

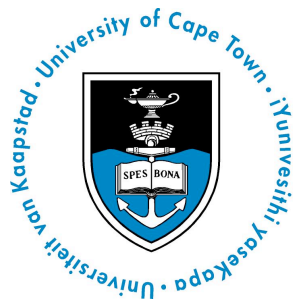
**DEPARTMENT OF ENVIRONMENTAL AND GEOGRAPHICAL SCIENCE
UNIVERSITY OF CAPE TOWN**

**THE INFLUENCE OF PLURAL GOVERNANCE
SYSTEMS ON RURAL COASTAL LIVELIHOODS:
THE CASE OF KOSI BAY**

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Abstract

Thousands of rural households along the South African coast rely on fisheries resources, forest products and agricultural resources in order to support their livelihoods. These customary livelihoods have continued in many rural areas despite restrictive policies and laws during the colonial and apartheid administrations. More contemporary restrictions have emerged in the post-1994 democratic state due to an expansion of the conservation estate and increased efforts to improve compliance in existing protected areas. This conservation drive is due largely to environmental concerns as well as the country's international and national commitments to enhance biodiversity protection. Statutory conservation governance in rural areas in South Africa often operates in parallel to traditional and customary systems of governance. This results in confusion and conflict emanating from the plurality of governance systems, actors and institutions whose powers, roles and approaches are informed by different norms, discourses, values, images and worldviews. This study seeks to enhance understanding about the conceptual linkages between livelihoods and plural governance systems, using the case study of Kosi Bay, a coastal region in northern KwaZulu-Natal, South Africa. This was done using a case study methodology and empirical research to: a) describe livelihood strategies; b) identify and document statutory, traditional and customary governance structures linked to coastal resource governance; c) explore the norms, discourses, images, values and worldviews that have informed coastal resource governance in this area; d) review and analyse the influences of plural coastal governance systems on livelihood strategies; e) contribute towards conceptual frameworks that link livelihoods and governance and; f) make recommendations for improved livelihoods and governance in rural areas in the South African context and beyond. The study underscores the manner in which legal pluralism and historical context affect and influence governance processes, and demonstrates that the day-to-day livelihoods of rural people are diverse and dynamic, and can be profoundly affected by meta-level and institutional governance processes and practices. It concludes by highlighting the manner in which legal pluralism and historical context significantly affect and influence governance processes that shape rural livelihoods, and provides a set of recommendations for consideration.

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List of Acronyms

AIDS	Acquired Immunodeficiency Syndrome
ANC	African National Congress
CBD	Convention on Biological Diversity
CEO	Chief Executive Officer
CLS	Centre for Law and Society
DAFF	Department of Agriculture, Forestry and Fisheries
DEA	Department of Environmental Affairs
DEAT	Department of Environmental Affairs and Tourism
DFID	Department for International Development
EEZ	Exclusive Economic Zone
DRDLR	Department of Rural Development and Land Reform
EKZN Wildlife	Ezemvelo KZN Wildlife
FAO	Food and Agriculture Organization
GDP	Gross Domestic Product
GIS	Geographical Information Systems
HIV	Human Immunodeficiency Virus
ICLARM	International Centre for Living Aquatic Resources Management
IDP	Integrated Development Plan
IFP	Inkatha Freedom Party
IMP	Integrated Management Plan
IUCN	International Union for Conservation of Nature
KEN	KwaDapha, Emalangeni, Nkovukeni
KBNC	KwaZulu Bureau of Nature Conservation
KBNR	KwaZulu Bureau of Natural Resources
KZN	KwaZulu-Natal
MDTP	Maloti-Drakensberg Transfrontier Project
MDGs	Millennium Development Goals
MLRA	Marine Living Resources Act 18 of 1998
MPA	Marine Protected Area
NBSAP	National Biodiversity Strategy and Action Plan
NEMA	National Environmental Management Act 107 of 1998
NEMPAA	National Environmental Management: Protected Areas Act
NGI	National Geospatial Institute
NGO	Non-governmental Organization
PRA	Participatory Rural Appraisal
PSU	Primary Sampling Unit
SDI	Spatial Development Initiative
SLA	Sustainable Livelihoods Framework
SLF	Sustainable Livelihoods Approach
SLT	Sustainable Livelihoods Thinking
SMME	Small, Medium and Micro-sized Enterprises
TA	Traditional Authority
TC	Tribal Council
UMDA	Umhlosinga Development
TFCA	Trans-frontier Conservation Area
TLGFA	Traditional Leadership and Governance Framework Act

UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNEP	United Nations Environment Program
WHA	World Heritage Authority
WHC	World Heritage Convention
WWF	World Wildlife Fund

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CHAPTER ONE: INTRODUCTION

1.1 INTRODUCTION

Globally, rural people engage in webs of livelihood activities and combine a set or portfolio of activities and strategies to make a living (Scoones, 2009). In the African continent, communities have relied on a variety of sectors such as fisheries, tourism, agriculture, forestry and mining in order to devise livelihood strategies (Fabricius, 2004; Shackleton and Shackleton, 2004). Livelihood strategies can be understood as “the range and combination of activities and choices that people make and undertake in order to achieve their livelihood outcomes” (Baumann, 2002:17). Livelihood strategies tend to be complex and related to short- and long-term livelihood gains (Baumann, 2002). This is particularly true for rural contexts where people reside in environments that are rich in natural resources, such as coastal zones.

Through highlighting capabilities, equity and sustainability, the sustainable livelihoods approach (Scoones, 1998; Allison and Horemans, 2006) has been instrumental in illuminating insights into how people in rural environments combine different types of livelihood resources in order to formulate livelihood strategies. The sustainable livelihoods body of work provides an avenue for the recognition of the complexities of the livelihood strategies of people whose lives are susceptible to stresses and shocks; whether environmental, social or policy driven (Allison, 2003). This is pertinent for rural coastal areas around the world where coastal resources have and continue to be a significant source of food and livelihood security for impoverished and marginalised people.

The research described in the present study seeks to understand the relationship between governance and livelihoods by elucidating understanding about rural coastal livelihood strategies and highlighting the manner through which they are shaped, influenced and reproduced by natural resource governance systems. It draws on both livelihoods and governance bodies of literature in order to contribute towards building stronger linkages between livelihoods analyses and governance debates. Although

there is no universal definition of “governance”, Kooiman and Bavinck (2005:17) define it as “the whole of public as well as private interactions taken to solve societal problems and create societal opportunities. It includes the formulation and application of principles guiding those interactions and care for institutions that enable them”. Institutions can be defined as systems for enforcing established rules and norms that structure society, while organizations are structures (such as industries and companies) made up of different actors with common or conflicting objectives (North 1994; Hodgson 2006). Policies, principles, regulations, rules and arrangements are institutional mechanisms used by organizations governing natural resource use and access. According to Umali (2009:5), formal and informal institutions exist as “distinct frameworks of rules for doing things”, implemented through organizations to produce, reproduce and reinforce social relations.

In many developing countries, statutory and customary governance systems tend to operate in parallel with each other in rural contexts, and there is a strong prevalence of competing and overlapping resource-use systems coupled with competing modes of governance (Cousins, 2000; Jentoft and Bavinck, 2014). In the Southern African context, governance, control and ownership of land and natural resources are considered inherently complex because of various factors, including: the interdependency of socio-ecological systems; the involvement of a plethora of actors with conflicting views and interests; the lack of democratic reform in property rights regimes currently employed in the management of the resources; the cross-boundary nature of the resources; as well as high-level contestations and tensions linked to access and use of the resources by different interest groups (Ramutsindela, 2008; Sowman and Wynberg, 2014). As a result, plural legal and institutional systems are an intricate part of historically produced political, economic, socio-ecological and cultural systems in natural resource governance (Bob and Banoo, 2002; Ramutsindela, 2008).

Legal pluralism is a characteristic feature in various developing countries as there is usually limited capacity to ensure coherence between multiple coexisting systems of rule, especially in the governance of natural resources (Bavinck and Gupta, 2014). Gupta and Bavinck (2014:86) define legal pluralism as “a condition whereby different rule systems apply to identical situations and legal jurisdictions and specific groups

across legal jurisdictions”, meaning that “different types of rules made by different governance actors apply to the same area or group of people.” The plurality that emanates from the existence of multiple-rule systems may be a result of history, as well as the consequence of a shift from government to governance (Bavinck and Gupta, 2014). Bavinck and Gupta (2014) assert that laws usually emerge from local customs, and point out that in ancient civilisations around the world, local communities developed their own rules to manage resource-use systems, such as water and agriculture. However, as time went on and rules spread, new rules were developed and were superimposed onto existing rules. Legal pluralism gained popularity in the last two decades, especially in interdisciplinary fields like natural resource governance, where governance largely involves multiple legal orders, consisting of multiple actors with conflicting goals to manage the same resource or area (Meinzen-Dick and Pradhan, 2002; Tamanaha, 2007).

In a study conducted by Abdulai and Siwar (2011) in Egypt, Morocco and Nigeria, the findings reveal a strong link between governance and enhanced livelihoods sustainability. Allison (2003) also found that within the European context, livelihood strategies of rural fishing communities, and their potential to be diversified, are impacted significantly by governance systems, especially ones that are based on sectoral policies that undermine people’s livelihood strategies. This means that the ability of rural people to formulate their day-to-day livelihoods largely depends on governance systems that regulate access to resources needed for people’s livelihood strategies.

Mehta et al., (1999:39) posit that there is a “nexus of interactions between issues of governance, institutions and livelihoods” and this should inform how we understand natural resources and their governance in the context of rural livelihoods. This is crucial because in marginalised rural contexts along the coast there is an abundance of natural resources contested by multi-level and plural governance institutions operating at international, national, regional and local levels. It is challenging to understand how such governance systems impact on or influence how rural people make a living and maneuver within these complex governance structures.

Moreover, political ecology debates highlight the challenges presented by conservation governance by focusing on the role of power in natural resource governance, the social constructions of nature that shape how governance interventions are designed and implemented (and by whom), as well as how knowledge is valued in decision-making processes (Armitage, 2009). Peet and Watts (2004), as well as Robbins (2004) also note that political ecology underlines complexities within and between human-environment relationships, which have implications on livelihood sustainability. This is pertinent for the South African context as the post-apartheid government has since 1994 established policy and legislative frameworks to increase the protection of threatened resources and biodiversity in order to fulfil international obligations and national conservation targets, while simultaneously recognising the rights of previously dispossessed communities to benefit from the coastal resources. This has proved to be challenging and has led to conflicts between local resource dependent communities and conservation authorities (Crane, 2006). Hence, the relationship between biodiversity protection and the access of indigenous or traditional communities to resources and livelihood needs is highly contested in South Africa. Furthermore, there has been limited success in reconciling rural development, environmental governance and land reform, especially in rural areas (Kepe et al., 2003; Fabricius and Koch, 2004).

1.2 AIM AND OBJECTIVES

The overall aim of this study is to enhance understanding about the relationship between livelihoods and governance, using the Kosi Bay case study which is located in the KwaZulu-Natal province in South Africa. This is done with the view to develop conceptual ideas that strengthen debates on the relationship between livelihoods and governance, in order to highlight the manner in which governance processes and practices influence rural livelihoods.

The specific objectives of this study are:

- a) to describe historical and contemporary livelihood strategies of people in Kosi Bay;
- b) to identify and document the statutory, traditional and customary coastal resource governance systems in Kosi Bay;

- c) to explore the norms, discourses, values, images and worldviews that have informed the governance of coastal resources in Kosi Bay from international down to local level;
- d) to review and analyse the influences of the plural coastal governance systems on livelihood strategies of the Kosi Bay community; and
- e) to contribute towards conceptual frameworks that link livelihoods and governance analytical frameworks;and
- f) to make recommendations for improved governance in rural areas in the South African context.

1.3 RATIONALE FOR THE STUDY

One of the main reasons why this study is important is that it seeks to contribute towards enhancing knowledge about the role of governance, including institutional dynamics and power relations, embedded within systems that govern coastal resources in shaping the livelihood choices of people residing in rural environments. In the conceptual bodies of work within livelihoods and governance literature concerning natural resources, much of the emphasis is either on livelihoods or governance, respectively. There is very limited literature (Mbatha, 2011; Wynberg and Hauck, 2014; Sunde, 2014; Sowman, 2015), particularly in the Southern African context, which examines the relationships or interactions between plural governance systems and rural livelihoods.

One of the pioneers of sustainable livelihoods perspectives, Scoones (2009), suggests that in order for livelihoods perspectives to remain relevant in the twenty-first century, scholars need to develop theoretical grounds that link livelihoods to governance debates. This is pertinent and relevant for the South African context where environmental protection and land appropriation during colonial and apartheid eras resulted in the exclusion and displacement of many people in rural areas, as environmental protection was designed in ways that only focused on ecological and economic dimensions, but not adequately (if at all) on human dimensions (Sunde, 2014). Since the beginning of South Africa's democracy in 1994, efforts have been made to increase the participation of previously disadvantaged communities in gaining access to manage and benefit from natural resources (Hauck and Sowman,

2003; Ntsebeza, 2004; Mbatha, 2011; Wynberg and Hauck, 2014). One of the primary aims of national government in the post-apartheid era has been to decentralise decision-making power to local-level actors and to improve the livelihoods of previously disadvantaged people by redressing past inequities, such as unequal access to land and resources (Republic of South Africa, 1996; Ntsebeza, 2004). However, it remains unclear what post-apartheid legal reforms mean for areas where coastal resources are governed at multiple levels, and where statutory institutions operate parallel to customary institutions.

For instance, in July 1997, South Africa ratified the World Heritage Convention, joining 193 other states (UNESCO, 2017). This international policy instrument provides the framework that informs the protection and preservation of world heritage in South Africa. The rural livelihoods implications of the adoption of such a policy instrument and the establishment of South Africa's first World Heritage Site, iSimangaliso, in 1999, are only partially known or understood.

Some of the other factors that influence the manner in which poverty is distributed along the coast of South Africa include racial and geographical segregation where areas occupied by black and coloured people (former homelands, informal settlements and townships) are still marginalised and vulnerable, while those predominantly occupied by other racial groups (mostly white) are largely developed (Glavovic and Boonzaier, 2007). Increases in income inequality in South Africa in the post-apartheid era also highlight the marginalisation of rural areas. Income inequality in South Africa is not only racially distributed but also spatially distributed, and its impacts are mostly felt in former homeland areas where the highest number of poorest people in the country live (Leibbrandt et al., 2010; Neves and du Toit., 2013). Former homelands or Bantustans account for 43 percent of the South African population (Neves and du Toit, 2013), while approximately 69 percent of South Africa's poor population resides in rural areas (National Treasury, 2011). Consistent with this, the poorest provinces in the country are said to be the ones that constitute the former homelands, i.e. Eastern Cape, KwaZulu-Natal, Limpopo and Mpumalanga. This highlights that more work needs to be done to improve our understanding of why such trends still persist and shape the nature of livelihood strategies in rural South Africa. Also, due to historical patterns of racialisation, land dispossession, as well as poor government investments

in rural areas since colonial and apartheid periods, many rural households suffer from livelihood insecurity (Neves and du Toit, 2013).

Another obstacle facing efforts that seek to promote livelihood sustainability in South Africa is the legal pluralism that exists in rural areas. In Kosi Bay, legal pluralism prevails as statutory, traditional and customary institutions all play a role in the governance of resources and livelihood activities. Customary law in South Africa is still relevant in the governance of land and natural resources in various rural communities that reside on communal land, and is recognised under Section 211 of the country's constitution. According to Bennet (2008:138), customary law refers to the "social practices considered to be obligatory by the communities in which they operate", while "living customary law" further refers to customary law "actually observed by the people who created it". In South Africa, statutory and customary laws are recognised as equal sources of law under the Constitution of South Africa, while customary law and customary institutions are recognised as long as they are consistent with the Bill of Rights.

In the colonial and apartheid eras in South Africa, customary law was weakened by laws that transferred powers to traditional authorities who were seen as effective agents of ruling indigenous communities (Cordell, 1991). Traditional institutions such as in rural areas are not usually directly involved in the management of natural resources, but they hold significant powers at the local level that were entrenched by colonial and apartheid governments in former Bantustans or homeland areas (Koelble, 2005). These institutions are currently formally recognised in Chapter 12 of the Constitution of the Republic of South Africa (Republic of South Africa, 1996). However, since the democratic dispensation in 1994, the roles and functions of traditional institutions alongside those of democratically elected institutions (i.e. municipalities) within rural areas have remained unresolved. That is why since 1994 traditional institutions and democratically elected government leaders in rural areas compete for political power and legitimacy (Logan, 2008).

During the colonial and apartheid eras, traditional institutions in South Africa were given land administration roles and had uncontested powers in rural areas, but were unaccountable and undemocratic (Ntsebeza, 2004). However, after 1994, the South

African government made efforts to decentralise local government, land administration and other administrative powers to newly created democratic local government institutions. The Municipal Structures Act (No. 117 of 1998) and the Municipal Systems Act (No. 32 of 2000) were developed by the post-apartheid government in order to dissolve traditional authority powers in rural areas in the democratic dispensation (Koelble, 2005). Although these laws have been critical in promoting democratic decentralisation in rural South Africa, the government has been pressurised by proponents of traditional leadership into simultaneously strengthening the powers of traditional authority powers instead of weakening them. This was done through the promulgation of the Traditional Leadership and Governance Framework Act (TLGFA) (No. 41 of 2003) and the National House of Traditional Leaders Act (No. 22 of 2009) which give traditional leaders administrative powers both at provincial and local levels (Koeble, 2005).

There remains much ambiguity about the role of traditional institutions in relation to customary institutions that exist in places such as Kosi Bay (Sunde, 2014). Customary institutions usually predate colonial times in South Africa, but the terms “customary” and “traditional” institutions are usually used interchangeably, when they tend to refer to two different systems of rule. The ambiguity about the difference between traditional and customary institutions could be attributed to the definitions provided by pieces of legislation such as the TLGFA (Republic of South Africa, 2003:8) which define traditional leadership as “customary institutions or structures, or customary systems or procedures of governance, recognised, utilised or practiced by traditional communities”. Meanwhile, the Act defines customary institutions as “institutions or structures established in terms of customary law” (Republic of South Africa, 2003:6). It is apparent that the law does not clearly distinguish between traditional and customary institutions, which is arguably erroneous, given that traditional institutions in certain rural areas were orchestrated by colonial and apartheid governments, and in other areas they were altered from customary institutions, which are usually regarded as more representative of wider rural communities and their interests. In communities such as Kosi Bay, customary institutions involved in governing coastal resources are distinct from traditional institutions and operate in a more democratic and downwardly accountable fashion (Sunde, 2013). The authority of traditional institutions usually overrides the authority of customary institutions (Ntsebeza, 2006,

Delius, 2008). However, there is increasing evidence that customary institutions are regarded as the relevant and more accountable sources of authority in various rural communities (Sunde, 2013; Sunde, 2014; Buthelezi and Yeni, 2016). Consequently, this study seeks to make a conceptual distinction between the traditional and customary institutions, which are incorrectly understood as synonymous in various contexts.

Understanding local context in terms of livelihoods and governance is significant, and this is noted by Scoones (2009) in his review of a decade of livelihoods literature. Scoones (2009) reflects on some of the limitations of sustainable livelihoods approaches, and on the wide application of simplistic or predictive frameworks that render technical the complex nuances of the livelihoods of rural people that have dominated development thinking since the early 1990s. This means that the simplistic frameworks that have been used over the decades for conducting livelihoods analyses that have not taken into account the nuanced complexity that comes with understanding livelihoods in different contexts. In this account, Scoones (2009) highlights the significance of context and the fact that simplistic frameworks cannot capture how different people live in different places. Moreover, Scoones (2009) emphasises the significance of interdisciplinary approaches that combine natural and social science perspectives in livelihoods analyses.

Among the other shortcomings of livelihoods perspectives listed by Scoones (2009) is the fact that livelihoods perspectives have failed to effectively link livelihoods to governance debates in the development agenda. Scoones (2009:12) adds that livelihoods perspectives

had in many respects got stuck, both intellectually and practically. The weak and sometimes confusing and contradictory theorization of politics and power, meant that an intellectual articulation with both mainstream political science governance debates and more radical agrarian change discussions was missing.

This means that although the discourses of power, politics and governance within sustainable livelihoods debates were introduced by some researchers in the 1990s,

these never really surfaced and were shunned for requiring more qualitative rather than quantitative analyses (i.e. too complex for economists who focused on seeking ways to quantify poverty reduction). Consequently, one of the major criticisms of livelihoods perspectives from the past two decades is that they have given little attention to issues relating to power and politics involved in the processes of governance of natural resources that implicate rural livelihoods in the Global South (Scoones, 2009). This is exacerbated by the fact that various scholars of livelihoods and commons have adopted economics-based and apolitical analyses of natural resource governance. This could be seen as problematic as issues of access, equity, marginalisation, insecurity, vulnerability and poor governance are prevalent in many cases where governance of natural resources interacts with rural livelihoods (Agrawal, 2003; 2005).

Brockington and Wilkie (2015) confirm that there is a gap in the literature in terms of exploring the link between natural resource governance regimes (i.e. World Heritage Sites, Marine Protected Areas, Nature Reserves) and their related practices, and how they impact on livelihoods and on the well-being of people on the ground. Brockington and Wilkie (2015) also point out that there is a research gap in evaluating conservation policies, such as protected areas, using a livelihoods lens. This is why in many cases protected areas persistently produce outcomes which benefit certain actors, while the losses are skewed towards more marginalised actors such as rural communities. These dynamics are not usually highlighted in protected area evaluations, and this study uses the livelihoods lens to highlight this.

Through empirical research drawing upon a triangulation of qualitative and quantitative data collected using interdisciplinary approaches and methodologies, this case study of Kosi Bay seeks to explore and highlight how governance systems influence the livelihood strategies of marginalised rural communities. This is particularly pertinent because there is a lack of an accurate and holistic understanding of the socio-economic and livelihood impacts of international natural resource governance instruments on local contexts. This study brings in the voices of rural communities, as well as those of other relevant governance actors, in order to provide an in-depth and contextual understanding about whether policy objectives of conservation governance regimes match realities on the ground, whether they enable

or hinder livelihoods strategies of people living among or adjacent to the resources, and the reasons for these.

1.4 CASE STUDY SITE: KOSI BAY, SOUTH AFRICA

This research was conducted in Kosi Bay, located in the northeastern coast of South Africa, near the Mozambique border. Three coastal villages were chosen in Kosi Bay for this study. These villages, Mvutshane, Nkovukeni and KwaDapha (Figure 1.1), are under the Tembe traditional authority. Kosi Bay is located within and adjacent to the iSimangaliso World Heritage Site, and within the wider Maputaland¹ region that is largely occupied by the descendants of the late Thonga king, Mabhudu (Kloppers, 2003). The people who reside in the area weave together their livelihood strategies using coastal resources, and engage in activities such as fishing (in the lakes as well as on intertidal zones along the coast), forestry (i.e. harvesting indigenous forest products and plantation forestry), eco-tourism and agriculture. There are also historical links between communities from the south of Mozambique and Kosi Bay in Maputaland, since many of the Thonga people residing in Kosi Bay originate from Mozambique (Jury et al., 2009).

Maputaland has been heavily contested over the past four centuries by: a) imperial powers which included the Portuguese, the British, Germans and the Dutch, b) the South African government (colonial, nationalist and democratic), c) two houses of the Tembe royal family (i.e. Ngwanase house and Makhuza house), as well as d) other clans in Maputaland (i.e. the Ngubanes, Mathenjwas and Mkhontos) who claim that they ruled the land before the Tembe arrived in the area. These contestations are still alive in the present day and affect the governability of coastal resources in the area by increasing the level of complexity in terms of governance (Webster, 1991; Mthethwa, 2002; Guyot, 2005).

¹Historically, Kosi Bay was part of what used to be the southern Maputaland area, which was independent before it was annexed into what is now known as the KwaZulu-Natal province.

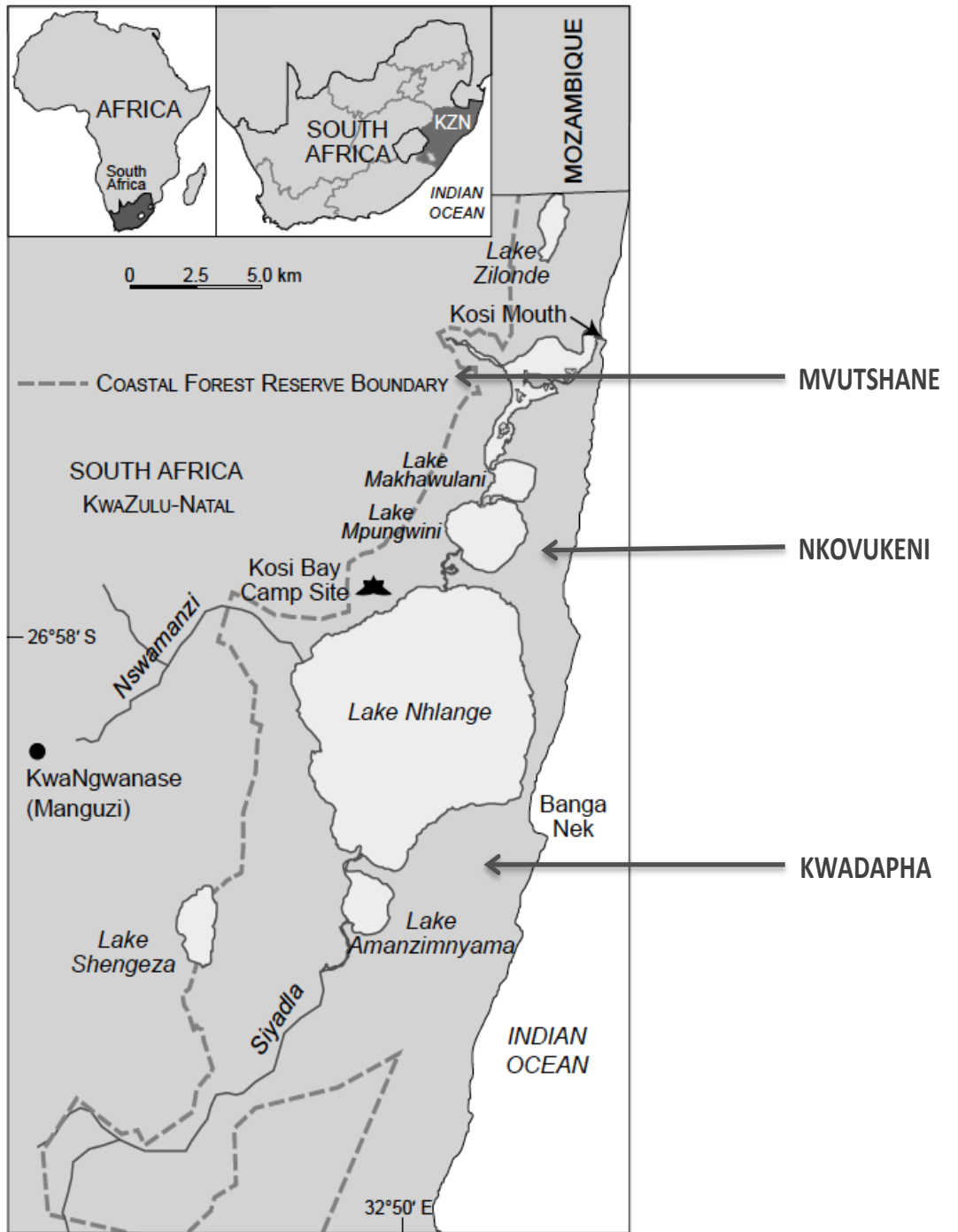


Figure 1.1: Kosi Bay (modified from Kyle, 2013).

The Kosi Bay system consists of five unique ecological systems, i.e. dune forests, grasslands, sandy beaches, tidal zones and coral reef zones (Guyot, 2005). It comprises an ecologically unique lake system, which, because of its rich biodiversity, is part of an environment that is protected as a natural site by the United Nations Educational, Scientific and Cultural Organization (UNESCO) through the mechanism of the iSimangaliso World Heritage Site. The three villages that were included in this study also fall under the Tembe Coastal Forest Reserve and are adjacent to the Maputaland Marine Protected Area (MPA) that is regulated by national legislation.

The iSimangaliso site was declared South Africa's first World Heritage Site in 1999 because its natural attributes are considered of global significance, and thus needed to be conserved for both local people, as well as the international community. However, formal conservation in areas within the boundaries of iSimangaliso has existed for over 100 years, and the St. Lucia Nature Reserve is one of the oldest protected areas in Africa, having been established in 1895 (iSimangaliso Authority, 2011). The reasons for the progressive creation of protected areas within the boundaries of iSimangaliso World Heritage Site is said to be motivated by the need to protect increasing populations of hippopotamuses, sea turtles and black rhinoceros within the system (iSimangaliso Authority, 2016). The iSimangaliso site was declared to be of "world heritage" status as it met three of the ten criteria of UNESCO (2017) for the selection of cultural and natural heritage globally. These include:

- a) to contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance;
- b) to be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals; and
- c) to contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation.

The iSimangaliso Authority is the legal entity charged with overseeing the management of the iSimangaliso World Heritage Site. The iSimangaliso Authority states that it seeks to promote the preservation and conservation of natural heritage, while ensuring that economic benefits from the World Heritage Site be optimised where they can contribute towards poverty alleviation in its region, as it is one of the poorest regions in the country. According to iSimangaliso Authority (2012; 2016), the need to balance the preservation and conservation of resources protected under world heritage status while recognising the economic and social problems in the area created by historical patterns of marginalisation, is a major challenge. The iSimangaliso Authority states that they are aware of the challenges associated with seeking to strike a balance between conservation and rural development, especially in a country with a democratic constitution that seeks to provide redress to imbalances created by colonial and apartheid legacies (iSimangaliso Authority, 2016). However, research conducted by Guyot (2005) and Hansen (2013; 2014) indicates that communities residing within the boundaries of the iSimangaliso World Heritage Site continue to face marginalisation, and the imbalances perpetrated by colonial and apartheid eras persist.

In terms of broader coastal resource governance, the rural coastal community of Kosi Bay resides in the midst of a myriad of coastal activities (i.e. fishing, forestry and tourism) and governance arrangements for the Kosi Bay system. These include the UNESCO World Heritage Site, a Ramsar² site, the Maputaland MPA, the Tembe Coastal Forest Reserve, as well as the Ponta Do Ouro – Kosi Bay Trans-Frontier Conservation Area. Moreover, statutory institutions for conservation governance operate parallel to traditional authority structures under the Tembe Tribal Authority, as well as customary institutions that are long-standing within the area. There is also an existing land claim³ on World Heritage Site land by the members of the Kosi Bay community that were historically forcibly removed for conservation during the apartheid era. The following subsections provide brief overviews of the three villages included in this study. Further details on the criteria for case study selection are

²Areas protected under the Convention on Wetlands of International Importance.

³As part of land restitution claims laid in iSimangaliso Wetland Park under the Restitution of Land Rights Act (No. 22 of 1994).

provided in Chapter Two, while Chapter Six provides a detailed overview of the three villages.

1.4.1 Mvutshane village

Mvutshane village (formerly known as Enhlangwini, also currently known as Trelfal) consists of approximately 600 homesteads and is located on the northern-most coast of Kosi Bay, adjacent to the border between the KwaZulu-Natal province and Mozambique (Figure 1.1). This village is currently located on the buffer zone⁴ of the iSimangaliso World Heritage Site, and within the Tembe Coastal Forest Reserve.

During the time of this research, a large number of people from Mvutshane village engaged in livelihood activities that included fishing, agriculture and the harvesting of forest products within the bounds of the World Heritage Site. Fishing is mainly carried out using fish traps within the Kosi system (Figure 1.2 and Figure 1.3).

1.4.2 Nkovukeni village

The second village that formed part of this study is known as Nkovukeni. Not only is this village marginalised in terms of livelihoods, it is also geographically remote and bordered by Lake Makhawulani and Lake Mpungwini (locally respectively referred to as Lake 1 and Lake 2) which separate the village from the mainland (Figure 1.1). As a result, local people have to wade (or sometimes swim) across these lakes in order to access the nearest town, schools and other amenities.

People from Nkovukeni rely heavily on marine resources for livelihoods, especially fishing with fish traps in the estuary and Lake Makhawulani. Fishing is carried out mostly by men and women harvest mussels on the coast. Forests are largely used for firewood, and sometimes for food.

1.4.3 KwaDapha village

The village of KwaDapha is also geographically remote. People in the village are largely involved in tourism, fishing and agriculture. There is also a popular turtle-

⁴This refers to the 'zone of influence' established by the iSimangaliso Authority in terms of the World Heritage Convention Act and the National Environmental Management: Protected Areas Act that place obligations on park authorities to delineate zones on the outer edges of the park that are restricted in order to optimise conservation within the boundaries of the park (iSimangaliso Authority, 2016).

nesting site in KwaDapha that employs people from the village. People in the village rely heavily on forests for firewood because there is no electricity (as is also the case in the other two villages). Fishing in Lake kuNhlange (Lake 3), which is closest to the village, had been an important livelihood activity in KwaDapha for many years, but was prohibited by conservation rules at the time of this research. Increased numbers of wild animals such as hippopotamuses and snakes also pose threats to people's livelihood activities. Further details of livelihood strategies of people in KwaDapha are discussed in Chapter Six.



Figure 1.2: Fish traps on the Kosi estuary and lake system (photo: Philile Mbatha)



Figure 1.3: Fish traps on the Kosi estuary and lake system (photo: Philile Mbatha)

1.5 STRUCTURE OF DISSERTATION

This chapter has provided an overview of the context of the study, as well as the rationale for why this study is relevant. The broader aim and specific objectives of this study were explained, and the case study sites introduced. This chapter also outlined the theoretical contribution that this study seeks to make.

Chapter Two outlines the research approach and methodology that were adopted in this study. A description of the interdisciplinary, qualitative and quantitative research methods used in this study is provided. Data analysis and triangulation conducted for this study is also explained in Chapter Two.

Chapter Three consists of the literature review that explains the conceptual framework for linking livelihoods to governance debates. The key theoretical ideas and bodies of literature relevant to the concepts of governance and livelihoods underpinning this study are discussed in this chapter. Other key strands of literature outlined in this chapter include literature on legal pluralism, institutions as well as political ecology.

Chapter Four presents a historical review of traditional governance in Kosi Bay, focusing on the periods from the 1940s to the present day, including the evolution of traditional governance, as well as livelihoods. The story of Kosi Bay is told drawing from oral histories conducted in this study, as well as from other archival information and documentary evidence. This chapter also discusses the influences that colonial and apartheid histories had in shaping coastal governance and livelihood strategies in Kosi Bay.

Chapter Five outlines the broader legal and institutional context that underpins coastal governance in South Africa and Kosi Bay, from the macro-level down to the micro-level. The different sources of law and associated institutions and institutional arrangements related to this study are described comprehensively.

Chapter Six discusses the livelihood strategies of the people of the three villages of Kosi Bay where this study is based, i.e. Mvutshane, Nkovukeni and KwaDapha.

Thereafter, Chapter Seven analyses how conservation governance has, over time, influenced and shifted the livelihood strategies of local people and the ways in which local people have adapted (or not), to the shifts.

Chapter Eight is the discussion chapter of the dissertation. It outlines some of the key themes that emerge from this study and relates them to some of the key debates in the literature. The links between governance and livelihoods debates are also explored in-depth in Chapter Eight, after which Chapter Nine is the concluding chapter of the dissertation.

CHAPTER TWO: RESEARCH APPROACH AND METHODOLOGY

2.1 INTRODUCTION

This chapter describes the research approach and the methodology used for data collection and analysis. Both qualitative and quantitative methods were used to collect data. In order to obtain in-depth understanding about the evolution of livelihood strategies over time in Kosi Bay, this research utilised a case-study approach. This approach involved the use of the Kosi Bay area as a lens for understanding how livelihood strategies are influenced by governance systems. Due to the limited information available on the linkages between livelihoods and plural governance systems in rural contexts in South Africa, the case-study approach, complemented by quantitative and qualitative data collection methods, was pivotal.

Qualitative data collection techniques applied in this study included focus group discussions, key informant interviews, oral history interviews, mapping, transect walks, ethnography as well as researcher observations. Household surveys were used for both qualitative and quantitative data collection. Relevant policy, legal and institutional documentary evidence were also used, together with key informant interviews in order to enhance understanding about the governance systems in question. Lastly, this study also made use of archival materials in order to enrich understanding about the historical context of Kosi Bay and Maputaland.

2.2 RESEARCH APPROACH

2.2.1 The case-study approach

Case-study research is “a research strategy that focuses on understanding dynamics present within single settings”, and combines data collection methods like interviews, questionnaires and observations to produce qualitative and/or quantitative evidence (Eisenhardt, 1989:534). In this study, the case-study research is not intended to generate findings that are generalizable, but geared towards understanding why things are the way they are, and provides an in-depth and rich insight pertaining to the

particular problem or phenomenon being studied (Noor, 2008). Kosi Bay is the chosen case study site for this research, as it exists in the midst of a myriad of coastal activities and governance arrangements for the Kosi Bay system. This research has therefore sought to develop an understanding about the livelihoods of the people in the area, and how they are influenced by the plural governance systems governing land and natural resources in the area.

Household surveys, focus groups discussions, transect walks, oral history interviews, key informant interviews, observations, ethnography and documentary evidence were used to collect data about the phenomena that was being researched. A substantial amount of the data collected for this study is informed by sources on the ground and triangulated with other pre-existing information from historical archives, policy and legal documents, secondary documentary evidence (historical and current), and other secondary sources.

2.2.2 A systems approach for studying “wicked problems”

Governing coastal resources has been termed a “wicked problem”, as concerns relating to the use and management of the resources and rural livelihoods are usually in conflict and difficult to reconcile (Jentoft and Chuenpagdee, 2008). Coastal governance is also considered a wicked problem because of the inherent complexity of sectors, actors, resource uses and institutions that usually co-exist along the coast. Moreover, natural systems and social systems that are found in coastal zones are complex within themselves, and therefore understanding the interactions between them requires rigorous interdisciplinary or systems approaches that bridge biophysical and social sciences (Berkes et al., 2003).

“Systems thinking” or “a systems approach” emerged as a critique to reductionism in the twentieth century, and is based upon the premise that systemic phenomena, such as coastal ecosystems, need to be understood in an interrelated fashion (Flood, 2001). This is contrary to a reductionist approach, which is based on studying one component of a phenomenon at a time, which would be erroneous in the case of wicked problems where an understanding of the interactions between different components of the system is required. A systems approach is pertinent for this study

in particular because there is an abundance of resources and biodiversity along the coast that is contested by various actors and stakeholders at international, national, regional and local levels. Kosi Bay is therefore a useful lens for enabling understanding about how these multiple governance systems impact on or influence how rural people make a living and maneuver the nuances of complex governance structures.

2.3 CASE STUDY SELECTION

Research conducted by various scholars along rural coastal areas in Southern Africa (Raemaekers, 2009; Mbatha, 2011; Emdon, 2013; Sunde, 2014), have highlighted the apparent mismatches between the stated objectives of coastal governance arrangements and the realities of marginalised rural coastal communities on the ground. This is what prompted my use of Kosi Bay as a lens to understand how conservation governance that is influenced by international instruments such as the UNESCO World Heritage Convention, is interpreted and plays out in rural contexts of developing countries, and what the implications are for the livelihoods of rural communities residing within or adjacent to such areas. This is pertinent in the South African context, given that the country has a long history of marginalisation of black rural communities (i.e., during the colonial and apartheid eras) in terms of access to natural resources.

In order to gain the rich knowledge that a case-study research approach offers, I was based in the Kosi Bay community for periods during the years 2012, 2013, 2015 and 2016. My time spent there was approximately six months in total. During this time, I was accommodated in one of the villages within the communities, and obtained permission from the traditional authorities and customary structures to conduct the research. As a result, I lived with families from the community, partaking in their everyday activities. During my stay, I developed a relationship with community members and conducted observations of the behaviors and livelihoods of the communities. Due to the fact that my first language is isiZulu (which is also the most commonly used local language in Kosi Bay), it was easy for me to develop trust and rapport with community members. This enabled me to obtain a rich understanding of the people in this community and their livelihoods.

Field assistants from the community were employed and trained in order to assist with the data collection process for this research, particularly for the household surveys and focus group discussions. This was done so that the communities could benefit from the research and in order to obtain a deeper insight into the different dynamics of the communities by obtaining the assistance of people who reside there. Before and during the commencement of the household surveys in each community, I conducted several informal interviews with community members and coastal resource users, in order to understand how they used the resources and their perceptions about resource access, use and management. The local field assistants that I had trained and the families that I lived with were helpful in educating me about the history and dynamics of the communities.

The three villages in Kosi Bay that were chosen for data collection in this study were chosen on the premise that they are the only three coastal villages of Kosi Bay, and the other villages of Kosi Bay are more inland, and would not have been appropriate for this study since it sought to understand coastal livelihood strategies. People in these three villages also have a long history of harvesting coastal resources for livelihoods (Sunde, 2013; FFG, 2015). Stratified random sampling is used when one seeks to produce an unbiased sample that is representative of a community, and stratification is used when the studied population falls into natural or homogeneous groupings such as districts, villages or gendergroups (Eckhardt and Ermann, 1977; Churchill and Lacobucci, 2005).

2.4 DATA COLLECTION

2.4.1 Data collection methods

2.4.1.1 Household surveys

A household survey was created by the researcher for this study in order to collect quantitative and qualitative information about the villages in the case-study site. The households that were involved in the survey data collection were selected through simple random sampling. Simple random sampling refers to a sampling strategy that is used when one seeks to provide every member of a given population an opportunity to be selected as part of the sample for the study (Yamane, 1967). Due to the fact that

the case-study area was located in a rural marginalised part of South Africa where household data is unavailable from government departments, Google Earth imagery was used to determine an approximate number of households that are present in Mvutshane, Nkovukeni and KwaDapha. After the number of households was determined, each household was numbered on Google Earth. Yamane's (1967) simple random sampling for determining sample size and precision was used to determine the appropriate sample size for each village (i.e., 10% or more of the target population) that would be representative of the whole village (Table 2.1).

Table 2.1: Household survey sample sizes in the three case-study sites

	Mvutshane	Nkovukeni	KwaDapha
Estimated number of homesteads	120	33	40
Sample size	68 homesteads ⁵	9 homesteads ⁶	16 homesteads ⁷

Microsoft Excel was used as a tool to generate a random sample of the households to be surveyed, based on the numbers assigned to individual households on the Google Earth images. The generated sample and the corresponding coordinates were then loaded into a Garmin Geographical Positioning System (GPS) that was used to identify the sampled homesteads in the field.

The questions contained in the questionnaire were designed to elicit information about the socio-economic background, resource use and livelihood patterns, perceptions of local people about resource use governance, as well as perceptions about decision-making processes (Appendix 1). Prior and informed consent was received from all survey participants.

⁵Mvutshane village is spatially the biggest village with a more sparse distribution of homesteads, of the three villages in the case study site. Therefore, in order to ensure representation of homesteads across the spread of the area Mvutshane covers, 68 out of approximately 120 (i.e. 57 per cent) of homesteads were included in the survey.

⁶Nine out of approximately 33 (i.e. 27 per cent) homesteads were surveyed in Nkovukeni because the homesteads were spatially more concentrated and fewer, and the people residing in different homesteads in Nkovukeni were mostly related to each other. For these reasons, fewer households (but still a representative sample size) were included in the survey to avoid repetition of data collected.

⁷In kwaDapha, homesteads are also sparsely distributed, although the total number of homesteads was almost as small as in Nkovukeni. Therefore, 16 out of approximately 40 homesteads (i.e. 25%) were included in the study to ensure a representative sample.

2.4.1.2 Focus group discussions

Focus group discussions play a pivotal role in case-study research because they provide in-depth understanding about the issues that require deep enquiry. Focus groups usually include a carefully and purposefully selected group of participants who have deep insights into a particular issue (Cloke et al., 2004). In this study, purposive sampling was used to identify focus group participants. Cloke et al. (2004) define purposive sampling as a non-random sampling technique that is applied when one seeks to identify respondents who possess specific information that can inform a researcher's study. Participatory Rural Appraisal (PRA) techniques including listing, timelines, mapping, ranking and Venn diagrams were used during the focus group discussions to elicit information about different aspects of livelihoods and governance in the communities. The use of PRA techniques when collecting data in rural areas where formal education levels are low is pivotal because the interactive nature of PRA methods makes it easier for participants to engage with the questions and to feel confident about raising their views about different issues that are brought up (Driyamedia, 1996).

Four focus group meetings were conducted for this study; one in each village and one with the fisheries committee that has representatives from all the three villages.

Table 2.2: Kosi Bay focus group meetings

DATE	VILLAGE	FOCUS GROUP	CODE	N
16 April 2015	KwaDapha	Fisheries committee	FCFG	15 members of the fishing committee from the three communities
23 April 2015	Nkovukeni	Nkovukeni livelihoods	NFG	27 community members
25 April 2015	KwaDapha	KwaDapha livelihoods	KFG	16 community members
27 April 2015	Mvutshane	Mvutshane livelihoods	MFG	19 community members

Focus group participants were selected through non-random sampling or snowballing, and consisted of both men and women from the community across different age groups. Due to the fact that this study is interested in both historical and contemporary

aspects of livelihoods and governance, a diversity of age groups of the population was represented in all the meetings.

In the listing exercise that was used in the focus groups, participants were asked to list livelihood activities or strategies that people in each village are involved in to support their lives. A participatory map was used in order for the participants to illustrate the areas within the surrounding coastal environments where those activities are carried out (Figure 2.1).

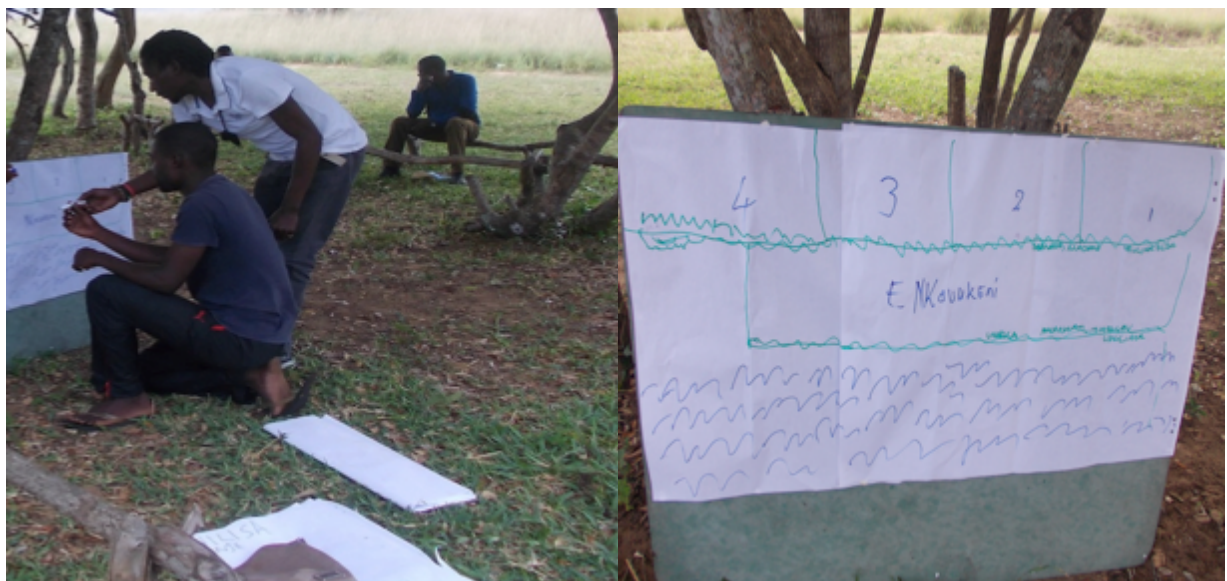


Figure 2.1: An example of participatory resource mapping conducted in the focus groups (photos: Philile Mbatha)

Timelines are used in PRA to reveal important events that may have taken place over time that had a significant impact on local people (Asia Forest Network, 2002). Timelines were a crucial exercise in the focus group discussions because they were used as a tool for eliciting information about the history of livelihoods and coastal resources use in the area and to understand when and how different governance interventions took place over time to influence or affect community livelihoods.

