies towards an integrated and co-ordinated legal planning system. The resulting initiatives, particularly the green paper on planning (DPC, 1998a), will be very significant in terms of the issues discussed here.

For our purposes, the DFA's contribution, primarily by means of its principles, is crucial in that it spells out the intent to integrate all relevant considerations in planning developments and assessing applications. This particularly entails bringing together physical and spatial planning (the forte of the established system) with social, economic, environmental, and institutional aspects. The Act insists on land-use decisions being made in an inclusive and accountable way, and that they give priority to the inherent merit of the land-use:

Each proposed land development area should be judged on its own merits and no particular use of land, such as residential, commercial, conservational, industrial, community facility, mining, agricultural or public use, should in advance or in general be regarded as being less important or desirable than any other use of land (section 3).

The objectives that need to be balanced according to the Act include, inter alia, the correction of historically distorted settlement patterns, the provision of services, and the sustained use of the environment. Importantly, all these objectives are generally given an equal status in the legislation, to be prioritised by each local authority by means of Land Development Objectives (LDOs) (section 28). LDOs must consider or provide for services and infrastructure provision, urban and rural growth and form, integrated implementation strategies, and a set of tangible objectives. They need to be approved by the MEC, thus representing a potentially important mechanism for provincial control over local government. The process for establishing LDOs, including the involvement of the public, is to be prescribed by the MEC.

Significantly, the two provinces that are not controlled by the ANC have opted not to implement the requirement for LDO's, which is a source of some partisan wrangling (Strachan, 1998, pers.comm.), but is constitutionally valid (Parnell, 1999, pers.comm.).

However, KwaZulu-Natal and the Western Cape have drafted planning legislation in line with the DFA's principles. The Western Cape law will be discussed further below.

Whereas the DFA was the result of deliberations and pressures felt mainly within the former RDP office and the Department of Land Affairs, the Department of Constitutional Development has been busy devising planning concepts for local government. These are discussed in Chapter 5.

### 12.3 IMPENDING NATIONAL LEGISLATION ON LOCAL GOVERNMENT

Even more significant than the green paper mentioned in the previous section will be the effect of new legislation proposed by the Department of Constitutional Development: the Municipal Structures Bill and the as yet only vaguely determined Municipal Systems Bill(s). The Structures Bill provides for the types of municipalities and their respective responsibilities, which are to be established, in line with the White Paper, in the local government areas delimited by the national Demarcation Board (which is governed by the Demarcation Act). One of the most important results of the impending demarcation will be the rationalisation of municipalities (as required by the White Paper), which holds the promise of larger, more financially viable municipalities.

It is hoped that these new provisions will allay much of the confusion and uncertainty prevalent in the local government scene at this stage. One such area of confusion significant in the case study area has been the status and role of the district councils. There is one district council, the Southern Cape District Council, in the case study area. The establishment of district councils is provided for in section 10 of the Local Government Transition Act. With respect to their funding provisions and responsibilities the district councils in many ways replace the regional services councils of the previous dispensation. Generally, they are responsible for the provision of bulk services and, in cases where there are no local councils with the necessary capacity, they also provide municipal services directly to the public. The confusion arises out of the political disputes surrounding the constitution of these councils in the Western Cape:

The town of Knoetze has 56 registered voters ... George, on the other hand, has more than 5000 voters ... [former Local Government MEC] Marais' model gave each town one seat on the Southern Cape District Council (Cape Times, July 23, 1998).

It is as yet uncertain what the impending local government regulations have in store for the district councils (Grobler, 1999, pers.comm.).

The Municipal Systems Bill will be particularly important in terms of IDPs. As is proposed, it will provide for the obligation to annually prepare a "development plan", which must contain "statements, goals, standards, maps, and timeframes for orderly private and public development" (quoted in Kahn, 1998, p.41). This Bill will effectively contain national government's regulatory attempts in terms of local planning, and will deserve careful scrutiny with regard to its relationship with the above-mentioned green paper and provincial legislation.

#### **12.4 THE WESTERN CAPE PLANNING AND DEVELOPMENT BILL**

In the Western Cape regulations are presently being drafted to enable the enactment of the Western Cape Planning and Development Bill (Province of Western Cape, 1999). The Bill is focused largely on harmonising existing land use control and planning provisions (in terms of the LUPO), i.e. zoning schemes and structure plans, with the new development-oriented model of local government. These land management tools are encompassed in the Bill within "integrated development frameworks", which are to be prepared on a provincial, regional and local level. Integrated development frameworks are to explicitly cater for the requirements of IDPs, including the link with municipal budgets and the focus on community participation in their preparation. The difference between IDPs and frameworks seems to be mainly that the frameworks are to be prepared in a hierarchy of scales, thus allowing for alignment between provincial and local government, as well as the explicit connection between the frameworks and structure plans and zoning schemes (Grobler, 1999, pers.comm.).

Importantly, zoning schemes and by-laws are to “promote and implement [...] the provisions of an integrated development framework or sectoral plan applicable to the area” (section 9) and all existing structure plans are to be reviewed in terms of the frameworks by the end of 2001.

The drafting of the Bill has not been without controversy. Significant issues of contention were, for instance, the province’s relationship with national planning law (especially the DFA) (e.g. Strachan, 1998, pers.comm.) and the relationship between provincial and local government (e.g. Smith, 1999, pers.comm.). The ‘alignment’ between provincial and local development frameworks mentioned above, for instance, may be seen as an attempt to provincially determine local level planning.