As part of the ranking exercise, participants were asked to list all governance actors that they perceive to have a role in influencing their livelihood strategies. After listing them, participants were asked to use a numerical ranking system in ascending order to demonstrate who they perceived to have the most power to the least. The participants

would discuss and arrive at an agreement before allocating a rank to each governance actor.

Venn diagrams were used to depict power relations influencing livelihood strategies of local people, as perceived by them. Venn diagrams are a useful tool for depicting power dynamics, networks and relationships among different actors within a network. Circular and rectangular shapes were used to depict actors. Actors with any form of perceived power in terms of decision-making that influenced livelihoods were depicted in circles while actors perceived to have no power were depicted in small rectangles. The sizes of the circles within the Venn depict perceived power of actors while the proximity of the circles depict the relationships between actors within the network of decision making, i.e., circles or rectangles closer together depict actors perceived to work closely together in making decisions while the further the circles or rectangles are from each other, the farther apart they are perceived in decision-making processes. Prior and informed consent was received from all focus group participants.

2.4.1.3 Oral history interviews

Oral history is founded upon the stories of normal people that paint the picture of how things were in the past in order to bring about an understanding of how history has played a role in shaping current phenomena. Seale et al., (2004) state that oral history is based on the idea of an individual as an active participant whose memories, experiences and testimonies from the past about their own lives or collective social processes, inform the interview. The role of oral history in interdisciplinary research is pivotal because it opens up avenues for new enquiry about historical events that had been forgotten or ignored in the present times.

Webster (1991:611) states that formulating research findings based on events observed in the present may be dangerous as it often eludes history, marking the descriptions of an observer at a particular moment in time as a timeless stereotype of the norms of a group, when what is being observed may be transient strategies, suited to the contingencies of politics or economics of that time.

Therefore, what is apparent from the investigations conducted in this and other studies (Webster, 1991; Mthethwa, 2002; Hansen, 2014) is that evidence drawn from oral

histories tends to be cross-referencable across time. This is particularly pertinent as existing historical records and evidence that are mostly written by colonial and apartheid actors tend to be written from a self-serving perspective that highlights the role and interests of the colonial or apartheid governments, omitting several key actors and events that pertained to local people and their livelihoods. Thus, Delius (2008) notes that the accounts about the nature of African societies written by a large number of history writers in colonial times were dominated by assumptions rather than facts because they did not fully understand the contexts of these societies.

Oral history interviews proved to be a fundamental method for extracting historical data about Kosi Bay. This is because in the pre-colonial times, African societies could not document any evidence about their social practices because they were largely illiterate, and during colonial times much of the documentary evidence captured by colonial rulers almost exclusively contained details that the colonial rulers were interested in capturing (Delius, 2008; Mthethwa, 2002). Oral histories have thus been used by various history scholars in recent years to elicit specific information relating to issues about power and tenure in rural contexts that cannot be provided by archival or archeological evidence (Delius, 2008). This study therefore used oral history interviews in order to explore with people of Mvutshane, Nkovukeni and KwaDapha, their own personal accounts of history that has shaped the character of the Kosi Bay community. This was done so as to give the people of Kosi Bay a voice in the writing of their own history about their livelihoods and how they have evolved over the years.

Mthethwa (2002) confirms that a large number of historical archives that exist about the Kosi Bay area, particularly from colonial and apartheid times, are incomplete and consist only of the information about the area that was useful to imperial, colonial and apartheid rulers. Therefore, the majority of the historical information about the nuances of the customs, traditions, and other aspects of life of local people is mostly held in the minds of the older people in the community and often passed down or told as tales to younger generations, without being properly documented.

Mthethwa's (2002) historical study provides a very useful and detailed account of the history of people of Kosi Bay, especially covering periods from the colonial and apartheid eras, i.e., late nineteenth century to late twentieth century. His study made

great use of oral history to tell the story of the local people but does not focus on the history of local livelihood strategies and the role that governance processes have played in shaping these strategies over the different periods.

Through triangulation with work of other scholars such as Mthethwa’s (2002) study and other existing historical accounts on Kosi Bay, the oral history interviews conducted in this study provide deep insights into the role played by the history of governance in Kosi Bay in carving out people’s livelihood strategies that exist in the present day. Moreover, understanding this history from people themselves reveals how present-day governance and livelihoods are products of history and the decisions that were made in preceding times. Tables 2.3, 2.4, and 2.5 identify the oral history interviews that were conducted for this study. Participants for the oral history interviews were selected through purposive sampling and were mostly older members of each village. Some of the oral history interviews were conducted with middle-aged members of the community who had been informed about the history of the area through their parents and grandparents. Prior and informed consent was received from all participants.

Table 2.3: Mvutshane oral history interview schedule

DATE	PARTICIPANTS	CODE
21 April 2015	74-year-old woman	OHI1
21 April 2015	76-year-old woman	OHI2
22 April 2015	35-year-old man	OHI3
24 April 2015	46-year-old woman	OHI4
24 April 2015	52-year-old woman	OHI5
30 April 2015	80-year-old headman	OHI6
30 April 2015	56-year-old man	OHI7

Table 2.4: Nkovukeni oral history interview schedule

DATE	PARTICIPANTS	CODE
23 April 2015	58-year-old woman	OHI8
23 April 2015	45-year-old woman 70-year-old woman 77-year-old woman	OHI9
23 April 2015	74-year old-woman 76-year old-woman	OHI10

Table 2.5: KwaDapha oral history interview schedule

DATE	PARTICIPANTS	CODE
25 April 2015	34-year-old man	OHI11
25 April 2015	65-year-old woman	OHI12
25 April 2015	67-year-old man	OHI13
25 April 2015	78-year-old man	OHI14

2.4.1.4 Key informant interviews

Key informant interviews for this study were conducted with actors that have been involved in or had a role in shaping governance and decision-making processes for coastal resources. Key informants were sourced through purposive sampling and included traditional authority and statutory actors at local, provincial and national levels, as well as in local committees. A total of 15 key informant interviews were conducted for this study (Table 2.6). Prior and informed consent was received from all participants.

Table 2.6: Key informant interview schedule

DATE	KEY INFORMANT	CODE	INSTITUTION/ORGANISATION
28 April 2015	Ingonyama Trust representative	IT1	Ingonyama Trust
10 April 2015	Tembe Tribal Council representative 1	TTC1	Tembe TA
28 April 2015	Tembe Tribal Council representative 2	TTC2	Tembe TA
28 April 2015	Ezemvelo KZN Wildlife representative 1	EKZNW1	Ezemvelo KZN Wildlife
11 April 2015	Ezemvelo KZN Wildlife representative 2	EKZNW2	Ezemvelo KZN Wildlife
30 April 2015	Umhlabuyalingana Local Municipality representative	LM	Umhlabuyalingana Local Municipality
20 August 2015	iSimangaliso representative	WHA	iSimangaliso Authority
21 June 2016	Tourism facility owner representative	TFO	Private tourism facility owner in iSimangaliso
21 June 2016	Land claims community committee representative	LCC	Land claims community committee representative
21 February 2017	Department of Environmental Affairs representative (national)	DEA	Department of Environmental Affairs

2.4.1.5 Transect walks

Transect walks were conducted to obtain an in-depth understanding of the history and current status of the local geography, coastal resource distribution, and how people from the area interact with the resources now and in the past. A total of three transect walks was conducted (Table 2.7).

Table 2.7: Transect walk schedule

DATE	WALK	PARTICIPANTS
13 April 2015	Kosi Mouth – fisheries and forestry	1 community member and the researcher
15 April 2015	World Heritage Site forest – adjacent to Kosi estuary	4 community members and the researcher
30 April 2015	Mvutshane agriculture in Mozambique	1 community member and the researcher.

The first transect walk was with a community member from Mvutshane through the former Nhlangwini village where the participant showed me where the people from Mvutshane used to reside inside the World Heritage Site before the conservation fence was erected and before they were forcibly removed. The walk led to the Kosi estuary mouth where the fish traps of people from Mvutshane are placed, and which is where they conduct most of their fishing activity. The participant explained the history of trap fishing and demonstrated to me how it works.

The second transect walk was about understanding in detail how local people interact with the indigenous forest in order to support their livelihoods, what resources they harvest now and what resources they can no longer harvest (Figure 2.2). In the third transect walk, the researcher sought to understand agricultural livelihoods in the Mvutshane community and how local people are sustaining this livelihood activity despite existing constraints (Figure 2.3). The details of the results that emerged from the transect walks are provided in Chapter Six.



Figure 2.2: A transect walk in the Kosi Bay forest (photo: Rachel Wynberg).



Figure 2.3: A transect walk from Mvutshane to the agriculture fields in Ponta do Ouro, Mozambique (photo: Philile Mbatha).

2.4.1.6 Participant observations

Due to the fact that this study sought to understand the livelihoods of local people from their own account and perspective, participant observation was a useful tool for obtaining information about the nuances of livelihoods in the three different villages. Participant observation involves a process where the researcher engages with, listens to and watches people's daily interactions in order to gain a holistic understanding of their experiences (Neuman, 2006). During the stay within the community in the data collection period, the researcher documented observations that informed the study that did not necessarily emerge from structured data collection methods. This was very useful as some in-depth information about certain issues emerged from unstructured settings when local people were casually engaging and talking among themselves. Moreover, certain local practices and issues may be sensitive for local people to openly express to outsiders, and these issues are therefore best documented through unstructured observations, as local people would not otherwise mention them (Bryman, 1988).

2.4.1.7 Participation in meetings

As part of the data collection process, I attended various community meetings in Kosi Bay in order to interact with people in the community and participate in local conversations and processes. Table 2.8 provides the inventory of externally-led meetings that were attended as part of the data collection process for the study.

Table 2.8: Meetings schedule

DATE	VENUE	PARTICIPANTS
8 February 2013	Mvutshane	6
14 October 2014	Nkovukeni	20
14 April 2015	Nkovukeni	26
21 June 2016	ISimangaliso Integrated Management Plan (IMP) meeting in Mbazwana	+/-200

2.4.1.8 Historical photography

As part of triangulation, this study made use of a series of chronological historical photographs from Kosi Bay in order to visually understand physical landscape

changes in the area during the times when various governance interventions were introduced. Photographs collected for the study date from 1959 to 2013. Historical archives of aerial photographs from Kosi Bay were collected from the National Geospatial Information centre (NGI, 2016), while ground photographs were extracted from the rePHOTOSA project website (rePHOTOSA, 2017).

2.5 DATA ANALYSIS

The primary data was triangulated, together with documentary evidence and other secondary sources of information to inform this study. Triangulation is typically used for validating observational data and involves data triangulation, theory triangulation and methodological triangulation (Denzin, 1978; Seale, 2004). Data triangulation is where the researcher uses different data sources to provide depth and richness to the understanding of a given phenomenon. Theory triangulation occurs when the researcher draws from different theories in order to understand how each of them may relate to the data, while methodological triangulation involves mixing qualitative and quantitative data collection techniques to gain an in-depth understanding of a phenomenon (Seale, 2004).

Data analysis for this study was conducted separately for quantitative and qualitative datasets. Microsoft Access and Excel software were used to analyse household survey data, while thematic analyses and coding were used to analyse all qualitative data. By way of triangulation, the key themes that emerged from both qualitative and quantitative data were elucidated for further analysis and discussion. Data collection and analysis in case-study research are interrelated processes, as analysis starts as soon as the data collection commences (Corbin and Strauss, 1990). Similar phenomena were grouped into categories in order to highlight similarities and differences and were coded. Open coding was used to compare and triangulate the quantitative data from household surveys, with the qualitative data from the focus group discussions and key informant interviews. Open coding is defined by Corbin and Strauss (1990:12) as “the interpretive process by which data are broken down analytically”. This method involves thorough examination and categorisation of data, as well as comparison and triangulation of the data for similarities or differences. Comparisons of events/phenomena for similarities and differences gives researchers

new insights and creative ways of interpreting phenomena contained in the data. According to Corbin and Strauss (1990), the advantage of open coding is that through constant systematic comparisons and analysis of data researchers are able to avoid bias and subjectivity.

2.6 ETHICAL CONSIDERATIONS AND STUDY LIMITATIONS

Ethical issues are important to consider and take account of in all stages of conducting social research (Ali and Kelly, 2004). Prior and informed consent was received at all stages of data collection for this study, including the taking of pictures that are included in this thesis. Ethical clearance was also obtained from my study institution. This is particularly important for research in rural contexts where one needs to gain entry into the communities through appropriate channels and with permission from community leaders. This research required tremendous attention to detail when it comes to ethical considerations. This is because Kosi Bay is currently a highly contested area in relation to land and coastal resources. There is also an ongoing conflict between governance actors and members of the community around this, so much so that the community was initially reluctant to speak to outsiders regarding these sensitive topics. However, the advantages were that the researcher is from KwaZulu-Natal (KZN) and therefore was able identify with the culture of the local people and also speak the local language. This assisted her to quickly establish a positive relationship as a researcher with community members when the study was introduced, and it enabled her to gain the trust of the local people.

Moreover, due to the fact that the Kosi Bay community is rural and under the authority of traditional leadership, the researcher had to be introduced to the tribal authority in order to gain the consent of the traditional leaders and the community structures to undertake the research in each area. The research was conducted in a way that ensured that the communities benefitted from the research. Local community assistants were paid to assist with the household surveys and the researcher was accommodated by one of the families in the community, consequently earning the trust of the local people. When the study is completed the results and findings of this research will also be fed back to the community, as well as other actors involved in

the governance of the area, so as to possibly contribute towards improving the livelihoods of people in Kosi Bay.

In order to gain deeper insight into the issues that this study seeks to understand, the researcher lived within the community of Kosi Bay for approximately six months in total between 2013 and 2016. The local accommodation was obtained with the permission of the traditional authorities, as well as the wider communities. The stay in the area helped the researcher not only directly with data collection for the study, but also enabled the researcher to partake in the day-to-day activities of the host family and the people within the villages. This was pivotal for building relationships with the local people and to earn their trust. The researcher also employed field assistants from the local communities to assist with data collection, as a way to give back to the local people by employing and teaching them how to collect data for research.

Earning the trust of people in Kosi Bay was not initially easy, as the people in the three villages had, over the years, become very skeptical of researchers coming into the area to elicit information without ever returning to provide positive feedback about the research. Moreover, people in Nkovukeni, Mvutshane and KwaDapha had also become distrustful towards researchers over the years as they expressed that they felt that “research” had betrayed them in the past and is the reason why they lost their security to livelihoods. In order to overcome these concerns, the researcher had to conduct various meetings with community members before commencing with my research in order to ensure that the people were satisfied with an understanding of the research in order to allow it to proceed. The meetings that were held concerning the research are detailed in Table 2.9.

Table 2.9: Meetings conducted with community members to discuss the aims and purpose of the research.

DATE	VILLAGE	NO. OF PARTICIPANTS
8 February 2013	Mvutshane	6
14 October 2014	Nkovukeni	20
14 April 2015	Nkovukeni	26

On the pilot visit to Mvutshane in February 2013, the researcher had obtained permission from the relevant traditional authority figures in the area to conduct the research. These included Ncelaphi⁸, who is in charge of all the coastal villages of Kosi Bay, and Mabhudu⁹ who is the paramount chief over all 48 villages of Kosi Bay that span coastal and inland regions of northern Kwazulu-Natal, as well as southern Mozambique and parts of Swaziland. The researcher had been informed that obtaining the permission of the heads of the community to conduct the research was adequate for the research to proceed. However, during the first meeting that was held with some community members, they expressed that they did not trust any more researchers coming to do work in the area because researchers never come back to provide feedback about the research that they conducted and they usually use their research to inform laws that end up undermining the customary rights of local people to pursue their livelihoods.

The community also expressed that they did not trust white researchers in particular because in the past, there have been white researchers who came into the area to conduct their research and were welcomed by the local people, but after a while those researchers came back in positions of power, imposing rules that went against the customary rules that enabled local people's livelihoods. Before the pilot visit, the researcher was unaware about the extent of the negative perceptions that local people had about research.

Moreover, the researcher faced an obstacle when visiting the people Nkovukeni village for the first time. When people of Nkovukeni saw the researcher and the field assistants entering the village after obtaining permission to conduct the research, the people of Nkovukeni did not welcome the research and they expressed that they did not recognise the permission granted by traditional authorities because they felt the traditional authorities did not represent the interests of people of Nkovukeni. After being stopped from conducting household surveys in Nkovukeni, one of the leaders of the community suggested that he would organise another meeting with people of Nkovukeni where the researcher would have to again explain what the research was about and the people of Nkovukeni would then decide whether they welcomed the

⁸Headman, but considered the Chief in coastal villages.

⁹Paramount Chief of Kosi Bay.

research or not. At that point, it became clear that although the people in the different villages of Kosi Bay fall under the same traditional leadership, they were still very divided in some aspects as well as distinct and somewhat independent from each other. People of Nkovukeni expressed that they did not acknowledge the decisions of the chief or headman. Therefore, the researcher welcomed the notion expressed by the local people and another meeting was held where the researcher explained about the research and answered the questions and concerns that the people had.

After explaining what this research was about in various meetings and how the research seeks to highlight people's own voices about their livelihoods and experiences, the community expressed that they welcomed it because they felt that the research identified with the local culture. Living in the area while collecting data also enabled the researcher to engage in more depth with community members so that they got a better understanding of what the research was about.

The other limitation that was noted in the study was the reluctance of national government actors and iSimangaliso Authority members to engage with the researcher on issues that affect the livelihoods of people living within and adjacent to iSimangaliso World Heritage Site. Various attempts were made to interact with iSimangaliso Authority officials, but they were hesitant to respond, and when they did, they mostly provided apolitical and non-comprehensive accounts of issues related to power and politics concerning the governance of the site. Certain relevant government actors that were contacted also provided excuses about why they could not participate in key informant interviews, and it appeared that they were unwilling to discuss the politics concerning the governance of the iSimangaliso World Heritage Site. However, the data that was collected for the study was adequate for providing a holistic picture about some of the key challenges pertaining to the governance of iSimangaliso World Heritage Site, and ongoing research beyond this PhD thesis, will be conducted in order to highlight the need to integrate livelihoods analyses into the governance of iSimangaliso World Heritage Site.

2.7 CONCLUSION

This study has utilised qualitative and quantitative data collection methods in order to obtain an in-depth and broad understanding of historical and current livelihood strategies in Kosi Bay, and the manner in which governance processes have influenced livelihood strategies over time. Household surveys were conducted in order to collect quantitative and descriptive information about the community and governance arrangements for conservation. Focus group discussions, which applied PRA techniques, as well as oral histories, transect walks and key informant interviews with key stakeholders provided an in-depth understanding of livelihood strategies and governance issues. Data from primary and secondary sources was triangulated during the analysis in order to provide a holistic account of how plural governance institutions influence livelihoods of people in Kosi Bay. The following chapter provides the literature review and theoretical framework of this study.

CHAPTER THREE: LITERATURE INFORMING THE RESEARCH

3.1 INTRODUCTION

This chapter provides a review of the theoretical and conceptual ideas and frameworks related to livelihoods and governance in the literature that informed this study. Mehta et al. (1999:39) point out that there is a “nexus of interactions between issues of governance, institutions and livelihoods” and that this should inform how we view natural resources and their governance in the context of livelihoods. Governance has become a buzzword in environmental and social sciences, especially with increasing environmental and developmental challenges over the past two decades. The concept of governance recognises that governing by governments and managers alone is not adequate for addressing environmental challenges.

Chambers (1992) defines a livelihood as comprising capabilities, material and non-material assets and resources, as well as activities that one requires in order to make a living. Understanding linkages between rural livelihoods and governance systems through empirical evidence and grounded research was a fundamental objective of this study. This chapter provides an in-depth account of the schools of thought that have informed the understanding of the concepts *livelihoods*, *governance* and *legal pluralism*, as well as linkages between governance and livelihoods. The conceptual and discursive evolution of both livelihoods and governance perspectives are discussed.

3.2 LIVELIHOODS PERSPECTIVES

3.2.1 Definitions

Chambers (1987) first introduced the concept of *sustainable livelihoods thinking* (SLT). In developing SLT, Chambers (1987) saw it as fundamental to combine the thinking of professionals (usually Western) and of poor people in developing countries about environment and development by promoting a bottom-up way of understanding livelihood issues affecting the poor. Hence, Chambers (1987) made

significant strides in influencing policy makers to put the “last” first, following the Brundtland Commission Report (1987) where it was clear that environment and development discourses were still dominated by the ideas of the rich and powerful. According to Scoones (2009), the term *sustainable rural livelihoods* was possibly first coined during discussions of the 1987 Brundtland Commission Report, with the aim of putting the realities of rural people and local knowledge on the priority list of the global environment and development agenda. In his 1987 publication, *Sustainable Livelihoods, Environment and Development: Putting Poor Rural People First*, Chambers critiques the shortcomings of the Brundtland Commission Report of 1987 for not doing enough to prioritise the needs of the poor.

One of the definitions for *livelihoods and sustainable livelihoods* that is most widely used globally, is articulated as:

A livelihood comprises the capabilities, assets (stores, resources, claims and access) and activities required for a means of living; a livelihood is sustainable which can cope with and recover from stress and shocks, maintain or enhance its capabilities and assets, and provide sustainable livelihood opportunities for the next generation; and which contributes net benefits to other livelihoods at the local and global levels and in the short and long-term (Chambers and Conway, 1992:7).

Chambers (1987) argued that the tendency of professionals to think of “development” and “environment” as separate issues, and to think of policy-making in terms of population, resources, environment and development discourses (usually drawing on quantitative statistics and economics) without considering the voice of the poor was flawed (Chambers, 1987; Chambers and Conway, 1992; Chambers, 1995). Hence, he argued for a shift towards putting the poor first. Chambers (1987) critiqued the 1987 Brundtland Commission Report for arguing that marginalised indigenous and tribal groups should be empowered, while the report itself contained traits of professional technocratic discourses that view development in a top-down fashion. Moreover, the work by Chambers and Conway (1992) was also a reaction to the dominant economic growth discourses driving development thinking at the time, seeking to incorporate elements of equity and sustainability within human development debates.

The concept of *equity* refers to the empowerment of the most deprived (i.e. women and children) through promoting more equal distribution of assets, capabilities and opportunities (Chambers and Conway, 1992). Within the livelihoods literature, *sustainability* refers to one's ability to maintain and improve livelihoods while enhancing local and global assets and capabilities (Chambers and Conway, 1992). Chambers and Conway (1992) also analyse livelihoods at the household level by using four categories. These are: a) people – i.e. their livelihood capabilities; b) activities – what they do; c) assets – i.e. tangible and intangible material and social means of living; and, d) gains or outputs – i.e. what they gain from what they do.

3.2.2 Key livelihoods debates

There are various debates about how livelihoods perspectives (particularly in rural contexts) gained traction within the global field of development since the late 1980s. Morse and McNamara (2013) argue that although the sustainable livelihoods discourse became globally popular and widely adopted after the 1992 Rio Earth Summit and Agenda 21, the concept evolved after the 1960s and following the development of the SLA. The development of the SLA was facilitated by the growth of agrarian societies and New Household Economics in the 1980s that focused on issues such as income, expenditure, household labour and other economic aspects of household livelihoods in developing countries (Morse and McNamara, 2013). Agrarian research utilizing participatory rural appraisal (PRA) and rapid rural appraisal (RRA) techniques surged in the 1970s and into the 1980s. The New Household Economics was limited in scope in that it described livelihoods in a mechanical and one-dimensional way. It was then that the SLA evolved with an approach that promoted development driven both by government and non-government actors in order to uplift poor and marginalised groups (Morse and McNamara, 2013). This was in line with the 1997 White Paper on International Development that first set out the significance of sustainable livelihoods in international development discourse (DFID, 1999).

Chambers is said to be one of the pioneers of SLT who managed to influence key international development agencies and policy makers to put the needs of the poor first by directing policy focus towards issues of poverty and livelihoods in the

developing world (Chambers and Conway, 1992; Solesbury, 2003; Scoones, 2009). More recently, livelihoods analyses have drawn upon a series of interdisciplinary quantitative and qualitative methods in order to conduct livelihoods assessments. There is also a significant body of literature that seeks to use natural-resource use as a base for livelihoods analysis (Allison & Ellis, 2001; Béné et al., 2003). For instance, Neves and du Toit (2013:103) point out that “rural livelihoods need to be conceptualised as constituted through both farm and non-farm activities, formal and informal, and waged and own-account economic activities”. This is particularly relevant in a country like South Africa where rural livelihoods draw from a diverse set of livelihood strategies linked to the use of land and natural resources as well as opportunities in nearby urban areas (Neves and du Toit, 2013; Hauck et al., 2014). Livelihood strategies can thus be understood as “the range and combination of activities and choices that people make and undertake in order to achieve their livelihood outcomes” (Baumann, 2002:17). Livelihood strategies tend to be complex and related to short-term as well as long-term livelihood gains (Baumann, 2002).

Figures 3.1 and 3.2 depict five main types of assets identified in the SLF. These include:

- a) Physical capital (i.e. house, cars, access to infrastructure)
- b) Financial capital (i.e. savings, credit)
- c) Natural capital (i.e. fisheries resources, land ownership, crops farmed)
- d) Human capital (i.e. capabilities, education, health)
- e) Social capital (i.e. networks, belonging, membership to organisations)

Figure 3.1 depicts Scoones’s (1998) widely adopted sustainable livelihoods framework (SLF), which is used to analyse livelihoods outcomes, i.e. how livelihood strategies are devised, how institutions and organisations influence access to livelihood capabilities and how people devise livelihood strategies.

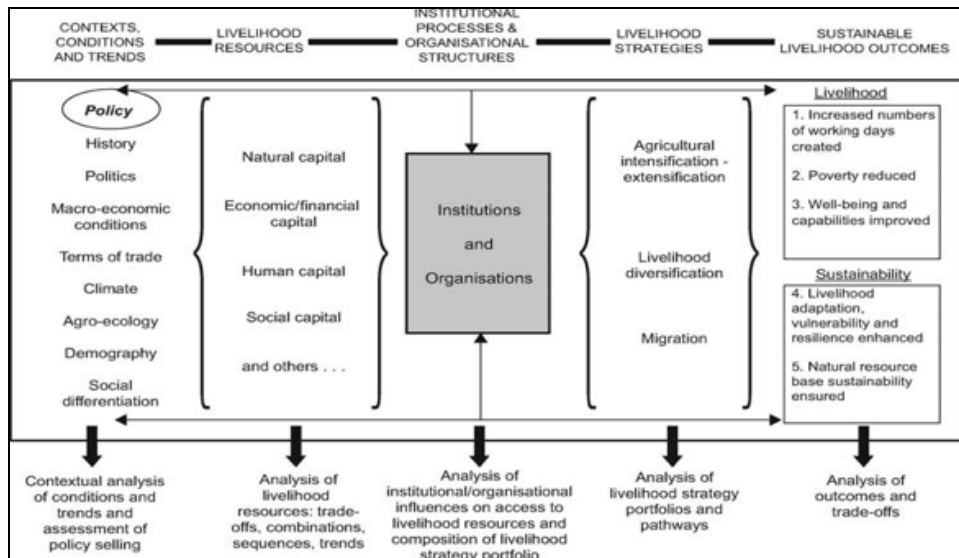


Figure 3.1: Sustainable Livelihoods Framework (SLF) (Scoones, 1998:4).

Figure 3.2 depicts Allison and Horemans’s (2006) interpretation of the SLF, which they used for understanding livelihoods in the context of natural-resource management systems.

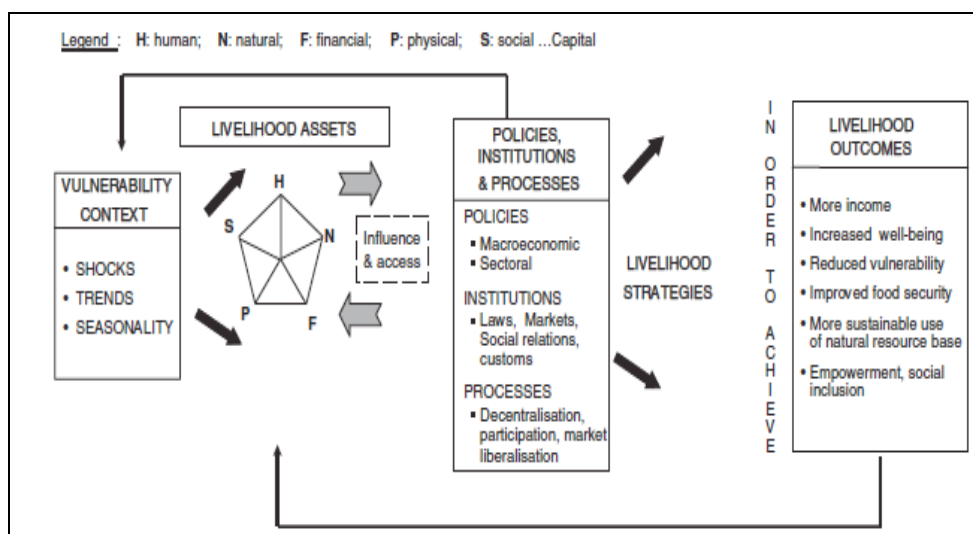


Figure 3.2: A SLF for understanding natural-resource management systems (Allison and Horemans, 2006:759).

In the SLF, Scoones (1998) summed up these various forms of capital as “livelihood resources”, separate from “institutional processes” and from “livelihood strategies” (Figure 3.2).

Based on the definition for livelihoods provided by Ellis (2000) and other scholars, it is argued that the critical factors for rural livelihoods to recover from stresses, shocks, and other forms of vulnerability are :a) the assets that people possess; b) the livelihood activities they engage in; and, c) factors that enable or hinder them from accessing the former and the latter (Scoones, 1998; Ellis, 2000;Allison, 2003). Contemporary livelihoods literature (Cutler et al., 2008; Berman, 2012; Allison, 2013) discusses factors that affect the ability of rural households to achieve sustainable livelihood outcomes. These include the vulnerability context and livelihood diversification.

Vulnerabilities, i.e. stresses and shocks that are beyond the control of households or the community to manage, may influence their ability to combine livelihood resources for sustainable livelihood outcomes (Allison, 2003). Vulnerability can be understood as the susceptibility of people to external stresses, risks or shocks, and their capacity to overcome or recover from shocks and stresses (Baumann, 2002). Stresses and shocks may be environmental (e.g. decline in fish stocks, droughts, flooding), economic (e.g. lack of access to finances, insecure land tenure), social (e.g. loss of breadwinner within a household, lack of education) or even political (e.g. change in policy regimes, poor rural institutions). The diverse nature of vulnerabilities is the reason why livelihoods studies increasingly emphasise the importance of diversity when it comes to livelihood strategies in rural contexts. Various scholars dealing with sustainable livelihood issues within the fisheries sector, for instance, have argued that livelihood diversification is a critical element for reducing vulnerability in rural or marginalised areas, and also for reducing vulnerability to stresses and shocks (Allison, 2003;Béné, 2003; Hauck et al., 2014).

Access is another pivotal component of understanding livelihoods because the ability of people to formulate livelihood strategies is largely determined by the access they have to different types of livelihood resources. Ribot and Peluso (2003:1) define access as “the ability to benefit from things; including material objects, persons, institutions, and symbols”. The term “use” in natural resource use directly refers to the ability to derive and enjoy benefits from resources (Berkes et al., 2003). Benefits derived from coastal resources may be direct (e.g. monetary, consumptive use) and indirect (e.g. clean air and carbon sequestration). Access control (i.e. the ability and

power to control the access of others to resources) and access maintenance (i.e. using resources or power to maintain the status quo regarding access to resources) form part of the political-economic aspect of the concept of access (Ribot and Peluso, 2003). These concepts explain how resources are harvested, used and managed, and the relations between those who control and maintain access to resources.

Ribot and Peluso (2003) emphasise “ability” (or power) when explaining access as a means of understanding how benefits to things are acquired. The emphasis on “ability” instead of only “rights” when seeking to understand factors that enable or hinder people from benefiting from resources, is the key distinction between access and property notions, and it allows for a deeper comprehension of both social and legal factors that influence how people benefit from resources (Ribot and Peluso, 2003; Langridge et al., 2006). Illegal access may refer to the enjoyment of benefits from natural resources in ways that may not necessarily be acceptable by law, but that may be acceptable within a local social context (Schangler and Ostrom, 1992). This may arise in cases where communities consider it their indigenous “right” to access natural resources.

In the SLF, institutions are seen as responsible for making operational rules (i.e. rules that constrain or enable individuals’ choices or actions) and collective choice rules (i.e. rules made collectively by a group that shape collective choices) (Acheson, 2006). Policies, principles, regulations, rules and arrangements are institutional mechanisms used by organisations managing natural resource use and access. According to Umali (2009:5), formal and informal institutions exist as “distinct frameworks of rules for doing things”, implemented through organisations to produce, reproduce and reinforce social relations. For example, while fisheries authorities may develop and enforce rules for natural resource use through allocating permits and licenses, local people in a given area can also define their socially acceptable rules for using the resources, separate from legal rules (ICLARM, 1998). Understanding the mediating role of institutions in customary communities or in marginalised people’s access to natural resources is pivotal when seeking to understand how they formulate livelihood strategies from using natural resources (Ribot and Peluso, 2003).

3.3 CRITIQUES OF SUSTAINABLE LIVELIHOOD APPROACHES

3.3.1 Quantitative nature of livelihood assessment tools

Although it is unclear when exactly the idea of sustainable livelihoods was first popularised globally, it is clear that since its inception, the sustainable livelihoods approach (SLA) has been applied not just in the research arena, but also for livelihoods analyses in the development field within poorer countries or disadvantaged areas. This approach has also been used to enhance understanding about the interventions needed to help address poverty issues (Morse and McNamara, 2013). The SLA initially gained purchase globally during the 1960s largely due to World Bank-funded projects on Integrated Rural Development. In 2001 the British Department for International Development (DFID) commissioned research to further develop the SLA. However, there has not recently been any conceptual development of SLA and the concept has lost traction in the global policy arena since 2001 (Solesbury, 2003; Morse and McNamara, 2013).

After the Brundtland Commission Report in 1987, a White Paper was formulated in 1997 by the government of the United Kingdom (UK), together with partners involved in rural development research, as a commitment to focus on issues of poverty and livelihoods in developing countries. However, as pointed out in Scoones (2009), the work done by these collaborative efforts to focus on livelihoods and poverty was largely influenced by institutional economics and tried to appeal to economists (see North, 1990; Scoones, 1999; Bebbington and Batterbury, 2001). Thus Scoones (2009:6) asserts, “In the notionally trans-disciplinary subject area of development, making sense to economists is a must”. This explains why sustainable rural livelihoods work in the 1990s was driven by economics discourses and jargon. This meant that the focus was largely on the economic attributes of livelihoods, and not on broader dimensions of livelihoods thinking.

Scoones (2009) asserts that within the SLF itself, the input-output-outcome components of the framework were created so as to make it legible to economists and make the framework conducive to quantitative analyses. Hence, the focus of the SLF on quantification rather than in-depth qualitative analysis ended up making it more of a checklist than a framework. It is also unclear how the causal logic presented in the

framework (i.e. context – livelihood resources – institutional processes – livelihood strategies – sustainable livelihood outcomes) is determined and how it is to be applied methodologically in different rural contexts. Moreover, it can be argued that the extent to which the SLA can model reality may be limited (Morse and McNamara, 2013).

Although the SLF provides a useful way to break down livelihood components of households, it depicts livelihoods and capitals as if they operate in a vacuum and as if people have complete agency and autonomy to decide how to combine livelihood capitals/resources without circumstantial or governance interference. More than this, one of the issues embedded within livelihood perspectives literature and the SLA observed in this study, and also mentioned in the work of Scoones (2009), is how various authors have portrayed, defined or promoted an understanding of livelihoods using economics discourses that appeal to economists and policy makers, but that detract from the complexity, diversity and nuances of rural livelihoods that cannot be represented in such terms (Scoones, 2009). For example, livelihoods literature largely employs discourses such as “assets” and “capitals” (i.e. natural, economic, human, social and others) to aggregate the components that contribute to how rural people make a living. It is usually unclear how one defines or measures these, or even what constitutes each of the “assets” or “capitals” in different rural contexts, let alone where one asset or capital begins or ends. Moreover, the economics classification of rural livelihoods presents a very utilitarian relationship between rural people and the environment, and moves attention away from cultural, relational, spiritual, health, wellbeing or other intrinsic values that rural people have in relation to their surroundings that may play a large role in determining how they devise livelihood strategies (Scoones, 2009).

3.3.2 Weak linkages between livelihoods and governance

Among the other shortcomings of livelihoods perspectives listed by Scoones (2009) is the fact that livelihoods perspectives have failed to link livelihoods to governance debates in the development agenda. Scoones (2009:12) adds that livelihoods perspectives

had in many respects got stuck, both intellectually and practically. The weak and sometimes confusing and contradictory theorisation of politics and power, meant that an intellectual articulation with both mainstream political science governance debates and more radical agrarian change discussions was missing.

In this regard, Scoones (2009) asserts that although the discourses of power, politics and governance within sustainable livelihoods debates were introduced by some researchers in the 1990s, these never really surfaced and were shunned for requiring more qualitative rather than quantitative analyses (i.e. too complex for economists who focused on quantifying poverty reduction). Consequently, one of the major criticisms of livelihoods perspectives over the past decade is that very little attention has been paid to issues related to power and politics involved in the processes of governance of natural resources that impact on rural livelihoods in the Global South (Scoones, 2009).

Taking all of these factors into account, the present study responds to Scoones's (2009) suggestion that in order for livelihoods perspectives to be relevant in the 21st century, there is a need to develop theoretical grounds that link livelihoods to governance debates. In his review of a decade of livelihoods perspectives literature, Scoones (2009) reflects on some of the limitations of the SLA, and of the wide application of simplistic or predictive frameworks that render technical the complex nuances of the livelihoods of rural people that have dominated development thinking since the early 1990s. In this account, Scoones (2009) highlights the significance of context and the fact that simplistic frameworks cannot capture how different people live in different places. Moreover, Scoones (2009) emphasises the significance of interdisciplinary approaches to understanding livelihoods that combine natural and social science perspectives.

People's agency in engaging in, creating or combining livelihood resources needs to be analysed at a theoretical and empirical level. Apart from small-scale fisheries literature (Allison and Ellis, 2001; Béné, 2003; Allison and Horemans, 2006; Walmsley et al., 2006; Béné et al., 2010), few scholars (Wynberg and Hauck, 2014) have done work on livelihoods that has focused on coastal areas in the Global South. Various livelihoods literatures (Scoones, 1998; Ellis, 2000; Niehof, 2004), including

that on livelihood diversification, have tended to focus on the agricultural sector, using an economics perspective that portrays “poor” or rural households as primarily farmers who require alternative livelihoods to decrease the risk of relying on one livelihood source. This stereotype is also incorrect as literature reveals that rural households can engage in more than one primary livelihood activity that they do not view as “alternative livelihoods” (Scoones, 2009; Hauck et al., 2014; Sunde, 2014).

Chambers (1987; 1995) uses the terms “poor”/“rural people”/“resource poor” interchangeably to refer to marginalised peoples in the developing world. There is an assumption made by Chambers (1995) and other livelihoods scholars that all rural people in developing countries are poor, when the spectrum of the data informing livelihoods work in the 1990s was largely quantitative and made use of economics rather than the narrative of social, cultural or political measures to ascertain whether this “poverty” was more than just financial. Chambers (1995) further critiques the tendency of international professionals working within the field of development (especially economists) to use reductionist approaches to understanding poverty, as they tend to focus on poverty-line measurements of groups and regions for comparative purposes without accounting for deprivation and ill-being aspects of people’s lives that may contribute to poverty. However, Chambers (1995) himself defined poverty as “income-poverty” which is arguably still a very Western economist approach to defining poverty and does not account for social, cultural and other narratives that could help define poverty.

It is argued that the homogenisation of rural people across developing countries by livelihoods scholars at large is questionable, given that they refer to case studies ranging from India and China to Sub-Saharan Africa, which are completely different geographical and social contexts. How the term “poor” or “poverty” is used in livelihoods literature is also questionable, and one could argue that standards of measuring poverty could vary across different countries and continents. Hence, this study will refrain from using the word “poor” to refer to rural communities because this could be a misleading term since Kosi Bay, for instance, is an extremely rich area in terms of biodiversity, coastal resources and indigenous culture. The problem with this area is with the access that rural people have to the natural resources as well as marginalisation, which limits the access of local people to education, employment,

capacity building, networks and other opportunities. Hence, the term “poor” will be replaced with the term “marginalised” in this study.

3.4 NOTIONS OF GOVERNANCE

Although there is no universal definition of the term *governance*, the concept of governance can be understood to have two distinct meanings, i.e. normative and descriptive or sociological meaning (Cotoi, 2011). The normative meaning of governance is usually referred to as *good governance* (characterised by transparency, accountability and participation), or in the adverse situation, *bad governance*. There are various normative definitions of the term *governance* within the field of natural resources. According to the United Nations Development Programme (UNDP, 1997: 2-3), governance can be understood as,

the exercise of economic, political and administrative authority to manage a country’s affairs at all levels. It comprises the mechanisms, processes and institutions, through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences.

For Hyden et al. (2004:16), the term governance refers to,

the formation and stewardship of the formal and informal rules that regulate the public realm, the arena in which state as well as economic and social actors interact to make decisions.

Treib et al. (2007) point out that in politics, governance is associated with a process whereby governing shifts away from traditional models where decisions are made by certain bureaucrats, towards a process where a change in the composition of actors is a significant consideration in the formulation and implementation of policies. This is pertinent for defining governance in the context of coastal areas where the dynamic, diverse and complex nature of coastal socio-ecological systems requires pluralistic and multi-level modes of management and governance. The various discourses, narratives and interpretations of governance theory in the literature all provide useful knowledge for enhancing understanding about the complexities linked to governance in the context of natural resource management. According to Sowman and Wynberg

(2014), the focus of governance theory on interactions and processes occurring between diverse actors with diverse interests and worldviews distinguishes the notion of governance from government or management.

Interactive governance theory is defined by Kooiman and Bavinck (2005:17) as

the whole of public as well as private interactions taken to solve societal problems and create societal opportunities. It includes the formulation and application of principles guiding those interactions and care for institutions that enable them.

It identifies three modes of governance which include self-governance, top-down governance, co-governance, as well as hierarchical governance (Kooiman et al., 2005; Jentoft and Bavinck, 2014). Decentralisation is also a mode of governance that is used as the transfer or devolution of decision-making power and authority for public functions from central government to subordinate governments, through enabling lower-level actors to exercise some level of autonomy in decision-making processes (Agrawal and Ribot, 1999; Ntsebeza, 2002). Decentralisation is intended to increase public participation in local decision-making processes in order to promote more equitable and efficient local management forms (Ntsebeza, 2002; Ribot, 2003). Political or democratic decentralisation is a type of decentralisation whereby decision-making powers are transferred to authorities that are accountable to and represent local citizens (Agrawal and Ribot, 1999; von Braun and Grote, 2000; Ntsebeza, 2002). An understanding of the powers of the involved actors, the realms in which they exercise their powers, and the extent to which they are accountable are important prerequisites to determine whether meaningful decentralisation has taken place (Agrawal and Ribot, 1999).

3.5 GOVERNANCE INTERACTIONS

This section elucidates understanding about the components of governance interactions involved in complex human-environment systems where issues of power and politics manifest.

Kooiman and Bavinck (2005) argue that governance perspectives are characterised by three common features which are: a) the belief that governing involves both private and public actors; b) the belief that in governing processes both public and private interests are equitably shared; and c) the belief that societal development underpins governance. In interactive governance theory (Kooiman et al., 2005; 2008; Bavinck et al., 2013; Jentoft and Bavinck, 2014), governance systems comprise a *governing system* and a *system to be governed*. The governing system is made up of institutions and related social and legal mechanisms, while the system to be governed constitutes two subsystems, i.e. natural and social systems, and the related system of users and stakeholders and their interactions (Jentoft, 2007).

The role of the governing system is to facilitate the interactions between the natural and socio-economic system being governed. The system to be governed and the governing system need to be mutually compatible in order to work together (Chuenpagdee and Jentoft, 2009). Governance theory also suggests that socio-ecological systems to be governed are diverse (i.e. constitute natural, social and cultural variability), complex (i.e. characterised by overlapping, interdependent and usually conflicting elements), dynamic (i.e. constantly changing and unpredictable) and vulnerable (i.e. fragile) (Kooiman et al., 2008; Kooiman, 2008). These characteristics can make a system easily dismissed as ungovernable, which may not necessarily be the case (Kooiman, 2003; Kooiman et al., 2005; Jentoft, 2007). Jentoft (2007) states that the diversity of the system to be governed calls for the governing system to be sensitive; complexity calls for inclusiveness; the dynamic nature of the system calls for flexibility and adaptability; while vulnerability calls for caution by the governing system.

Kooiman and Bavinck (2013: 11) assert that governance interactions are “exchanges between actors that contribute to the tackling of societal problems and opportunities”. They refer to “actors” as any units of society with agency or power to act (Kooiman and Bavinck, 2013). Actors in coastal governance can include individuals, different state departments, private sector actors, trans-boundary management actors, international actors, as well as affluent and marginalised societal groups from macro to micro levels. It is usually difficult to reconcile the views and ideas of disparate actors in coastal governance processes. This challenge embodies what Jentoft and

Chuenpadgee (2009) refer to as a “wicked problem”. Hence, Sowman and Wynberg (2014:6) assert that governance interactions “may or may not be characterised by shared values and vision”. More than being a wicked problem, the involvement of multiple actors in coastal governance creates challenges in that different actors (depending on their level of power and influence, social status as well as their physical location in relation to resources) may hold different images, values, principles and ideas about how coastal resources ought to be used, accessed and governed (Jentoft, 2007). Ngeta (2014:28) confirms this by stating that, “the complexity of the actor constellation tends to increase as one moves up the governance ladder from the local to the global”. However, although this is largely the case, it is argued that the key focus of governance is to aid interactions that promote collective action in terms of addressing societal problems and creating solutions (Kooiman et al., 2005; Sowman and Wynberg, 2014). Whether or not a system is governable is an important question for policy makers and should be of first consideration before any governance decisions are made (Bavinck and Salagrama, 2008).

Interactive governance theory (Jentoft and Bavinck, 2014) identifies and distinguishes three orders of governance in legal pluralist systems where statutory and customary systems co-exist. These governance orders include first order, second order and third order or meta-governance. First-order governance refers to the nuances of governance that are observed in the daily affairs of management that governing actors and people engage in. Second-order governance is concerned with the design of institutional arrangements such as rules, laws and norms that are used to address first-order governing. Kooiman and Jentoft (2009) refer to the concept of probing into the norms, values, images and principles driving governance systems and approaches as meta-governance; also referred to as third-order governance or governance of governance. Jentoft and Bavinck (2014) argue that in studies drawing on interactive governance theory, the important points of enquiry in governance systems include the occurrence of symmetries, asymmetries as well as representativeness between and within plural legal systems. They define symmetry as two-fold, i.e. as adequate coherence between the legal orders, as well as the power difference between them (Jentoft and Bavinck, 2014).

It has been argued that systems with higher resilience have higher governability as they have a higher capacity to cope with stresses (Kooiman, 2008). On the other hand, it is also argued that the more diverse and complex a system is, the less likely it is to be governable (Kooiman et al., 2008; Jentoft and Chuenpagdee, 2008; Chuenpagdee and Jentoft, 2009). This is because highly diverse systems require governors to possess deeper knowledge and understanding of both the natural and social aspects of the system, and how these work together.

The body of work on “values” is also significant for understanding governance interactions. There are various definitions of value in the literature drawing on different disciplines such as sociology, anthropology and resource management. Williams (1979: 16) defines values as “interests, pleasures, likes, preferences, duties, moral obligations, desires, wants, goals, needs, aversions and attractions, and many other kinds of selective orientations”. Rokeach (1973: 5) defines values as “enduring beliefs that a specific mode of conduct is personally or socially preferable to an opposite or converse mode of conduct or end-state of existence”. Values are abstract and idealistic, and governance is largely driven by their allocation, and the determination of values is characterised by issues of power (Song et al., 2013). Song et al. (2013) identify twenty-four of the most widely discussed values in fisheries governance literature, with conservation, wealth, knowledge and secure livelihoods being in the top five. Satterfield and Kalof (2005) also refer to two dominant traditions of categorizing values, i.e. axiomatic (usually expert driven and based on the idea that certain values are more significant than others), and relativistic (usually adopted by practitioners and researchers and based on the idea that there are no right or wrong values).

3.5.1 Factors influencing meta-level governance

3.5.1.1 Discourse

There is a growing body of literature concerning the relationship between the influence of global conservation discourses developed in the Global North on environmental governance policies and practices implemented in the Global South. This body of literature emphasises how these discourses are usually not suitable for

use in the contexts on which they are imposed (Agrawal, 2005; Steinberg, 2001; 2003; Benjaminsen and Overa, 2011; Balboa, 2013). According to Benjaminsen and Overa (2013) this literature explores:

- a) how global environmental discourses are reproduced in the Global North and by whom;
- b) how these global environmental governance discourses have evolved historically;
- c) how they are translated into environmental policies and regulations in the Global South;
- d) how they, in turn, affect resource use by marginalised rural communities at the local level; and
- e) how they are contested locally by the communities and governance actors.

A central concern of this study is to explore the influence of the discourses of the powerful that control how environmental governance takes place by looking at both sides of the coin, i.e. how rural people view governance and how governance actors view it.

3.5.1.2 Images and principles

While principles can be understood as codes of conduct guiding the manner through which actions and decisions are proposed, made, revised and critiqued (Song et al., 2013), images constitute ideologies, visions, models, assumptions and convictions that governing actors possess about the system to be governed (Kooiman et al., 2008; Kooiman and Jentoft, 2009). Images, also referred as beliefs or subjective knowledge (Boulding, 1956), are implicit by nature and defined as “a way of thinking and a way of seeing that pervade how we understand our world generally” (Morgan, 1997: 4).

Governance actors often have some form of implicit image of what they are governing that informs how they govern (Jentoft et al., 2010). For instance, governance images held by actors responsible for implementing governing approaches may differ from those held by communities interacting with the resources on a day-to-day basis. This is due to different epistemologies, ideologies and motivations for governance held by actors on either end. Ngeta (2014:28) confirms,

The image of the world that the actors bring to either of these issue areas defines what they perceive as the importance of the sector and how it should be governed to achieve its objectives...These considerations are informed by actors' assumptions about the world and the information that they have about that area...

Images are not usually explicitly discussed in governance processes, which may be problematic because they play a significant role in shaping governance practices, as they are often acted upon by governing actors without being discussed with other affected actors (Jentoft et al., 2010). Images go hand in hand with the knowledge or science that is adopted by policy makers and used for governing resources. There is also an emerging post-structural literature that demonstrates how the prevailing images or ideas that inform most policymaking for resources used by marginalised or rural communities, such as forestry and fisheries, are usually based on incorrect Western notions and inaccurate science (Cronon, 1996; Fairhead and Leach, 1996; Kolding and van Zwieten, 2013).

By providing accounts of how Western images and discourses of environmental governance may result in incorrect but widely accepted and dominant management discourses in forestry and small-scale fisheries policies, Cronon (1996), Fairhead and Leach (1996), and Kolding and van Zwieten (2013) reveal how the assumptions underlying Western ideas that influence policy decisions for the governance of resources are largely unfounded. Moreover, these are not usually contested if they reflect the discourses and images of the powerful. This results in hegemonic environmental governance that is detrimental to the livelihoods of marginalised or rural communities. This could explain why mismatches and discord between normative coastal management and governance objectives (i.e. equitable access, benefit sharing and sustainability), and the realities of people on the ground largely persist in coastal sectors such as small-scale fisheries, tourism, mining and conservation in Southern Africa (Mbatha, 2011; Hauck et al., 2014; Sowman, 2015).

In many developing countries in Asia and Africa, the governing or management of fisheries and coastal resources is often strongly influenced by Hardin's (1968)

Tragedy of the Commons discourse, that is based on the idea that resources will inevitably be over-exploited if not privatised or under state control (Kooiman et al, 2008). This discourse has manifested into an image held by various natural resource-governing actors and largely informs the decisions of natural resource scientists and managers in various developing countries. The main problem with governance images inspired by Hardin's (1968) *Tragedy of the Commons* thinking is that many indigenous people who have a long history of direct interaction with the environment and resources do not see themselves as being separate from the environment or nature, but rather as being at one with it. Hence, various scholars argue against the Western view of separating nature and the environment (i.e. Guha, 1989; Escobar, 1995; Cronon, 1996; Fletcher, 2009) by demonstrating that many rural people do not view the environment as a means to an end to be exploited for utilitarian purposes; and they do not have a deterministic behaviour to degrade the environment for individual gains. Hence Jentoft et al. (2010) confirm that images can be instruments of power used by dominant groups or elites to impose ideas and worldviews on society that reinforce their interests and their position in society.

It is significant to note that images held by governing actors are not necessarily always true or accurate (Jentoft et al., 2010). Different actors may possess different sets of interests and values and this influences the images they have for governance. For instance, contrary to the belief of many conservation scientists and managers, coastal communities in many parts of the world engage in a suite of livelihood activities, over and above fishing, and have a long history of utilizing different types of coastal resources and engaging indifferent activities along the coast to support their livelihoods (Hauck et al., 2014). Hence, Jentoft et al. (2010) argue that in order for governance processes to be inclusive, participatory and to correspond to governance needs on the ground, images need to be explicitly discussed among all parties involved, in order to allow for interactive and efficient processes for identifying solutions to governance challenges in complex environments such as the coast. More than that, it is also argued that what informs an image is probably more critical than the image itself. In other words, it is important to elucidate at what point in time governance images are formed, i.e. historically prior to the establishment of the governance processes, or during the governance process based on the interactions and

issues arising from the governance process itself. Jentoft et al. (2010:1317) thus assert:

Images change as people learn from experience, their own or others, as when observations do not conform to what is believed...When there is a discrepancy between the new message and the current image, an alternate image may emerge.

3.5.1.3 Political ecology narratives on neoliberal constructions of nature

Political ecology highlights the significance of issues relating to power dynamics, social constructions of nature, discourses and knowledge valuation in decision-making processes within governance debates. Such issues are often neglected in the literature on governance and institutions, despite their immediate relevance which is provided below.

Political ecology strengthens understanding about issues of politics and power that are embedded in conservation governance. Its ideas render less technical the challenges that are linked to legal pluralist systems, especially those characterised by power dynamics, neoliberal strategies, as well as inequities that lead to the continued marginalisation of people in rural communities and their customary or traditional systems of resource use (Agrawal, 2005; Fletcher, 2009).

When it comes to understanding complex human-environment interactions, political ecology debates have focused on five key components of human-nature governance processes (Robbins, 2004; Armitage, 2008) that are pertinent for this study. These include:

- a) the role of power in shaping governance processes;
- b) the influence of scale and levels of institutional arrangements involved in governance;
- c) the social construction of nature and discourses about nature that shape governance interventions;
- d) the positioning of actors in terms of networks and power; and
- e) how knowledge is valued and who influences these valuation? processes.

This study explores how history, politics, power and context, embedded in the governance of complex systems such as the coast, influence rural livelihood strategies and outcomes. Political ecology debates are thus at the heart of what this study seeks to understand. This is pertinent because understanding the positioning of governance actors and their power relationships, as well as the role of context in governance processes have implications for the livelihood outcomes of marginalised resource users (Peet and Watts, 2004). Armitage (2008:22) confirms that a political ecology perspective “on how social actors construct different interpretations of nature-society interactions, and therefore, corresponding policy interventions and governance strategies, has the opportunity to make resilience interpretations of system behaviour more robust”. Such perspectives also provide a useful lens for analysing the impacts of different governance strategies on livelihood approaches that are adopted.

Jentoft and Bavinck (2014) point out that in cases where legal pluralism exists, power struggles between different legal orders and the people promoting them influence the governability of a system. Power is therefore a significant factor influencing governance interactions and in turn impacts on the ability of people to benefit from natural resources. This is manifested in the ability of certain stakeholders or institutions to influence how others benefit from a resource (Ribot and Peluso, 2003). Power is constituted in different mechanisms, processes and social relations and is held by certain people and institutions who control and/or maintain access to natural resources (Ribot and Peluso, 2003).

Human-environment systems are governed by multi-level institutions that have conflicting views about whether state-centric or decentralised forms of governance are appropriate. Within this context, market-based conservation appeals to both bottom-up and top-down governance approaches as it is seen to foster a win-win situation between conservation and rural development (Roth and Dressler, 2012). Market-based conservation is based on the notion that “assigning monetary value to nature [was] the most efficient and effective way of saving it, and [had] the additional benefit of being able to provide livelihood opportunities for those most affected by conservation practice” (Roth and Dressler, 2012:363). The win-win situation is achieved when people receive money from conservation initiatives such as ecotourism, and are purportedly thus incentivised to support conservation. This

approach has been critiqued by political ecologists on the basis that complexities on the ground can cause communities to be losers in these processes. For example, such processes are largely driven by states and communities do not have much of a say in terms of what market approaches should be used and how they can benefit (Roth and Dressler, 2012).

Igoe and Brockington (2007) discuss the role that neoliberalism plays in contemporary representations of biodiversity protection and the creation of protected areas, and provide a useful critique of environmental management. They argue that,

Neoliberalisation involves the reregulation of nature through forms of commodification. This, in turn, entails new types of territorialization: the partitioning of resources and landscapes in ways that control, and often exclude, local people. Territorialization is a starkly visible form of re-regulation, which frequently creates new types of values and makes those values available to national and transnational elites... These networks are rhetorically united by neoliberal ideologies and are combining in ways that profoundly alter the lives of rural people in areas targeted for biodiversity conservation (Igoe and Brockington, 2007: 432).

Brockington et al. (2008) explore how representations of nature (i.e. the images promoted for its governance and the development of environmental consciousness and its transfer by certain actors to subaltern actors) evolve over time. They reveal how certain environmentalisms (including environmental protection) are not always undertaken purely for the purpose of protecting the environment for its own good. However, these emerge as part and parcel of certain social and economic agendas of those in power; either to improve their power in controlling resources, to increase profits from environmental protection ventures (i.e. ecotourism), to win political votes or to increase their popularity/sovereignty. Thus, powerful actors can use their access to social and economic networks to promote certain representations or discourses about nature. Brockington et al. (2008) refer to these discourses as “ungrounded environmentalisms” because they are promoted by actors who do not live or rely on the environments that they value, and who do not understand how their valuations of

these environments correspond to those of communities who live in them and rely on them for their livelihoods.

Foucault (1977) refers to the idea of strategic use of regulations to control human behaviour as *governmentality* or “conduct of conduct”. According to Foucault (1977), *governmentality* is about creating institutions and organisations to manage the possible or actual impacts of people’s behaviour on the environment, and has less to do with management. The environment is seen as self-regulating in nature, and human livelihoods are viewed as potentially posing a threat to that self-regulation process. Some of the key approaches and critiques of political ecology that are evident in contemporary natural resources management strategies worldwide can be classified as *environmentality*, *governmentality*, *neoliberal governance*, *biopower* and *discipline* (Foucault 1977, 1991, 2008; Agrawal 2005). *Governmentality* approaches not only create a romantic and sublime image of nature, but they are also geared towards making people environmental subjects. They may be used by powerful international actors and states who apply such management strategies to compel populations to abide by predetermined resource use rules that will prevent people from “degrading” the environment (Agrawal, 2003; Agrawal, 2005; Fletcher, 2009). Less powerful states (i.e. developing countries) might subscribe to environmental management discourses and strategies promoted by developed and powerful countries which may be relevant to first world contexts, but cannot necessarily be fashioned into third world contexts where issues like poverty and livelihood insecurity are usually pressing concerns.

Institutional arrangements set up for implementing neoliberal conservation are usually multi-level and nested institutions, from international to local levels. Hence Büscher et al. (2012:4) assert that the neoliberal conservation lens focuses on how conservation becomes

an amalgamation of ideology and techniques informed by the premise that nature is ‘saved’ through their submission to capital...neoliberal conservation shifts the focus from how nature is used in and through the expansion of capitalism, and how nature is conserved in and through the expansion of capitalism.

Büscher et al. (2012) argue that neoliberal conservation combines capitalism with conservation by claiming that its prime mission is to save and preserve the world's biodiversity, and in order for this to be done, nature needs to be commodified for economic growth which will promote ecological sustainability. Ramutsindela (2008) further argues that changes in nature conservation in post-apartheid South Africa have not necessarily been linked to deteriorating environments, but to concerns that the black politicians will not prioritise, nor be interested in nature conservation. Ramutsindela (2008) also argues that the motivations for creating and designing conservation institutions need to be questioned because they may not necessarily be founded on a scientific basis, but could be the outcome of socio-political and economic processes that are driven by the state.

Over the past decade, various literatures critiquing neoliberal conservation and drawing on Foucault's ideas about governmentality and biopower have developed (Ramutsindela, 2008; Fletcher, 2010; Büscher et al., 2012; Roth and Dressler, 2012; Büscher, 2014; Brockington and Wilkie, 2015; Nustad, 2015). These critiques argue that the rise of capitalism has been paralleled by a rapid increase in the number and scale of efforts to transform ecosystems, and that actors in positions of power that drive conservation agendas in human-environment systems, tend to transform nature for capital accumulation in the name of biodiversity conservation, protected areas, transfrontier conservation, re-wilding programs, as well as ecotourism (Ramutsindela, 2008; Büscher et al., 2012).

The present study therefore draws on these various political ecology narratives to strengthen understanding about issues of politics and power that are embedded in conservation governance at the meta-level.

3.5.2 Factors influencing the second order of governance

Interactive governance theory states that the second order of governance comprises institutions (Figure 3.3). Kooiman et al. (2008) assert that in order for governance to work, institutional arrangements should be structured so as to ensure that both the governing system and the system to be governed work cohesively and coherently. It is

important to get the institutions right so that both systems can be effective, and in so doing, enhance social justice. Jentoft (2007) argues that the diversity of the system to be governed calls for the governing system to be sensitive; complexity calls for inclusiveness; the dynamic nature of the system calls for flexibility and adaptability; while vulnerability calls for caution by the governing system. Therefore, for institutions to address the diverse, complex and dynamic nature of the system to be governed, they must equally (but with limits) be diverse, complex and dynamic – but not vulnerable (Jentoft, 2007). This means that they must handle these characteristics while at the same time maintaining their integrity and operating in a socially just manner. If a governing system becomes too complex, diverse or dynamic, it may become ungovernable in itself (Jentoft, 2007).

Within the sustainable livelihoods literature, institutions are depicted as playing a role of mediating and governing people's power and access to different types of capitals, as well as access to opportunities and livelihood decisions (Morse and McNamara, 2013). However, by suggesting that institutions and organisations mediate how people use livelihood resources to form livelihood strategies, the SLA appears to suggest that people are not, or cannot be part of the governing system. This notion is challenged because the SLA is supposed to be a people-centered approach that promotes the engagement of local people in governing processes (Glavovic, 2006; Tao and Wall, 2009). Asserting that institutions mediate people's access to capitals and capabilities thus assumes that people cannot be part of governing processes; an assumption that is refuted by interactive governance theory. Kooiman et al. (2008) note that the human system (i.e. people and their lives) together with the natural system (resources) are both part of the overall governance system where governance actors are responsible for the role of governing. Governance is not necessarily there to mediate between livelihood resources and livelihood strategies; but all form part of the governance processes and local people are also actors within the governance system. Interactive governance can play a pivotal role in improving knowledge about how people are able to access and use resources for livelihoods (Agrawal and Perrin, 2008), as institutional processes could be just one aspect of governance and do not holistically reflect the governance practices that take place on the ground.

There are, however, other literatures that provide more depth on the role of institutions in the governance of natural resources in legal pluralist systems which are not adequately acknowledged in interactive governance theory. These include multi-level institutions literature (Ostrom and Janssen, 2004; Brondizio et al., 2009); polycentric institutions literature (Gruby and Basurto, 2013); Type I or vertical multi-level governance and Type II horizontal multi-level governance literature (Hooghe and Marks, 2003; Eckeberg and Joas, 2004); resilience thinking literature (Berkes et al., 2003; Folke et al., 2005); socio-ecological systems literature (Ostrom, 2005,2009; Berkes, 2006); commons literature (Ostrom, 1990; Agrawal, 2002); access theory (Ribot and Peluso, 2003); and political ecology (Neumann, 2005). Although these different strands of literature may be similar in some respects and divergent in others, scholars such as Armitage (2008) argue that there is value in drawing lessons from combining all of them in order to identify points of convergence that could enhance understanding about designing appropriate institutions for managing complex socio-ecological systems.

Two concepts that are widely used by scholars working on socio-ecological systems are *multi-level institutions* and *multi-scale linkages* (Poteete, 2012). Multi-level-institutional approaches focus on institution designs as well as the policy implications of certain institutional arrangements (Poteete, 2012). Multi-level institutions refer to institutional arrangements that are either “based on territorial, usually multi-purpose jurisdictions...and those based on functional areas, usually with overlapping territories” (Poteete, 2012:136). Agrawal (2005) and Armitage (2008) argue that because factors such as political regime shifts and increased commodification of resources may cause commons resources to change (posing challenges for the livelihoods strategies of rural communities that rely on the resources), multi-level institutions are needed at local, national and international levels to address such challenges. Commons theorists have thus strongly promoted co-management, integrated management and community-based approaches for managing commons resources, as examples of multi-level governance; arguing for emphasis on vertical and horizontal integration of resource systems.

Institutions scholars (Ostrom, 2007; Armitage, 2008; Blomquist, 2009) that focus on issues of scale also argue that multi-level institutions are more resilient and promote

greater sustainability because they manage resources at multiple levels. This is also referred to as the decomposability of institutions (Ostrom, 2007) - meaning that institutions are designed to manage each level of interaction within the system, as well as at the holistic level of the system. Hence Ostrom (2007) argues that this enables policies to be tested in certain parts of the system without imposing a one-size-fit-all formula on the rest of the system.

Protagonists of multi-level institutions argue that such institutions provide scope for error detection and minimisation in governance practices because multiple interventions take place simultaneously within the system, creating learning opportunities to monitor what works and what does not work (Ostrom, 2005; Blomquist, 2009; Poteete, 2012). Furthermore, error detection and adaptation is critical because institutional design for complex socio-ecological systems is also affected by the limitations of human nature and the fact that decision-makers cannot claim that they fully comprehend the systems for which they make decisions or that they have complete or accurate data about such systems (Blomquist, 2009).

Various governance and institutions scholars (Olsson et al., 2004; Folke et al., 2005; Kooiman et al., 2005; Ostrom, 2005; Armitage et al., 2007; Brondizio et al., 2009) argue that in order to overcome complexity in commons governance, governance arrangements should:

- a) be multi-layered (in order to enhance cross-level integration and improve monitoring of institutional effectiveness);
- b) promote participation and collaboration of actors across scales;
- c) be accountable;
- d) be interactive (i.e. system to be governed and the governing system);
- e) promote knowledge pluralism (by drawing on views and values from all actors across scales); and
- f) be networked in order to enhance equitable sharing of benefits from resources.

These attributes are not without critics. For instance, political ecologists argue that although these are useful in providing some trajectory for more sustainable governance of resources, they suggest that the governance of complex systems is a linear process. For example, they assume that if there is increased accountability, participation and transparency then the outcomes would be more sustainable and challenges would be overcome (Poteete, 2012). Various political ecology scholars

thus argue that the key driver underpinning the creation of governance arrangements is not merely the pursuit of institutional designs that would enhance equity and sustainability of resource use systems, but it is primarily governmentality – a technocratic process of regulating human conduct towards natural resources.

Multi-level institutions could also result in two key problems: poor coordination as well as blurred accountability, linked to institutional complexity (Poteete, 2012). Accountability within multi-level institutions can be reduced where it is not clear for people on the ground which institution is responsible for what. It is argued that in multi-level institutions, coordination problems arise when institutions involved in governing resources fail to acknowledge one another and thus take decisions that have contradictory outcomes, or it becomes difficult for them to reach a consensus about complex matters. Poteete (2012:138) adds that, “particularly for natural resource systems that cross international boundaries, it is common for multiple institutions with veto authority to participate in policymaking. In such situations, the risk of a joint decision trap is very real”. A joint decision trap is defined as “the production of systematically suboptimal outcomes that can occur when two levels of government exist and policy decisions require agreement at both levels” (Poteete, 2012:138).

Other scholars such as Young (2006) and Brondizio et al. (2009), however, argue that multi-level institutions are necessary for managing the commons, but neither high levels nor completely decentralised multi-level governance approaches for governing human-environment systems are suitable because of the high levels of functional interdependencies of such systems. They argue that the vertical interplay of institutions is important in multi-level governance, and that the nesting of institutional arrangements at local and larger scales (i.e. national and international levels) is important for the sustainable governance of human-environment systems. It is thus apparent that those who govern resources within the context of complex systems should be aware that complexity and uncertainty may yield management challenges, which may perpetuate if managers fail to acknowledge complexity and uncertainty. Hence, Blomquist (2009) argues that in the management of complex resource systems, policy actions should always go hand in hand with continuous observation of the system and its changes. Multi-level governance arrangements are thus seen as agents for connecting communities to regional, national and international governance

structures to facilitate shared knowledge and understandings of resources and how they should be managed (Armitage, 2008).

Designing suitable institutions for the governance of human-environment systems is usually a complex task because these systems occur at multiple scales and multiple users and stakeholders contest access to the resources. There are also various debates in the literature about the appropriate scale or level for the management of complex human-environment systems. While the literature argues that globally, natural resources are managed in a top-down fashion with poor decentralisation of management, some prominent commons scholars tend to argue that polycentric or nested institutions are more appropriate for managing resources (Blomquist, 2009). Other scholars argue that more local level approaches (i.e. community-based resource management) are more appropriate.

When it comes to the governance of systems such as coastal resources, polycentric or nested decision-making systems are usually observed. Polycentric systems constitute multiple institutions that are intended to make coherent decisions, although operating at different scales and in practice may operate independently of one another. Hence, polycentric systems are

thought to be more likely to enhance the ability of resource users to craft and adjust their own institutions over time, which can increase the likelihood of those institutions leading to effective, equitable, or sustainable outcomes because they are more likely to be well matched to particular social-ecological contexts (Gruby and Barsuto, 2013:3).

On the other hand, nested systems are made up of a centralised decision-making body, i.e. the state, where power is not necessarily distributed to other stakeholders (Gruby and Basurto, 2013). Commons scholars therefore usually advocate for nested polycentric institutions for decision-making because they combine the participation of local resources users and their local knowledge in the design of institutions and rules for governing resource use, while actors such as the state provide broader oversight and support for the governance of resources (Gruby and Barsuto, 2013).

Literature on socio-ecological systems (i.e. Berkes et al., 2003; Ostrom, 2007) also provides useful insights into the challenges related to designing appropriate institutions for natural-resource management or conservation areas where the complexity of socio-ecological systems manifests. Socio-ecological systems debates also provide useful analyses of the challenges linked to the rates of change that systems undergo. This is pertinent because, over time, various factors cause human and biophysical aspects of systems to change, and these changes occur at different rates; which is why they are complex to manage (Blomquist, 2009). Temporal and spatial variations of human-environment interactions are also debated in natural resource governance literature, especially where resources are managed at multiple vertical and horizontal levels.

Scholars that have studied the issue of scale argue that when the system changes at one level, it cannot be automatically assumed that this would affect all other levels of the system, and, at the same time, it also cannot be assumed that changes in one portion of the system will not have impacts on the wider system (Blomquist, 2009). Hence, “scaling up” or “scaling down” governance interventions may have negative impacts if the context-specific nuances of a system are not well understood. Hence Blomquist (2009:14) states,

Without agreement on which elements of a system best indicate its overall condition, scientists and resource managers are likely to also lack agreement on what a change in one or more of those indicators at any particular time signifies...the selection of policy ‘targets’ becomes especially unclear...furthermore, if resource managers focus their attention on a few selected policy targets, undesired and undesirable results may occur as other elements of the system shift in unanticipated ways.

Furthermore, Cleaver (2000; 2002) argues against the notion posited by common resources scholars that institutions are often crafted for specific functions. Instead, Cleaver (2000) argues that resource-use institutions may be multi-functional and are created through a process of bricolage. Institutional bricolage may be described as “gathering and applying analogies and styles of thought already part of existing institutions” (Cleaver, 2000:380). One could therefore argue that institutions are not

necessarily rationally crafted, but evolve through multiple conscious and unconscious processes and actions.

3.6 LEGAL PLURALISM AND GOVERNANCE

Interactive governance theory (Jentoft and Bavinck, 2014) identifies and distinguishes three orders of governance in legal pluralist systems where statutory and customary systems co-exist (Figure 3.3). Jentoft and Bavinck (2014) point out that interactive governance is linked to legal pluralism, as interactive governance is concerned with the role of relationships and interactions that occur between different levels and scales of governance, and with how different legal systems interact with each other.

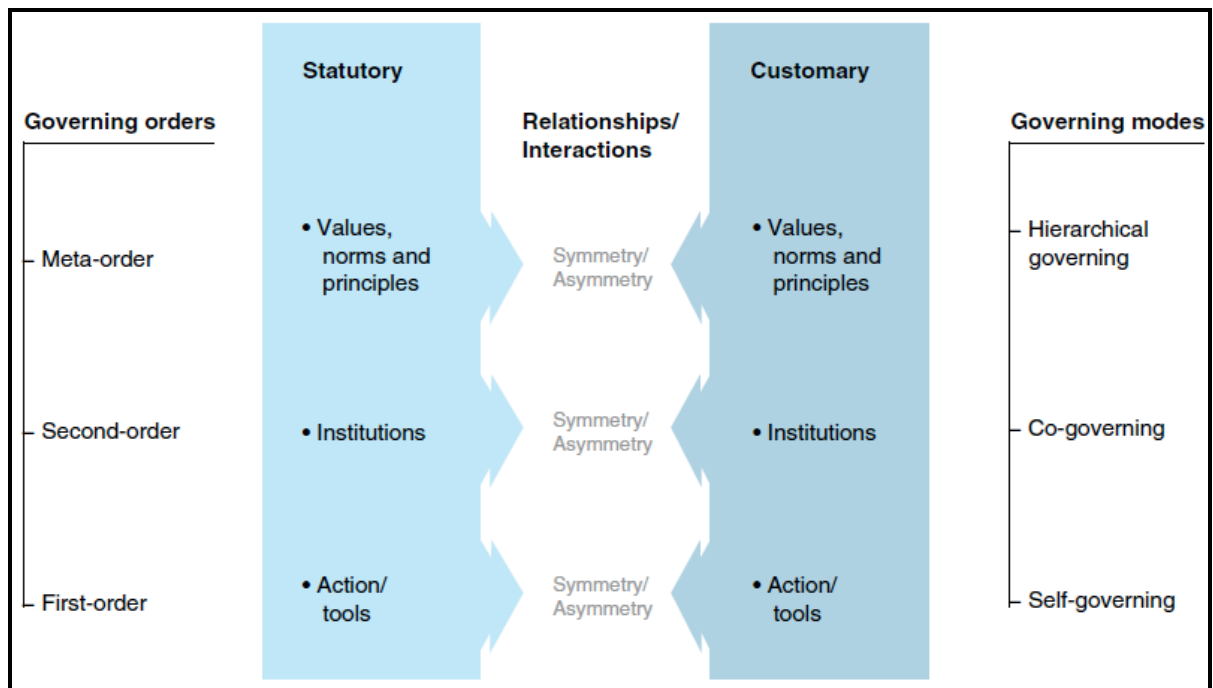


Figure 3.3: Interactive governance and legal pluralist systems (Jentoft and Bavinck, 2014).

Legal pluralism is usually found in the global South, as there is usually limited capacity to ensure coherence in multiple coexisting systems of rule, especially in the governance of natural resource systems (Bavinck and Gupta, 2014). These scholars argue that laws usually emerge from local customs, and point out that in ancient civilisations around the world, local communities developed their own rules to manage resource-use systems such as water and agriculture, and as time went on and rules spread, new rules developed were superimposed onto existing rules. Moreover,

because communities engaging in different types of livelihood activities coexisted, different sets of rules also coexisted in the same areas. This created plurality.

Legal pluralism studies have gained popularity in the last two decades, especially in interdisciplinary fields like natural-resource governance, where governance largely involves multiple legal orders, consisting of multiple actors usually with multiple conflicting goals, to manage the same resource or area (Meinzen-Dick and Pradhan, 2002; Tamanaha, 2007). Gupta and Bavinck (2014:86) define legal pluralism as “a condition whereby different rule systems apply to identical situations and legal jurisdictions and specific groups across legal jurisdictions” meaning that “different types of rules made by different governance actors apply to the same area or group of people”. The plurality that emanates from the existence of multiple rule systems may be a result of history, as well as the shift from government to governance (Bavinck and Gupta, 2014).

According to Tamanaha (2007:1), legal pluralism occurs where there are:

Multiple uncoordinated, coexisting or overlapping bodies of law, but that there is diversity amongst them. They may make competing claims of authority; they may impose conflicting demands or norms; they may have different styles and orientations.

The notion of plurality is not only discussed in legal pluralism literature, but is also alluded to within institutions literature. Ostrom (1990), for example, uses the term *nested governance* to refer to governance interactions that operate at multiple levels. Nested governance refers to the practice of “nesting” local and broader institutional arrangements in order to cater for different environmental, societal or other goals that do not necessarily go hand in hand. Whether this is actually possible in practice is questionable as in the case of many developing countries where environmental conservation goals and socio-economic development goals are usually in conflict. Coastal areas, for instance, inherently consist of multiple users and institutions with overlapping jurisdictions and multiple forms of governance (Charbonneau, 2012). Co-existence of multiple and multi-level legal orders does not necessarily mean that they are equal or that they are equally powerful. In cases where different governance

regimes co-exist, state laws are usually more influential in decision-making processes and can be used by outsiders with power to gain access to resources in ways that are not locally considered as legitimate. Power therefore plays a central role in determining who the winners and losers are in cases of institutional plurality (Chuenpagdee and Jentoft, 2009).

According to Bavinck and Gupta (2014), legal pluralism is crafted by struggles between different actors who seek to prioritise and promote differing and competing goals informed by certain scientific, historical or legal perceptions and cultural practice. In most developing countries that are former colonies, statutory legal systems regulating natural resources were imposed in areas where customary systems of rule were already in place, creating the state of legal pluralism (Jentoft and Bavinck, 2014).

Bavinck and Gupta (2014) identify two types of legal pluralism: weak and strong. Strong legal pluralism occurs where there is no mutual acknowledgement between the state and customary law, while weak legal pluralism refers to where the state recognises customary law in certain respects. Moreover, in both developing and developed countries, a shift away from top-down governance towards engaging multiple actors in the governance of complex socio-ecological systems has progressively resulted in the development of competing rules and rule systems. These multiple, often incoherent systems of governance that typically characterise legal pluralism usually have contradictory impacts on the people on the ground. Legal pluralism literature has sought to understand these contradictions, tensions and conflicts that arise when concurrent systems of rule are in place (Gupta and Bavinck, 2014).

Legal pluralism has posed various challenges to the understanding of governance of natural resource-use systems, as it affects the quality of governance systems in four key ways (Bavinck and Gupta, 2014). First, legal pluralism can result in incoherence in legal platforms that facilitate governance due to contradictions in governance processes and practices that result from legal pluralism. Second, legal pluralism may result in the redefining of rights systems due to differing rule systems, as well as power struggles relating to resource access that emerge through formal and informal

politics. Third, due to the fact that legal pluralism results in competing jurisdictions and roles among actors and between different rule systems, winners and losers are created in governance processes. This means that powerful actors that have a greater influence in decision-making processes may promote their interests at the expense of less powerful actors. Lastly, legal pluralism can affect the efficacy of improved institutional arrangements as it perpetuates the status of social conflict.

Where legal pluralism exists in governance systems, there is also usually a prevalence of institutional ambiguity and multi-signification (Hajer and Versteeg, 2005). Institutional ambiguity results in plural governance systems where there is no one-shared constitution, or set of norms or procedures that serves as a basis for decision-making. Consensus thus becomes a significant requirement for successful governance in plural contexts. Legal pluralism is thus at the heart of this study as it seeks to link perspectives on coastal livelihoods to governance debates because it concerns how people make decisions about their lives when they exist within a legally plural governance context.

3.7 CONCLUSION

One of the primary objectives of this study is to argue for greater attention into governance interactions, processes and practices into livelihoods analyses. Livelihoods analyses are useful for highlighting the strengths and weaknesses of governance arrangements in the natural resource governance arena. This chapter has reviewed livelihoods perspectives and identified gaps within them that this study seeks to contribute towards addressing. It was also argued in this chapter that one of the major shortfalls of sustainable livelihoods literature is the weak conceptualisation of issues relating to governance that impact on livelihood strategies and outcomes. Within the governance body of work, this study also highlighted the significance of underlining the influence of global discourses, local historical contexts, power dynamics, social constructions of nature as well as institutional dynamics on how we understand and view the status quo of natural resource governance.

CHAPTER FOUR: HISTORICAL PERSPECTIVES OF GOVERNANCE IN THE MAPUTALAND AREA

4.1 INTRODUCTION

Situated on the northeastern-most coast of South Africa, Maputaland is a prime example of an area where plural governance systems and contestations over land and natural resources have existed for over four centuries. A few scholars (Webster, 1991; Mthethwa, 2002; Guyot, 2005) have attempted to document this history, as well as that of livelihood strategies of people within the area. It is apparent from the contextual background provided in the previous chapters that the history of governance of land and resources in Maputaland is characterised by significant intricacy and complexity. Maputaland has been subject to competition for power over the past four centuries by various actors, including government, traditional authorities and local tribal groups throughout the colonial and apartheid eras. These contestations are still alive in the present day and affect the governability of coastal resources in the area (Webster, 1991; Mthethwa, 2002; Guyot, 2005).

The history of Maputaland and its people that is told in this chapter is drawn from triangulated evidence emanating from oral histories, as well as interviews, documentary evidence, observations and historical archives; all of which were collected for this study. The chapter outlines the key historical dimensions of governance in Maputaland that help explain current livelihoods, as well as issues relating to the governability of land and coastal resources in this area.

4.2 PRE-COLONIAL MAPUTALAND (pre-1850)

Archaeological evidence reveals that the history of the Thonga people within Maputaland can be traced as far back as the thirteenth century, while the existence of the Tembe kingdom can be traced as far back as the sixteenth century (Hedges, 1978; Webster, 1991). Historically, Maputaland (also known as Tongaland or Tembe-Tongaland) was an independent country and its boundaries covered parts of what is

now Mozambique in the north, while the southern boundaries were annexed by the British government in 1897 to form part of what became Zululand during colonial times, which later became incorporated into the Union of South Africa that was established in 1910 (Webster, 1991).

Before colonialism and the subsequent land dispossession of African people, the rule of chiefs was largely influenced by land availability. At the time, there was more land than there were people to occupy it (Delius, 2008). As a result, the power, wealth or influence of chiefs was dependent on their ability to amass people and hold them as their followers. The availability of land in the eighteenth and nineteenth centuries enabled chiefs to move from one place to another, making it possible for individual chiefs to have followers made up of heterogeneous and diverse groups of people (Delius, 2008). Chiefs operated with the assistance of councilors or advisors who were usually men of high stature in the communities.

By the late eighteenth century, the Thonga people within the Tembe kingdom (under the leadership of Mabhudu Tembe) were at the height of their glory with a strong trading economy, predominantly with the Portuguese, as well as a strong military (Webster, 1991). Mabhudu conquered many clans that were already in the area, including the Ngubanes and Khumalos, although there is little oral evidence that has been found to explain these events (Mthethwa, 2002). On the other hand, the king of the Zulus, Shaka, had by that time established his kingdom as one of the most powerful kingdoms in Southern Africa. Although the relations between the Zulu kingdom and the Thonga at the time were generally civil, tensions over land arose when King Shaka sought to enlarge his kingdom by conquering adjacent kingdoms in surrounding territories.

In the eighteenth and nineteenth centuries, African chiefdoms were not uniform or static as they were going through processes of change that impacted on their cultures and political nature (Delius, 2008). Powerful chiefs in pre-colonial times could expand the boundaries of their effective authority over land to areas where leaders had weak power. However, the Maputa king, Mabhudu, decided to pay tribute to Shaka, and by so doing, prevented him from conquering Maputaland. As a result, Maputaland remained independent during Shaka's rule (Mthethwa, 2002). The Zulu

kingdom under the rule of king Shaka in the nineteenth century was different from other areas under traditional authority rule at the time. One of the reasons for this was that the Zulu kingdom consisted of headmen that were appointed by the paramount chiefs based on military competence (Delius, 2008). The headmen were not democratically elected nor did they obtain their positions on a hereditary basis. Their role was to lead the people where the paramount chiefs had stationed them within the kingdom, but ultimate power rested in the hands of the paramount chiefs.

Delius (2008) points out that the accounts that informed the understanding of colonial rulers and officials about chieftaincy in the colonial era were largely influenced by their analysis of the Zulu kingdom that existed in the pre-colonial times which was not democratic, while the ones that were more democratic were ignored. As a result, colonial rule in rural South Africa was largely modelled on the pre-colonial Shakan system and led to the erosion of consultative and democratic practices by chiefs that largely prevailed in pre-colonial times, except in the Zulu kingdom.

By the early 1800s, the Zulu king, Shaka, had also imposed himself as a threat to many neighbouring kingdoms, including the original Maputa kingdom that was then led by Makhasana. Unlike the Maputa leaders, the Zulu king had no positive relations with the British colonial powers. However, Makhasana strategically positioned himself with the Zulu king in a way that helped him find favour with him (Jackson, 1967, cited in Mthethwa, 2002). However, because King Shaka had yielded much power in areas surrounding the Zulu kingdom, he began to intervene in the affairs of the Maputa houses, a legacy that was continued by his successors (Mthethwa, 2002). Even when the Zulus were defeated at the Anglo-Zulu war in 1879, they still remained a threat to the Maputaland kingdom and it remained unclear if or when they would claim back their dominance over the region, especially since Maputaland later became part of Zululand (Mthethwa, 2002).

4.3 COLONIAL AND PRE-APARTHEID MAPUTALAND (1850-1947)

African communities were brought under colonial rule in the nineteenth century (Delius, 2008). It will be apparent from the discussion in this chapter that the contestation of governance in Maputaland is not a contemporary phenomenon, but it

is one that emanated because of colonial rule and contestations between colonial governments and traditional rulers. Historiography thus reveals that current Maputaland has been subject to competition for power over the past four centuries by: a) imperial powers which include the Portuguese, the British, Germans and the Dutch; b) the government (colonial, nationalist and democratic) and the Tembe royal family; c) two houses of the Tembe royal family (i.e. Ngwanase house and Makhuzha house); as well as d) other clans in Maputaland (i.e. the Ngubanes, Mathenjwas and Mkhontos) who lay claim that they ruled the land before the Tembes arrived in the area. These contestations are still alive in the present day and affecting the governability (i.e. quality of governance interactions) of this area (Webster, 1991; Mthethwa, 2002; Guyot, 2005). It is beyond the scope of this study to discuss all these disputes, and this chapter focuses on the dispute between governments and the royal family, as well as the dispute between the two Tembe houses because these have emerged as key disputes that have influenced the livelihood strategies of people in Kosi Bay.

As was observed during this study, Mthethwa (2002) emphasises that much of the history of Maputaland and the evidence of contestations and the complex history of governance in this region is contained in the memories of local people and their stories about their histories of geneology, migration and family stories that could be interrogated through oral histories. This assertion was confirmed during the research that was conducted for this study, as it was apparent that the histories of the people in the area were passed down from generation to generation through narration, and the coherence between stories told by different individuals across villages and age groups was astounding. Figure 4.1 depicts the timeline of traditional leadership in Maputaland and the key state interventions that took place in the colonial and apartheid eras in the area.

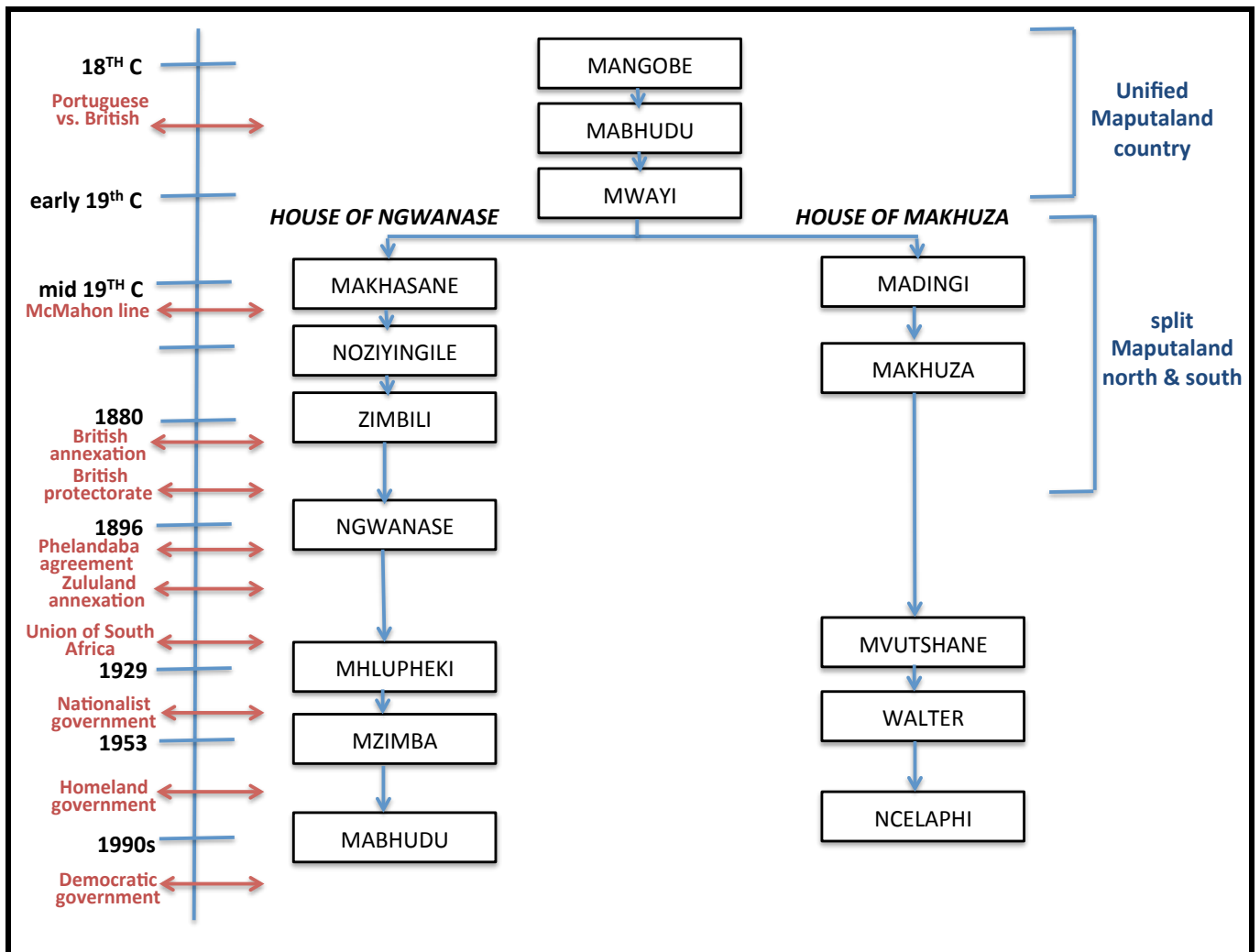


Figure 4.1: A timeline of key historical leaders and events that took place in pre-colonial, colonial and apartheid Maputaland (Source: Philile Mbatha)

Government archives on Maputaland contain weak accounts of the conflicts between the different clans in the community, and they do not reveal much about the local people and their livelihoods at the time. Hence, it is argued that the interpretation of rights to land and resources in African contexts in colonial times were strongly shaped by notions of racism and social Darwinism in British legal thinking which regarded wider African communities and households as of a lower level in social echelons and exaggerated the roles of chiefs (Delius, 2008). In general, anthropologists and observers have also interpreted African societies and land ownership using Western legal concepts. Consequently, land tenure and authority in African communities has historically been mostly viewed in the light of traditional authority powers (i.e. chiefs and kings) without understanding that traditional authorities were custodians of communal land on behalf of individuals that lived in the communities (Delius, 2008).

Colonial rulers also saw chiefs as potential agents of rebellion and as hindrances to the progress of their agendas. However, in the Natal region, due to limitation in terms of financial resources, the colonial rulers resorted to a system of indirect rule where chiefs were recognised as administrators over communal land under customary law in line with colonial laws. Theophilus Shepstone, a colonial leader at the time, gathered groups of people who were part of chiefdoms that had previously been broken down, and formed them into tribes and appointed chiefs to rule over them (Delius, 2008). As these chiefs received their powers from colonial rulers, they were not accountable to wider communities.

In the case of Maputaland, after 1850, colonial powers, i.e. the British and Portuguese, began to squabble over Maputaland as they sought to colonise the south-east region of Africa (Webster, 1991). Moreover, land and authority claims in the Maputaland region by different clans in Maputaland erupted, but the two that stand out are the claims made by the Ngubane, Mathenjwa and Mkhonto clans over the Tembe rule, as well as the competing claim over the land by two different houses of the Tembe family, i.e. the Makhuzha and the Ngwanase houses (Mthethwa, 2002; DOR4; MOR7). These historical claims are crucial when one seeks to understand the history of the area and how these claims have played a role in shaping the manner in which governance over land and coastal resources has evolved in the Maputaland area.

The land and identities of Maputaland and its people have been configured various times by colonial and apartheid administrations (Mthethwa, 2002; Hansen, 2013). For instance, the Portuguese and British colonial governments competed for land in the Maputaland since the 1850s. The fight between the Portuguese and the British over Maputaland had intensified by the 1870s, which culminated in the French president at the time, MacMahon, arbitrating by drawing a line that split the Maputaland country into two. He awarded what was north of Maputaland (i.e. Delagoa Bay) to the Portuguese and the land to the south of the line to the British (Webster, 1991; Mthethwa, 2002). This was during the rule of Madingi in south Maputaland and Makhasana in north Maputaland. This line, otherwise known as the McMahan line, is currently where the Farazela border separates South African and Mozambique on the coast. Webster (1991:615) argues that this line was “cutting what was an untied

people in two”, splitting the culture, history and traditions of local people into constructed “states”.

The tampering of local identities by colonial and apartheid powers in Maputaland was later perpetrated by the establishment of the Zulu government in the 1970s by the apartheid government. Hence Webster (1991:615) states that “...the ravages of proletarianisation, and various colonial practices, all took their toll on the Thonga, and their coherence as a society began to crumble...as the government’s attempts at social engineering can change a person’s ethnicity, race or nationality at the stroke of a pen”. Due to spatial and social engineering by the colonial government, Maputaland, which was once one of the wealthier places in southern Africa in pre-colonial times (especially in the eighteenth and nineteenth centuries when trading was at its peak), paradoxically became one of the poorest areas in the region due to colonial and apartheid policies that aimed to produce underdevelopment in this area (Webster, 1991).