However, the final version of the bill does provide for a substantially expanded role for local government. For instance, local government may determine its own zoning by-laws, must prepare a public participation policy, and is now responsible for all decisions to be made with respect to re-zonings, subdivisions, and removal of title deed restrictions. (Prior to the promulgation of this bill, certain decisions (such as those relating to developments under the one-in-50-year-floodline) will have been the prerogative of provincial government, and the premier could repeal decisions made by local government (see, e.g., Cape Times, March 18, 1999).) Significantly, it is the local authorities that are now made responsible, by means of their extended powers to make by-laws and so on, for streamlining and expediting the approval process for development applications, which has been one of the most pressing issues for the provincial planning system.

In affecting their extended decision-making powers, however, local authorities will have to work and plan within “aspects of regional or provincial interest”, as laid out in the provincial development framework (section 5), the provincial policy (section 54), or in the regulations (section 70). Further, development and planning related decisions are subject to appeals to a provincial review board to be constituted of persons with relevant knowledge and experience (section 48). There will be a record of decisions made by the board, which should aid local authorities in their decision-making (Grobler, 1999, pers.comm.). Hence, while the bill intends to eventually delegate all relevant powers to

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the local level, the review board will allow provincial oversight. There are also provisions, which will allow the Minister to keep decision-making powers in instances of lacking local capacity (section 57). These provisions provide a further instance of “embedded autonomy” (Oldfield, 1998) created for local government.

### 12.5 THE PROPOSED OUTENIQUA SENSITIVE COASTAL AREA EXTENSION

In February 1998, the Department of Environmental Affairs and Tourism (RSA, 1998b) published the intent to define the Outeniqua Sensitive Coastal Area Extension, in terms of the Environment Conservation Act’s clauses regarding protected areas. Once enacted, this will be a vital provision, as it applies specifically to the case study area. Again, however, it was not of any actual significance in the case studies. As is stated in its title, this is an extension to an already existing Sensitive Coastal Area, which lies to the west of the case study area.

First, it identifies four activities to be regulated, which will encompass much of the presently problematic environmental impacts in the area. (These will, of course, be considered over and above those discussed above under Notice No. R 1182). They are:

- Disturbance of vegetation;
- Earthworks;
- Dredging; and
- Dune stabilisation.

Second, it identifies in detail the affected area, listing all the relevant property erf numbers. The area extends along the coast eastwards from the Kaimans River until the Bloukrans River (the provincial border). Its inland extent varies from a few meters (at Plettenberg Bay) to 13 km (along the Knysna River, encompassing the Knysna estuary).

Third, it designates the competent authorities in that area. This is a useful list for the field research:

- Department of Water Affairs and Forestry (responsible for Sinclair Nature Reserve, Harkerville Nature Reserve and Whiskey Creek Nature Reserve);

- National Parks Board - now South African National Parks (Wilderness National Park, Knysna National Lake Area (expected until mid-1998), De Vaselot Nature Reserve, Tsitsikamma Nature Reserve west of Bloukrans River);
- Western Cape Nature Conservation (Goukamma Nature Reserve, Robberg Nature Reserve; Keurbooms River Nature Reserve);
- South Cape District Council
- Sedgefield Municipality
- Knysna Municipality
- Plettenberg Transitional Local Council
- Wilderness Transitional Local Council
- Brenton Transitional Local Council
- Belvidere Estate Transitional Local Council
- Noetzie Transitional Local Council
- SAFCOL

Significantly, it is the local authorities that are generally responsible for authorising the listed activities in the Sensitive Coastal Area. An application for such an authorisation requires an EIA.

## 12.6 THE LAKE AREAS DEVELOPMENT ACT

The Lake Areas Development Act, No. 39 of 1975 (RSA, 1975) has some important implications for the case study area. In terms of the Act, the Minister of Agriculture may declare any land comprising of, or within the immediate vicinity of a tidal lagoon or tidal river to be a lake area. The importance of this Act arises from the fact that both the Wilderness area and the Knysna estuary have been proclaimed lake areas.

Regulations in terms of section 23 of the Act for these two areas were promulgated, respectively, in 1980 (RSA, 1980) and 1985 (RSA, 1985). These provide that, in the lake area, no person shall erect, construct or transform any building, or conduct certain other activities, such as erecting pit latrines or camping sites, without written authorisation from the responsible Lake Areas Development Board or local authority.

The implementation of this Act was, however, only partial in that the Lake Areas Development Boards were dissolved and their responsibilities adopted by the National Parks Board. In the case of the Wilderness lake area this has proceeded without problems, as it has been declared a national park. The Knysna estuary, however, does not qualify for national park status and hence South African National Parks has been negotiating its withdrawal from the area.

### **12.7 THE WESTERN CAPE DEPARTMENT OF NATURE AND ENVIRONMENTAL CONSERVATION**

Ordinance No. 19, 1974 provides for the establishment of the provincial Department of Nature and Environmental Conservation, which has generally been known as Cape Nature Conservation. Traditionally, the main task of this department has been the administration and maintenance of the provincial nature reserves and parks. However, it is of special significance for this study because it is the designated authority responsible for the implementation of the IEM regulations promulgated under the Environment Conservation Act.

An important change to this institution will occur with the promulgation of the Cape Nature Conservation Board Bill (Province of Western Cape, 1998). This will provide for the establishment of a Board, which will be responsible for the management and administration of the province's protected areas. Modelled on the Natal Parks Board, it will be allowed to raise and manage its own funds (through levies and fines, etc.). Significantly, this restructuring process is hoped to lead to a better-resourced development evaluation unit, which will remain as part of the provincial department (Laidler, 1999, pers.comm.).