4.3.1 Tembe versus Tembe: The origins of the contestation between the two Tembe houses

South Africa’s historical context needs to be taken into account in order to understand the role of traditional authorities as overarching governing institutions. The Tembe chieftaincy, for instance, currently has 48 villages and the people in Maputaland are currently associated with one of the two Tembe families, i.e. Ngwanase house and Makhuza house. On the one hand, the contestation over land in Maputaland by the two Tembe houses is ongoing and is a source of much conflict and confusion in terms of the governability of the land and resources. On the other hand, the Ngubane people claim that they were the original inhabitants of the area under Tembe rule in Maputaland. Some of them are headmen under the Tembe rule.

The fraught history of Maputaland is clearly a contributing factor to the conflicts that exist in the traditional governance of the area. The contestation between the two Tembe houses is deemed controversial because the people in the area refrain from discussing it in public, and it is usually discussed in secret, as was observed during fieldwork, and also noted by Mthethwa (2002).

The competing Tembe houses arrived from the north to the south of Maputaland (which is now within the South African boundaries) at different times; i.e. the Makhuzha house is said to have arrived in the early 1800s, whereas the Ngwanase house arrived in the late 1800s when the Makhuzha house already held the chieftaincy in the area (Mthethwa, 2002; MOH7) (Figure 4.1). The arrival of the Makhuzha house resulted in a controversial contestation over the land. Historical records and oral histories of Maputaland collected in this study suggest that the reason why the contestation resulted was because the grandfather of Makhuzha, Madingi, ascended to chieftom in 1823 before his father died (Jackson, 1967, cited in Mthethwa, 2002; MOH7; DOH4) (see Figure 4.1). Madingi was not heir to his father's throne, instead, it was his half-brother, Makhasana, who was next in line for the throne. However, Mwayi decided to give Madingi his own chieftancy, which he then established outside the original Maputa kingdom, in the area that is now known as the Kosi Bay.

In 1896, Ngwanase, who was a descendant of Makhasana, arrived in the south of Maputaland. This stirred a debate between the two houses of the family about the fact that Ngwanase came from a more senior family of the Tembe family. It was therefore concluded that since Ngwanase came from the senior family, and his mother, Zambili, was from the Swaziland royal family, it qualified Ngwanase to be more senior than Makhuzha and take over the chieftancy. One of the key informants from the area provided a summarised account of what took place:

The problem with governance in this area began a long time ago with the contestation of authority between three houses, i.e. two Tembe houses as well as Ngubane house. The Ngubane's claim that they got here first before the Tembes, the house of Ngwanase says they are paramount chiefs while the house of Makhuzha says it's them. The house of Madingi came here first before the Ngwanase house...Makhuzha was the one who extended the kingdom all the way down to Mtubatuba (that's where the name comes from because 'ukutuba' means 'ukuncinza' or to pinch something) which means he pinched the land all the way to there..When Ngwanase came here running away from the Portuguese, he came here wearing a head scarf like a woman and he put stuff in his chest that looked like breasts as a disguise, and when he arrived here to house of Makhuzha, they welcomed him as their brother and they knew that in the Mozambique side of Maputaland, he was a paramount chief (ingonyama) and the house

of Madingi were just headmen. So they hid him at Emfihlweni. Since then, umthayi (amarula festival) took place Emfihlweni and Makhuzi would go and pay tribute to Ngwanase there (OHI7).

However, in 1896, the two families agreed that the two leaders would rule simultaneously, and that the Makhuzi (or Makhuzi) house would rule independently on the coastal side, while the Ngwanase would rule the areas that are inland (Figure, 4.2). This agreement, known as the Phelandaba agreement, was reached in the presence of a British colonial official. It was there that Maputaland was divided into the two chiefs, i.e. Ngwanase (for inland) and Makhuzi (for the coastal parts) (Figure 4.2).

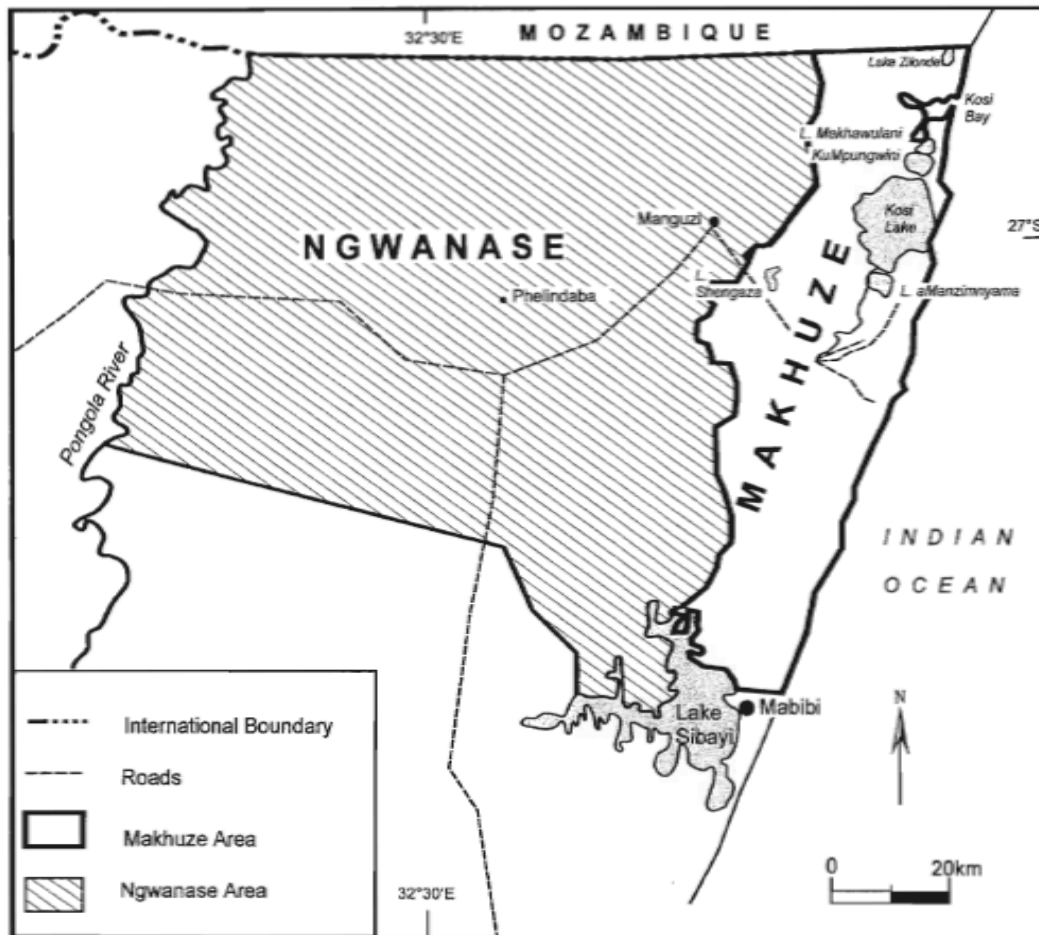


Figure 4.2: The delineation of Maputaland after the Phelandaba agreement (Mthethwa, 2002:75).

Although this was the case, the British government always regarded the Ngwanase family as rulers of Maputaland, and it is recorded that in the late 1800s, there was a treaty that was signed between the British colonial government and the Ngwanase family, recognizing them as paramount rulers of the area (Mthethwa, 2002). Colonial rulers intervened in customary leadership in order to choose kings that were compliant to them and their administration. This was seen in that they appointed King Cetshwayo, Shaka's successor, as the King of the Zulus and in the Maputa kingdom they agreed to intervene by appointing Ngwanase, the son of Queen Zimbili, to take over his mother's throne and become paramount chief (BPP, 1887 cited in Mthethwa, 2002). According to Mamdani (1996) and Delius (2008), the supreme or paramount chief was the lieutenant governor in charge of appointing other subordinate chiefs. Law 4 of 1885 was annexed by British colonial rulers from 1877 to 1881 in order to reinstate a system of paramount chief rule where certain chiefs were given *de facto* recognition (Delius, 2008).

The Native Administration Act of 1927 was enacted in order to distinctly set out the administrative and legal roles of chiefs. According to Delius (2008), the supreme chiefs were given so much power and this enabled them to devolve administrative powers to whomever they pleased, and supreme chiefs ruled over all the land through issuing proclamations. However, the findings of this study as well as those of Mthethwa (2002) reveal that there is substantial oral history evidence from the ground in Maputaland that shows that the house of Makhuza was the influential one in local politics and in terms of regulating livelihood activities of local people, even though the house of Ngwanase was given supreme powers by the colonial government.

Despite the Phelandaba agreement, the claim of the Ngwanase house on coastal Maputaland was echoed in the oral history evidence collected for this study where various key people from the area spoke about it (MOH7; DOH3; DOH4). The house of Ngwanase had not envisaged that they would ever need to control the coastal region because it was not worth much at the time of the Phelandaba agreement as it was not developed, and tourism had not developed in the area either. In addition to this, the Phelandaba agreement created confusion about the roles of the Makhuza house on coastal Maputaland, as they were not supreme chiefs. This confusion left local people feeling dislocated and vulnerable, and this was worsened by the

pervasive migrant labour system in the twentieth century, that removed many from their farming livelihoods that they had engaged in for many years (Delius, 2008).

In 1895, the British government also imposed a protectorate over Maputaland as an annexation strategy (Mthethwa, 2002). The protectorate resulted in south Maputaland officially losing its independence as it formally became subject to British control. The protectorate ended up working both in the favour of the colonial powers, as well as in Ngwanase's favour as it strengthened the presence and powers of both parties in Maputaland. Therefore, when Ngwanase moved into south Maputaland in 1896 to seek protection from the British government, it was a favourable situation for the British government because allying with Ngwanase meant that they could have easy access to most of areas in south-east Africa which Ngwanase oversaw. Therefore, because Ngwanase was willing to submit south Maputaland to British rule, the year after his arrival (1897) saw the annexation of Maputaland into Zululand, which had been made a British colony in 1887 (Mthethwa, 2002). This resulted in the redefinition of Zululand and Maputaland boundaries, as in 1889, approximately sixty kilometers of the Maputa country (i.e. from Mkhuze river to Lake Sibaya) were lost to Zululand which was subject to the British government.

In the 1890s, the British government also strengthened the powers of traditional authorities to maintain peaceful working relations with them. This was in line with the system of co-opting traditional authorities by the British government that was developed in Zululand. Hence, they were willing to co-opt the Ngwanase. The British used a system of indirect rule and relied on Ngwanase to administer Maputaland and report to them to ensure that competitors who wanted control in the region (such as the Boer Republic, Germans and the Portuguese) could be kept out. However, the British colonial government had no plans to develop Maputaland, except to use in its strategy to extend its powers throughout south-eastern Africa (Schreuder, 1980; Axelson, 1967; Mthethwa, 2002). However, although the British colonial government exercised such powers, Ngwanase perceived himself as more powerful than the colonial government because he understood that Maputaland was too tricky for the colonial government to administer since it was very remote and was a high-risk malaria region; thus no British colonial officials were willing to risk their lives and be stationed in the area (Mthethwa, 2002).

Consequently, Ngwanase became key to the colonial government as he had previously shown himself to be a compliant chief. However, Ngwanase began to use the weakness of indirect rule by the colonial government to his advantage and to increase his own dominance within the British territory, over and above other leaders that were there before him, i.e. Makhuzza and other headmen who did not receive the amount of recognition and powers that Ngwanase was given by the British (Mthethwa, 2002). By the early twentieth century, Ngwanase was playing a pivotal role for the British government in terms of helping mobilise labour for white farmers in Zululand as well as for mines and tax collection. The involvement of the British colonial and apartheid rulers (and arguably the post-apartheid government) on the ground in Maputaland was very minimal. This is why the area was hardly developed by the government. Instead, during colonial and apartheid eras, this area was largely used as a reserve for low skilled labour (Webster, 1991; Mthethwa, 2002).

Historical archives reveal that by the late 1800s, it became difficult for the British colonial government to control Ngwanase, and that Ngwanase became a law unto himself, performing his duties towards the colonial government, i.e. collecting taxes, only when it suited him (Ulundi Archives, 1928). However, despite his behaviour, the British colonial government continued to cater to Ngwanase's needs.

Delius (2008) points out that during the colonial era, chiefs found themselves straddling and having to meet the demands of two different administrative systems, i.e. the colonial system as well as the pre-colonial system that was more people centred; and they were able to meet demands from either side with differing degrees of success. However, with increased pressure to meet the demands of colonial rulers from the 1930s, it became more difficult for chiefs to cater for the needs of the people they were leading (Delius, 2008). In the 1930s, due to the introduction of new native laws, chiefs were used by colonial rulers as “instruments of policies which were determined by logic and priorities external to the society, and which most rural residents saw as profoundly invasive and destructive” (Delius, 2008:228).

While the legacy of Makhuzza and Ngubanes in Maputaland was poorly documented in colonial government archives, Ngwanase made a substantial mark in the history of the Maputaland area as his ability to manipulate the colonial system as well as local traditional systems for his own purposes and to advance his own power (Mthethwa,

2002) was well documented. Moreover, the Ngwanase house in the Tembe royal family has apparently been reluctant to discuss the history of their chieftancy, and argued that they should not be made to share power with the Makhuzha house because the Ngwanase house has historically ruled from the Portuguese territory, all the way down to Mkhuzha river. As Mthethwa (2002:32) asserts, “The colonial official’s tendency to present a favourable picture of compliant chiefs could have resulted in the exclusion of other local leaders in the colonial records and Makhuzha could have been excluded in this context”.

Over time, Ngwanase applied various tactics in order to consolidate his power and control over the land that Makhuzha was in charge of. He manipulated family relationships and marriage arrangements to win over areas that were led by Makhuzha and to establish himself as the most dominant power over the entire area of Maputaland (Webster, 1991; Mthethwa, 2002). It is also said that Makhuzha was eventually forced to relinquish all his power to Ngwanase because Ngwanase lodged a death threat over Makhuzha, which left Makhuzha no choice but to give up his dominance. Moreover, Ngwanase also played the colonial power by using his relation with them to his advantage and challenging the British to ensure that they recognise that without him, they had no guaranteed control over Maputaland that was highly contested by the Boer Republic and the Portuguese at the time.

After Ngwanase died in 1928, his son Mhlupheki, took over the chieftancy (Mthethwa, 2002). Mhlupheki’s rule was highly contested and opposed by many within the extended Tembe family who wanted another family member to be the successor. In addition, Mhlupheki’s relations with the British colonial powers was not a positive one as he made certain decisions without informing the British officials in the region (Mthethwa, 2002). Mthethwa (2002) reveals that Tembe chiefs in Maputaland emphasised the need to exercise traditional powers in the weak physical presence of the colonial state in the area and they resented being viewed by the colonial governments as mere agents of the government. However, the government could not convict the Tembe chiefs because they relied on them to collect taxes and control the people on behalf of the colonial government. Mthethwa (2002) argues that, at the peak of colonialism in South Africa during the 1930s, the colonial

government still failed to fully consolidate its power in Maputaland because they could not control the Tembe chiefs.

4.4 MAPUTALAND DURING APARTHEID GOVERNMENT RULE (late 1940s-1994)

During the reign of the apartheid regime, the success of segregational policies in rural areas was dependent on chiefs and headmen, which is why the colonial and apartheid administrations were very patient with traditional leaders (Mthethwa, 2002). In 1945, NJ van Warmelo, who was a state ethnologist for the colonial government argued that chiefs should be given greater recognition and powers in native lands, a view which was widely supported by chiefs and was considered favourably by the apartheid government (Delius, 2008). The Nationalist Party (i.e. the apartheid government) took over the government from the British in 1948 and in 1951 promulgated the Bantu Authorities Act (No. 68 of 1951) which strengthened the powers of chiefs (Mthethwa, 2002). Consequently, the Bantu Authorities Act (No. 68 of 1951), was a key piece of legislation that determined the policies and practices of the apartheid government. This Act clarified the administrative roles of chiefs, an issue that had not been properly addressed by the colonial rulers. This system enabled chiefs to have greatly increased salaries, as well as discretionary powers that made them less dependent on their constituents (Delius, 2008).

The apartheid government had the power to split or combine rural communities as it wished in order to protect a chief or headman that they had good relations with (Mthethwa, 2002). Delius (2008) points out that many people living in rural areas revolted against this system because they were concerned that giving chiefs that much power would make them more loyal to the apartheid government and less accountable to their subjects, but these revolts were crushed by the end of the 1960s and the Bantu authority system became dominant. Chiefs then became increasingly corrupt in the 1970s, causing many people in the communities to resent them (Delius, 2008). In Maputaland, the apartheid government assigned traditional powers to the house of Ngwanase, enabling the violation of the 1896 Phelandaba agreement.

In 1958, the Tembe rulership was proclaimed under the apartheid government and all power in areas falling under this authority was centralised in the house of Ngwanase under chief Mzimba (the youngest son of Ngwanase) who, from 1953, administered the area on behalf of the apartheid government under the Ingwavuma District (Mthethwa, 2002). Just like the British colonial government, the Nationalist government recognised chief Mzimba from the Ngwanase house as paramount chief in Maputaland, and as a result, the Tembe Tribal Authority was established in 1958 under the leadership of chief Mzimba, and the Tembe tribal office was opened as a satellite of local government administration that was based at Ingwavuma District (Mthethwa, 2002). By this time, on the Makhuza side, Walter Tembe had taken over the leadership after Mvutshana Tembe passed away in 1956, and was meant to be succeeded by Ncelaphi Isaac Tembe, who, however, was still very young at the time; which meant that Walter would hold the throne for him until he was old enough (Mthethwa, 2002; MOH7).

Between 1967 and 1971, Walter Tembe from the Makhuza house approached lawyers in order to seek out answers and investigate about claiming back the chieftancy of the Makhuza house in Maputaland (Mthethwa, 2002). Walter was the first member of the Makhuza house to challenge the powers of the Ngwanase house under the Nationalist government rule, upon hearing that the apartheid government sought to restore the rightful chiefly powers to those who had lost it during colonial times. However, this enquiry did not materialise, and instead, the 1896 decision of allowing the Makhuza house to rule independently remained (Mthethwa, 2002). However, recognizing only the Ngwanase house also violated the stated objectives of the apartheid government's Bantu Authorities Act of 1951 that sought to re-establish traditional chiefdoms that existed in the pre-colonial times, which meant that the house of Makhuza could rightfully claim back their powers.

Walter reminded the Bantu Commissioner responsible for Maputaland that after the Phelandaba agreement, the Makhuza house was regarded as chiefs in the Makhuza ward, even though it was agreed that the paramount chieftaincy would reside with the Ngwanase house because of family hierarchies that were respected between the two families. Walter also alluded to the fact that it was an insult to refer to the house of Makhuza as headman because that implies that they were appointed into power by the

house of Ngwanase (Mthethwa, 2002). Data collected in this study suggested that local people on the coast regard Ncelaphi from the Makhuzi house as a chief, not a headman, and at the tribal court, he is also treated with more pronounced respect than the other headman because he is related to the royal family (MOH7; DOH3; DOH4). Although historical records do not reflect this, the evidence collected in this study reveal that when the Nationalist government took over and introduced the Bantu Authorities Act No. 68 of 1951, the apartheid government invited both chief Mzimba from the Ngwanase house and Mvutshane from the Makhuzi house to be registered as leaders of Maputaland, in line with the 1896 agreement (MOH7). However, it is said that Mvutshane Tembe was not a mentally sound man as he had a mental illness that prevented him from being up to date with the affairs of his ward. Hence, when the government made a call to register the chiefs, Mvutshane did not show up and as a result, all chiefly powers were given to Mzimba Tembe and the tribal office was built under the Ngwanase authority.

Walter's attempts to claim back the chieftaincy of the Makhuzi house were turned down by the Nationalist government, which then silenced him and instead, after realizing how complex the claim between the house of Makhuzi and Ngwanase was, resolved to reinstate the 1896 rule by the British colonial government that enabled the house of Makhuzi to rule independently, but made the house of Ngwanase paramount. The Makhuzi house has however, never been satisfied with this decision, although Ncelaphi Tembe who succeeded Walter Tembe in the late 1970s did not lodge a dispute against the house of Ngwanase for a while.

In 1975, the apartheid government established homeland governments in homeland areas, which saw the end the autonomy of the chiefs of Maputaland (Mthethwa, 2002). This meant that the KwaZulu government assumed power over Maputaland. The establishment of the Bantu Administration and the incorporation of Maputaland into the KwaZulu homeland, fueled the conflict between the two Tembe families even further. Moreover, when the homeland government took over, the Ngwanase house had been relinquished from paramount chief status because the apartheid government only recognised the Zulu leader as supreme chief (Ingonyama).

In the 1990s, the house of Ngwanase drafted a policy to claim the Makhuzha area, also denying Makhuzha independence (Mthethwa, 2002). According to Mthethwa (2002), the house of Makhuzha allied with the Ngubane house in the 1990s, with Ncelaphi Tembe as a leader of the Makhuzha coastal region, in an attempt to win it over and with the hope that the election of the African National Congress (ANC) government in the 1994 national elections would result in the endorsement of the Makhuzha clan by the ANC. However, this did not happen. The ANC government has since 1994 continued to recognise the Ngwanase house as the main chieftaincy of Maputaland.

However, since 1994, there remains much ambiguity about the role of traditional institutions in relation to customary institutions as well as statutory institutions governing land and coastal resources that exist in places such as Kosi Bay. The plurality of governance structures that currently exist in Kosi Bay is described in more detail in Chapter Five.

4.5 CONCLUSION

Understanding the historical context of governing institutions for rural areas in South Africa is significant, as the presence of traditional authorities in parallel to new democratic government structures and other governance systems has a profound impact on the manner in which rural people access and benefit from resources (Ntsebeza, 2004). It is apparent from this chapter how spatial, political and social engineering conducted by colonial and apartheid governments thwarted the histories, identities and cultures of the people of Maputaland; which has had major implications for the governance of this area and the livelihoods of local people. This is discussed in detail in Chapter Six and Chapter Seven. Moreover, the historical power of colonial and apartheid governments to appoint and depose chiefs as they wished, coupled with the impact of the indirect style of rule they adopted, can also not be underestimated. This has resulted in the wicked problem of resolving challenges related to traditional governance in rural South Africa which the democratic government has failed dismally at addressing (Ntsebeza, 2004). Without deep analysis of the role that the colonial and apartheid governments played in confusing the system of traditional leadership in many parts of South Africa, most people will not realise that some

existing traditional leaders in rural areas are not customary leaders, but were put in power through the discretion and authority of colonial and apartheid powers.

It is also important to understand the weight of the information emerging from historical records and oral history that reveals that, contrary to popular belief, colonial states did not have complete dominance over African leaders (Delius, 2008). The case of the history of the Tembe chiefs discussed in this chapter reveals that the role and power of traditional leaders is often undermined in debates about the governance of land and resources, and the state (whether colonial or post-colonial) is usually depicted as having absolute control over governance of land resources in areas within its jurisdiction, when this may not be the case. For instance, the Tembe chiefs in Maputaland have historically not been threatened by the power of the state and perceived themselves to have more power than the government (Mthethwa, 2002). Moreover, the homeland government of KwaZulu also exercised autonomy within the region that was outside the control of the apartheid government. The information presented in this chapter reveals that more understanding and analysis needs to be placed on clarifying the role of chiefs or traditional leaders and their powers in shaping governance practices, especially in areas of limited statehood.

CHAPTER FIVE: POLICY, LEGISLATIVE AND INSTITUTIONAL FRAMEWORK RELEVANT TO THE CASE STUDY

5.1 INTRODUCTION

In South Africa, international law plays a significant role in informing statutory natural resource management and governance. At national, provincial and local levels, institutional arrangements play a critical role in the implementation of values and principles stipulated in legal and policy instruments at national and international levels. The National Environmental Management Act (NEMA) (No. 107 of 1996) read with the Constitution of South Africa (No. 108 of 1996) and in particular Chapter 2 (section 24) of the Bill of Rights, provide the basis for all environmental regulation in the country. The World Heritage Convention (1972) and the Convention on Biological Diversity (1992) are the key binding international policy instruments that inform the principles guiding the governance of protected natural resources and world heritage within South Africa. These conventions promote the sustainable management of resources and biodiversity, and encourage the participation and consideration of communities within and adjacent to the protected sites, so as to ensure that conservation contributes to socio-economic development and human wellbeing. On the other hand, statutory governance frameworks informing coastal resource governance in rural areas exist parallel to pre-existing traditional and customary governance structures. These traditional and customary governance systems draw on sources of law, rules and practices that are different from and sometimes in conflict with statutory ones, such as in the case of Kosi Bay. This chapter seeks to provide an overview of the abovementioned statutory, traditional and customary policy and legal frameworks relevant to the case study site.

5.2 RELEVANT GOVERNANCE STRUCTURES IN MAPUTALAND

Table 5.1 presents a summary of the key statutory, traditional and customary governance structures and rules that currently exist in Kosi Bay to govern various aspects of coastal resources.

Table 5.1: Statutory, traditional and customary governance structures regulating coastal resource use in the case study site

	Socio-ecological system	Scale	Key governance actors/institutions	Key rules/regulations
STATUTORY	ISimangaliso World Heritage Site	International - National - Provincial	<ul style="list-style-type: none"> - United Nations Educational, Scientific and Cultural Organization (UNESCO) - Dept. of Environmental Affairs - ISimangaliso Authority - Ezemvelo KZN Wildlife - KZN Tourism Authority - Umkhanyakude District Municipality - Umhlabuyalingana Local Municipality - Dept. of Rural Development and Land Reform 	<ul style="list-style-type: none"> - Operational Guidelines of the World Heritage Convention (WHC) - The Constitution of the Republic of South Africa (1996) - World Heritage Convention Act (1999) - ISimangaliso Authority Integrated Management Plan (IMP) - National Environmental Management: Protected Areas Act (2003) - Tourism Act (2014) - Municipal Structures Act (1998) - Municipal Systems Act (2000) - Restitution of Land Rights Act (1994) - Communal Land Rights Act (2004) - Traditional Courts Bill (2017)
	Maputaland Marine Protected Areas (MPA)	National- Provincial	<ul style="list-style-type: none"> - ISimangaliso Authority - Dept. of Agriculture, Forestry and Fisheries - Ezemvelo KZN Wildlife 	ISimangaliso Authority IMP Marine Living Resources Act (1998) Small-scale Fisheries Policy (2012)
	Tembe Coastal Forest Reserve	National - Provincial	<ul style="list-style-type: none"> - ISimangaliso Authority - Dept. of Agriculture, - Forestry and Fisheries - Ezemvelo KZN Wildlife 	- ISimangaliso Authority IMP - Forestry Act (1998)
	Ponta do Ouro-Kosi Bay TFCA	Regional	Peace Parks Foundation	
TRADITIONAL	Kosi Bay land	Local	<ul style="list-style-type: none"> - Ingonyama Trust - Tembe Traditional Authority/Tribal Council 	<ul style="list-style-type: none"> - Ingonyama Trust Act (1994) - Traditional Leadership and Governance Framework Act (2003) - National House of Traditional Leaders Act (2009)
CUSTOMARY	Fish traps in Kosi system	Local (Nkovukeni & Mvutshane)	Kosi Bay fish trap customary structure	Local customary rules (pre-colonial)

The coastal area falling under the iSimangaliso World Heritage Site within and adjacent to Kosi Bay overlaps other types of coastal resource uses and governance structures, most of which predate the existence of the World Heritage Site. Traditional and customary structures responsible for local governance in Kosi Bay have existed before various of the statutory governance structures that now exist in Kosi Bay and act to govern various aspects of socio-ecological systems found in the area.

In July 1997, South Africa ratified the World Heritage Convention, joining 190 other signatory states (UNESCO, 2005). This international policy instrument provides the framework that informs the protection and preservation of world heritage in South Africa. The Convention was adopted in 1972 in order to identify, protect, conserve and present the world's cultural and natural heritage that is "among the priceless and irreplaceable assets, not only of each nation, but of humanity as a whole" (UNESCO, 2015). The ratification of the UNESCO World Heritage Convention by South Africa resulted in the promulgation of the World Heritage Convention Act (No. 49 of 1999) and the country's first World Heritage Site, i.e. iSimangaliso (formerly known as the St. Lucia Wetland Park) was proclaimed in the year 2000.

The World Heritage Convention states that world heritage status is awarded to sites of "outstanding universal value" (UNESCO, 2017). According to the Operational Guidelines for the Implementation of the Convention (UNESCO, 2005:46), "outstanding universal value" means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity". In order to protect world heritage sites, UNESCO established a fund in 1978 known as the *Fund for the Protection of the World Cultural and Natural Heritage* (UNESCO, 2017). Member states are obliged to contribute towards this fund, together with contributions or gifts from private individuals, organizations such as the United Nations Development Programme (UNDP), as well contributions from the public (UNESCO, 2017). The fund assists member states with technical, infrastructural, research and capacity building support to ensure the continuity of the protection of natural and cultural heritage within their countries.

The World Heritage Committee, formally known as the Intergovernmental Committee for the Protection of the Cultural and Natural Heritage of Outstanding Universal Value, is the regulating body for the Convention. It comprises 21 members from states that are party to the Convention and elected by other state parties. The committee was established by UNESCO and is responsible for defining the criteria for the selection of cultural and natural heritage (UNESCO, 2005; 2015). However, by 2016, only two members of the committee were from Africa (i.e. Senegal and Algeria). There are no representatives from central or Southern Africa.

The ideas and principles contained in the World Heritage Convention have shaped the conceptualization, formulation and design of key national laws and policies governing natural resources and biodiversity in South Africa. A representative from the Department of Environmental Affairs (DEA) confirmed that the UNESCO Operational Guidelines are considered to be “the Bible” for guiding world heritage protection in South Africa (DEA1, 2017). The Convention is read together with pieces of legislation that include the World Heritage Convention Act (No. 49 of 1999), the National Environmental Management: Biodiversity Act (No. 10 of 2004), National Forests Act (No. 84 of 1998), National Environmental Management Act (No. 107 of 1998) (NEMA), Marine Living Resources Act (No. 18 of 1998) (MLRA), as well as the National Environmental Management: Protected Areas Act (No. 57 of 2003) (NEMPAA). There are other relevant international conventions and instruments that South Africa has subscribed to that have a direct or indirect influence on national legislation. These include the Convention on Wetlands of International Importance (Ramsar Convention) (1971), United Nations on the Law of the Sea (1982), FAO Code of Conduct for Responsible Fisheries (1995), and FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (2015). The values and principles that are enshrined in these legal instruments are echoed within South Africa’s Constitution and Bill of Rights (Republic of South Africa, 1996).

The World Heritage Convention Act (No. 49 of 1999) embodies the principles and values enshrined in the Convention and the manner in which the South African government has committed itself to upholding the virtues of the Convention. The Convention makes provision for the establishment of bodies governing world heritage in signatory countries. In the case of the iSimangaliso site, the body that acts as a

governing authority is known as the iSimangaliso Authority. The principles underlying the World Heritage Convention Act (No. 49 of 1999) in South Africa stipulate that the management of cultural and natural heritage should prioritize the physical, developmental, cultural and social needs and interests of people and must promote sustainability. Moreover, the Act stipulates that previously marginalized people must be ensured special and equitable access to the sites, and measures need to be developed in order to ensure this. Co-ordination among government departments that have a role in the management of the sites is encouraged by the Act, and it states that policies, legislation and actions relating to sites of world heritage need to be coordinated by intergovernmental departments (Republic of South Africa, 1999). Therefore, in order to protect resources and ensure that the values of the World Heritage Convention are upheld, the former Department of Environmental Affairs and Tourism (DEAT) established a body responsible for the governance of iSimangaliso World Heritage Site known as the iSimangaliso Authority.

The national enabling legal framework for the governance of iSimangaliso Park includes the:

- a) Constitution of the Republic of South Africa (No. 108 of 1996);
- b) World Heritage Convention Act (No. 49 of 1999);
- c) Marine Living Resources Act (No.18 of 1998);
- d) National Environmental Management: Protected Areas Act (No. 57 of 2003);
- e) National Environmental Management: Biodiversity Act (No. 10 of 2004);
and
- f) Public Finance Management Act (No. 1 of 1999).

5.3 GOVERNANCE PROCESSES WITHIN ISIMANGALISO WORLD HERITAGE SITE

The iSimangaliso World Heritage Site is 358,534 hectares and makes up approximately 9 per cent of the South African coastline (iSimangaliso Authority, 2011). It consists of five unique ecosystems - a rich tidal zone, grasslands, dune forest, coral reefs and sandy beaches - while the Kosi Bay component also consists of an estuarine and lake system (iSimangaliso Authority, 2011).



Figure 5.1: iSimangaliso Wetland Park (iSimangaliso Authority, 2016)

iSimangaliso also consists of the Kosi Bay coast, Tembe Elephant Park and Sodwana Bay which are among the major tourist attractions in the KwaZulu-Natal province; attracting both local and international tourists.

The iSimangaliso Authority prides itself on pioneering a model of conservation that balances biodiversity conservation and ecosystem protection with social equity and rural development, and on ensuring that adjacent rural communities experience tangible benefits from the conservation of resources (iSimangaliso Authority, 2016). This Authority operates alongside other statutory institutions and local government, as well as traditional and customary systems at the local level; some of which pre-dated the statutory institutions. The iSimangaliso Authority operates through an executive staff headed by a CEO, who is charged with managing daily operations of the Authority and its interactions with subsidiary statutory organizations such as Ezemvelo KZN Wildlife, KZN Tourism Authority and local government (iSimangaliso Authority, 2011; 2016). Figure 5.2 depicts the key legal and institutional framework that iSimangaliso Authority (2016) states that it uses to govern the iSimangaliso site.

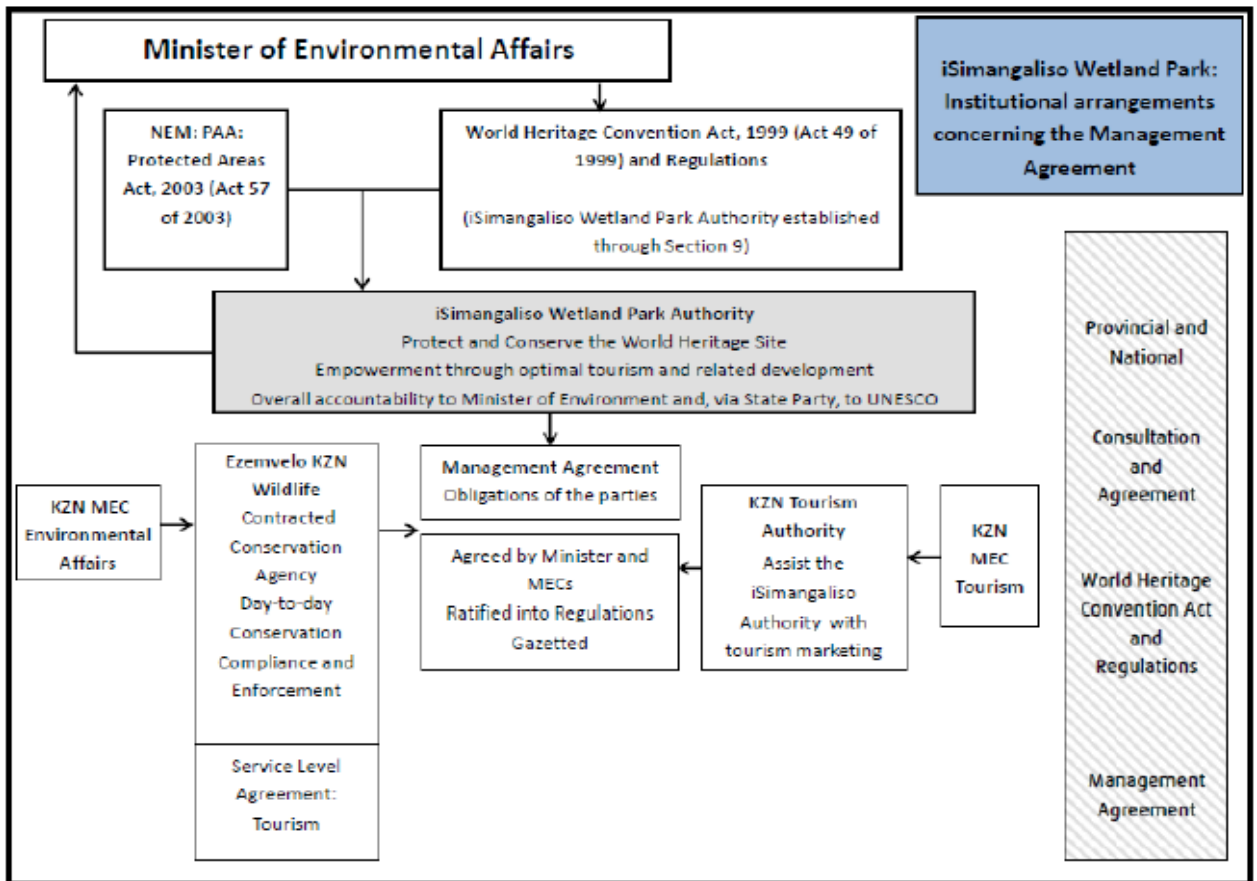


Figure 5.2: Legal and institutional framework informing the governance of iSimangaliso World Heritage Site (iSimangaliso Authority, 2016)

The duties of Ezemvelo KZN Wildlife involve the day-to-day management of conservation of terrestrial and marine resources within the site. The Minister of Environmental Affairs is in charge of appointing non-executive members of the iSimangaliso Board. As such, iSimangaliso Authority is upwardly accountable through the national DEA to UNESCO, in order to ensure that they carry out the management guidelines and principles of UNESCO within the park (UNESCO, 2015; iSimangaliso Authority, 2016). Some of roles of the Authority stipulated under the Act involve:

- developing strategies for environmental and cultural protection of world heritage within the site giving effect to the provisions of the Convention;
- promoting ecotourism as a major mode of economic development within the site; and
- establishing and implementing an IMP.

According to iSimangaliso Authority (2016), their mandate explicitly obliges them to oversee optimal tourism-based development and the emergence of new tourism products and markets and job creation within the zones they have demarcated as suitable for tourism within the site. The commercialization strategy for tourism is primarily directed at empowering and advancing the historically disadvantaged communities adjacent to the site, many of which are claimants of land within the World Heritage Site. To this end, the authorities have identified the private sector as key players providing resources and expertise to advance commercial tourism through equity partnerships with community partners.

The iSimangaliso Integrated Management Plan (IMP) highlights the fact that balancing the need for economic development in the region with the protection and preservation of the natural heritage protected under world heritage status is not easy to achieve. The Authority asserts, “in order to ensure world heritage values are not compromised, conservation objectives need to be foremost, with the emphasis on ‘development for conservation’” (iSimangaliso Authority, 2011:3). Hence, ecotourism development was identified as the appropriate mechanism for advancing economic growth in the area since it can promote both conservation and development objectives. Moreover, one of the officials from the Authority also confirmed “the park is looking for conservation that will work for UNESCO but that will benefit local people” (WHA, 2015).

The iSimangaliso Authority states that it has set up a training and capacity building programme created to transform the tourism sector by providing skills and infrastructure to assist local people to engage in the tourism businesses. Moreover, the iSimangaliso IMP informs the integration of conservation, tourism and the economic upliftment of the marginalized communities that are adjacent to the. Hence, the four management goals of the IMP (2011:112) include:

1. To protect, conserve, enhance and present the park’s:
 - a. World Heritage values (ecological processes; superlative natural phenomena and scenic beauty; and biodiversity and threatened species); and its
 - b. Cultural heritage.
- 2: To promote, manage, oversee, market and facilitate optimal tourism and related development in the park.
- 3: To promote the empowerment and development of historically

disadvantaged communities in and adjacent to the park, particularly landowners (former land claimants).

4: To manage the park through effective and efficient governance, and the strongest possible legislative, regulatory and institutional arrangements.

The zonation strategy in iSimangaliso is associated with development nodes that are set aside for tourism activities. The Authority has drawn up a list of tourism activities that are allowed within the park. These include hiking trails, 4x4 trails and game drives, kayaking, motorized boating, fishing, freshwater diving, swimming, recreational surf angling, as well as recreational fishing and spearfishing of pelagic species (iSimangaliso Authority, 2011).

The iSimangaliso Authority also states in their IMP that their transformation strategy involves regular meetings with historically disadvantaged communities within and adjacent to the park, as well as providing support to the Regional Land Claims Commissioner to settle pending land claims by some of the communities on iSimangaliso regulated land (iSimangaliso Authority, 2011). This is because all the land falling under the iSimangaliso World Heritage Site has been under claim by communities within and adjacent to the park through the Restitution of Land Rights Act 22 of 1994. The IMP (2011) has set out the Authority's strategy for handling restitution settlements within the site.

Due to its perceived success internationally in terms of promoting the preservation of world heritage, while identifying opportunities for the development of previously disadvantaged communities adjacent to the park; the iSimangaliso Authority is regarded by UNESCO as one of the best-practice examples from around the world for its management practices (iSimangaliso Authority, 2016). The organization prides itself in promoting broad participation in the management of the park through entering into co-operative governance agreements with various stakeholders at local and provincial levels in order to carry out its duties along the coast. These include Ezemvelo KZN Wildlife, the national DEA: Oceans and Coasts, as well as the Local and District Municipalities.

5.4 CONSERVATION GOVERNANCE WITHIN ISIMANGALISO WORLD HERITAGE SITE

The iSimangaliso Authority has adopted International Union for Conservation of Nature (IUCN) principles and categories (Dudley, 2008:10) for protected area governance to inform their decisions regarding iSimangaliso World Heritage Site.

These include:

- a) Representativeness, comprehensiveness and balance: including highest quality examples of the full range of environment types within a country; includes the extent to which protected areas provide balanced sampling of the environment types they purport to represent.
- b) Adequacy: integrity, sufficiency of spatial extent and arrangement of contributing units, together with effective management, to support viability of the environmental processes and/or species, populations and communities that make up the biodiversity of the country.
- c) Coherence and complementarity: positive contribution of each protected area towards the whole set of conservation and sustainable development objectives defined for the country.
- d) Consistency: application of management objectives, policies and classifications under comparable conditions in standard ways, so that the purpose of each protected area within the system is clear to all and to maximize the chance that management and use support the objectives.
- e) Cost effectiveness, efficiency and equity: appropriate balance between the costs and benefits, and appropriate equity in their distribution; includes efficiency: the minimum number and area of protected areas needed to achieve system objectives.

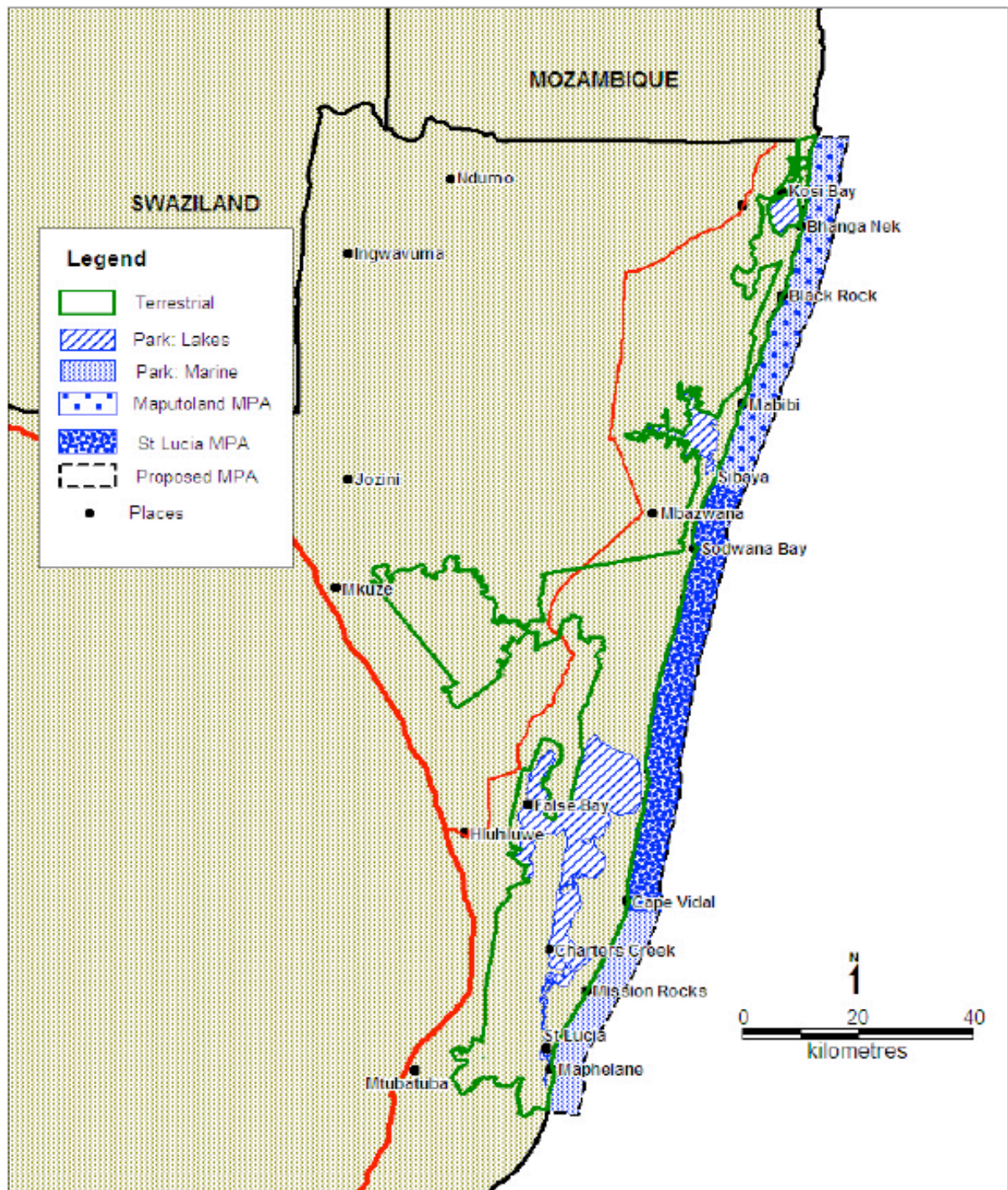


Figure 5.3: Marine and terrestrial protected areas within iSimangaliso World heritage Site (iSimangaliso Authority, 2011)

Figure 5.3 and Figure 5.4 respectively depict the zonation and delineation of marine and terrestrial protected areas within the iSimangaliso World Heritage Site. The different types of zonation include, among others: sanctuary areas, restricted areas, controlled areas and wilderness areas.

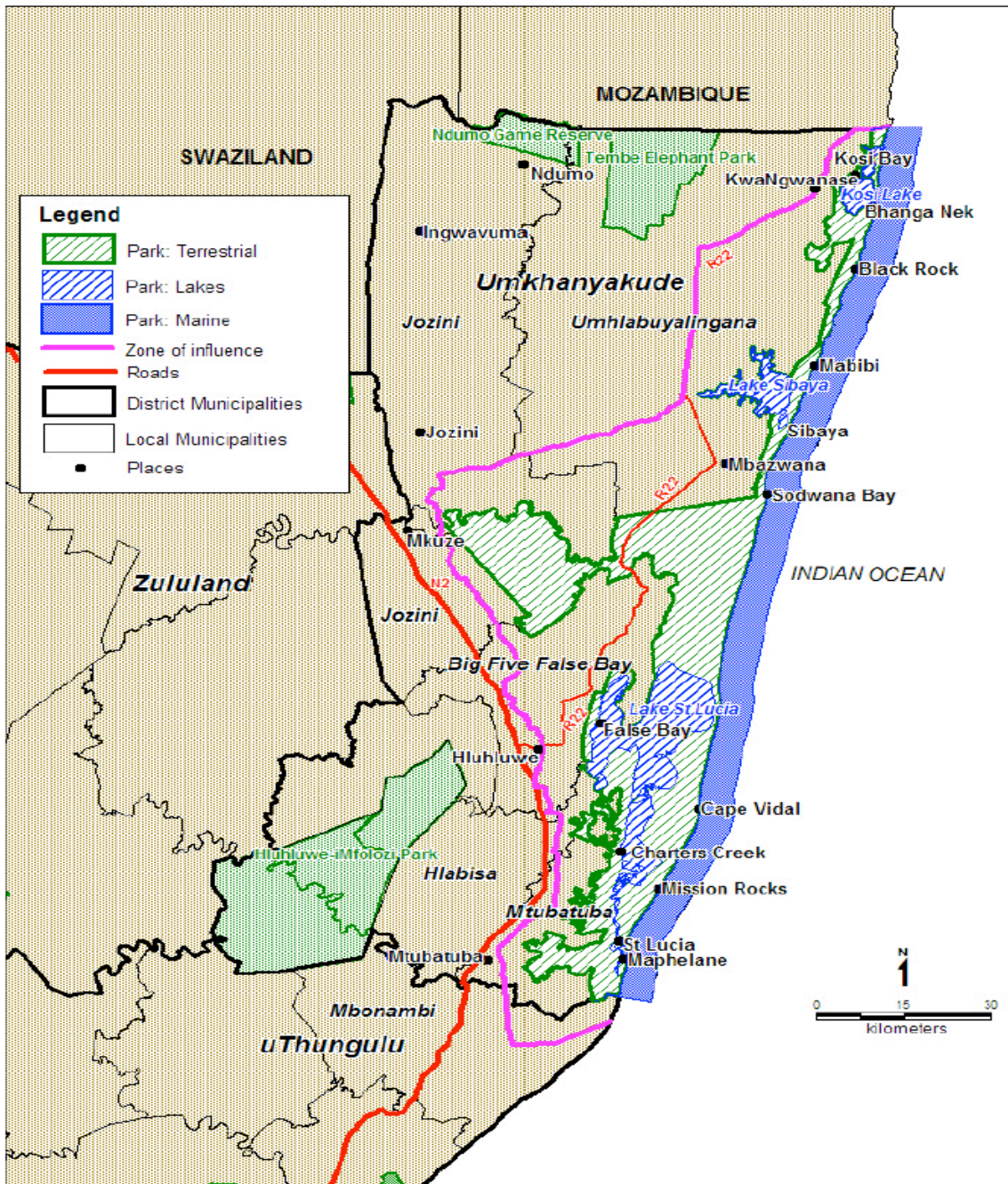


Figure 5.4 Conservation layers in iSimangaliso World Heritage Site (iSimangaliso Authority, 2011)

5.4.1 Marine environments

Kosi Bay is located along one of two Marine Protected Areas (MPAs) that lie adjacent to the iSimangaliso site, i.e. Maputaland MPA in the north bordering Kosi Bay and St. Lucia MPA in the south bordering Cape Vidal (Figure 5.3 and 5.4). MPAs have been identified as a key tool for conserving marine resources globally,

especially after a commitment was made at the Convention on Biological Diversity that by 2012, 10 per cent of the world's marine and coastal zones would be under protection (UNEP, 2007). The IUCN defines an MPA as "a clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values" (Dudley, 2008:8; IUCN, 2012:12). This international definition of MPAs has been used to inform the understanding of MPAs in South Africa (WWF, 2014). This is because South Africa is party to a suite of legally binding international instruments that inform principles for MPA regulation. The IUCN also defines nature as "biodiversity, at genetic, species and ecosystem level, and often also refers to geodiversity, landform and broader natural values", while conservation is defined as "the in-situ maintenance of ecosystems and natural and semi-natural habitats and of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties" (Dudley, 2008:9).

At the global scale, Day et al., (2012) has drawn up a list of characteristics that define areas that are worthy of MPA status. These include: a multi-dimensional environment, a lack of clear tenure or ownership (especially with Exclusive Economic Zones (EEZ) of countries), multiple jurisdictions by government departments, difficulties in enforcement and management, as well as high connectivity between ecosystems and habitats (Day et al., 2012). By 2014, South Africa consisted of approximately 24 coastal MPAs that had been proclaimed under the MLRA, constituting approximately 23.2% of the country's coastline which the government seeks to expand to 25% by 2028, with 15% of the coast declared as "no-take" zones (WWF, 2014; Sowman, 2014). However, the post-apartheid government's rhetoric of MPA creation and expansion stated in national legislation is contested by an increasing body of literature that reveals that many of these MPAs in South Africa are demarcated in areas adjacent to previously disadvantaged black and coloured communities. Various scholars have argued that MPA rules affect the ability of these communities to improve their livelihoods (Sunde and Isaacs, 2008; Mbatha, 2011; Emdon, 2013; Sunde, 2014). This is particularly pertinent to areas within the provinces of KwaZulu-

Natal and Eastern Cape where MPAs largely occur adjacent to terrestrial forest reserves.

Moreover, the South African government has recently enacted a Small-Scale Fisheries (SSF) policy that aims to recognise customary rights emerging from customary systems at local level (DAFF, 2012). Customary rights of various fishing communities along the South African coast have, however, not received formal legal recognition within South Africa's legal statute that governs marine resource access and use.

5.4.2 Terrestrial environments

South Africa ratified the Biodiversity Convention in 1995, and this led to the promulgation of the NEM: Biodiversity Act (No. 10 of 2004). The Biodiversity Convention promotes the conservation, sustainable use and equitable sharing of benefits arising from genetic resources (UNEP, 1992). As such, the Biodiversity Act promotes the sustainable management and conservation of South Africa's biodiversity through the protection of ecosystems, bio-prospecting and the promotion of equitable sharing of benefits arising from the resources (DEAT, 2004). This Act provides a basis for some of the principles guiding the governance of biodiversity within the iSimangaliso site.

The Biodiversity Convention is an agreement that promotes sustainable development by recognizing the significance of the world's biological resources and the significance they have for global social and economic growth (UNEP, 2007). South Africa is counted among the 196 states that are party to the Convention since 1996. All countries that are party to the Biodiversity Convention are required to develop and implement a National Biodiversity Strategy and Action Plan (NBSAP) that sets out its vision for sustainable biodiversity conservation. The vision of South Africa's NBSAP is to "conserve, manage and sustainably use biodiversity to ensure equitable benefits to the people of South Africa, now and in the future" (DEA, 2015). Some of the objectives of the Convention and its implementation within the NBSAP's of individual countries are to manage biodiversity in a way that ensures that its benefits are used to advance national economies, as well as to promote rural development and wellbeing (DEA, 2015).

The process of the development of South Africa's first NBSAP between 2003 and 2005 was parallel to that of the promulgation the Biodiversity Act in 2004. The values and principles that guide the national biodiversity legislation are thus informed and guided by the Biodiversity Convention and the country's NBSAP. In the case of iSimangaliso, South Africa's NBSAP has informed the formulation of the management plan that guides the management of biodiversity within the iSimangaliso park. Within iSimangaliso World Heritage Site, coastal biodiversity protection occurs parallel to marine protection as the MPAs are paralleled by terrestrial nature/forest reserves (see Figure 5.4).

The Kosi Bay Nature Reserve (Tembe Coastal Forest Reserve) was established by the KwaZulu Bureau of Natural Resources (KBNR) in the late 1980s. It was expanded from the forest reserve at the Emalangeni village that had initially been established in the early 1950s. The Maputaland Marine Reserve (which is now consolidated into the Greater St. Lucia MPA to form the iSimangaliso MPA) was established in 1986. This was a period in northern KZN when the KwaZulu government had embarked on increasing conservation enforcement since the 1980s, which led to many forced removals of local people for conservation expansion purposes.

Moreover, within iSimangaliso, marine and coastal biodiversity have been classified and zoned into IUCN inspired categories of protected areas where the terrestrial component is labeled as "wilderness, restricted and controlled"; while the marine component is regarded as "wilderness, sanctuary, restricted and controlled". Figure 5.4 illustrates how the IUCN protected area categories have been adopted into the planning and zonation of protected areas within the iSimangaliso World Heritage Site.

5.5 TRADITIONAL, CUSTOMARY AND LOCAL GOVERNMENT STRUCTURES IN CURRENT MAPUTALAND

Customary law in South Africa is still relevant in various rural communities that reside on communal land, and is recognized under Section 211 of the country's Constitution. Both statutory and customary laws are recognized as independent

sources of law, and as equal under the Constitution of South Africa, while customary law and customary institutions are recognized as long as they are consistent with the Bill of Rights. According to Bennet (2008:138), customary law refers to the “social practices considered to be obligatory by the communities in which they operate”, while “living customary law” further refers to customary law “actually observed by the people who created it”.

Traditional institutions in South Africa are found mostly in the provinces with former Bantustans or homeland areas, i.e. KwaZulu-Natal, Eastern Cape, Free-State, Limpopo and Mpumalanga (Koelble, 2005). Various governance actors typically regard traditional institutions as democratic institutions that are representative of communities. These institutions are often charged with duties that include working with local municipalities in providing service delivery and facilitating development initiatives, and usually receive support from national and provincial governments in the form of financial resources in order to perform these tasks (CLS, 2015).

In colonial and apartheid eras in South Africa, customary law was weakened by laws that transferred powers to traditional authorities who were seen as more militant and effective agents of ruling indigenous communities (Cordell, 1991). In communities such as Kosi Bay, customary institutions involved in governing coastal resources are distinct from traditional institutions and operate on a more democratic and downwardly accountable fashion. However, the authority of traditional institutions usually overrides the authority of customary institutions (Ntsebeza, 2006; Delius, 2008).

However, the view that traditional leaders are the most accountable and effective modes of authority in rural areas is increasingly challenged due to the fact that colonial and apartheid rule influences on traditional authorities gave traditional authorities discretionary powers which made them not as accountable to wider communities as they are thought to have been in pre-colonial times (Buthelezi and Yeni, 2016). During the colonial and apartheid eras in South Africa, customary law was tainted by laws that transferred discretionary powers to traditional authorities who were seen as effective agents of ruling indigenous communities (Cordell, 1991).

In communities such as Kosi Bay, customary institutions involved in governing coastal resources are distinct from traditional institutions and operate on a more democratic and downwardly accountable fashion, even though the authority of traditional institutions usually overrides the authority of customary institutions (Ntsebeza, 2006; Delius, 2008).

There is increasing evidence that customary institutions are relevant and more accountable sources of authority in rural areas (Sunde, 2013; Sunde, 2014). This is why this study makes a conceptual distinction between the traditional and customary institutions, which are usually understood as synonymous in various contexts, but which are different.

Another issue that affects local governance in Kosi Bay is the fact that the jurisdiction of iSimangaliso Authority overlaps with the Tembe traditional authority land, customary institutions governing coastal resources, as well as the jurisdiction of the Umhlabuyalingana Local Municipality. The Tembe Tribal Council is in charge of all residential land (i.e. rural settlements) in Kosi Bay, while iSimangaliso Authority is in charge of all land within the boundaries of the World Heritage Site. It is not clear what this means for traditional authority land within the boundaries of the World Heritage Site, as administrative roles between tribal councils and government bodies have not been reconciled, particularly in this case.

The promulgation of the Traditional Leadership and Governance Framework Act (TLGFA) (No. 41 of 2003) saw the South African government resort to partnering with traditional leaders in development by formalizing the status of traditional authorities. This was done by giving traditional authorities and local government dual responsibility for administration and land allocation within rural areas (United Nations Economic Commission for Africa, 2007).

The enactment of the TLGFA, which was amended in 2009, was meant to recognize the authority of traditional councils in statutory law and to enable the government, in accordance with the constitution, to define the

norms and standards that will define the place and role of traditional leadership within the new system of democratic governance...to

restore the integrity of the institution of traditional leadership in line with customary law and practice...whereas the State must respect, protect and promote the institution of traditional leadership in accordance with the dictates of democracy in South Africa.

All provinces in South Africa, except for the Western Cape, have their own provincial laws recognizing traditional leaders as traditional councils under the Framework Act.

According to the TLGFA, the duties of traditional councils include:

Section 4(c) supporting municipalities in the identification of community needs;

Section 4(d) facilitating the involvement of the traditional community in the development or amendment of the integrated development plan of a municipality in whose area that community resides; and

Section 4(f) participating in the development of policy and legislation at local level.

In terms of clarifying the roles of traditional councils as opposed to local government, i.e. local and district municipalities; the Framework Act and the Local Government: Municipal Structures Act No. 32 of 1998 enable the two institutions to work together based on national principles of co-operative governance that enable traditional councils to enter service delivery agreements with municipalities. However, how this should happen on the ground is not clear. Studies reveal that traditional authorities and municipalities in many rural areas in South Africa are in conflict as they compete for legitimacy and power in local level governance; many traditional authorities are opposed to forms of democratic institutions at the local level (Ntsebeza, 2004; Mbatha, 2014). Mamdani (1996) also concurs that where the system of indirect rule prevails, i.e. in rural areas, actors that are given power such as traditional authorities tend to be despotic and upwardly accountable, instead of being downwardly accountable. Mamdani (1996) further argues that this despotism is prevalent in local and national governance of post-colonial African societies, and most widely felt in rural areas.

This, has therefore left many rural communities in South Africa confused about the roles, responsibilities and mandates of traditional authorities, local municipalities, local councilors, NGOs, and in this case the iSimangaliso Authority. The functions of these institutions have also often been poorly defined and communicated. This is because the Municipal Structures Act (No. 117 of 1998) and the Municipal Systems Act (No. 32 of 2000) were developed by the post-apartheid government in order to dissolve traditional authority powers in rural areas in the democratic dispensation (Koelble, 2005). Both the former and latter pieces of legislation were respectively amended in 2003, and although they have been critical in promoting democratic decentralization in rural South Africa, the government went against its own efforts by simultaneously uplifting traditional authority powers instead of weakening them.

This was done through the TLGFA (No. 41 of 2003), and the National House of Traditional Leaders Act (No. 22 of 2009) which give traditional leaders administrative powers both at provincial and local levels (Koeble, 2005). The conflicting laws, according to Ntsebeza (2006), are the source of confusion and tension in the governance of rural communities. Moreover, the lack of support by the South African government to elected local councilors in rural areas, as well as the indecisiveness of government regarding the roles of traditional authorities within the democratic dispensation, leaves the situation of institutional governance in rural areas in a state of confusion and consequently leads to compromised democratic decentralization (Ntsebeza, 2004). As a result, the ability of people residing in rural areas to choose their own leaders and representatives is paralyzed. Koelble (2005:9) thus argues that,

the failure of the State to touch the lives of rural citizens and the concomitant failure of the democratically elected but ineffective local authorities has opened up several spaces for traditional leaders to re-affirm their cultural, social, economic and ultimately political power in all sorts of manners.

There also remains much ambiguity about the role of traditional institutions in relation to customary institutions that exist in places such as Kosi Bay. Customary institutions usually predate colonial times in South Africa, but are usually referred to as simultaneous with traditional institutions, when the two are not the same. For

instance, in the fisheries sector in Kosi Bay, there is long-standing customary system where power is vested at the community level to a downwardly accountable committee which manages the trap fishery. The committee is made up of approximately eight community members from two villages, and is responsible for ensuring that customary rules pertaining to fish traps are observed accordingly. Examples of customary rules relating to fish traps include rules relating to uniform fish trap construction (using reeds and other material sourced from the edges of the estuary and lake), maintaining channels between fish traps to allow for fish to flow from the ocean into the estuary and the lakes, the ownership of fish traps by individual families, succession of fish trap ownership, resolving disputes related to fish traps and other arising matters.

In the post-apartheid dispensation, the ambiguity about the difference between traditional and customary institutions could be attributed to the definitions provided by pieces of legislation such as the TLGFA (Republic of South Africa, 2003:8) which define traditional leadership as “customary institutions or structures, or customary systems or procedures of governance, recognized, utilized or practiced by traditional communities”. Meanwhile, the Act defines customary institutions as “institutions or structures established in terms of customary law” (Republic of South Africa, 2003:6). It is apparent that the law does not clearly distinguish between traditional and customary institutions, which is arguably erroneous, especially given that traditional institutions in certain areas were orchestrated by colonial and apartheid governments, and in other areas they were altered from customary institutions, which are more representative of wider rural communities and their interests.

To make matters more complex, within the province of KwaZulu-Natal, land under traditional leadership is currently held in trust by the provincial entity known as the Ingonyama Trust Board, under the provisions of the KwaZulu-Natal Ingonyama Trust Act (No. 3 of 1994). The *Ingonyama* (i.e. King Zwelithini), in accordance to the Act, is the trustee of land administered by the Trust, on behalf of the wider communities. The land under the Tembe authorities thus falls under Ingonyama Trust Land. The Ingonyama Trust was established in the early 1990s after the Inkatha Freedom Party (IFP) and the former National Party made a deal when the country was about to transition to democracy (CLS, 2015). The deal entailed that the *Ingonyama* [i.e. king

of the Zulu kingdom] would be responsible for administering approximately 2.8 million hectares of communal land in former homeland areas of KwaZulu-Natal (CLS, 2015). This includes all the land under the Tembe traditional authority within KwaZulu-Natal.

Within the context of Maputaland, the Tembe Tribal Council has two different structures. It consists of 48 sub-wards with headmen that form part of the traditional council. The traditional council is the main governance structure and consists of 60 per cent members appointed by the inkosi¹⁰ and 40 per cent members democratically elected by community members (TTC1, 2016). The elections for democratically elected members are held every five years and members include youth and women. The traditional council meetings are where policies for governing the area are formulated. The headmen solve village issues on a daily basis and they are the advisory structures on the ground in each village and they convene four times a year. The Umnhlabyalinga Local Municipality acts as partners to the Tembe traditional authority and together they make agreements when it comes to development issues (TTC1, 2016). This is according to the Municipal Structures Act of 117 of 1998.

With regards to areas under the iSimangaliso World Heritage Site, a representative of the Tembe traditional authority stated that,

When it comes to areas under iSimangaliso, we have a right to make decisions even for areas inside the park but we have not claimed back land or entered into co-management agreements with them to own the land under claim and we need to do that to see what can happen. The Albert Tembe land claim which covers approximately 21 000 hectares has not yet been resolved, there are still some internal conflicts among us with regards to that.

This is because all the land falling under the iSimangaliso World Heritage Site, including Kosi Bay, has been under claim by communities within and adjacent to the park through the Restitution of Land Rights Act (No. 22 of 1994). The Restitution Act

¹⁰The term 'inkosi' is used to refer to the leader of the Tembe Tribal Council. It is difficult to determine whether it translates as 'chief' or 'king' in English, as the term 'king' is highly contested in the area.

seeks to restore the rights to land of persons and communities that lost access to the land after 19 June 1913, due to racially discriminating laws and practices of colonial and apartheid governments (Republic of South Africa, 1994). Of the 14 claims that were laid within the iSimangaliso site, only nine have been settled (iSimangaliso Authority, 2016); and the land claim of the people from Kosi Bay submitted in 1995 has not been settled to date. It is unclear how the existence of administrative roles and powers of the Tembe traditional authority, as well as the Umhlabuyalingana Local Municipality and iSimangaliso Authority may cause confusion or conflict; especially for the communities on the ground who have to grapple with understanding which institution is responsible for doing what, as well as for the authorities who have overlapping and potentially competing jurisdictions. This is an issue that is further discussed in Chapter Seven and Chapter Eight.

5.6 CONCLUSION

This Chapter sought to provide an overview of the key policy and legal framework guiding the governance of coastal resources within Kosi Bay (and the wider Maputaland area), within and surrounding the boundaries of the iSimangaliso World Heritage Site. Clearly, the governance framework that guides the protection of world heritage within iSimangaliso includes the World Heritage Convention and the Biodiversity Convention. These international policy instruments are among key policies that have catalyzed the formulation of key legislation governing iSimangaliso World Heritage Site. The expanse of the area that is managed by the World Heritage Site authority, iSimangaliso Authority, is nested within areas under the jurisdiction of various government departments relevant to the management of coastal resources, local and district municipalities, as well as areas under traditional authority rule. The implications of this nested and plural governance for the governability of coastal resources, as well as for the livelihoods of rural communities that are subject to these institutions is an issue that is of interest to this study. Moreover, the impacts power over traditional leadership by colonial and apartheid governments to appoint and depose chiefs as they wished, coupled with the indirect style of rule they adopted, can also not be underestimated. This has resulted in the wicked problem of resolving challenges related to traditional governance in rural South Africa, which the democratic government has dismally failed to address (Ntsebeza, 2004). Moreover,

the ambiguity between traditional authority and customary institution roles in rural South Africa continues to persist, and will be discussed further in Chapter Eight. The following chapter provides an in-depth account of the livelihood characteristics of people in Kosi Bay, while Chapter Seven will discuss in detail the role that plural governance systems have played in shifting the livelihood strategies of people in Kosi Bay.

CHAPTER SIX: LIVELIHOODS AND LIVELIHOOD STRATEGIES IN KOSI BAY

6.1 INTRODUCTION

People in Kosi Bay have relied on coastal resources for sustenance for many centuries (FFG, 2015). They have a long history and custom of using fisheries, forests and agricultural resources. With historical livelihood strategies constrained by conservation interventions that intensified over the past four to five decades, the people of Kosi Bay have constantly found themselves having to weave their livelihood strategies around a series of confusing and sometimes competing policy and legal instruments nested at regional, national and international levels (FFG, 2015). These include the proclamation of the World Heritage and RAMSAR¹¹ sites, the declaration of a marine protected area, the establishment of a coastal forest reserve, an ongoing land reform process, private tourism ventures and the recently promulgated small-scale fisheries policy. This chapter presents key findings of this study pertaining to livelihoods and livelihood strategies, and outlines the current socio-economic conditions in Kosi Bay. Household surveys, focus group discussions, oral history interviews, transect walks, participant observations, and documentary evidence provided key data that informed the findings presented in this chapter. The historical and current livelihood strategies of people in Mvutshane, Nkovukeni and kwaDapha villages are also presented. A historical approach is adopted in order to reveal changes in livelihood strategies over time, as well as to highlight the reasons for the shifting livelihood strategies, which are discussed in detail in chapters Seven and Eight.

6.2 THE SOCIO-ECONOMIC PROFILE OF THE KOSI BAY COMMUNITY

Kosi Bay falls within the boundaries of Umkhanyakude District Municipality and Umhlabuyalingana Local Municipality. The Local Municipality is made up of 17 municipal wards and is 99 per cent rural – 60 per cent of the land falls under tribal authority land and is occupied by approximately 99 per cent Africans, while the

¹¹The Convention on Wetlands (1971).

remaining 40 per cent consists of commercial farms and conservation areas (Umhlabuyalingana, 2014).

The wider Umkhanyakude District and the Umhlabuyalingana Local Municipality consist of some of the poorest people in South Africa (Umhlabuyalingana, 2014; iSimangaliso Authority, 2016). This is largely attributed to marginalisation of former homeland regions during colonial times, and more aggressively during the apartheid era (as well as in the present time) (iSimangaliso Authority, 2011). Although the Umhlabuyalingana Municipality boasts a wide array of natural assets that are among the major tourist attractions in the KwaZulu-Natal province attracting both local and international tourists, the economy of Umhlabuyalingana is largely poor. For instance, 70 per cent of the Gross Domestic Product (GDP) of the municipality depends on community services, as well as informal trading activities in local towns such as Manguzi – the main town near Kosi Bay (iSimangaliso Authority, 2011; Umhlabuyalingana, 2015).

Kosi Bay is also situated within the boundaries of iSimangaliso Wetland Park/World Heritage Site on the northern east coast of the KwaZulu-Natal province. Within these spatial boundaries, there are four tribal authority areas, i.e. Tembe, Mashabane, Manaso and Zikhali. Communities living in Kosi Bay fall under the Tembe tribal authority, and the rural settlements where they live are part of the Ingonyama Trust Land¹². With no industrial activity and limited infrastructural, social and economic development; current land uses in the areas within the Umhlabuyalingana Local Municipality and within iSimangaliso include agriculture, commercial timber plantations, conservation/eco-tourism, as well as human settlements (mostly rural) (iSimangaliso Authority, 2011; Umhlabuyalingana, 2014). In 1996, the South African government introduced Spatial Development Initiatives (SDIs), as part of an effort to promote development in previously neglected areas (iSimangaliso Authority, 2011). As part of this initiative, the Lubombo SDI was established to promote trilateral tourism development in the three bordering countries (i.e. South Africa, Mozambique and Swaziland) that could potentially contribute towards poverty reduction. As a result of this initiative, the Ponta do Ouro-Kosi Bay Trans-Frontier Conservation Area

¹²According to the Ingonyama Trust Act (No. 3 of 1994).

(TFCA), the World Heritage Site, as well as a new major road (the Lubombo R22 between Hluhluwe and Ponta do Ouro in Mozambique) were established (iSimangaliso Authority, 2014; UMDA, 2014).

Within the wider Umkhanyakude District Municipality, an entity known as the Umhlozinga Development Agency (UMDA) was established in 2014 as a catalysing agency for promoting agribusiness and tourism as two main economic drivers identified for the region (UMDA, 2014). The iSimangaliso Wetland Park is currently responsible for approximately 89 per cent of tourism in the area, while Kosi Bay specifically contributes 22 per cent towards all tourism within the Park, and the Tembe Elephant Park and Sodwana Bay together account for 11 per cent of tourism within iSimangaliso (iSimangaliso, 2011; Umhlabuyalingana, 2014).

6.2.1 Household profiles

Despite the existence of a rich ecology that attracts a lot of attention from conservation and tourism sectors at local and global scales, the socio-economic conditions in Kosi Bay remain dire.

At the time of the survey in 2014, approximately 81 per cent of the population of Kosi Bay had been born in the villages where they currently reside, while 11 per cent stated that they were born in another village but had been displaced by forced removals during apartheid (Figure 6.1).

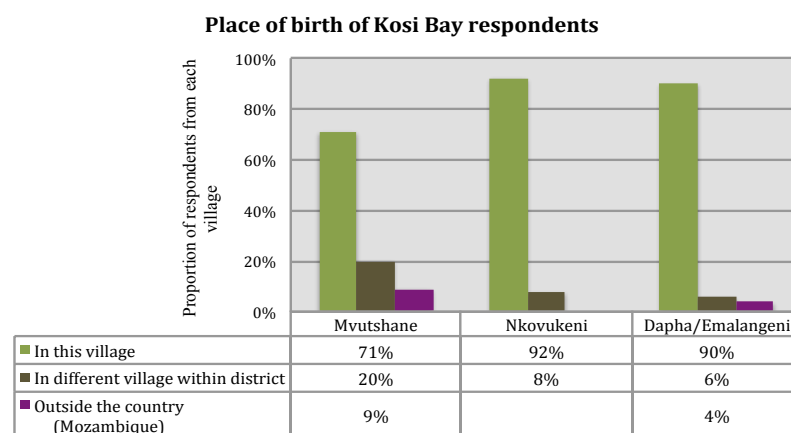


Figure 6.1: Place of birth of Kosi Bay residents across the three villages.

The average number of people per homestead in Kosi Bay was 7.5, while the average number of houses per homestead was 3.7. This figure is close to the municipal average of five people per household (Umhlabuyalingana, 2014). Approximately 53 per cent of household heads in Kosi Bay were women. This is consistent with the municipal percentage of 54 per cent of female-headed households (Census, 2011).

Although the area is predominantly rural, approximately 58 per cent of the households resided in dwellings made from corrugated iron roofing and brick (i.e. cement blocks) walls. Basic service provision in Kosi Bay was scarce, as many households could not afford to pay for these. Only 3 per cent of households had electricity supply (i.e. solar or generator) while 97 per cent households used firewood for cooking. Homesteads predominantly lacked access to running water; 26 per cent of the households obtained drinking water from a public stand post, 19 per cent from a single tap in yard, 14 per cent from tap inside yard, 30 per cent from borehole/hand pump¹³.

6.2.2 Education, employment and income

Only 22 per cent of the population in Kosi Bay had completed high school education, and as a result, employment levels in the formal sector were low in all the three villages. Among the respondents that participated in this study, 32% or more were unemployed in Mvutshane, Nkovukeni and kwaDapha villages, respectively.

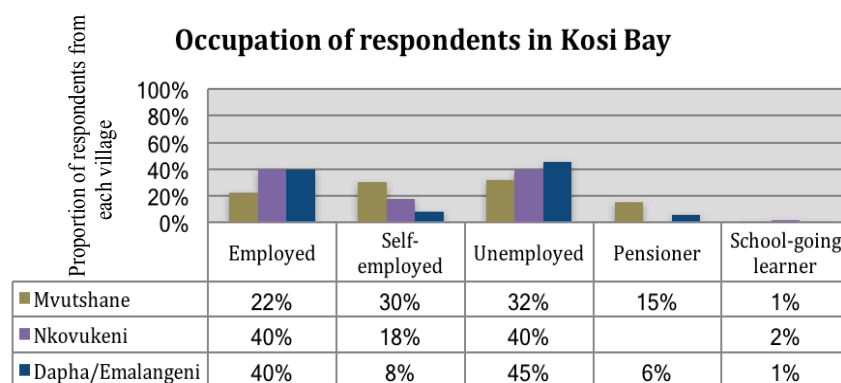


Figure 6.2: Nature of occupation of respondents in Kosi Bay villages.

¹³Households generally collected drinking water from more than one of these sources at a time.

Just as within the entire Umhlabuyalingana Municipality, monthly household income levels in Kosi Bay were very low as there were high levels of poverty and economic inactivity, as well as low levels of job opportunities. This is confirmed by the Umhlabuyalingana Municipality IDP (2014) which reveals that poverty within the area manifests through income poverty (i.e. lack of access to adequate income to meet basic food and livelihood needs such as clothes, water, electricity and shelter), and human poverty (which refers to lack of access to human capabilities such as reading, writing, health and food security) (Umhlabuyalingana, 2014). This is indicated by the fact that 44.9 per cent of households within this municipality have no access to income on a regular basis.

In Kosi Bay, household income ranges were mostly between <R1000 to R7500, and only 7 per cent of households earned more than R7500 per month in all the three villages combined (Figure 6.3).

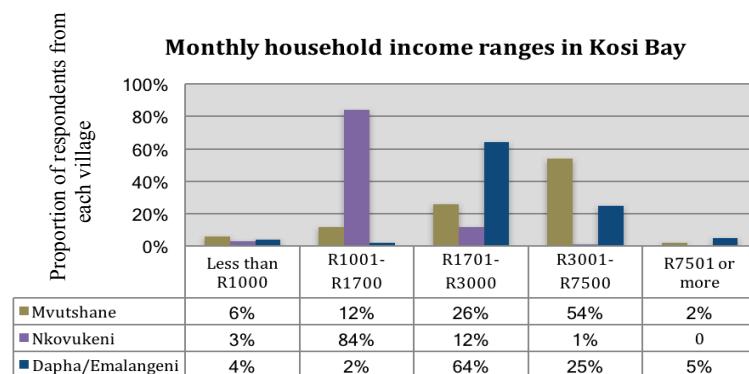


Figure 6.3: Monthly household income ranges in Kosi Bay villages.

According to the Umhlabuyalingana Municipality IDP (2014), only 3 per cent of the economically active population in the municipality earn more than R1600, while 47 per cent receive no income at all. Moreover, 44.9 per cent of Umhlabuyalingana households receive no annual income and there is generally a high dependence on government social grants in the area (Umhlabuyalingana Municipality, 2014). Figure 6.4 depicts findings of this study that show that 33 per cent of households in Kosi Bay received their primary income from government social grants (i.e. old age pension and child grants), 28 per cent from employment within the area and in the nearest

town; 27 per cent from sale of marine resources, 8 per cent from the sale of crops and 4 per cent from employment in tourism activities.

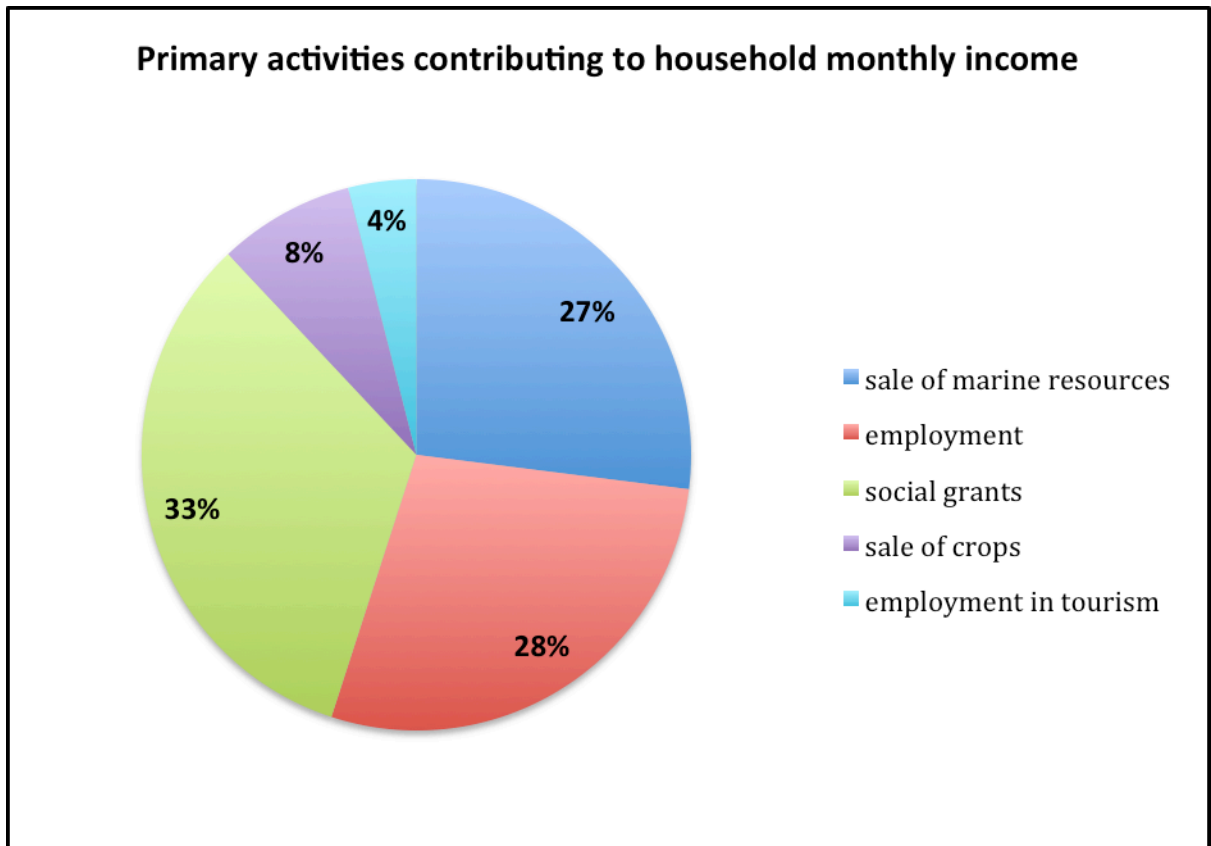


Figure 6.4: Primary activities contributing to household monthly income

Education facilities were scarcely available within Kosi Bay. Only 22 per cent of the Kosi population had completed high school education, while only 1 per cent had tertiary education. In the Mvutshane village, there was only one primary school and one high school near the village. However, because of better access roads to the village, the people in Mvutshane could easily travel to the schools in neighbouring villages and in Manguzi town. This was not the case for people from KwaDapha and Nkovukeni, as there were no schools at all within the remote Nkovukeni village while at kwaDapha, there were two primary schools and no high schools. Within the three villages combined, there were four primary schools and only one high school. This means that people in the area had very limited opportunities to obtain higher education, unless they had access to finances to enable them to send their children to schools in the nearest towns or if they had relatives living there.

6.2.3 Social dynamics within the villages

At the time of data collection for the study between 2014 and 2016, the average age of the population in Kosi Bay was approximately 47, indicating that the population of the area was somewhat dominated by the middle-aged population, as opposed to younger or older people. This could be due to the lack of job or income opportunities for young adults in the area, which sometimes led to them migrating to the nearest towns, leaving their parents behind. Another reason could also be the high mortality and morbidity rates, as well as low life expectancy of the younger and older population within the Umhlabuyalingana Municipality, due to the prevalence of conditions such as HIV/AIDS and poverty (Umhlabuyalingana, 2014). The Umhlabuyalingana Municipality (2014) confirms that the HIV rate affecting the population within the municipality is approximately 16 per cent. Such statistics are concerning because the population growth rate of the municipality is constantly declining due to the increased mortality and morbidity rates. This creates an increase in demand for health care facilities that are scarcely available in the area, as there are only five hospitals within the entire Umkhanyakude District (Umkhanyakude Municipality, 2014).

In terms of infrastructure, Kosi Bay had poor road and public transport facilities and systems. This is in addition to the very limited number of schools, clinics and lack of tertiary education facilities. KwaDapha and Nkovukeni villages in particular were extremely remote and only accessible on gravel roads with a 4x4 vehicle. The Nkovukeni village is also separated from the rest of Kosi Bay by the Kosi lake system, and one needs to wade or swim across the lake in order to get to the village. There was usually no boat available for people in this village to commute back and forth across the lake on a daily basis. Only the Mvutshane village (among those included in this study) can be accessed through a somewhat formal road.

6.3 KEY LIVELIHOOD ACTIVITIES IN KOSI BAY

Households in Mvutshane, Nkovukeni and kwaDapha generally engaged in multiple activities to support their daily livelihoods (Figure 6.5). Approximately 95 per cent of households across the three villages relied on harvesting marine resources as a

significant livelihood activity¹⁴. Households that harvested fisheries resources from fish traps within the Kosi lakes and estuary amounted to approximately 54 per cent of the population¹⁵. Other fisheries resources were harvested from the coast. Key marine resources harvested from fish traps included (among others) mullet (*Mugilidae*), spotted grunter (*Pomadasys commersonni*), river bream (*Acanthopagrus berda*), kingfishes (*Carangidae*) and springer (*Elops machnata*). Marine resources harvested from the coast included ghost crabs (*Ocypode*), red bait (*Pyura stolonifera*), mussels (*Perna perna*) and sea grass. *Incema (Juncus kraussii)* was harvested from the edge of the lake system. About 72 per cent of harvested marine resources were used for household consumption, while 19 per cent of respondents indicated that they sold the marine resources they harvested.

Fishing had increasingly become a major livelihood activity for many people in Kosi Bay when this research was conducted, but this was not necessarily the case in the past. The findings of this study reveal that various households engaged in multiple livelihood activities. These included the use of non-timber forest products both for small-scale commercial and subsistence purposes, agriculture and tourism (Figure 6.5). Virtually all households within the studied villages harvested timber, mostly for firewood, and some non-timber forest products. Forest products were largely harvested from within the boundaries of iSimangaliso, even historically. These included *Aloe aculate*, wild berries (locally referred to as *izintole*, *izindoni*, *amabuwa* and *izinkuhlu*), and ilala palm (*Hyphaene coriacea*) used for making local wine.

Approximately 77 per cent of households in Kosi Bay indicated that they planted crops including maize, peanuts, sweet potatoes, cabbage and other crops, as part of their day-to-day livelihoods. Crop farming in Mvutshane took place in swampy areas adjacent to the village and in the south of Mozambique, while in Nkovukeni and kwaDapha crop farming was conducted within the homesteads. Figure 6.5 provides a breakdown of key livelihood activities¹⁶ in Kosi Bay per village.

¹⁴This refers to activities that were important for day-to-day lives of people, and not necessarily ones that were important for income only.

¹⁵There was also alleged illegal gillnetting activities that took place within the Kosi system, but during data collection, people did not mention it much.

¹⁶Important for daily livelihoods, not necessarily for income purposes

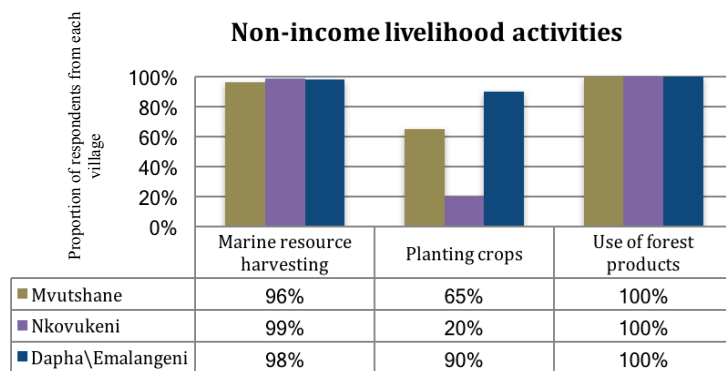


Figure 6.5: Key livelihood activities in Kosi Bay that do not produce an income.

Crops were usually used for consumption, but 14 per cent of households in Kosi Bay indicated that they planted crops for both household consumption and to sell to local people or in the nearest town. The planting of crops was a significant livelihood activity in Mvutshane and KwaDapha villages, and less so for people in Nkovukeni due to increased numbers of hippopotamuses in the lake which have over the years discouraged people from Nkovukeni from planting crops on the fertile land along the lakes.

The following section highlights the nuances of the livelihoods of people within the different villages of Kosi Bay.

6.3.1 Mvutshane village: livelihood strategies

6.3.1.1 Historical livelihoods (before state conservation interventions)

Apart from engaging in fisheries activities in the Kosi estuary and the coastal zone, people from the historical villages of Nhlangwini and Osundwini (which later became Mvutshane) were significantly involved in intensive livestock farming and agriculture. Before the village of Mvutshane became what it is today, most of the dwellings were located inside the boundaries of what is currently the iSimangaliso World Heritage Site. Nhlangwini and Osundwini were located adjacent to lake Zilonda and the Kosi estuary (Figure 6.6), where land was mostly fertile used for agricultural activities.



Figure 6.6: The Kosi Bay system (ISimangaliso Authority, 2014)

Figure 6.7 is an aerial photograph taken in 1959 showing the patches of land around the forest that were occupied by people in Nhlangwini and Osundwini.

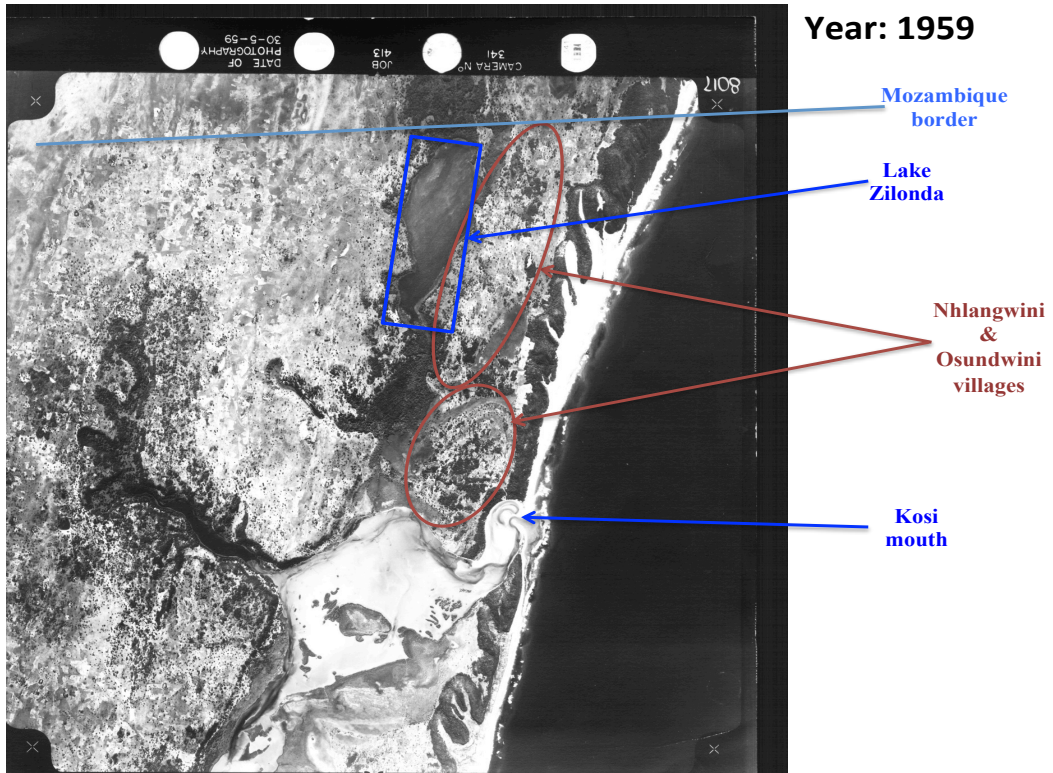


Figure 6.7: An aerial photograph depicting the north of Kosi Bay in 1959 (NGI, 2016).

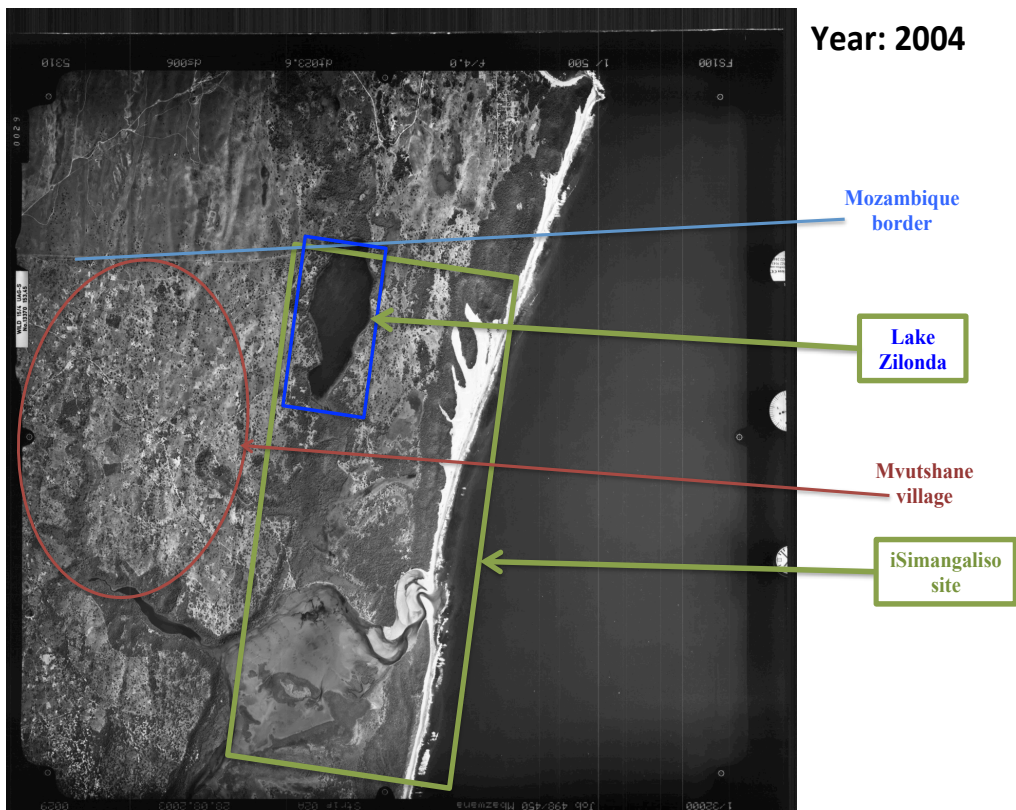


Figure 6.8: An aerial photograph depicting the north of Kosi Bay in 2004 (NGI, 2016).

The Nhlungwini village was where the first primary school in the village was built and it used be known as Trelfall. The school is now located in the current Mvutshane village, and the old location of the school is referred to locally as the “old school” area. This is where agriculture activities took place in plots known as “*amadobo*” [swamps] where local people planted crops in “*imijjo*” (crop rotation plots). The crops mainly included crops such as sweet potato, amadumbe (*Colocasia esculenta*), cassava, maize, sorghum, peanuts, sugar cane and bananas. Local people used to create what is known as *amadobo* in the swamp forest within Nhlungwini and Osundwini to plant these crops. At the time, the royal family was highly respected and the season of harvesting involved presenting some of the harvest to them (between Feb-April). Maize, sorghum and peanuts were most popular crops presented at this event. People would take the crops to the inkosi¹⁷ as a tradition “*beyodlala*” [to celebrate], and this custom was done not because the traditional authorities demanded it, but people did it out of tradition.

Various people in the village alluded to the fact that historically, it was really important for women to be involved in agriculture because when the men went to the mines, they would go for many years, and if the woman who were left at home with the children did not know how to plough crops, her family would be in trouble. One of the women in the village recalled,

I raised my children through ploughing crops, my husband unfortunately disappeared when he went out to look for a job and he never came back. Maize, sorghum, peanuts, etc. were very important crops at the time. We would eat these starches with marine resources as a stew (MOH2).

In the past, older women also saved seed that was planted year by year. Local women were also involved in harvesting reeds for craft making. In focus group discussions, people from Mvutshane confirmed that historically, agriculture was the primary livelihood of local people, and fishing and other livelihoods were supplementary to agriculture (MFG, 2015).

¹⁷Paramount chief.

Figure 6.9 is a historical photograph from 1961 that depicts the historical Mvutshane village, showing evidence of clear patches of land (that are currently forested) which were used for livelihood activities of the local people back in the day. Figure 6.10 depicts how the same landscape has changed by 2015, and reveals how it has evolved over the years due to changes in land use. The clear patches of land evident in 1961 have been covered in forest growth after local people were evicted from the area in the 1980s.



Figure 6.9: A photograph depicting the historical Mvutshane village land near the Kosi estuary in 1961 (rePHOTO SA, 2017).



Figure 6.10: A photograph depicting the historical Mvutshane village land near the Kosi estuary in 2015 (photo: Rachel Wynberg).

The present study made use of historical photography¹⁸ in order to examine the historical structure of the landscape in Kosi Bay in order to gather further knowledge about some of the perceptions held by local people. People from Mvutshane asserted that in the past, most of the coastal land in the old villages was covered by crops that they planted, and a few trees. Village members explained that forest growth that is now visible in the area was a result of declined agriculture activities within the old villages, after conservation authorities forcibly moved them in the 1980s.

Conservation of forests was done differently by the community compared to conservation authorities. The little forests that were there in the past that were not harvested were the ones that produced fruits, thus we conserved them. We knew how to conserve every fruit-bearing tree and we only harvested trees that did not bear fruit and we replaced them with crops for more food. But now we are told to conserve trees that bear no fruit. We do not agree with this (MFG, 2015).

6.3.1.2 Current livelihood strategies

Over the past three decades, i.e. after people of Mvutshane were forcibly moved from their homes in the 1980s for conservation, the livelihoods of Mvutshane people have

¹⁸See appendix for a chronology of aerial photographs depicting change of landscape over time.

progressively transformed, especially in the post-apartheid era which brought about new social welfare programmes for the poor and marginalized. During the year 2015, the Mvutshane village consisted of approximately 200 homesteads whose main livelihood activities largely comprised harvesting marine resources, ploughing crops, harvesting timber and non-timber forest products, involvement in the tourism sector as well as conducting trans-boundary activities in and/or with people across the border in Mozambique.

Approximately 70 per cent of people in Mvutshane relied on old age pensions and government child grants as a form of income. These supported more than 80 per cent of households in Mvutshane and KwaDapha respectively, while only 42 per cent of Nkovukeni households relied on government child grants. More households in Mvutshane consisted of people with formal employment (i.e. teachers, nurses, farmers) than in KwaDapha and Nkovukeni where only 8 per cent and 3 per cent of households, respectively, had members who were formally employed. This could be largely attributed to the fact that the Mvutshane village has better access roads, and is therefore less remote compared to the other two villages. The road that runs from Manguzi town and beyond to the Mvutshane village which is adjacent to the Mozambique border and the northeastern boundary of the iSimangaliso is a tarred road that makes access to Mvutshane easier.

Although most of the people from Mvutshane village initially moved from the coastal land within the current bounds of iSimangaliso (some due to forced removals during apartheid), they still conducted a significant portion of their livelihood activities there, even though present day Mvutshane is located outside the boundary of the World Heritage Site. People in Mvutshane were largely engaged in fisheries activities within the Kosi Bay system, as a main livelihood activity. Approximately 96 per cent of households in Mvutshane were involved in marine resource harvesting, either in the Kosi estuary, the lakes or on the coast near Kosi estuary mouth. In Mvutshane and Nkovukeni, fishing activities primarily took place in fish traps in Kosi estuary and lakes Makhawulani and kuMpungwini, as well as on the coast where intertidal resources are harvested.

With regards to the trap fishery in the Kosi Bay system, people in the community believe that they owned the fish traps and that the community owned the lakes. The fish trap system in Kosi Bay dates back as far as the 1500s, in pre-colonial times (Whitelaw, 2009; Sunde, 2013). Each line of fish traps in the Kosi system belongs to a single family residing in either Nkovukeni or Mvutshane, and not all families within the two villages own fish traps. Fish trap ownership is not transferrable, and is passed down within a certain family from generation to generation. The older men in each family are the custodians of the family fish traps, and they are usually responsible for the maintenance of the traps. Older men usually take the younger men or boys in the family to the fish traps in order to pass down the skills for fish trap construction, as well as fishing traditions.

Fish trap construction in Kosi Bay has evolved from the use of grass-woven fish tunnels for the construction of traps in the olden days, to the use of reeds that are sourced from the local forest in recent times (Sunde, 2013) (Figure 6.11). The fish trap design is meant to be like a “jail” for fish, where fish can swim into the traps but they cannot swim out. At the end of each day, fish trap owners go and check to see if any fish swam inside the trap. Local men make spear-like objects (i.e. *injungu*) from the branches of the coastal silver oak tree in order to spear the fish inside the traps and along the edges of the lake (Figure 6.11).



Figure 6.11: A man from Mvutshane fishing in his fish trap in the Kosi estuary with a fish caught with injungu (photos: Philile Mbatha).

This is a long-standing customary system where power was vested at the community level to a downwardly accountable committee which manages the trap fishery in Kosi Bay. The committee is made up of approximately eight community members from Mvutshane and Nkovukeni, and is responsible for ensuring that customary rules pertaining to fish traps are observed. Examples of customary rules relating to fish traps include rules relating to uniform fish trap construction (using reeds and other material sourced from the edges of the estuary and lake), maintaining channels between fish traps to allow for fish to flow from the ocean into the estuary and the lakes, the ownership of fish traps by individual families, succession of fish trap ownership, resolving disputes related to fish traps and other arising matters.

The fishing customary committee in Kosi Bay is primarily made up of men. The people in the community stated that it was more common for men than for women in the community to manage the fish trap in the families because it was perceived to be a task that would be too difficult for women, as the sourcing of the material for constructing the traps, as well as maintaining an existing fish trap was seen as

laborious. At the time of this study, only one woman in the community owned a fish trap in Kosi Bay (Figure 6.12). This was because when her husband was alive, they did not have any children, and so her husband used to take her every time he went to the fish trap. She therefore learnt through working with her husband how to construct and maintain a fish trap. When her husband passed away and there was no man in her family to take over the fish trap ownership, the customary committee decided that since she had the skills to maintain the fish trap, she should take over the ownership. This was unprecedented in Kosi Bay, and since then, she has used her fish trap to train one of her woman friends how to build and manage a fish trap.



Figure 6.12: The only woman in Kosi Bay who owned a fish trap explaining how she uses a bucket to capture the fish inside her trap because she does not use injungu (photo: Philile Mbatha).

Apart from engaging in fishing, Mvutshane residents also harvest fruits from the forest inside the World Heritage Site in the “old school” area as part of their livelihoods. Fruits and vegetables that are harvested locally included guava, berries, oranges, grapes, spinach, and various others. Palms are also widely harvested by local people and they used them to construct fish traps and also to make the local alcoholic beverage known as “ilala palm wine”.

Tourism is also among the key livelihood sectors in Mvutshane. There are two main tourism facilities in the village, i.e. Utshwayelo lodge and Mangwane lodge. Utshwayelo lodge is community owned while Mangwane lodge is privately owned. Many tourists frequently pass by the village to go to the estuary mouth, as the entrance to the mouth of the Kosi estuary is located outside Utshwayelo lodge. Local people remarked that tourists came to the estuary mouth frequently and took pictures of the fish traps.

There was a village committee in Mvutshane that acted as a mediating body between Utshwayelo lodge and the wider community, and this committee liaised with village members to determine what the money paid as a levy by the lodge should be used for. Utshwayelo lodge paid a levy to the village through a Trust held by a committee selected by villagers. Also, local people were employed in the lodge as cleaners and security guards. One of the managers of the lodge was a young man from the village. Local people perceived that the lodge is significant for supporting the livelihoods of the people in the village (MFG, 2015). One of the lodge committee members explained,

A white man called Ken who came in at a crucial time when the camp was collapsing because of corruption by previous managers who ran the camp. We did not necessarily negotiate what percentage he must pay to the community but we gave him a figure that we want annually and he uses his discretion to decide how much he gives us. Every three months the committee and headman meet with him to discuss issues surrounding the camp and give each other feedback. The committee meets with the rest of the community once a year to decide what the money should be used for based on the needs of the community at the time (MFG, 2015).

The other two tourist facilities, Mangwane lodge (not community owned) and Ubuhlebemvelo camp (privately owned by the community manager of Utshwayelo) both employ local people, even though there was a perception that they did not do much for community. A white businessman who did not reside in the facility owned the Mangwane lodge and leased the land from a village member.

The manager of Utshwayelo and owner of Ubuhlebemvelo camp was a young man from the community who was of Tembe descent. He earned his position in the village through obtaining a learnership funded by iSimangaliso Authority after he matriculated. He was sent to St. Lucia to learn about natural resources, tourism and conservation, as well as about iSimangaliso and why it is important to conserve world heritage. This young man explained that in order to establish Utshwayelo lodge, some of the funds came from the Department of Tourism. In the beginning, it started as a campsite with no chalets, just tents. When the chalets were built, there were no showers. However, by the time this study was conducted, it had 18 campsites.

A few families in Mvutshane village also had family or business relations with people in the south of Mozambique near the border. Some people in Mvutshane also had land in the south of Mozambique. In fact, it was recorded through ethnographic observations while residing in the case study area that there was a significant number of people from Mvutshane village that had close relatives residing on the other side of the border in the south of Mozambique (Ponta do Ouro). The walking distance from the border post on the Mvutshane side to the closest dwellings in Ponta is approximately 30 minutes. Moreover, young men from Ponta would knock door to door in the villages of Kosi Bay every other morning selling Portuguese bread (called “*ipawu*” in the local language) that was made in Ponta do Ouro. These young men from Ponta do Ouro did not usually speak isiZulu, but spoke *Bithonga*, which is a local language spoken in the south of Mozambique (as well as in former Maputaland). Many people in Mvutshane who still acknowledged their Bithonga roots from old Maputaland still understood this language.

Due to strong trans-boundary relations between people in Mvutshane and those in Ponta do Ouro (and the rather “porous” border that allows for it), a large number of people in Mvutshane purchased clothing items from Mozambique from what was known locally as “*amabhele*” (which directly translates as “bears” in English). *Amabhele* are mini-vans that “illegally” carry large numbers of clothing items and sometimes crops that are traded at the border between Mvutshane residents and

people coming from Ponta do Ouro¹⁹. It was observed various times before that people in the three villages that were included in this study seemed to have quite fashionable clothes, but the clothes sold in Manguzi (which is where most of them do their shopping) were pricey and not the brands that local people seemed to wear. Learning about the *amabhele* phenomenon answered some of these questions. The *amabhele* exchanges were made early in the mornings at the border fence outside the sight of border patrol officers. Some of the goods were sold in the villages and some in Manguzi town.

During fieldwork, one of the local women in Mvutshane stated that she was part of “*amabhele*” and travels to Ponta do Ouro with the *amabhele* mini-van once a month to buy clothes from suppliers and then bring them back to the village to sell to locals. The goods sold through *amabhele* were cheaper, more fashionable and offered a wider variety than what local people could find in Manguzi town, where there were much more limited options for clothing at higher prices. Some people from Mvutshane hired people from Ponta do Ouro to live in their homesteads to assist them with looking after their children, i.e. as *au pairs*, or with planting crops. Furthermore, some of the women from Mvutshane who owned agricultural fields in Ponta do Ouro hired women from there to tend to their fields during days when they could not cross the border. All this was done in exchange for Rands, which were considered valuable for people in Ponta do Ouro due to the lower exchange rate of the Mozambican metical. Some people in Ponta do Ouro with relatives in Mvutshane also sent their children across the border, so they could receive South African education, which was deemed better.

Livelihood relations between people on both sides of the border (who were once united as part of former Maputaland) are thus still ongoing and stronger than one would expect. This is an indication that the creation of state borders separating north and south Maputaland had not completely disrupted these relations.

¹⁹The exchange of goods (including harvested crops and clothing) between people in Kosi Bay and the south of Mozambique, i.e. Ponta do Ouro, was a major activity contributing to local livelihoods. However, because this was an ‘illegal’ activity that was only known among the people in the area, people did not mention it when household surveys, focus groups meetings and interviews were conducted for this study.

6.3.2 Nkovukeni village: the evolution of livelihood strategies

6.3.2.1 Historical livelihoods (before state conservation interventions)

People from Nkovukeni remarked that in the past (from around the 1940s which is as far back as the oldest village members could remember), there was extensive planting of crops such as maize, peanuts and sorghum in the village, and the whole area was filled with crop plantations; they never used to go to the store (NFG, NOH1, NOH2; 2015). Agricultural activities were conducted mainly along the Kosi lakes Makhawulani and Mpungwini (i.e. Lake 1 and Lake 2) where the soil was most fertile.

All the land along the lakes and estuary was full of crops and a lot of crops grew in this area. We went to sea to harvest intertidal resources such as redbait and ghost crabs which were important for isishebo [stew] that was eaten with peanuts and mealie meal ground from local crops (OHI8, 2015).

In the past, people planted a lot of crops for livelihoods and they were abundant in this area. We used intertidal resources for isishebo. Also from the lakes we collected mud crabs to make isishebo [stew]. These were the main livelihoods in the past 50 years before conservation (OHI9, 2015).

According to the people of Nkovukeni, planting crops was the leading livelihood activity before conservation interventions were implemented in the area. Community members explained that historically, the Nkovukeni landscape was primarily covered with crop plantations, with few trees. Historical aerial photography indicates that the landscape in Nkovukeni has changed over time, due to changes in livelihood strategies. Figure 6.13 is an aerial photograph from 1959 depicting the Nkovukeni village. Figure 6.14 depicts a change in landscape in Nkovukeni by 2004.

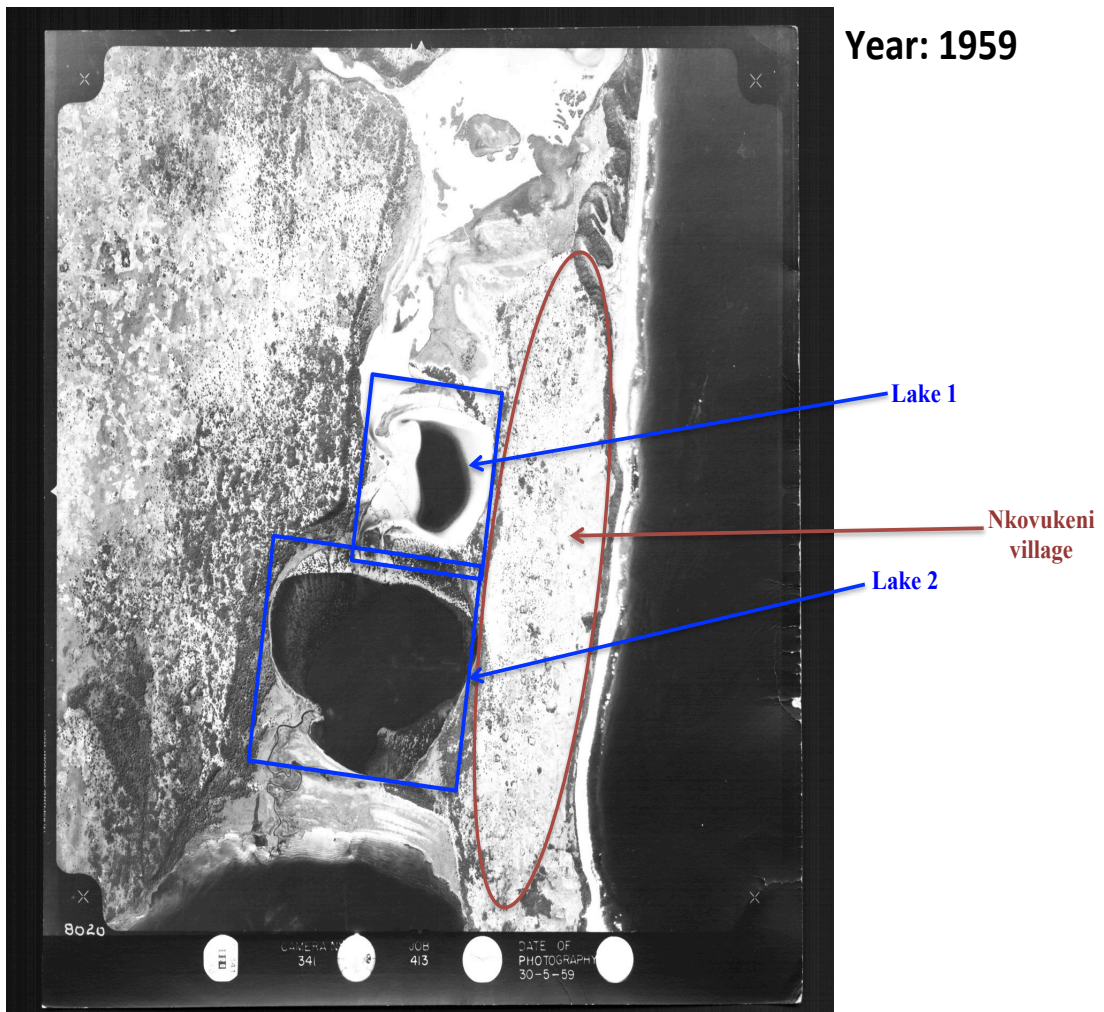


Figure 6.13: An aerial photograph depicting the Nkovukeni area in 1959 (NGI, 2016).

Year: 2004

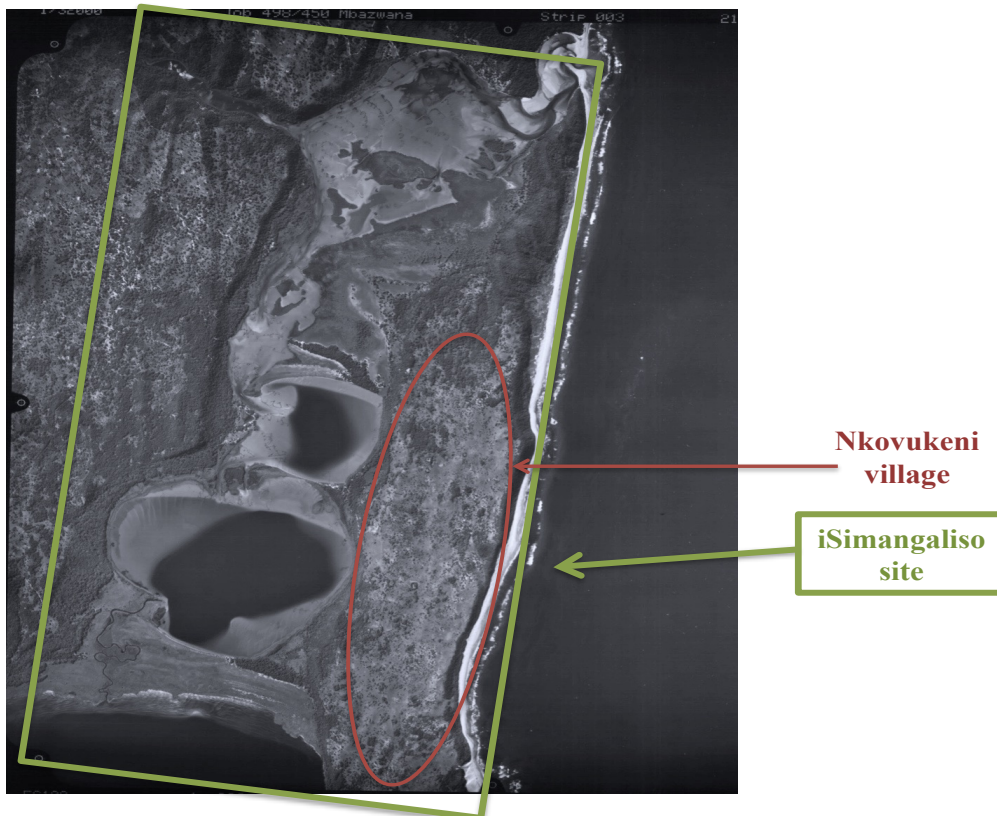


Figure 6.14: An aerial photograph depicting a change in the Nkovukeni landscape by 2004 (NGI, 2016).

6.3.2.2 Current livelihood strategies

With approximately 33 homesteads, Nkovukeni is one of the smallest villages in Kosi Bay. Unlike Mvutshane, many residents in Nkovukeni are of Zulu descent, and a large number of people that reside in the village shared the “Ngubane” surname. The Ngubane people were among the three tribes that claimed that they ruled the land of Kosi Bay before the Tembe people arrived in the area (Webster, 19991; Mthethwa, 2002; OHI10, 2015). Nkovukeni is also unique in the sense that among people within the wider village, there is generally a strong sense of community, compared to the other villages.

The findings of this study revealed that people in Nkovukeni have had a long history of conducting livelihoods using mainly agricultural and marine resources (NFG, OHI8, OHI9; 2015). This was largely a result of the fact that the village is spatially enclosed and bordered by the Kosi lake system (i.e. Kosi lakes and estuary on the

west and the Indian Ocean on the east). Fishing activities using fish traps in the Kosi estuary and Lake 1, as well as the harvesting of intertidal resources along the coast were among the main livelihood activities during the time this study was conducted. However, there had definitely been a shift in livelihood strategies between the past and what was found during the course of this study.

The findings of this study reveal that hippopotamuses were among the major hindrances preventing local people from engaging in agricultural activities as they used to in the past. According to the locals, the number of hippopotamuses in lakes Makhawulani and Mpungwini has increased significantly since conservation rules prohibited the “disciplining” of hippopotamuses by local people around the 1980s. A large number of people expressed that they had adjusted to living among the animals, although they worried that the population of hippopotamuses was increasing, and that they posed a threat to their livelihoods. People of Nkovukeni also expressed that it was difficult to plant crops within their homesteads due to the lack of access to fresh water in the village. Agriculture is less viable as a livelihood option, as people have to walk very long and steep distances to access fresh water. This was because historically people in Nkovukeni planted crops on the edges of the lakes where the soil is fertile and crops did not need to be watered. However, they are now prohibited from planting crops there by iSimangaliso rules.

At community level, there was a general perception in the village that because people could no longer plant crops or harvest marine resources freely, livelihoods were suffering.

Now we suffer, there is nothing to do. We stopped farming because of hippopotamuses and wild pigs. When we complain to *Nature* they ask us why don't we leave...iSimangaliso does not want us to plant crops. They don't want a white man to come invest in tourism in this village, they want to promote the idea that there is no longer anyone who lives in this village... If it weren't for all these regulations, we would be planting lots of crops for livelihoods in this area because the soil is very fertile and allows us to do so. When you plant something small, it grows tremendously. We now live with pension money, we use it to take care of our grandchildren who need to go to school and

“*siyapatanisa*” [struggle to make ends meet] from the little we have although we suffer because ‘*bayasivala kakhulu*’ [conservation authorities are heavily oppressing us] (OHI9, 2015).

Tourism was not a viable option for people within Nkovukeni because of constraints in terms of physical access to the village that was blocked by the lake system as well as the estuary, leaving the village very remote. It was in fact difficult to determine which was more geographically remote between Nkovukeni and kwaDapha because of the lakes and the estuary blocking access on the west, as well as the Indian Ocean on the eastern border the Nkovukeni village. It is inaccessible via motor vehicles, and in order to get from the mainland to the village, one needed to either wade through the lakes at low tide, or swim across at high tide (see Figure 6.15). The width of the lakes from the village to the mainland was approximately 300m, and people from the village had to wade or swim across every day to commute to work, town, school, etc.

During one rainy and cold day of fieldwork for this study, primary school children were witnessed swimming across the lake from the village end to the mainland at high tide in order to get into the bus that takes them to school and back every day. The children had to remove their school uniforms and swam naked across the lake, while one of the taller children carried their uniforms in a bag which he waived high above the water all the way across, so that the uniforms would not get wet.

There is also only one primary school in Nkovukeni and the school is under-capacitated in terms of classrooms and teachers. Moreover, there is no high schools in the village, and parents have to send their children to Manguzi or the surrounds for high school education, and not all parents can afford the transport. Some of the children stay with relatives in the other villages during school terms, and it is difficult for those without relatives on the other side to attend high school because of transport costs. The village contains no clinic or any other public service institution. Moreover, unlike the other two coastal villages, Nkovukeni is the only one without any tourism facilities.



Figure 6.15: Women from Nkovukeni crossing lake Mpungwini to go back home after arriving from Manguzi town (photo: Philile Mbatha).

For people in Nkovukeni to travel to the nearest town of Manguzi to do shopping or run errands, they have to form a group and only then can they hire a car to take them to the town. There were only two people in the village that owned mini-vans that were able to provide transport, but these had to be booked in advance. The return trip to town is considered pricey by local people, given that they do not have much money. People in Nkovukeni also consider it expensive to send their children to school every day outside the village due to transport fees. Therefore, due to limited financial resources, some of the people in the village resort to walking to Manguzi, which is an approximately two-hour walk one way.

It also appeared from the findings that there was competition and conflict between people of Nkovukeni and those of adjacent villages inland over coastal resources. People in Nkovukeni appeared to share the belief that they were entitled to harvesting resources (i.e. fisheries resources and reeds) in the two lakes adjacent to the village, and in the coastal intertidal zones.



Figure 6.16: A woman from Nkovukeni harvesting reeds from Lake Makhawulani (photo: Philile Mbatha).

During fieldwork, various women and men from an adjacent village were found respectively harvesting reeds and fish from the lakes. It also appeared that there were people from the adjacent villages who owned fish traps. Informants from Nkovukeni expressed that they were weary of people from other villages who harvested resources from the lakes, because they did not participate in the customary structures governing fish traps and the lake and estuary, and there was a belief that those from other villages contributed greatly to the illegal gillnetting in the lakes at night that is making it difficult for trap owners to catch any fish within the traps.

Women in Nkovukeni also expressed that harvesting reeds was important for the livelihoods of women, especially single women who could not build houses made of bricks on their own, but relied on reeds to build. They accused women from the adjacent villages for using destructive tools to harvest reeds and expressed that the resource belongs to women of Nkovukeni.

Lastly, as part of current livelihoods, 83 per cent of women in Nkovukeni stated that they harvested intertidal resources, and received permits issued by Ezemvelo KwaZulu-Natal (KZN) Wildlife to harvest intertidal resources and marine resources

from the coast. These women stated that they only harvested intertidal resources once a month, as was stipulated in their permits. Ezemvelo KZN Wildlife employ young adults within the village who worked as monitors for the harvesting of intertidal resources by local people. Although this was the case, some people in the village rejected the idea of permits.

6.3.3 KwaDapha village: the evolution of livelihood strategies

6.3.3.1 Historical livelihoods (before state conservation interventions)

The oldest person from kwaDapha that participated in this study was 86 years old and he shared very useful insights about the history of the village in terms of traditional leadership, natural-resource use and livelihoods. He stated,

I was born long ago during the time of Mvutshane. The first people in this area were Ngubanes. Even what they call Banga Nek, there is no such thing. This name came from Mbange, a Ngubane man who used to live here long ago. There is also a hill near this beach called Nondo, that name also came from a Ngubane man. The problem is our great grandfathers were not educated, so they did not record this history but that is it (OHI13).

Another older man from kwaDapha added,

My family originated from Eshowe and we moved around the time of Shaka to Ngwavuma. Our great grandfather trekked all the way to Mozambique and then to this area in Nkovukeni, and then he came to kwaDapha and settled here and he came to fetch my grandfathers to come and establish themselves in this village...as far as I know, the Ngubane people are supposed to be kings here. But the Tembes won over the chieftaincy because the Ngubanes could only slaughter a cow using a machete (used to harvest mussels) while the Tembes had a more advanced technique that was more efficient. The Ngubanes tried this method not knowing that in Tembe culture, agreeing to that would make the Tembes kings over them. That's how they won. Even now there is a big debate here that the Ngubanes should be the ones in power(OHI14).

As vague as the story about how the Tembes defeated the Ngubanes sounds, it formed a very strong part of the oral history told by people of Nkovukeni and kwaDapha. It is also confirmed in Mthethwa's (2002) work. However, it is beyond the focus of this study to delve deeply in that aspect of oral history.

In terms of historical livelihood strategies, people from kwaDapha used to conduct their livelihoods using coastal resources before external conservation interventions were introduced. Just as in Mvutshane, people of kwaDapha explained that most of the area that is currently covered in forest within the village surroundings used to be crop-farming land and people's homesteads, and a few trees that were harvested for firewood (OHI12, OHI13, DFG; 2013).

People from kwaDapha stated that, historically, they never had to buy anything from the shops because all the food they needed, they could grow themselves. Historically, a large portion of the land in kwaDapha was occupied by people's homesteads, plots for crop farming, as well as communal kraals for livestock (DFG, 2015). Aerial photography provides some evidence that possibly verifies these assertions by people from the area about increasing forest growth over the years as a result of declined agriculture activities. Figure 6.17, an aerial photograph from 1975, depicts how the land of kwaDapha village was mostly clear of forest cover or natural vegetation. Figure 6.18 depicts how that had changed by 2004.

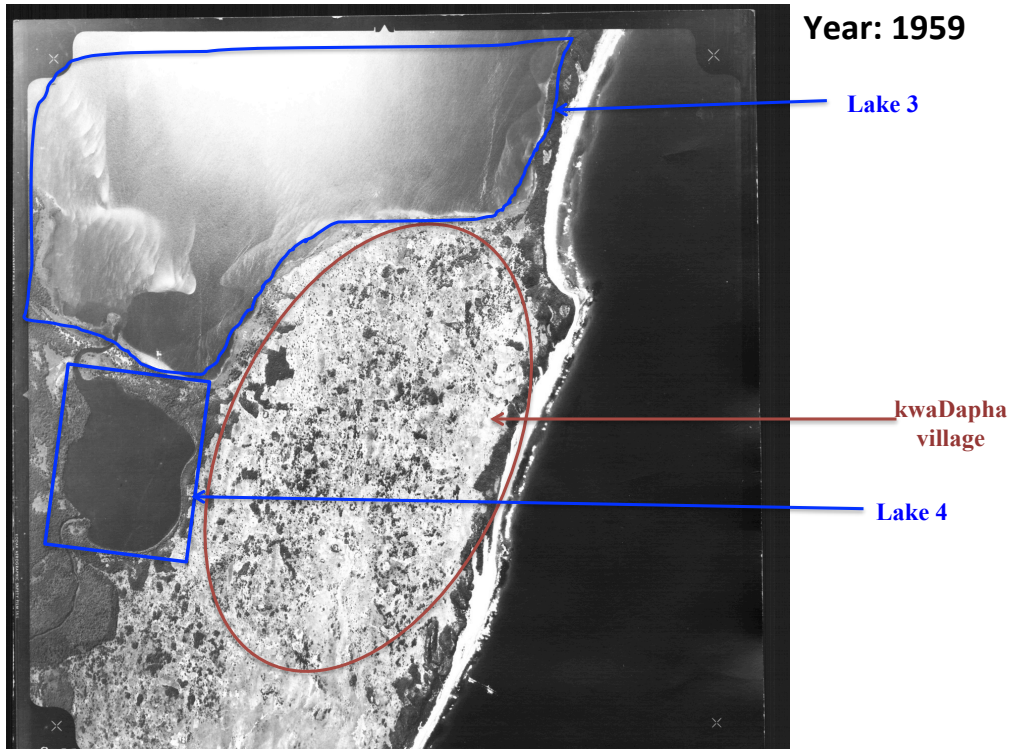


Figure 6.17: An aerial photograph depicting the kwaDapha landscape in 1959 (NGI, 2016).

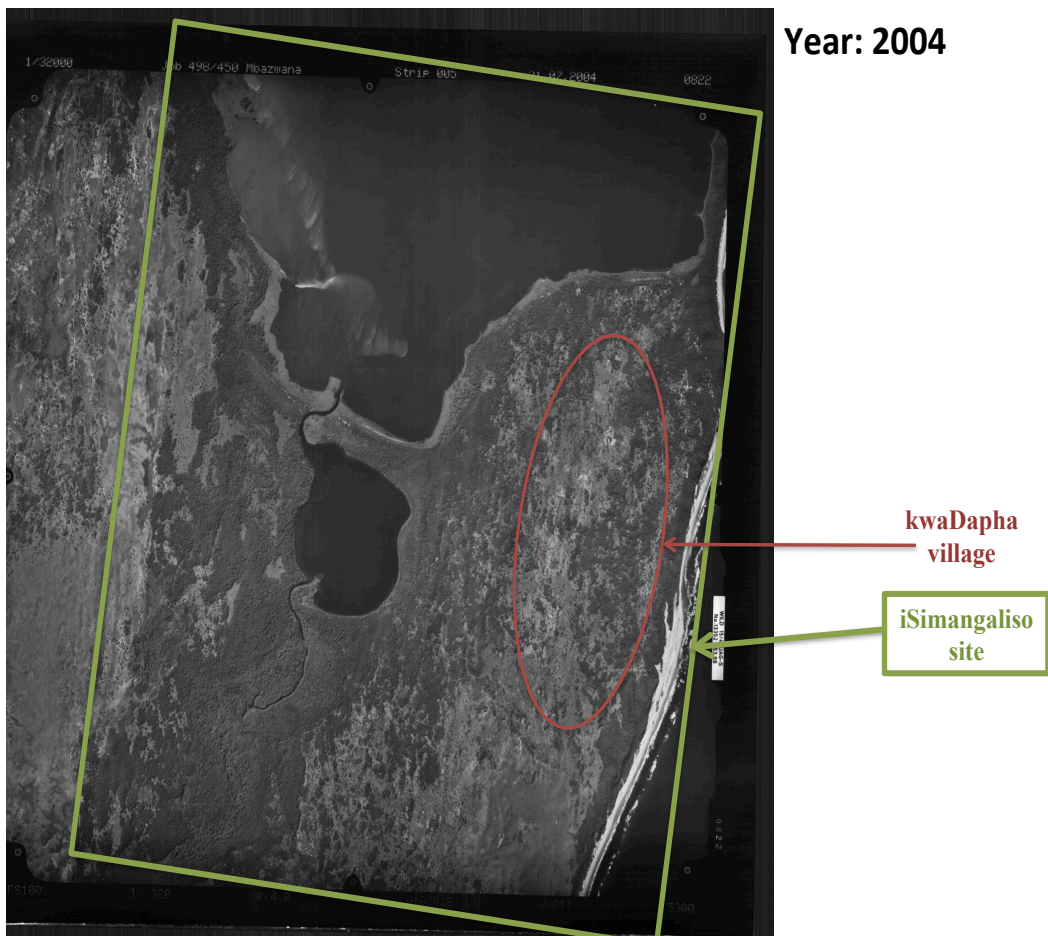


Figure 6.18: An aerial photograph depicting a change in the kwaDapha landscape by 2004 (NGI, 2016).

Some of the older people from the village and those who knew the oral history of the village well asserted that before the 1950s (i.e. before the Coastal Forest Reserve was established near kwaDapha in 1952), livelihood conditions were the opposite of what they are now (FFG, DFG; 2015). They asserted that before the 1950s, there were plenty of agricultural fields everywhere and people led good lives.

There were extensive agricultural crops planted by local people. The land you see now where people live, all of it was an agricultural field – we planted for ourselves the things we ate in the past, this is why we do not age quick. There was also lots of livestock farming – many cattle everywhere, in many families, and six communal kraals. There was also lots of fishing and harvesting of marine resources from the lakes and ocean – we used to fish using a stick called *uzi*, not rods. We were free when we were growing up (DFG, 2015).

6.3.3.2 Current livelihood strategies

The village of kwaDapha consisted of approximately 60 homesteads at the time this study was conducted. KwaDapha is a very remote and marginalized village in geographical terms and people from kwaDapha struggle immensely with physical access. In terms of the amount of time it took to travel from the tar road in Manguzi town to the village, it took approximately two hours to travel to the village one way on a 4x4 vehicle. The gravel road to kwaDapha is also arguably worse compared to the one going to Nkovukeni.

KwaDapha village has only two primary schools, no high school and no health facilities. The activities in the area were concentrated around the two tourism facilities, i.e. kwaDapha lodge and camp. Both of these tourism facilities are run mostly by local people and located near the house of the kwaDapha headman.

At the time this study was conducted, marine resources (i.e. linefish, red bait, mussels, sea urchins) were important for livelihoods in kwaDapha because not everyone got the opportunity to participate in tourism and relied on being able to harvest marine resources. However, during the data collecting, people from kwaDapha indicated that they did not receive permits to harvest marine and intertidal resources. People of

kwaDapha also explained that there was a perception by conservation authorities that local people overharvested marine resources, which they stated was not true because when tourists visited the area, they usually snorkelled in shallow waters and sometimes caught fish. They stated that local people only harvested linefish, red bait and mussels; the rest of the marine life was only harvested if it was dead or beached, e.g. shells and seaweed. Red bait was popularly used for making stew for dinner in kwaDapha. However, fishing activities were no longer as popular in kwaDapha as in the other two villages because the lakes adjacent to this village were full of hippopotamuses and the physical distance between most of the households and the lakes was large.

Wood is harvested for making fire and for selling on the road to tourists, as there is no electricity in the area. Forest products are also used for building material for houses, fencing and for food. Local people stated that they could not build with cement because the biggest problem in the area is transport. They also explained that iSimangaliso refused permission for a road to be built and it was therefore difficult to hire people's cars to deliver cement because only 4x4 vehicles could reach the village. As a result, local people relied on the forest and reeds from the lake for building. Firewood is also harvested locally and used as the main source of energy. Some people sold firewood on the road to tourists who came to the area to camp privately. Most of the dwellings in kwaDapha homesteads were made from natural materials as people used forest products as building material for houses and fencing, as well as for food.

Agriculture activities in kwaDapha were conducted mostly within people's homesteads, but most people complained that it was difficult for them to plant crops because of world heritage site rules, as well as the increased numbers of hippopotamuses that roam around at night and eat crops in people's gardens (DFG, 2015).



Figure 6.19: A man from KwaDapha showing the land where he used to plough crops which were destroyed by hippopotamuses (photo: Philile Mbatha).

There was, however, more tourism activity taking place in kwaDapha compared to the other villages due to the turtle-nesting site in Banga Nek (i.e. which is on the coast of kwaDapha). The existence of the nesting site made this village a tourism hotspot and provides employment to local people in tourism activities such as tour guiding as well as ownership of the camp. People in kwaDapha are also employed by conservation authorities as monitors in the turtle nesting sites and as beach cleaners.



Figure 6.20: KwaDapha Beach Camp (photo: Philile Mbatha).

The profit from the tourism camps is split among all households in the village, making these camps the financial backbone of the village, employing approximately seven community members. The camps are usually busy during peak seasons and young people also benefited when they came back from school because some of them carried goods for tourists and accompanied them when they went fishing. However, the benefits from the camp are difficult to disseminate as local people asserted,

The benefits are there, but we are not really feeling them that much...its like if you take a drum that is leaking, the more you pour water in, the more it starts leaking. However, there are times when the camp does make money and each household in the village gets money from that, it is split evenly. This year we have not gotten it but last year every household got it; we last got R1200 per home. The previous year, each home got R500. The year before that, it was R1600. The money is split and distributed at a community meeting held at the headman's place. We do not know how the figures are determined beforehand, we only find out at the meeting how much we will be getting. The issue is that the condition that the camps are in is not conducive for the camp to be generating large sums of money. For instance, if it had to start raining right now, you will see something shocking; rain will start pouring on top of us all. No tourists will pay a lot of money for that. But whatever does come through, something does reach

the community. It is difficult to run a business with no business plan because there are no targets put in place to define how well the business needs to do. There are also no audits (DFG, 2015).

6.4 CONCLUSION

This chapter has outlined the socio-economic context of Kosi Bay, as well as the historical and current livelihood characteristics of the local people. The findings of the study reveal that livelihoods of people in the respective villages of Kosi Bay are dynamic. Local livelihood strategies have also shifted over the years largely due to governance interventions, mostly related to conservation. This will be discussed in detail in Chapter Seven and Chapter Eight. It is apparent that while historical livelihoods in Kosi Bay largely involved agriculture and fishing activities, the extent to which the people from the community can currently sustain their livelihoods through these activities has significantly declined over the past 50 decades, and in the face of this, activities such as tourism have emerged as the backbone for livelihoods of some villages in the area. The results also reveal that fisheries has become a significant livelihood activity over the years, as an alternative to agriculture when conservation rules strengthened and constrained people's abilities to conduct agriculture livelihoods in fertile land inside the World Heritage Site. The findings of this study revealed interesting insights about the nuances of village life in the coastal villages of Kosi Bay, which vary from village to village, highlighting that livelihoods and backgrounds of people within the Kosi Bay villages, are not as homogenous as expected. This means that although people in the area largely share the same customs and traditions, and have the same traditional leaders, certain practices and worldviews held at village level differed from village to village, making livelihood experiences unique in each village.

CHAPTER SEVEN: LINKAGES BETWEEN GOVERNANCE PROCESSES AND LIVELIHOOD STRATEGIES

7.1 INTRODUCTION

With a history of dispossession and exclusion from coastal resource use, restrictions on agricultural activities, coupled with impoverished living conditions, high unemployment levels and limited livelihood options; the livelihoods of people in Kosi Bay have been influenced by various governance processes occurring over the years. The declaration of the World Heritage Site and the creation of the Coastal Forest Reserve and Maputaland Marine Protected Area adjacent to Kosi Bay over the decades have meant increasingly restricted access to coastal resources for the Kosi Bay community (Guyot, 2005; Jury et al., 2009). Over the years, the existence of plural governance systems (i.e. statutory, traditional and customary) in the governance of coastal resources in Kosi Bay has had implications for the ability of community members to formulate their livelihood strategies. Indeed, approximately 68 per cent of respondents in Kosi Bay indicated that their livelihood strategies had been impacted by governance interventions over time, mostly linked to conservation. At the time this study was conducted, respondents indicated that they felt that conservation authorities cared more for “nature” than for the people in the community. For example, in a meeting with community members in the Nkovukeni village, local people stated that,

It is almost as if iSimangaliso came here with a tent full of coastal resources in the back of a truck and they pulled it out here and placed the resources and then protected them...as if we were never even here when they came (FFG; 2015).

There was a general consensus among the respondents that they were hardly consulted in governance decision-making processes and that there were too many restrictions imposed on different aspects of livelihoods.

This chapter seeks to outline the various influences of governance systems on the livelihood strategies of the people in Kosi Bay.

7.2 KEY GOVERNANCE PROCESSES INFLUENCING LIVELIHOOD STRATEGIES IN KOSI BAY SINCE 1948

Various events and processes have taken place over time to make coastal governance in Kosi Bay the way it is today. These have influenced the manner in which the Kosi Bay community has accessed and used coastal resources historically and currently. Figure 7.1 lists some of the key governance processes and interventions that have influenced the governance of the Kosi Bay system and local livelihood strategies over the years.

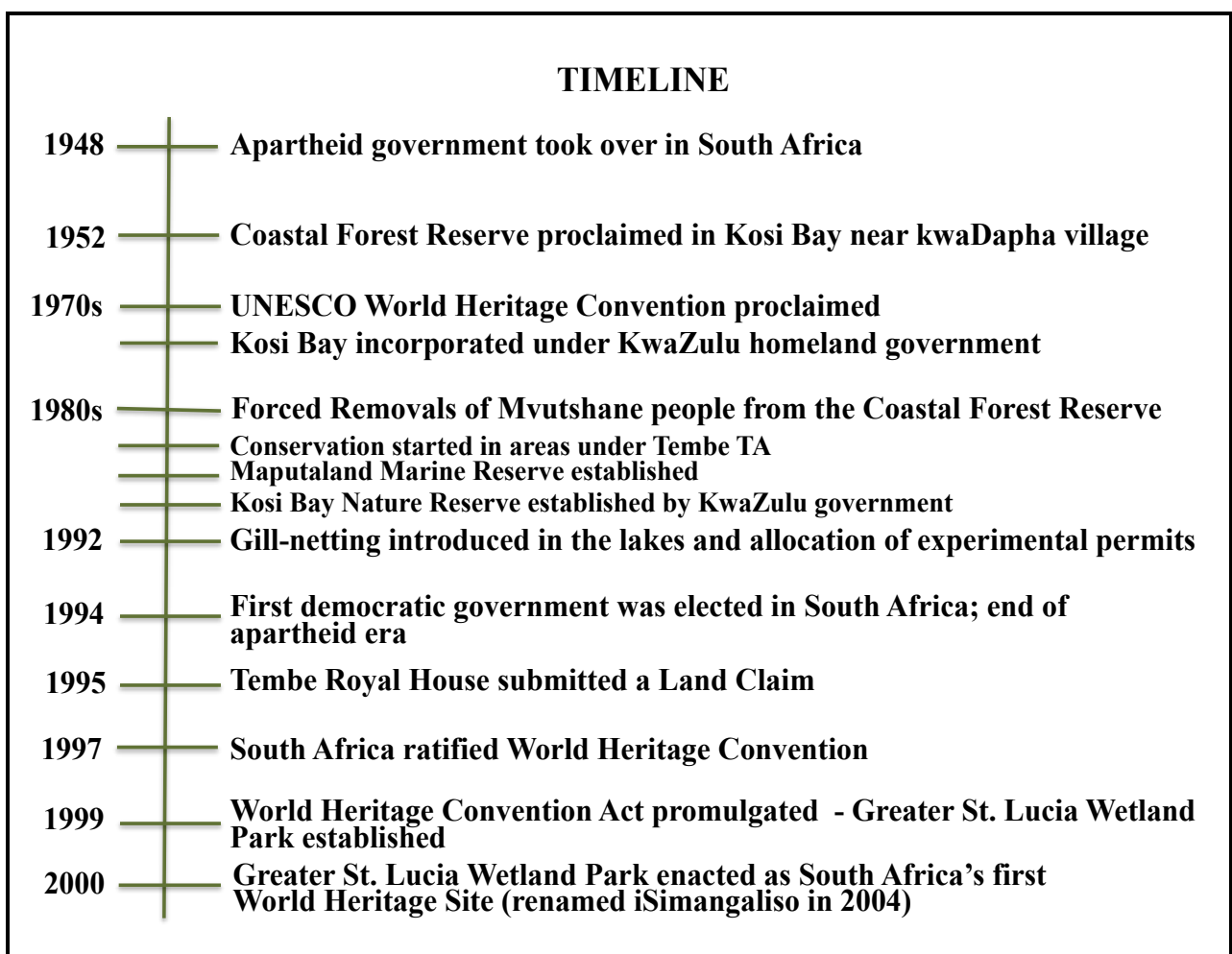


Figure 7.1: Timeline of key governance interventions that have influenced the use of coastal resources in Kosi Bay (source: Philile Mbatha)

The timeline depicted in Figure 7.1 highlights key coastal governance interventions that Kosi Bay community members perceived had a direct and indirect influences on

their livelihood strategies over time. These are discussed in more detail in the following section.

7.3 LOCAL NARRATIVES ABOUT SHIFTING LIVELIHOODS AS A RESULT OF GOVERNANCE PROCESSES

Livelihoods of the people in Kosi Bay have evolved significantly over the course of history due to certain events linked to governance interventions, processes and practices in the following sectors.

7.3.1 Agricultural livelihoods

Agriculture has been the key livelihood strategy of many people in Kosi Bay over the past seven decades, especially before the conservation interventions in the area intensified, and before wild animals began to pose serious problems for local farmers. Respondents in Kosi Bay rated agriculture as the most significant livelihood for most of the twentieth century, especially around the time when men left the villages to go to look for jobs in the gold mines in Johannesburg during the apartheid era (MFG, NFG, DFG; 2015).

Although approximately 90 per cent and 20 per cent of people in kwaDapha and Nkovukeni respectively engage in agriculture, crop yields from these villages were much lower than in Mvutshane village. This is due to the fact that crop farming in Mvutshane primarily occurs in fertile swampy areas outside the World Heritage Site and in the south of Mozambique near the border. On the other hand, Nkovukeni and kwaDapha villages are enclosed within the bounds of the World Heritage Site. This means that local people could only plant crops within their homesteads where the land is not as fertile as in the swampy areas adjacent to the lakes in the Kosi system where agricultural activities were prohibited by the iSimangaliso Authority.

A number of respondents in Kosi Bay indicated that their agricultural livelihood was negatively impacted by conservation rules as well as by wild animals such as hippopotamuses, monkeys and pigs. The creation of the Kosi Bay Nature Reserve in 1987/88 resulted in forced removals of local people from their land in the historical

villages of Mvutshane, and they were subsequently prohibited from planting crops in the forest within the area where they had been evicted. People recalled that conservation authorities at the time erected a fence that enclosed their homesteads and told them that all the land inside the fence was going to be conservation land (Mthethwa, 2002; Sunde, 2013; MFG, 2015).

People in Kosi Bay also claimed that the number of hippopotamuses in the lakes had increased, and that there were increased incidences of the wild animals invading people's homesteads and their home gardens. According to the local people, in the past, they used to "manage" disruptive hippopotamuses by "disciplining" them (i.e. they would trap and kill a hippopotamus that was found invading one of the homesteads so that the other hippos would know to keep out) (MFG, 2015). People from Mvutshane village explained that historically, they did not want to keep killing the hippopotamuses that were problematic and that was why they had approached conservation authorities to fence off the lakes so that the animals would not wander too far out at night. When conservation authorities introduced the fence as a response, local people thought the fence was meant for fencing off hippopotamuses, but they were confused when they saw it extending to areas beyond the homesteads. People in Mvutshane village said that they did not like that the fence that had been constructed was barring them from areas where they conducted their livelihood activities. As a result, people in the village stated that they had no choice but to destroy the fence because there was miscommunication between the local people and conservation authorities about the purpose of the fence (MFG, 2015; EKI2, 2015).

In a key informant interview, one of the officials from the conservation authority who was present at the time explained,

At the time, it was agreed that people could carry on using traditional ways of harvesting resources such as fish in fish traps and grass along the lakes, at traditional levels. However, there were no written records about all this and most of the people that were involved in these agreements have died. I believe people were consulted in making the rules but then again, nobody consults adequately with anybody and local people may not have been properly consulted and the government at the time was not democratic, as well as the traditional authority rule; and

many people on the ground were ignored by both... (EKI2, 2015).

Moreover, local people pointed out that, over the years, the land outside the World Heritage Site boundaries has become drier, and that is why large numbers of livestock that local people used to farm also dwindled. In recent years, increasing drought in Mvutshane has made food security difficult, especially over the past two to three decades (MFG; 2015). Therefore, restrictions from conservation and water shortages in places where people in Mvutshane had been forcibly moved to, were among the complex factors contributing towards agriculture livelihoods becoming more difficult to pursue in the present day compared to historical times. For this reason, women in Mvutshane developed an alternative way of continuing with the agriculture livelihood in the south of Mozambique. One of the transect walks conducted for this study was with a woman from the Mvutshane village who, together with other women from the village, crossed the country border illegally on a daily basis into Ponta do Ouro to plough and harvest agricultural fields that she owned on the other side. When I asked the woman why she risked her life in order to continue her agricultural activities, and whether it was out of desperation for food; she responded:

I do not do this because I desperately need food or money, I do this because agriculture is a way of life for me, it gives my life meaning. If am not able to do this every morning, I feel like something is missing in my life. It has been very difficult for us since iSimangaliso prevented us from planting our crops inside the fence, because that is where the fertile land is. So if we cannot do it here, we will go to Mozambique because the rules there are not strict (OH3).

This indicates how important the agriculture livelihood is for people in Mvutshane, so much so, that they “break the law” in order to undertake this livelihood strategy.



Figure 7.2: A woman from Mvutshane village illegally crossing the border to Mozambique to plough her agriculture fields (photo: Philile Mbatha).

On the other hand, for Nkovukeni and kwaDapha villages that are within the World Heritage Site, conservation rules that have been imposed by the iSimangaliso Authority preventing people from pursuing historical agriculture livelihoods are the primary reason for dwindling agricultural practices. In kwaDapha, people expressed:

iSimangaliso sends *Nature* enforcement every Tuesday and Sunday and they would fill up a truck carrying guns and pour onto your property and say they are here to check up on you...they were here just this past Tuesday here at kwaDapha. They don't even greet you or anything, but you just find them roaming around your homestead telling you they are here to check on you. They come all the way from Madlangula just to check on me? And they say yes, iSimangaliso sent us to check on you. They come to do that twice every week. They don't even ask for permission to enter your property, they just come to do what they want. These are some of the things we deal with here. This is why we now rely so much on marine resources and activities there for livelihoods because whatever we try to do here in our land, we are prohibited and oppressed to pursue (DFG, 2015).

Umkhanyakude Municipality once wanted to assist us with gardens and bought us all the amenities like water tanks, etc. However, the hippos came in and started destroying everything and when we asked iSimangaliso for a fence they said no, so we gave up and now we don't plough those gardens...It is really discouraging to carry on sometimes because it is hard to do anything when someone is busy sitting on your shoulders (DFG, 2015).

Moreover, the increase in the numbers of wild animals such as hippopotamuses, monkeys and pigs over the years due to strengthened conservation has become a secondary reason for declining agricultural practices in villages within the World Heritage Site.

For these reasons, many people from Mvutshane, Nkovukeni and kwaDapha villages have tended to shift more towards fishing as a key livelihood activity.

7.3.2 Fishing livelihoods

More than 96 per cent of people in Mvutshane, Nkovukeni and kwaDapha combined considered fishing an important livelihood activity. In focus group discussions, however, community members explained that fishing had not always been their primary livelihood activity (FFG, MFG, DFG, NFG; 2015). In the past, fishing was not only a customary or subsistence activity for local people, but fisheries resources acted as a complement to agricultural resources that were consumed daily as a staple. Local people perceived that fishing activities in Kosi Bay were negatively impacted on by prohibitions on the harvesting of marine resources and the imposition of rules that restricted historical livelihoods.

People recalled that from 1962 to 1966, they started observing officials from *Nature* who used to chase them away when they were fishing, with no explanations provided.

There used to be a man with binoculars who would observe us from afar when we were fishing and as soon as we were done, he would come and take pictures of our fish and us. After some time, he then started telling us that we were wasting the fish. After a while, another scientist who was a student came

here and would call local fishermen to put nets in the estuary mouth for him and he would catch all sorts of fish without telling us what he was doing. He would dissect the fish and put their insides in bottles and labeled them. Initially, he would let us take the fish home when he was done but eventually he stopped giving us the fish. We had no idea what he was doing, that he was busy writing laws about how we should use the fish...they said he was a doctor of fish and no one had told us that there was a doctor coming here to cure fish...while we were being killed, he was busy healing fish – that is what confused us a lot because we wondered how could a doctor be sent to heal fish and none sent to heal us as human beings. Only later we realized what exactly he was here to do. Even so, the homeland government increasingly sent police from all over...and no one from this area was hired to be part of these police sent here – our only involvement was through being arrested and taken to court, for no known reason. To this day, no one has told us whose goods we have stolen that we deserved to be arrested (FFG, 2015).

Kosi Bay fishers further stated that 1983 was the worst year for them as this was when the presence of *Nature* within the area intensified. They also added that 1984 was the most traumatic year as many people, including youth, lost their lives through being shot for fishing “illegally” (FFG, 2015; MFG, 2015). According to local people, many people from Nkovukeni lost their lives and their relatives during those years, as they were shot dead by conservation police. “Those years were very hard, even to this day we still mourn that. There was even a child who got mentally ill from the events that took place in that period because he was beaten” (FFG, 2015). People from Mvutshane pointed out that there was a decline in fishing activities in the fish traps within Kosi estuary in the mid-1980s, due to the fact the people were progressively being forcibly removed from the historical villages, and had to relocate outside the boundaries of the conservation fence. Figure 7.3 and Figure 7.4 are ground photographs that visually depict the change in the trap fishery between the years 1971 and 1986 in the Kosi estuary.

It is evident from comparing the two images that by 1986, the trap fishery had declined. Local people stated that this was due to poor maintenance²⁰ of fish traps at the time due to the disruption of livelihoods by the forced removals that took place in the mid-1980s.

In 1992, conservation authorities introduced an experimental gillnet fishery targeting fish species thought to be able to sustain further fishing pressures (Kyle, 1999; 2013; Sunde, 2013). The establishment of a legal gillnet fishery was also promoted due to conflicts between illegal netters and trap owners, as netters were suspected of poaching fish and damaging traps. Consequently, in 1992, five permits for gillnet fishing in the lakes were introduced at kwaDapha, and by 1995, 35 permits had been issued across the three villages (Kyle, 1999). According to Kyle (1999; 2013), the most targeted species for gillnetters at the time were species such as *Oreochromis mossambicus* (commonly known as Mozambique Tilapia), as well as species (including mullet and kingfish) from the respective *Mugilidae* and *Carangidae*. By 1995, legal gillnetting and fishing in fish traps were the two leading fishing activities in the estuary and lakes providing most of the “legal” food produced from the Kosi lakes (Kyle, 1999).

²⁰People in Kosi Bay use material from the natural vegetation surrounding the lakes and estuary in order to construct fish traps. These materials thus have to be maintained and changed every now and again.

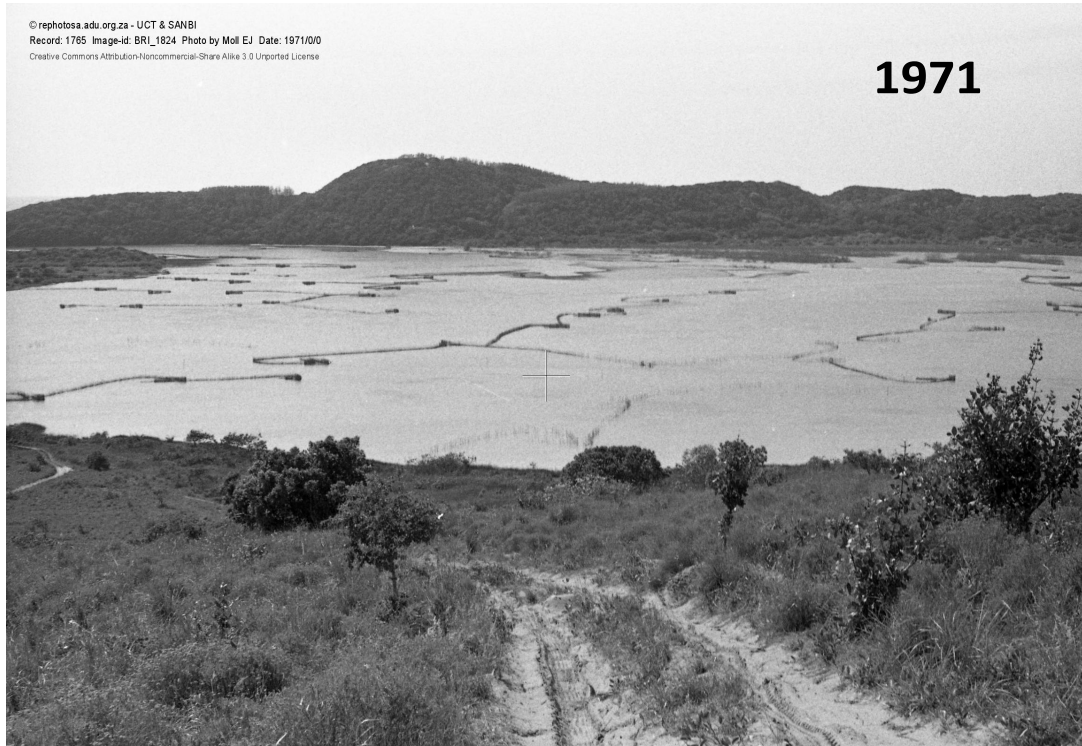


Figure 7.3: The trap fishery in Kosi estuary in 1971 (rePHOTO SA, 2017).



Figure 7.4: The trap fishery in Kosi estuary in 1986 (rePHOTO SA, 2017).

Conservation authorities reported that there were significant improvements in the relationship between the conservation authorities and the community during this period (Kyle, 1999). However, the version of the local people was that they tried to resist rules imposed by the government because they disagreed with the permit

system (FFG, 2015). The resistance was also because the trap fishery in Kosi Bay had, since its establishment, been managed by a long-standing customary system where power was vested at the community level to a downwardly accountable committee. In focus group discussions, fishers in Kosi Bay remarked that, initially, they were not opposed to working with conservation authorities when the gillnetting was introduced. Indeed, local people stated that during that time, the relationship between themselves and conservation authorities had improved. However, when community members realized that conservation authorities persisted with issuing them with permits for fishing (which were shunned by the community), local people became disgruntled. This was because community members believed the fishery and the resources belonged to them and that since they had traditionally fished in the area for so many years and had already existing customary institutions for managing the fishery, no outsiders had the right to dictate how fishing should take place in the lake system.

With regards to the trap fishery in the Kosi Bay system, people in the community believed that they owned the fish traps and that the community owned the lakes. A long-standing customary system where power was vested at the community level to a downwardly accountable committee managed the trap fishery in Kosi Bay. Moreover, people in Kosi Bay established land claims and human rights committees to defend their rights of access to land and fisheries resources. This was after the establishment of the iSimangaliso site, when people felt that those in power, i.e. the iSimangaliso Authority and traditional authorities, were not prioritizing their livelihood needs and priorities. Kosi Bay fishers managed to keep Ezemvelo KZN Wildlife from penetrating the management of the trap fishery and imposing their ideas over their customary rules. People from Kosi Bay resisted this by arguing that no one could give them permits for a resource that they were given by God (Sunde, 2013).

Community members in Kosi Bay also argued that their customary institutions have always been concerned about the sustainability of the trap fishery, so much so that over the years, they redesigned the fish traps so that the traps could only capture bigger fish instead of small fish, so as to make the system more sustainable. Moreover, the fish trap customary institution had remained skeptical of gillnetting activities that had been imposed by Ezemvelo KZN Wildlife within the Kosi lake

system because they believed gillnetting had resulted in a gradual decline of fish stocks within the lake system due to illegal gillnetting activities that took place at night.

In the year 2000, conservation authorities ended up recalling gillnetting as a legal activity in the Kosi Bay system. According to a conservation authority official,

On the scientific side gillnetting worked, but from a management point of view it did not and most importantly there was no way to keep gillnets from channels because fish have to migrate and we had only allowed people to gillnet outside the channels. However, at night people put gillnets inside the channels and it became impossible to control and at the same time, the number of fish traps increased and gillnetting had to be stopped and gillnetting became illegal in all estuaries in the country around the year 2000 (EKZNW1, 2015).

Although gillnetting was halted as a legal activity, fish trap owners in Mvutshane and Nkovukeni believed that this activity was still taking place illegally within the estuary and lakes at the time this research was conducted. They remarked that illegal gillnetters²¹ cast their nets mostly at night, and as a result people using the traps struggled to catch fish.

At the time of this research, approximately 27 per cent of respondents in Kosi Bay indicated that they sold fish catches in Manguzi, while others used it mainly for consumption and sharing with those who did not have fish traps. Some of the local fishers remarked that they sold fish primarily due to poverty in the area. This has resulted in a perceived decline of fisheries resources within the Kosi lake system from the point of view of conservation authorities who argue that,

More recently...the rising numbers of fish being caught

²¹Illegal gillnetters were generally perceived by local fishers to be people from Kosi Bay villages that were not on the coast, and therefore who did not understand customary rules for fishing in the traps. Others also suspected that younger people from the community whose families did not own fish traps, or who were either unemployed or were desperate for ways of accessing food or money, participated in illegal gillnetting.

(especially immature fish of important species) and the increasing efficiency of the traps have raised their off-take proportion markedly to levels that are likely to be unsustainable. While traditional trapping and other fisheries in Kosi Bay likely coexisted sustainably in the past, there is now compelling evidence that overall catch rates for many species are unsustainable. Management intervention is now required to reduce overall fishing effort and to monitor the changes in the construction and thus efficiency of the traps. Action is now required to reduce catches to levels that appear to be wise, sustainable and appropriate for this World Heritage Site, to the mutual benefit of local trappers and other fishers (Kyle, 2013:77).

On the contrary, people from Mvutshane and Nkovukeni argued that the conservation authorities were the ones responsible for the decline of fish stocks within the lakes, especially when they introduced gillnetting. People from Mvutshane and Nkovukeni constantly remarked about a certain yellow substance in the lakes that they suspected decimated fish entering the traps within the lake system (FFG, 2015; MFG, 2015; NFG, 2015). They suspected that the conservation authorities were responsible for this as an effort to destroy the tradition of trap fishing. People remarked that in the 2000s, some substance spilled in the estuary and lakes caused many fish to die, and after that the number of fish dwindled from the estuary.

When the number of fish dwindled we started to suffer because selling fish is a quick business and we knew that if we caught and sold, we are able to have money to buy household essentials in Manguzi and life moved forward. This has become increasingly important since agriculture is no longer easy to pursue (MFG, 2015).

A conservation official remarked that they are aware of this accusation,

With regards to the yellow substance...it is created from underwater mixing. For instance, the one lake is 18m deep while the other is 40m deep. In lake 1, water mixes but in lake 2, water does not mix and when there is no oxygen, oxygen sulphate forms and it creates a smell. This happens when after not mixing, water turns over and stirs on top and this is toxic and when there are fish there, they die, including fish in the fish traps (EKZNW1, 2015)

What is apparent from the findings of this study was that there were high levels of mistrust on the part of the community towards conservation authorities, and there was also a lack of engagement on scientific and ecological matters between the two parties. This points to the fact that there was poor interaction and consultation between conservation authorities and community members. The following section focuses on the tourism sector and underlines some of the key influences of governance on livelihoods within the sector.

7.3.3 Tourism livelihoods

Tourism was among the key livelihood activities in Kosi Bay, especially over the past three decades. Approximately 52 per cent of people in kwaDapha were directly or indirectly involved in tourism activities, while only 20 per cent of people in Mvutshane, and only 2 per cent of people from Nkovukeni (as there were no tourism ventures in Nkovukeni) were involved in tourism.

kwaDapha consisted of two village-owned tourist camp facilities, while Mvutshane had one village-owned tourism facility, and two privately-owned facilities. There was a village committee selected by village members in Mvutshane that acted as a mediating body between the village-owned tourism facility located on the boundary of the World Heritage Site and the wider community. This committee liaised with village members to determine how money generated by the tourist facility was used. The tourism facility paid a levy to the village through a trust held by the committee. Also, local people were employed by the tourism facility as cleaners and security guards. One of the managers of the lodge was a young man from the village. Local people perceived that the lodge was significant for supporting the livelihoods of the people in the village (MFG, 2015).

The other major tourist facility in Mvutshane was located in privately-owned land near the community-owned tourism facility, and also employed local people as cleaners and security guards. However, there was a perception by local people that it did not do much for the village, as the owner was a businessman who did not reside in the facility and rented the land from a village member.

The manager of the village-owned tourist facility was a young man from the village who was of Tembe descent. He earned his position in the tourist facility through obtaining a learnership funded by the iSimangaliso Authority, after completing high school education. The manager explained that in order to establish the village-owned tourist facility, some of the funds were provided by national government (Department of Tourism).

In the beginning, it started as campsite with no chalets, just tents. When the chalets were built, there were no showers. However, the facility has accumulated 18 campsites. Ithala bank and the National Lottery (Lotto) were among the organizations that sponsored the facility with funds over the years to achieve this growth. Lotto sponsored R1million (MOH3).

In kwaDapha (within the boundary of the World Heritage Site), tourism activities took place within the park. People from kwaDapha generally traced external conservation activities that they first became aware of to have taken place around 1970s. They recalled that around 1975, they became aware of *Nature* with its many rules when the homeland government came and took over. Rules were mostly pertaining to agriculture and harvesting from the forest. “They said we eat for free from nature and they did not like it, so they introduced their own rules” (DFG, 2015). Although the people of kwaDapha indicated that there was a significant period of time in history when the relationship between themselves and *Nature* was relatively good, they recalled that they still did not understand the role of *Nature* in terms of conserving natural resources. The good relationship between the two existed when hippopotamuses were posing a problem to local people’s livelihoods in the past, and conservation officials would come and shoot the problematic animals and give the meat to the locals. This was between the late 1970s and early 1980s. This was also the time that saw the rise of tourist camps in the village. One of the two tourist camps that were owned by the people of kwaDapha during the time of this research was initially established by *Nature*, which later handed it over to the people of kwaDapha before the establishment of the iSimangaliso World Heritage Site.

Local people established the other tourist camp with the assistance of outsiders. Residents of kwaDapha strongly asserted that it was because of David Webster²² that the community awakened to the idea of tourism as a livelihood activity that could help improve the economy of the village. When Webster passed on in 1989, people decided to make his former house a village-owned tourist camp.

David Webster was the one who initiated the idea of a tourist camp because the idea was that if the camp was built successfully, there would be few chances that this land would be taken away from the people during apartheid when other communities were being removed forcibly for conservation. That is when we decided to make this a tourist camp. There were other white people that used to work with David Webster who were fighting against apartheid. These were also the people who helped open the eyes of the community to what was happening and they acted as advisers to us even after David Webster died. When the white people were here, the camp worked professionally until the 1990s. Upon his death, Webster's friends advised us on how to start the business and move it forward. They sponsored us with a car and a boat to take tourists on (DFG, 2015).

The first tourist camp that existed in the area in the early 1990s was called KEN (KwaDapha, Emalangeni and Nkovukeni). The camp was created as a joint venture between these three villages. One of the current officials within the iSimangaliso Authority was involved at the time with establishing KEN. People from kwaDapha recalled observing the iSimangaliso Authority official working as a tourism student in the village to establish KEN after Webster passed on.

After some time, Emalangeni and Nkovukeni villages were excluded from KEN and only kwaDapha remained in the project (for contested reasons). Some argued that it was because people from kwaDapha decided to drop the others so that all the benefits would not be shared between the three villages because it was too many people to share with. Others claimed the kwaDapha headman declared that people from Emalangeni and Nkovukeni should step aside so that the people who would run the

²²An anthropologist/academic/activist/author who resided in the village for a significant amount of time before his assassination in Johannesburg in 1989.

project would only be those from kwaDapha. Some claimed it was a unanimous decision by people from kwaDapha to get rid of the other two villages from the project because there was a perception that the people from other villages were benefiting more, so people from kwaDapha complained to their headman. Either way, KEN was dissolved shortly after it had been established, and kwaDapha was the only village out of the three that proceeded with tourism ventures.

After KEN was dissolved, other outside investors came into the picture. However, this was not without challenges for the people of kwaDapha. The investors assisted people from kwaDapha to effectively manage and market the tourism businesses, hence the money started coming in. This was around 1998. However, people from the village became concerned because none of them knew how much money the investors were really making from managing and marketing the camp on behalf of the village. People suspected that the investors had “hit a jackpot” because there was no village institutional structure to keep the investors accountable. According to the locals, their suspicions were proven right when they discovered that one of the investors was fraudulent.

They [the investors] controlled all the accounts but they would not even show us how much they were really making...they also just hit a jackpot and were not accountable. They would also lie to us about how much he was making, keep the money to build their own houses elsewhere, and give discounts to their friends (DFG, 2015).

Currently, various people asserted that the major hindrance preventing the camps from generating more income was the fact that the current condition of the camps was not conducive to tourism growth (DFG, 2015). For instance, the roofs in the chalets were leaking and that was not good for attracting tourists to stay in the facilities. Other village members also explained that it was difficult to run a business with no business plan because no targets were put in place to define how well the business needed to do. There were also no audits for both camps. Those who worked in the tourist camp also pointed out that they were prohibited by *Nature* and iSimangaliso Authority to renovate the camps, even if they obtain assistance from outside to do so (DOH1).

People from kwaDapha explained that the camp had not been in a good condition for a while, and things were getting worse; making it difficult for local people to successfully run tourism ventures to benefit their livelihoods. The lack of strong local institutions, capacity, training and resources for local people to run the venture, coupled with restrictions imposed by the iSimangaliso Authority, are major blockages preventing the development of sustained livelihoods from tourism activities in kwaDapha village.

It is therefore apparent that, among other factors, governance interventions mostly linked to coastal resource use and conservation in Kosi Bay have played a key role in impacting and influencing the livelihood strategies of people in all three villages, in one way or another. The following section focuses on the perceived and existing power dynamics that have been involved in these governance processes and practices that have influenced livelihoods in Kosi Bay.

7.4 DISCOURSES, IMAGES AND VALUES PROMOTED BY ACTORS INVOLVED IN DECISION-MAKING PROCESSES CONCERNING THE ISIMANGALISO WORLD HERITAGE SITE IN KOSI BAY

The iSimangaliso World Heritage Site received its status in 1999 after being nominated as a World Heritage Site by the national Department of Environmental Affairs (DEA) of South Africa, which is responsible for putting forward nominations to UNESCO of sites with “outstanding universal value.”

When potential world heritage sites are proposed to UNESCO, the nominating state has to develop a nomination dossier with relevant information about the site in order to prove that it is “outstanding” and has universal or global significance (UNESCO, 2017; DEA1, 2017). The nomination file has to contain information about the integrity of the site, the authenticity of nomination, as well as the capability of the nominating agent to manage the site. Anyone within a ratifying state may nominate a site to UNESCO for World Heritage status, as long as they have collected relevant information indicating where the site is and why it should be protected (DEA1, 2017). The nomination dossier also has to contain information about how conservation activities would be balanced with tourism activities in order to ensure that the

international community is aware of the site, and in order to provide buy-in from, and benefits to local communities that are likely to be impacted by the declaration of the site.

According to a DEA representative, the communities within and adjacent to iSimangaliso were consulted about the nomination of the iSimangaliso Wetland Park as a World Heritage Site before it was declared, because stakeholder engagement forms a significant part of the nomination process for sites to be approved by UNESCO. However, 95 per cent of respondents in Kosi Bay stated that they were not consulted about the establishment of the World Heritage Site, nor did they understand what a “World Heritage Site” is.

Nevertheless, sites like iSimangaliso are regarded as important at national level because they put the country on the global map by showcasing its biodiversity to the world in order to attract a wide range of tourists (DEA1, 2017). World Heritage listing is perceived by statutory actors as a prestigious listing because it promotes an image of the country as one that is conscious about sustainable development and biodiversity conservation. World Heritage status is also considered important because of the revenue that is paid by the UNESCO Fund for the maintenance of the sites, as well as revenue generated from tourism activities that result when a site is listed as a World Heritage Site at international level, rather than just a protected area managed at national level (DEA1, 2017).

The International Union for Conservation of Nature (IUCN) is the key agency used by UNESCO to determine whether or not sites, such as iSimangaliso, qualify as natural sites under the 1972 World Heritage Convention. Upon nomination of natural sites, UNESCO relies on the IUCN to make recommendations about whether or not sites meet the criteria of “outstanding universal value”. This is why within the Integrated Management Plan (IMP) of the iSimangaliso Authority IUCN categories for protected areas largely inform the delineation of terrestrial and marine protected environments and their boundaries within iSimangaliso. Therefore, since IUCN is the main advisory body to UNESCO concerning natural sites, the iSimangaliso Authority adopts IUCN categories to inform their image of what protected area delineation would look like in its context (iSimangaliso Authority, 2016; DEA1, 2017).

The IUCN categories (Appendix 2) have informed the delineation of protected terrestrial and marine environments within the iSimangaliso site (iSimangaliso Authority, 2016). The dominant discourses, values and worldviews that inform conservation within the iSimangaliso site do not primarily stem from national or local levels, but are informed by the images of international actors such as UNESCO and the IUCN. One of the main concerns with the interpretation of IUCN categories in the governance of the iSimangaliso World Heritage Site by the iSimangaliso Authority is the fact that the site exists in an area of deep poverty, marginalization and underdevelopment. Moreover, the restrictions on the access and use of resources within the site that come with world heritage status have seemingly undermined the long history of natural-resource use in the area. This creates confusion about who the resources are being conserved for, and whose values are being upheld in the conservation of “outstanding universal value” within the site.

For instance, in the delineation of restricted terrestrial and marine environments, under “permissible uses and activities”, the iSimangaliso Authority states that they control traditional resource use as well as human settlement by local people within the World Heritage Site (iSimangaliso Authority, 2016). Moreover, the iSimangaliso Authority prohibits commercial agricultural activities by local people within the park, and limits food gardening to only subsistence use, even though these activities were historical livelihood activities of local people. Activities such as 4x4 driving, the use of motorized vessels and recreational fishing, to name but a few, which are largely conducted by tourists, dominate the list of activities allowed in the Park. What is also an issue of note is the fact that the iSimangaliso Authority defines the inherent attributes of the restricted marine environments within the iSimangaliso World Heritage Site to be those that include the following:

no existing human settlement...nor consumptive use of marine resources...no adjacent land/sea which has human settlement or infrastructure development, and no access roads/ramps...The adjacent land and seascape bear negligible visual evidence (even to the “educated eye”) of human influence (settlement /infrastructure) in the recent past...an

inherent pristine appearance and character... (iSimangaliso Authority, 2016: 91).

These interpretations of IUCN categories by the iSimangaliso Authority that inform the governance of coastal resources within the site raise various questions regarding the rights of local people to ownership of and access to land and coastal resources within and adjacent to the park, the long history that the local people have in the area, and the future of community members within and adjacent to the park. This is because the iSimangaliso Authority seeks to significantly minimize human presence and activity, or the interaction between local people and the surrounding environment within the bounds of the World Heritage Site in order to “provide visitors with wilderness/spiritual experiences in a marine environment” (iSimangaliso Authority, 2016: 91) (Appendix 2).

In a key informant interview, a DEA official disagreed that the iSimangaliso Authority had any basis for prohibiting historical livelihood activities of local people taking place within the boundaries of the Park. The DEA official stated:

It’s not as if when you declare a World Heritage Site you have to have strict conditions on local people. That is not the case. Most authorities like to use world heritage status as a deterrent for development because they don’t want any development to happen, and then they use World Heritage Site status as an excuse for preventing it. Some of these conservationists are extreme; they don’t want any development in conservation areas. But it’s not like people in communities don’t know about conservation, they have lived in these areas for a long time. They are the ones who used to protect and look after the environment and coexisted with the resources for many years before they were fenced off. It’s not that they don’t know about conservation, they know, but now the circumstances are such that they are removed from it while at the same time they need to put food on the table (DEA1, 2017).

It is apparent that there are concerns and contradictions relating to the manner in which the iSimangaliso Authority has interpreted IUCN categories to promote fortress

conservation that excludes local people from effectively interacting with coastal resources, despite their long history of living in the area and using these resources.

7.5 COMMUNITY PERCEPTIONS ABOUT GOVERNANCE PROCESSES IN COASTAL GOVERNANCE IN KOSI BAY

Local people believed that the governance practices of the the iSimangaliso Authority did not reflect the human rights approach promoted by the South African Constitution.

The arrival of iSimangaliso was bad, the way they treat us is so bad it's almost like we could just hang ourselves by a rope and die. If iSimangaliso would be elected democratically, no one here would ever vote for them. We don't even know who iSimangaliso is, whether it's an animal or something else. If we call them, they never come. iSimangaliso "inkunzi" that came in and created a lot of suffering for us. God created the environment for us but it has been taken by greedy people (FFG, 2015).

iSimangaliso must stop what they are doing. They need to work with us because they are hurting our livelihoods. The problem with iSimangaliso is we don't know what their role is but as soon as we try to do something for ourselves, then they oppress, we do something there, then they oppress...they should stop this. They prohibit us from doing things in our own place. They need to enable our livelihood needs and support us, not the other way around – they must negotiate with us and not take decisions on our behalf. We know how to conserve the resources ourselves but they could play a role in assisting us do that rather than taking over. We know how and when to harvest marine resources or forest resources sustainably. They make all rules wherever they make them and then those rules come here and impact our livelihoods. How would they feel if we went to their houses and made rules for them? That is the same thing they are doing to us and it's not acceptable – we should be the ones telling them what to do here...it's our will that should work in this area, not theirs. When we voted, the president said people must have rights in the areas where they reside, but not so in this area (NFG, 2015)

Focus group findings reveal that people generally perceived the iSimangaliso Authority to be the most powerful governance actor influencing local livelihoods in fishing, forestry and tourism activities. Figure 7.5 depicts a Venn diagram that was constructed in a focus group discussion with people from kwaDapha.

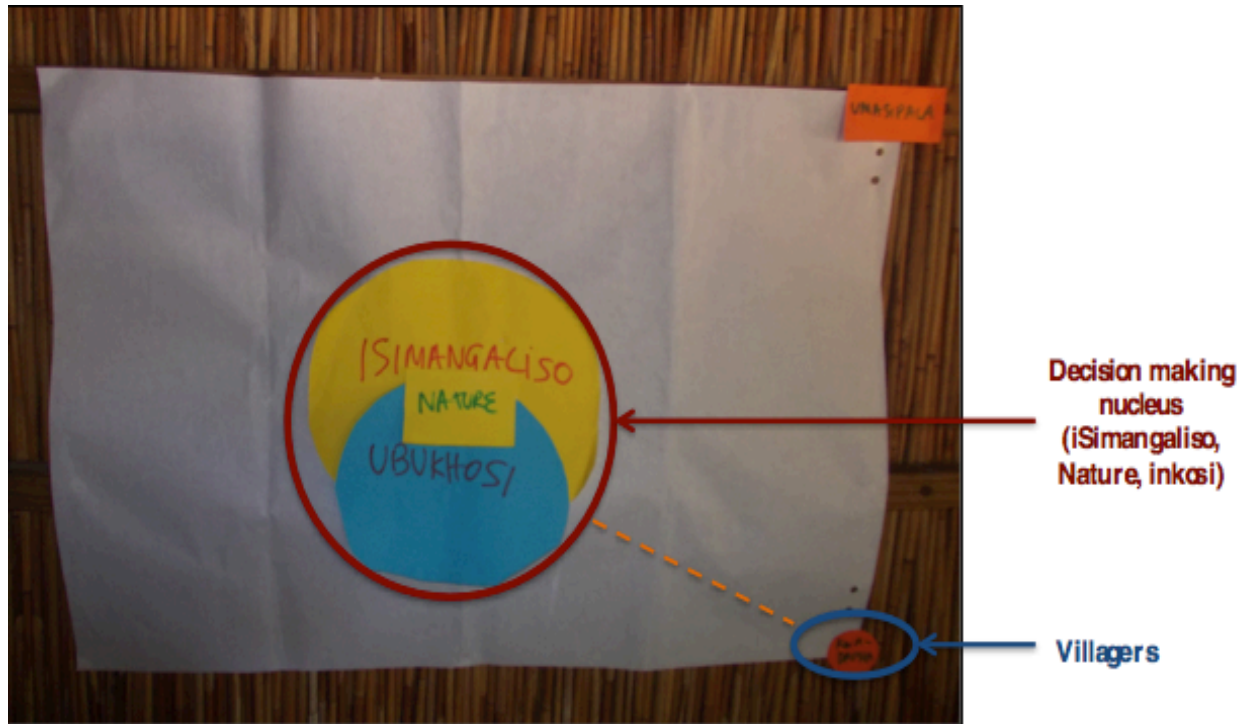


Figure 7.5: A Venn diagram depicting how people from kwaDapha perceived power relations in decision-making processes that affected their livelihoods (photo: Philile Mbatha).

Figure 7.5 depicts local people’s perceptions that iSimangaliso Authority (yellow circle) was the most powerful actor when it came to decision-making within the Park, and that they worked closely with traditional authorities (i.e. “Ubukhosi” in the blue circle) as well as *Nature* (i.e. Ezemvelo KZN Wildlife in the yellow square). The close relationship between the three actors is depicted in the proximity of the actors in the Venn diagram. *Nature* was not perceived to have any powers in decision-making processes (hence it was not depicted in a circle) as local people understood that *Nature* worked for iSimangaliso Authority, and it was iSimangaliso Authority that dictated *Nature*’s activities. The orange circle in the bottom right corner depicts people of kwaDapha, as the focus group participants perceived that local people had very little power compared to the other actors when it came to decision-making about coastal-resource use and livelihoods. The orange dotted line highlights the perception

held by local people that they felt far removed from decision-making processes that involved the three aforementioned actors.

People from Nkovukeni also stated that they have struggled for many years to travel to the nearest town of Manguzi to do shopping or run errands due to the remoteness of this village. Due to limited financial resources, some of the people in the village resorted to walking to Manguzi, which is an approximately two-hour walk. In a focus group discussion, the people of Nkovukeni mentioned that they have raised the issue of physical access many times with the iSimangaliso Authority, but they believed the iSimangaliso Authority had countered any efforts to provide them with any means of improved physical access, either through a) a bridge to walk across the lake, b) a boat to move back and forth across the lake, or c) allowing 4x4 motor vehicles to cross the lake at low tide. Moreover, people in the village felt that if one or more of these were allowed by the iSimangaliso Authority to be provided to them, their livelihoods would be greatly improved.

Remarks were made that when outsiders and the local municipality once tried to intervene to assist the community gain better road access, the iSimangaliso Authority blocked those efforts (NFG, 2015). Nkovukeni residents expressed frustration with this because if, for instance, someone was deceased, people in the village would have to carry the coffin across the lake with their bare hands to bury the person (NM, 2014). Furthermore, when someone was ill at night, it was even more difficult because there was no transport available, and the person would have to be carried by others so they could be taken to Manguzi hospital. In fact, in one of the field visits, a young couple from Nkovukeni was observed carrying a sick toddler while wading across shoulder-deep water in the lake at high tide. One of the prominent women in the village added,

...When someone dies, we have to carry them in the water to take them to the other side. It is very difficult. We feel that our constitutional rights are not respected and these rights cannot be realized in this area because of iSimangaliso rules. The problem is that our voices and our views are never heard, it is authorities who decide on our behalf what should happen in our area, and this is a problem. We have not received any

freedom from democracy...the way they [iSimangaliso Authority] decide on conservation rules is very arbitrary, as well as how and why these rules are made and how they establish themselves as experts of this area who know more than us (NOH1, 2015).

People claimed that the iSimangaliso Authority did not understand their livelihood needs and was trying to make it difficult for them to continue living in the village in order to force them to move out of the village. However, people from Nkovukeni expressed that no matter how difficult it was living in such conditions, they would not give up because they loved their land and recognized its value.

With the decline of agriculture following the declaration of the World Heritage Site, livelihood strategies were becoming more and more constrained. They also expressed no aspirations to move out, or to participate in large-scale tourism developments. Instead they expressed that they would like to maintain the integrity of their environment as they strongly expressed on various occasions that they were “one with nature”, and that they did not understand why conservation authorities behaved as if they own the environment (NM1, 2014; NFG, 2015).

The Venn diagram in Figure 7.6 was constructed with people from Nkovukeni and it depicts how they perceived themselves as far removed from decision-making processes that were usually centralized with the iSimangaliso Authority, Ezemvelo KZN Wildlife (*Nature*), as well as the Inkosi (Chief).

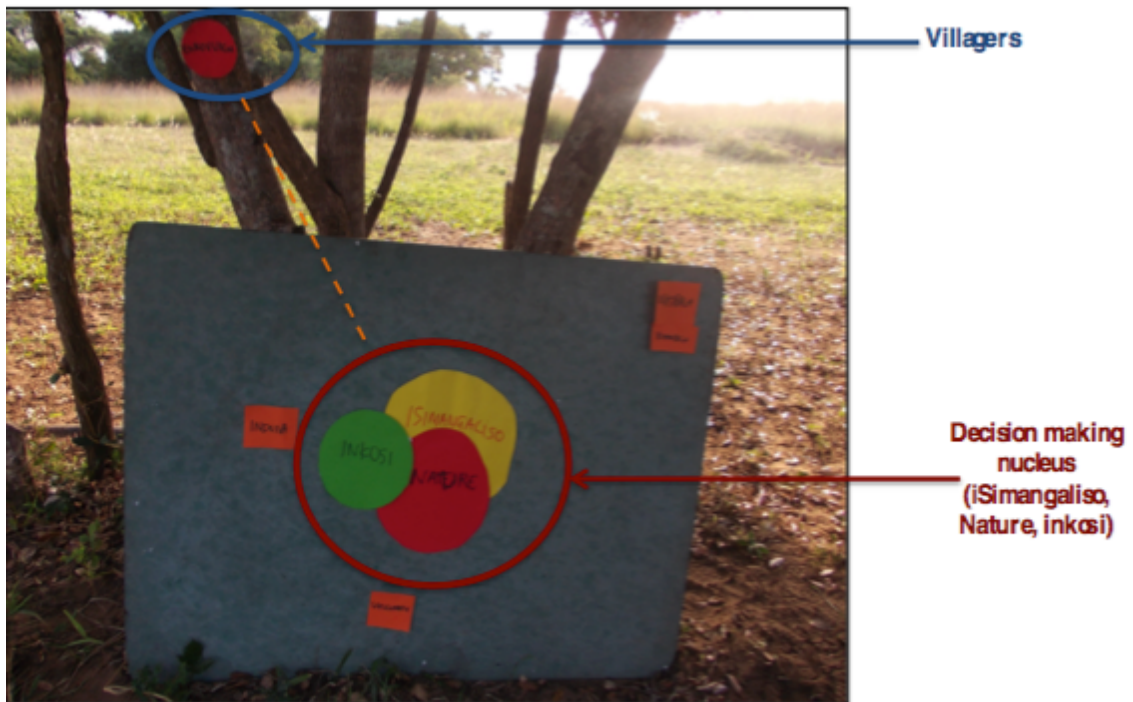


Figure 7.6: A Venn diagram depicting how the iSimangaliso Authority (yellow circle) was perceived to have the most power in decision-making processes, followed by Nature (red circle) and Inkosi (i.e. Tembe chief in the green circle) (photo: Philile Mbatha).

People from Nkovukeni perceived that iSimangaliso, Nature and Inkosi worked closely together to make decisions about governance of coastal resources that affected the livelihood strategies of local people. The red circle on the top of the image on the bark of the tree represents where people of Nkovukeni saw themselves in decision-making processes. People of Nkovukeni stated that because they did not feel included in any way in decision-making processes, they should be placed as far from the other actors as possible. They asked me to place them on the bark of the tree because they felt that the powerful actors considered them not as people, but as things...just like the tree itself.

7.6 POLICY VERSUS REALITY IN THE GOVERNANCE OF THE ISIMANGALISO WORLD HERITAGE SITE

There were clearly mismatches between the policy framework governing the iSimangaliso World Heritage Site, and the implementation of governance processes at provincial and local level, i.e. Kosi Bay. The policy framework governing the iSimangaliso World Heritage Site is informed by the 1972 World Heritage Convention, as well as the World Heritage Convention Act. Figure 7.7 depicts the

governance structure for the iSimangaliso site, and how actors at national level assume governance interactions or arrangements for the site operate at local level.

Although the assumption made by government at national level is that there are strong/positive interactions between actors, the reality on the ground proved the contrary. For instance, although national government was under the impression that Ezemvelo KZN Wildlife and the iSimangaliso Authority worked strongly together in the day-to-day management of conservation activities (DEA1, 2017), this was not the case at local level. Although Ezemvelo KZN Wildlife are supposed to be working together with the iSimangaliso Authority, the reality on the ground was that the two institutions did not work well together and their interactions were characterized by conflict. There were also conflicts between the iSimangaliso Authority and various other actors. Moreover, the roles of Ezemvelo KZN Wildlife, traditional authorities and municipalities with regards to the governance of the iSimangaliso World Heritage Site at the local level were unclear, especially because of the conflictual relationship between the iSimangaliso Authority and these actors on the ground.

The ambiguities in the relationship between the iSimangaliso Authority and Ezemvelo KZN Wildlife were noted by local people (FFG, 2015). Ezemvelo KZN Wildlife was regarded a puppet of iSimangaliso with minimal or no decision-making powers.

Nature is the child of iSimangaliso – they arrest people and hurt us. But even people from *Nature* tell us they are scared of iSimangaliso, they say they have a problem of iSimangaliso (MFG, 2015).

They [Ezemvelo KZN Wildlife] are the messengers for iSimangaliso, they are like a name and surname. The name is iSimangaliso and surname *Nature*... (FFG, 2015).

Figures 7.8 and Figure 7.9 depict the poor interactions that the iSimangaliso Authority had with various actors at local level, and the ambiguous roles of actors and conflicts that existed at the local level in the governance of the iSimangaliso World Heritage Site.

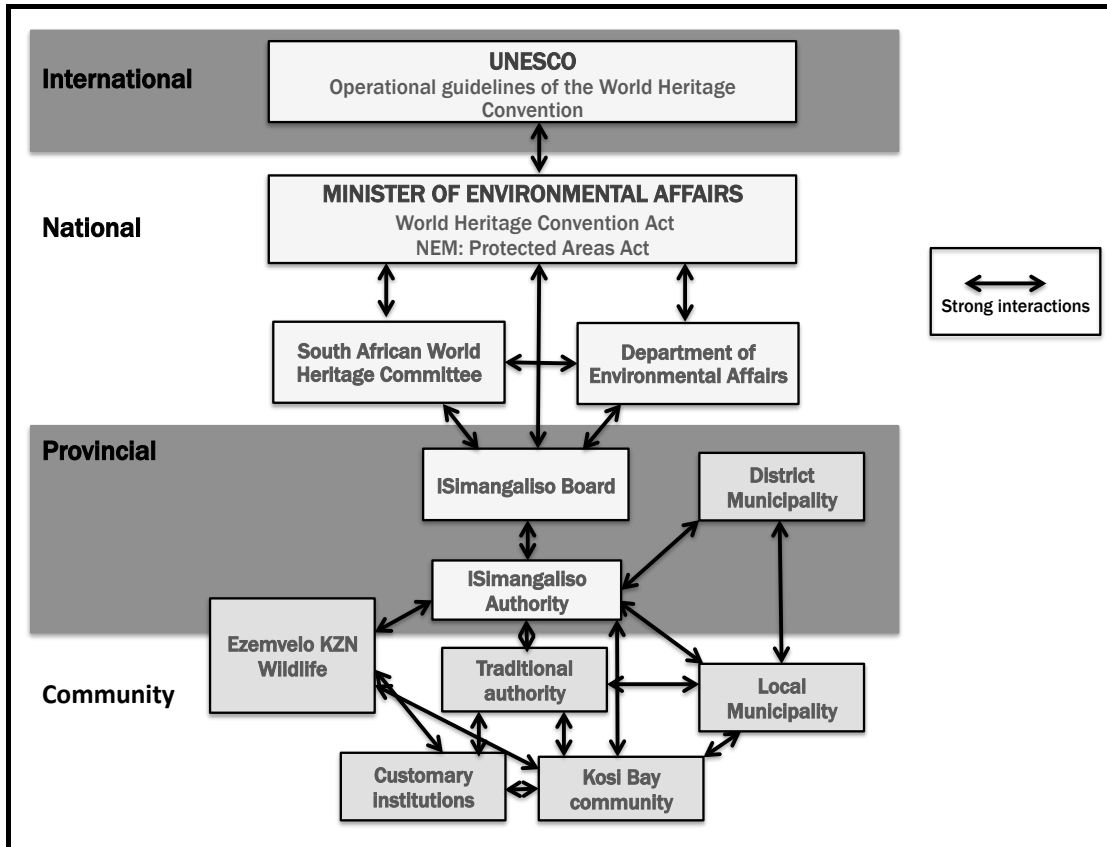


Figure 7.7: Policy – Governance interactions for coastal governance in Kosi Bay as stipulated in policies (source: Philile Mbatha)

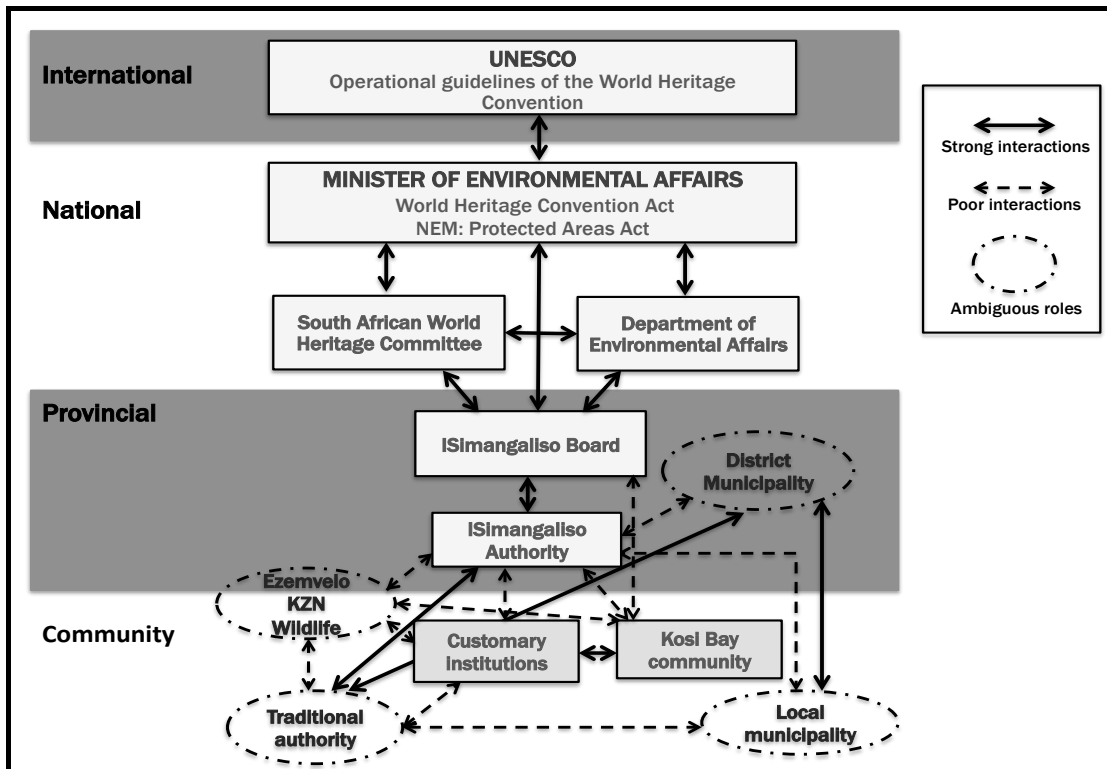


Figure 7.8: The reality of governance interactions and the ambiguous roles of actors (source: Philile Mbatha)

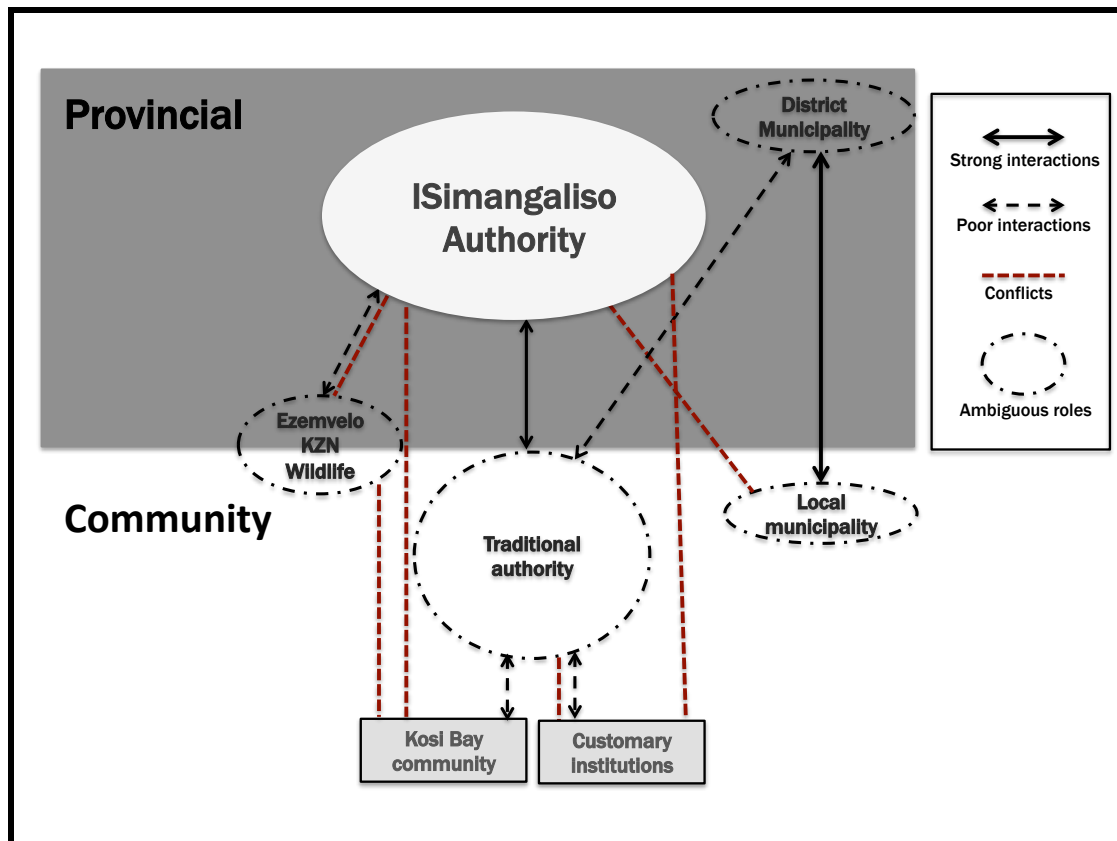


Figure 7.9: The reality of conflicts between actors in Kosi Bay (source: Philile Mbatha)

It is apparent that the policy structure presented in Figure 7.7 has stark differences to the realities of implementation presented in Figure 7.8 and Figure 7.9.

Another emerging issue was that the iSimangaliso Board acted on behalf of the minister of Environmental Affairs, and was the key institution responsible for effecting decisions at the local level. The iSimangaliso Board that is appointed by the Minister is the one that regulates the iSimangaliso Authority (Republic of South Africa, 1999; DEA1, 2017). According to DEA, the purpose of the iSimangaliso Board is to ensure that activities undertaken by the iSimangaliso Authority are in line with the World Heritage Convention and the World Heritage Convention Act (DEA1, 2017). In theory, the CEO of the iSimangaliso Authority is therefore upwardly accountable to the board, which is currently made up of ten members (DEA1, 2017; iSimangaliso Authority, 2016). The chairperson of the board, on behalf of the Minister, has final decision-making power over what the iSimangaliso Authority and its CEO can or cannot do. The board itself is the only entity that has the final powers

to displace the CEO of the iSimangaliso Authority (on behalf of the Minister), if at any point it sees fit (Republic of South Africa, 1999; DEA1, 2017).

The expectation of the iSimangaliso Authority Board is that the iSimangaliso Authority constantly engages with its counterparts (i.e. Ezemvelo KZN Wildlife as well as the municipalities) as well as community members, and presents issues to the board that reflect what is happening on the ground so that the board may have an accurate understanding about what is happening at local level (DEA1, 2017). However, the findings of this study revealed that there was no mechanism enabling interaction between the iSimangaliso Board and the iSimangaliso Authority with other local level actors in order to facilitate downward accountability at the local level. This resulted in various complications that created confusion at local level, especially among community members who generally felt far removed from decision-making processes.

In practice, people in Kosi Bay generally regarded the CEO of the iSimangaliso Authority as the most powerful and influential actor in terms of determining what activities could take place within the iSimangaliso site (Figure 7.9). However, according to DEA, this was not the case (Figure, 7.7).

It is apparent that there is a gap between the perceptions of community members about the powers of the iSimangaliso Authority and its CEO (including their role in decision-making processes), and the image that DEA has about who has key authority in the governance of the iSimangaliso World Heritage Site. The reasons these gaps were evident when the iSimangaliso Authority was presenting its Integrated Management Plan (IMP) for the period between 2017-2021 in Mbazwana town near Kosi Bay, in June 2016. The IMP is the key document that informs the governance of the iSimangaliso World Heritage Site and the implementation of governance strategies for every five-year period.

During the presentation of the IMP, two key issues were identified. The first was that conflicts over stakeholder engagement issues were more pronounced than what DEA realized. Second, stakeholder engagement was not just an issue between the iSimangaliso Authority and communities, but was also a major concern between the iSimangaliso Authority and its counterparts, i.e. Ezemvelo KZN Wildlife,

Umhlabuyalingana Local Municipality and other private tourism facility owners within the park. Although the iSimangaliso Authority is supposed to be working together with these actors, in reality, the relationship between the iSimangaliso Authority and these actors was poor because of tensions and power struggles between them. It appeared that the board and DEA were not aware of this reality because of indirect rule by the Minister of Environmental Affairs and her department (DEA). This was evidenced through the lack of mechanisms for monitoring the downward accountability of the iSimangaliso Authority by the minister (DEA1, 2017).

For these and other reasons, the iSimangaliso Authority's IMP meeting in Mbazwana ended up as a catastrophe before it even commenced, as local people protested against the meeting and disturbed it. Protesters included community members from Sodwana Bay and all the way up to Kosi Bay. One of the reasons for protests was the fact that community members from the affected areas had not been properly invited to the meeting. Very few community members were inside the venue of the IMP meeting when it was scheduled to begin. The iSimangaliso Authority had used an electronic platform to invite participants to the meeting, as well as to distribute the draft IMP document for people to review prior to the meeting date. This was surprising as areas within the Park are largely rural, and located in municipalities that are among the poorest in the country, with limited access to the Internet. Furthermore, the draft document was only published in English, when the majority of the people that reside in the area are Zulu-speaking and not proficient in English. The presentation of the IMP was through various banners displayed in the venue with no oral presentation, containing largely scientific information presented in English, making it difficult for lay local people to comprehend. Those who were inside the venue pointed this problem out at the start of the meeting. However, within a few moments, the meeting was disrupted by a large number of protesters outside the venue (who could not enter the venue because it could only hold very few people compared to the combined size of the affected communities).

Protesters noted that they were tired of the ambiguous roles of the iSimangaliso Authority and Ezemvelo KZN Wildlife, and the manner in which the iSimangaliso Authority appeared to use the ambiguity to its own advantage. Protesters stated that the iSimangaliso Authority sent Ezemvelo KZN Wildlife officials to monitor and

disrupt livelihood activities of local people (i.e. crop farming) on a daily basis, and when the iSimangaliso Authority officials came to the communities once in a while, they pretended as if there was no relationship between themselves and Ezemvelo KZN Wildlife. This came up after a conservation official in an Ezemvelo KZN Wildlife uniform had, the previous day, held some women from Sodwana Bay at gunpoint after finding them harvesting crops in an area that they were told had been fenced off as part of the iSimangaliso Park (IMP meeting, 2016). Those women had been served with letters stating that they would be arrested if they were found in the area again.

During the protest, community members asked the iSimangaliso Authorities who were present to revoke the letter, but the iSimangaliso officials stated that they did not have the power to do so. That was when community members became frustrated because they were under the impression that Ezemvelo KZN Wildlife worked together with the iSimangaliso Authority, which was proving not to be the case in practice. The leader of the protest ordered an iSimangaliso official,

You must call all your friends [i.e. Ezemvelo] and bring them here so we can address all of you at the same time so that you will stop pointing fingers at each other when the other is not present. You must all come here together so that you can each account for your roles and actions. If we talk to you alone, it is dangerous for us! (IMP meeting, 2016).

By that time, there were close to 200 protesters outside the meeting venue (Figure 7.10). The official from the iSimangaliso Authority responded by stating that he was not aware of what had transpired because Ezemvelo KZN Wildlife did not necessarily consult them about their activities on a daily basis, even though the iSimangaliso IMP states that this should be the case.



Figure 7.10: Protesters at the iSimangaliso IMP meeting held at the Mbazwana Community Library in June 2016.



Figure 7.11: A community leader from the Mbila Tribal Council with the letter of notice that had been issued to the women who were held at gunpoint by conservation officials.

Although the crowd dispersed after five hours of arguments between local people and iSimangaliso officials (who had been held hostage by community members until some sort of resolution was achieved), the Ezemvelo KZN Wildlife officials that were contacted refused to come to the meeting. It was clear that although on paper Ezemvelo KZN Wildlife are the day-to-day compliance and enforcement managers on behalf of the iSimangaliso Authority (iSimangaliso Authority, 2011; 2016), there

were institutional disjunctures and power struggles between the two institutions. One of the officials from Ezemvelo KZN Wildlife confirmed in an earlier interview,

As Ezemvelo, we have currently been removed from the governance of the area, it has been left to iSimangaliso and it's so confusing to people because what iSimangaliso is responsible for now is what we used to do before iSimangaliso was established...We do all the dirty work on the ground for iSimangaliso because where are they? For instance when there was an illegal camp built at kwaDapha, we were instructed by iSimangaliso to bulldoze it. The worst thing is that we are seen to local people as iSimangaliso when we are not because we do the dirty work and it is difficult for us to do anything about that. Moreover, when iSimangaliso Authority was established, they instructed us not to communicate with community members but we were the ones with some sort of relationship with community members in the first place (EKZWN1, 2015).

Local and district municipalities (who are pivotal governance actors in the area) also had no representatives in the IMP meeting when it started. It was clear that the relationship between the iSimangaliso Authority and these actors was equally problematic. An official from the Umhlabuyalingana Local Municipality confirmed this assertion (LM, 2015). Various white tourism business owners in Sodwana Bay who were present in the protest also confirmed that their businesses have suffered from the way the iSimangaliso Authority operates (TFO1, 2016). The presence of the iSimangaliso Authority in the midst of Ezemvelo KZN Wildlife, local and district municipalities, traditional councils as well as other government departments has created a lot of confusion and ambiguity at the local level. For instance, World Heritage Site jurisdiction that operated upon fortress conservation rules overlapped with the jurisdiction of democratic municipal structures whose roles were to enable rural development. This ambiguity not only made it difficult for community members to comprehend the governance system, but also for other actors on the ground who were usually excluded from key decision-making processes facilitated by the iSimangaliso Authority. An official from the Umhlabuyalingana Local Municipality confirmed,

...We have no control over iSimangaliso, there are so many things that they do that we have no control over and that is a problem...iSimangaliso Authority restricts a lot of our activities as they govern most of the land within the Umhlabuyalingana Spatial Development Framework and they impose too many restrictions ...in terms of governance. I think iSimangaliso holds most power in determining what governance looks like in this area. They don't involve us in decisions and this is mostly because the law enables them a lot, and there is nothing we can do about that (LM, 2015).

Moreover, the persisting power struggles between the iSimangaliso Authority and Ezemvelo KZN Wildlife also exacerbated asymmetries in the governance of the iSimangaliso World Heritage Site. This affected governance practices and increased confusion at local level. Hence an official from Ezemvelo KZN Wildlife asserted,

There is still confusion among people about the difference between Ezemvelo and iSimangaliso, it makes people confused. I also don't understand how iSimangaliso and Ezemvelo work sometimes, it's difficult and complex to understand...when iSimangaliso Authority was established, they instructed us not to communicate with community members but we were the ones with some sort of relationship with community members in the first place (EKZNW1, 2015).

Another reason for power imbalances in the governance of resources in Kosi Bay was the prevalence of legal pluralism at the local level that led to the ambiguity of roles of traditional authorities, customary institutions and conservation institutions. The existence of traditional authorities alongside the iSimangaliso Authority, democratically elected representatives and customary institutions proved to be problematic in governance processes in Kosi Bay.

It became apparent that members of the traditional authority were “double-dipping” between traditional and statutory roles. For instance, community members were not aware that their traditional leader was a member of the iSimangaliso Authority Board (iSimangaliso Authority, 2012). Although the iSimangaliso Authority 2012 Annual Report lists the Kosi Bay leader as a non-executive board member (i.e. now former

member) of the iSimangaliso Authority, the community only gained knowledge of this when they read of it in a front-page article of the local newspaper *Maputaland Mirror* (February, 2013). This was an article about the local men from kwaDapha who had partnered with an outside investor to build a tourism facility in the village that was later demolished by the iSimangaliso Authority. Upon hearing the news, community members were confused about why the traditional leader had not protected the community member in question. According to the article; the traditional leader had initially supported the construction of the facility, and later denied allegations that he had been on the board (*Maputaland Mirror*, February 2013). Local people expressed that they felt that the traditional leader was selling them out by agreeing to be a member of the board. This was seen as a conflict of interest because local people perceived the administrative roles of the traditional leader to be separate from those of the iSimangaliso Authority.

Maneuvering around the ambiguities of roles and relations of traditional authorities in Kosi Bay was not a new experience for local people. They asserted that even in historical periods, the traditional authorities acted both as government actors and as traditional leaders of the community – supporting the community on one hand when it suited them, while allying with the government or conservation authorities on the other – depending on what was convenient for them at a given time. For instance, people recalled that one of the traditional leaders participated with *Nature* in forcibly moving them from their land where they conducted agricultural activities in the 1980s (FFG, 2015; MFG, 2015). When the local people complained to the traditional authority about forced removals, the traditional leader told them that those who did not want to move would have to fend for themselves because he could not protect them. People recalled that the traditional leader even wore the *Nature* uniform and went house-to-house assisting conservation officials to forcibly move people from their land (MFG, 2015).

The establishment of nature conservation interventions in Maputaland intensified tensions between the two houses of traditional authorities in Kosi Bay (Mthethwa, 2002). This worsened when Maputaland was awarded UNESCO World Heritage Site status as the democratic government, together with the Tembe traditional leaders from the Ngwanase house, had identified the area's potential for eco-tourism that was seen

as a tool for creating economic development for the area (Mthethwa, 2002; iSimangaliso, 2011). By the late 1990s, there were approximately 17, 000 tourists that visited the Kosi lake (Mthethwa, 2002). The eco-tourism boom in the area attracted investments from outsiders who saw economic opportunities in the tourism potential of the area.

This increase of tourism activity in the coastal parts of Kosi Bay contributed to the intensified squabble between the two houses of the Tembe authorities, and the accounts of these conflicts were not usually debated because they were neglected in colonial records, South African historiography, as well as by the democratic government (Mthethwa, 2002). They were also a forbidden topic of discussion in most of the villages in Kosi Bay, as observed during the time spent in the community. Various people in the area mentioned that they discussed the conflict between the houses of the traditional authorities privately.

Ironically, the leader of the Tembe traditional authority from the Ngwanase house denied that there was any conflict between the two houses, insisting that the two houses have always worked well together (TTC1, 2015). On the contrary, the current leader of the Makhuza house admitted that there was a conflict between the two houses that has existed for decades, if not centuries. The leader of the Makhuza house also claimed that the house of Ngwanase mostly operates secretly, and hides certain things from him, and that this affects the livelihoods of local people because they can never really know what their chief is up to (MOH6, 2015).

In the 2014 Annual Report of the iSimangaliso Authority, the traditional leader from the Ngwanase house who used to be a member of the board was no longer listed as a board member of iSimangaliso (iSimangaliso Authority, 2014). The issues attached to traditional leader roles in conservation raised even more ambiguity when a key informant interview was conducted with the traditional leader from the paramount house, Ngwanase, who denied any allegiance to the iSimangaliso Authority and stated:

iSimangaliso needs to do proper consultation and not dictate decisions to us. If we say we want a beach development, they

must be willing to give us what we want and not prescribe options for us. Conservation should be able to enable livelihoods of local people and consultation is important for this goal to be achieved (TTC1, 2015).

This statement was collected after the traditional leader stated that he was no longer part of the iSimangaliso Board, and it was not clear how, when and why the relationship between him and the iSimangaliso Authority had changed (i.e. if it did). On the other hand, a member of the Tembe Tribal Council from the Makhuzi side stated that he believed that members of the Tribal Council from the Ngwanase house still have strong ties with the iSimangaliso Authority because they usually have private engagements where other members of the Tribal Council are excluded (OH16, 2015). It was beyond the scope of this study to trace the extent to which these allegations were true. However, what was clear was that there remains much ambiguity and lack of accountability about the Tribal Council's relationship with conservation authorities in Kosi Bay.

People from Mvutshane believed that in order for the livelihoods of people in Kosi Bay to improve, decision-making processes needed to change and be more bottom-up. They stated that they wished to get rid of all conservation authorities in the area, especially if they won the pending land claim (MFG, 2015). They also expressed that they did not feel the traditional authorities represented their interests, and that they would therefore prefer the governance of coastal resources to be vested in the hands of customary institutions, as they were considered more representative (MFG, 2015). Figure 7.12 depicts how people in Mvutshane perceived that governance arrangements would change if the pending Tembe land claim were settled.

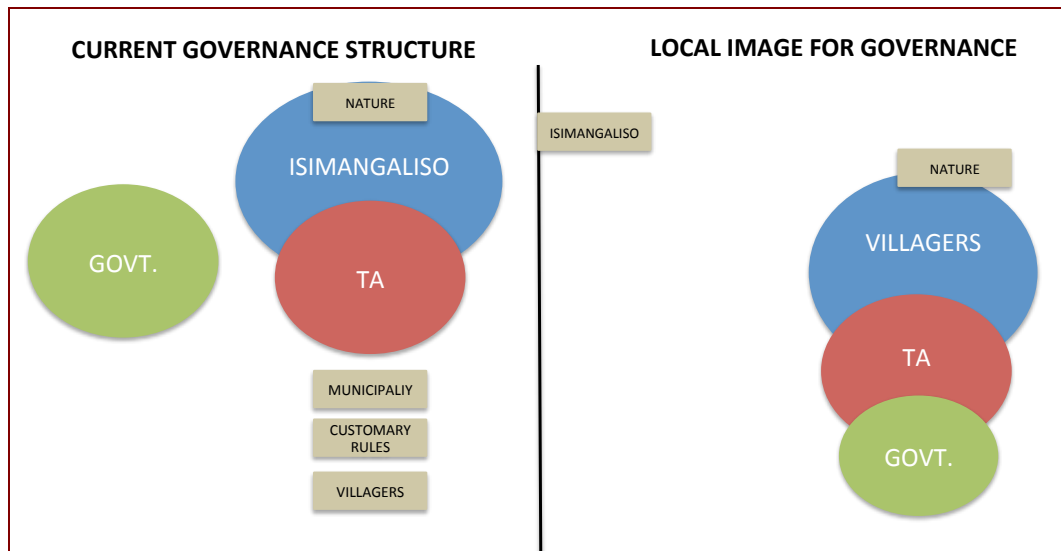


Figure 7.12: A Venn diagram depicting how people from Mvutshane perceived governance arrangements affecting their livelihood strategies to look like, and what their image of governance is for the future if the land claim were to be settled (source: Philile Mbatha).

Figure 7.12 depicts that people believed that the iSimangaliso Authority, the traditional authorities (TA) and national government are major actors driving governance processes. However, local people perceived that if the land claim were to be settled, governance arrangements would change in order to allow for villagers to be the primary drivers of governance processes, and actors such as the iSimangaliso Authority or *Nature* would have very minimal or no involvement in governance processes (MFG, 2015). According to people in Mvutshane, this would result in improved livelihoods at the local level.

Clearly, there is a gap between policy and practice in the management and governance processes within the iSimangaliso World Heritage Site. It is also apparent that certain actors and networks have significant power in driving decision-making processes. This is a critical issue given that the iSimangaliso Board, DEA and the Minister of Environmental Affairs relied on the iSimangaliso Authority's IMP to make decisions pertaining to the governance of the World Heritage Site, whereas various local level actors have been excluded from decision-making processes, and there has been no downward accountability. This is an issue that is further discussed in Chapter Eight.

7.7 CONCLUSION

This chapter sought to outline key processes and practices pertaining to coastal governance in Kosi Bay that have, over time, played a role in influencing and shifting livelihood strategies of community members, particularly in the fisheries, tourism and agriculture sectors. The manner in which policy processes and practices, as well as institutional arrangements have impacted the livelihoods of local people since 1948 was outlined. It is apparent from the analysis provided in this chapter that the dominant discourses and images driving governance processes in iSimangaliso communicated poorly with actors at the local level, including wider communities. The chapter also reveals that there is more upward accountability than downward accountability in terms of how the iSimangaliso Authority governs the World Heritage Site. Due to this, there is a gap between stated policy objectives and the lived realities of the people on the ground. This gap is widened by the fact that the institutional design that drives fortress conservation within iSimangaliso from the international level to the local level does not allow much room for livelihood considerations to be a focus of governance practices within the iSimangaliso site. Mechanisms to ensure effective interaction between higher-level governance actors and communities are not in place because of the lack of representation of communities in decision-making platforms. What was apparent was the general perception from the wider community in Kosi Bay that the iSimangaliso Authority, together with other actors with decision-making powers, had discretionary powers to impose rules that did not reflect the human rights aspirations and principles of democracy enshrined in Constitution of South Africa. Chapter Eight will discuss these key emerging themes further, as well as link them to broader debates in the literature related to linkages between governance and livelihoods.

CHAPTER EIGHT: DISCUSSION

8.1 INTRODUCTION

The sustainability of livelihood strategies that the rural poor have developed over the years largely depends on the nature of governance systems, institutions and policies that exist within rural communities (Agrawal and Perrin, 2008). Enhancing understanding of the conceptual links between livelihoods and governance debates are therefore needed in order to elucidate understanding about how different forms of natural resource governance produce different outcomes for livelihoods and wellbeing in rural areas (Scoones, 2009; Brockington and Wilkie, 2015). This is pertinent for situations of legal pluralism where the quality of relations between different legal systems may affect the governability of the whole system (Jentoft and Bavinck, 2014). Hence, a legal pluralism perspective was a useful lens in this study in the analysis of the different ways in which incoherencies in governance processes and practices negatively affected and marginalised rural communities in the Kosi Bay study area.

Looking at the Kosi Bay case from a legal pluralism perspective enables one to interrogate why incoherencies and conflicts emerge, and within the context of coastal resource governance it reveals how plural situations manifest and how different actors manipulate the multiple contexts that they operate in (Gupta and Bavinck, 2014). However, thinking to date has not had a strong focus on gaps in governance or on enhancing knowledge that could improve sustainability. Moreover, legal pluralism literature has not yet effectively contributed towards making sound governance recommendations, or developed diagnostic tools for analysing governance interactions (Jentoft and Bavinck, 2014). Results from this study clearly show that legal pluralism directly affects governance. In the case of Kosi Bay, legal pluralism has created more challenges than opportunities, which has had consequences for coastal resource governance and rural livelihoods.

This discussion highlights the nature of governance in influencing livelihood strategies in legally pluralistic contexts. In order to guide this discussion, interactive governance theory's orders of governance (Kooiman and Jentoft, 2009; Jentoft and

Bavinck, 2014) are used as a conceptual framework to explore findings and to highlight key issues that have implications for livelihoods, governance and governability.

8.2 PLURAL GOVERNANCE SYSTEMS IN KOSI BAY: THE NORMATIVE VIEW VS. REALITIES OF IMPLEMENTATION

This chapter draws on interactive governance theory's orders of governance to discuss issues pertaining to governability, and the manner in which governance in the context of legal pluralism affected the livelihoods of people in Kosi Bay. As discussed in Chapter Three, orders of governance may include first order, second order and third order or meta-governance (Kooiman and Jentoft, 2009; Jentoft and Bavinck, 2014). First order governance refers to the day-to-day affairs that actors engage in. Second order governance is concerned with the design of institutional arrangements such as rules, laws and norms that are used to address first order governing. The norms, values, images and principles driving governance systems and approaches are referred to as meta-governance or third order governance.

In terms of interactive governance theory, the normative view is that the greater the recognition of differences across governance systems at different orders of governance, as well as efforts to align and accommodate differences – the better the quality of governance or governability (Kooiman and Jentoft, 2009; Jentoft and Bavinck, 2014). Drawing on this conceptual framework, Figure 8.1 depicts a normative view of governance (modified from Jentoft and Bavinck, 2014) for Kosi Bay; involving statutory, traditional and customary systems. Figure 8.1 also depicts the relationships or interactions across the governance systems, which may be characterised by symmetry or asymmetry. Symmetry can be understood as coherence and compatibility between governance systems, which usually reduces conflict and increases opportunities for harmonisation and cooperation between governance systems (Jentoft and Bavinck, 2014). Asymmetry is therefore the opposite of symmetry, although Jentoft and Bavinck (2014) posit that the absence of symmetry does not always result in asymmetry.

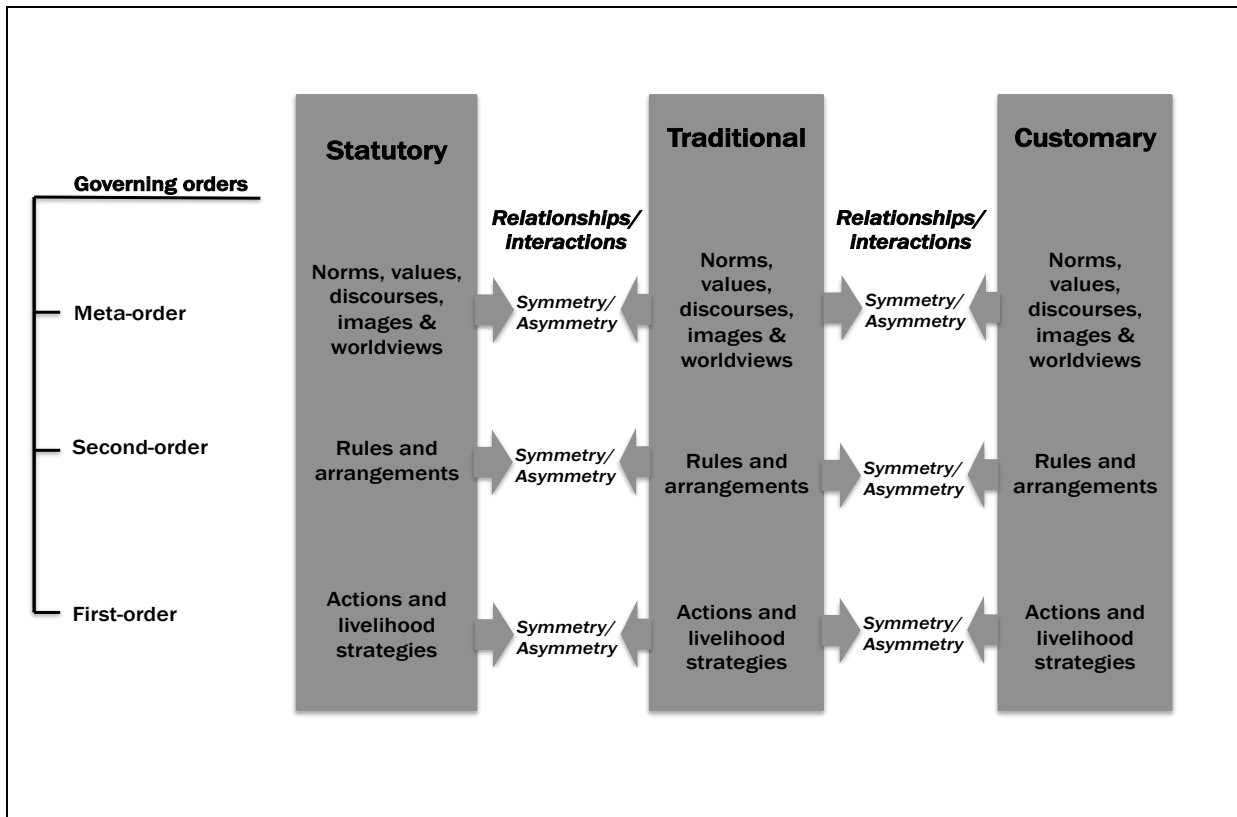


Figure 8.1: A normative view of interactive governance in Kosi Bay (adapted from Jentoft and Bavinck, 2014).

In the case of Kosi Bay, the statutory conservation governance system is clearly dominant, and there is poor recognition of the existence of parallel customary and traditional governance systems, especially at meta- and second orders of governance. Customary governance systems and institutions remain marginalised, as they operate at community level and are usually left out of key decision-making processes between the iSimangaliso Authority, Ezemvelo KZN Wildlife and traditional authorities. Although these customary governance systems still continue to inform historical livelihoods such as fishing at the local level, they are stifled by the dominance of statutory systems in terms of influencing livelihood strategies. This has resulted in high levels of asymmetry which are exacerbated by the fact that in the democratic dispensation, national government has failed to clarify the roles of multiple governance actors in rural areas (Ntsebeza, 2002).

Figure 8.2 depicts the complex and asymmetric reality of governance processes and practices pertaining to the Kosi Bay study site. These are largely due to the

dominance of statutory systems, the ambiguous roles of traditional authorities and poor recognition of customary systems in governance.

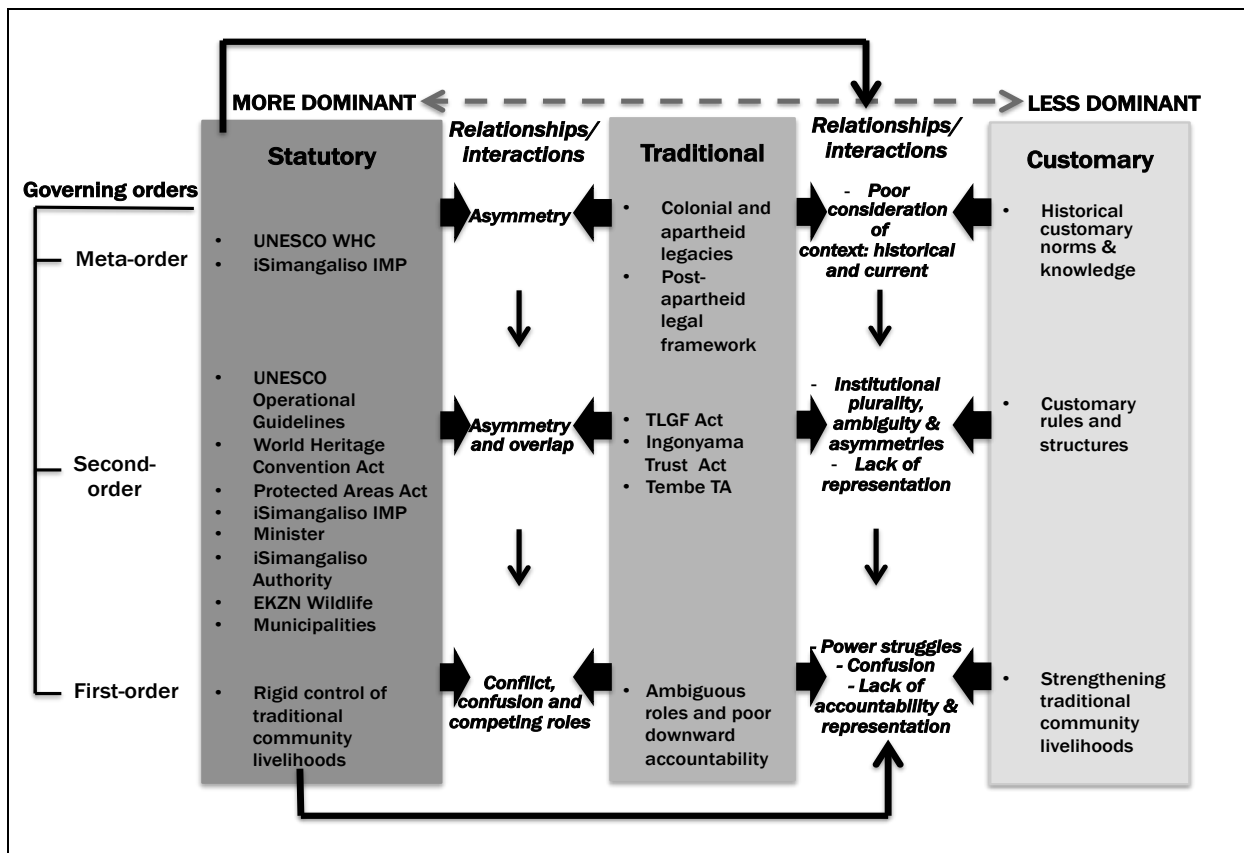


Figure 8.2: The reality of asymmetries between governance systems in Kosi Bay (source: Philile Mbatha).

The poor evidence for the consideration for the prevailing legal pluralist system by key actors involved in decision-making processes, as well as the prevailing remnants of colonial and apartheid histories in Kosi Bay, affected community livelihood strategies. The main statutory conservation structure underpinned by the iSimangaliso Board and iSimangaliso Authority, and associated policies and plans have had a significant influence on livelihood strategies and outcomes. Simultaneously, the powers of traditional authorities are couched within statutory and customary legal systems, enabling them to “double-dip” from recognition in both systems. Customary systems and practices founded on historical norms and knowledge have had little power in the current governance processes and practices in Kosi Bay (Figure 8.2). This has resulted in power imbalances, conflict, lack of participation, lack of representation, poor downward accountability, confusion and ambiguity; especially at

the local level. These factors have directly and indirectly affected people in the community, especially in terms of fishing, agricultural, and tourism livelihoods, and land tenure security.

The following sections provide a discussion of these themes, based on the different governance orders from which they emerge.

8.3 THE META-LEVEL: NORMS, VALUES, DISCOURSES, IMAGES AND WORLDVIEWS UNDERPINNING GOVERNANCE

Meta-level governance is significant because it underpins governance institutions, processes and practices shape how decisions are made within them. Kooiman (2003: 170) compares meta-level governing to “an imaginary governor” possessing predefined values, images and principles, “teleported to a point ‘outside’ and holding the whole governance experience against a normative light”. This is pertinent because of influences of global natural resource governance discourses and principles devised in the Global North, on environmental governance policies and practices developed and implemented in Global South. As an increasing body of literature reveals, these discourses are usually not suitable for use in the contexts into which they are parachuted (Agrawal, 2005; Benjaminsen and Overa, 2011; Balboa, 2013).

In the context of natural resource protection and the creation of protected environments, a question that arises is of whose ideas of “value” are used to determine what should be protected and how. Brockington and Wilkie (2015), for instance, point out that some protected area managers claim to protect nature from human interference by “rewilding” landscapes, yet the very methods they use to “conserve” are very unnatural. Examples of this include suppressing fire or removing predators from protected areas, all of which are anthropogenic efforts that contradict the very essence of what “wilderness” areas are supposed to resemble (Brockington and Wilkie, 2015).

One can argue that it is significant to question the worldviews that are used to inform what kind of “nature” protected areas are created to conserve, including the politics of conservation, land issues and well as the impacts of these interventions on

livelihoods. The manner through which certain images become hegemonic, and the reasons for that, need careful scrutiny (Kooiman and Jentoft, 2009). This is pertinent because protected areas have been often founded upon histories of forced removals and exclusions of indigenous people and rural communities by conservation authorities (Brockington and Wilkie, 2015). In the southern African context, protected areas have, since the colonial era, been used by influential actors and governments as tools for amassing political power (Spierenburg and Wels, 2006). Hence, protected areas tend to create winners and losers, as well as threaten the livelihoods and rights of rural and marginalised people residing within and adjacent to them (Brockington and Wilkie, 2015).

As this thesis reveals, dominant discourses and worldviews that informed the establishment of the Isimangaliso World Heritage area did not necessarily represent customary worldviews and practices in Kosi Bay, as they were seemingly driven by international actors such as UNESCO and the IUCN. It is unclear whether UNESCO was aware of the socio-economic and political challenges created by establishment of the site, and the negative livelihood impacts that ensued. Ongoing debates in Kosi Bay have centred on whether the community was effectively consulted about the declaration of the iSimangaliso World Heritage Site, and evidence of these engagements, with 95% of respondents stating that they were not consulted.

Given the historical context of South Africa, one could argue whether interventions such as world heritage sites in rural areas are appropriate, especially with the country's conservation history of forced removals, land dispossession and exclusion of black communities from natural resource use (Sunde and Isaacs, 2008; Nustad, 2015). In rural areas such as Kosi Bay, history has played a significant role in terms of informing and entrenching governance processes that continue to exclude local people from natural resource use and access. Due to spatial and social engineering by the colonial and apartheid governments, Kosi Bay and the wider Maputaland area (which was once one of the wealthier places in Southern Africa in pre-colonial times especially in the eighteenth and nineteenth century when trading was at its peak), paradoxically became one of the poorest areas in the region due to policies that aimed to produce underdevelopment (Webster, 1991).

For instance, in 1972, the KwaZulu homeland government was imposed on Maputaland by the apartheid government, and the people of Maputaland were recruited into the Inkatha Freedom Party (IFP)²³ (Webster, 1991). In the latter half of the 1970s, the KwaZulu government went on to establish the KwaZulu Bureau of Nature Conservation (KBNC), which became the conservation enforcement agency in the region (Mthethwa, 2002). This agency worked with traditional authorities to enforce conservation in the area, and ordered the forced removals of local people from their homes in the 1980s (Mthethwa, 2002). This was not considered favourably by the local people, as it alienated them from their land and resources (Mthethwa, 2002; MOH5; MOH7; MFG).

The dilution of Maputaland and its people into the KwaZulu homeland also resulted in the overpowering and dilution of Maputa culture and customs by the Zulu influence (Mthethwa, 2002). This was affirmed through the research; Zulu was the dominant language spoken in the area, and various people indicated that they identified more with Zulu than Thonga culture, even though admitting they were of Thonga descent. Governance interventions such as the proclamation of the Kosi Bay Coastal Forest Reserve in 1952, as well as the establishment of the Maputaland Marine Reserve, have all contributed to the progressive marginalisation and alienation of local people from natural resources.

The declaration of the iSimangaliso World Heritage Site in 2000 could only but further entrench the marginalisation of local people from natural resource use (Guyot, 2005; Hansen, 2013, Sunde, 2013). It is not clear how contextual factors linked to the country's discriminatory history were considered when the South African government became signatory to and ratified the World Heritage Convention. What is also unclear is how "outstanding universal value" within iSimangaliso is defined, and by whom, given the uneven history of the area and mismatching images about conservation. Ramutsindela (2008) points out that in developing countries, conservation governance and the establishment of conservation institutions do not occur in a vacuum, but are influenced by socio-economic, historical and political conditions (Ramutsindela, 2008). Political power has been central in shaping types of conservation interventions and where they occur (Igoe and Brockington, 2008; Ramutsindela, 2008; Nustad,

²³A political party of South Africa.

2015). In the case of iSimangaliso, opening governance to the international community by ratifying the World Heritage Convention meant that organisations such as UNESCO that act on behalf of the “international community” gained power to dictate what “outstanding universal value” means for sites listed under the Convention, despite local context and applicability. A DEA representative confirmed,

European countries still have a major influence in UNESCO because they have money and money talks. Sometimes they can even threaten to withdraw funding they are providing to African countries if certain standards are not being met. If you remember, most natural sites are in Africa and most are listed by UNESCO as “in danger” because we want to develop. European countries don’t have the same dilemma because their sites are mostly cultural and not threatened by activities such as tourism, plus they are already developed countries. Therefore, we as African countries are still trying to influence the discourses and conceptualisations of what “outstanding universal value’ actually means in our contexts, especially because we were not there in 1972 when the Convention was signed (DEA1, 2017).

Less powerful states such as South Africa have typically subscribed to internationally conceived environmental governance discourses and strategies promoted by powerful countries. These may be relevant to Global North contexts, but cannot necessarily be fashioned into Global South contexts, where issues like poverty and livelihood insecurity are usually pressing concerns (Agrawal, 2003; Agrawal, 2005; Fletcher, 2009). For instance, the governance framework provided by the UNESCO World Heritage Convention is based on normative values, principles, images and discourses about global sustainability and conservation, i.e. the conservation of “outstanding universal value”. The danger in developing governance regimes for national conservation based on global normative discourses, values, principles and images in a country that has a deep history of marginalisation and dispossession, is that such normative frameworks are abstract, which therefore means that it is difficult to implement them effectively. Hence, Song et al. (2013) assert that since images are not capable of achieving deep insights, they are considered as incomplete, biased and sometimes misleading (Song et al., 2013).

As Agrawal and Redford (2006) affirm, promotion of the “conservation through tourism” discourse by UNESCO is a further indication of how actors who do not understand livelihood realities on the ground tend to oversimplify the relationship between livelihoods and the environment. Wide assumptions are made that communities only care about conserving resources if they can yield financial benefits from activities such as tourism. Livelihoods analyses conducted in this study reveal the significance of customary livelihoods, predating statutory interventions and demonstrating that this notion is questionable. Indeed, natural resources contribute to rural livelihoods in various ways, other than through providing economic benefits.

The next section highlights asymmetries in second order governance in Kosi Bay that emerged as a result of ambiguities and incoherence across the different governance systems.

8.4 THE SECOND ORDER OF GOVERNANCE: THE IMPLICATIONS OF PLURAL AND MULTI-LEVEL INSTITUTIONS

An increasing amount of literature has attempted to explain how the design of plural institutions governing natural resources influences the ability of resource users to devise livelihood strategies, as well as governance outcomes (Ostrom, 1990; Cox et al., 2010; Cinner et al., 2012). In Kosi Bay there were greater levels of upward accountability, as opposed to downward accountability of governance institutions, poor levels of coordination among governance institutions, and high levels of perceived ambiguity in terms of roles and jurisdictions of key institutions involved in the governance system.

This institutional plurality resulted in weak and confusing interactions and relations between actors and legal systems at different levels. This in turn led to the exclusion of communities from decision-making processes.

Although DEA are seemingly aware of these concerns, they still believed that the iSimangaliso Authority was the best world heritage management authority in the whole country (DEA1, 2017).

Despite the fact that iSimangaliso Authority has stakeholder engagement issues, it is still the best site in terms of management. They are still the only site that has programs benefiting communities. You might say, there are communities that are not benefiting and so on, but that is not a major issue because they give bursaries to community members and they have programs for skills development and Small, Medium and Micro-sized Enterprises (SMMEs) that benefit community members that have been trained by iSimangaliso (DEA1, 2017).

This suggests that where livelihoods analyses are absent in the assessment of plural natural resource governance arrangements, it is difficult for actors operating remotely (i.e. DEA officials) to have an accurate understanding of the impacts on local livelihoods, i.e. in the Kosi Bay case within the world heritage site. This points to the fact that multi-level institutions tend to result in poor coordination and blurred accountability (Poteete, 2012).

It is typical in multi-level institutions for coordination problems to arise when institutions involved in governing resources fail to acknowledge one another and thus take decisions that have conflicting outcomes. Pluralism tends to exacerbate uncertainty, and “in many countries, state laws are largely unknown in villages, and sometimes when new laws are promulgated, not only villagers but also government officials at the district or village levels are ignorant of the new laws”(Meinzen-Dick and Pradhan, 2002:13).

In the governance of coastal resources in Kosi Bay, the ambiguities created by the plural institutions and institutional arrangements enabled the iSimangaliso Authority to find ways of ignoring, and sometimes shifting accountability for community grievances to other actors, who did not have much influence in decision-making processes. Lund (2006:700) asserts that the “plurality of institutions may open alternative avenues for some – also for poorer people – but the more affluent, the better connected, and the more knowledgeable tend to have the upper hand in such contexts”.

The following sub-sections provide more detail about the issues arising in second order governance as a result of lack of accountability, lack of participation, lack of representation, as well as ambiguities in governance actor roles.

8.4.1 Asymmetries in statutory governance actor roles, as well as lack of accountability, participation and representation

The accountability of institutions, both at central and local levels, is crucial for effective decentralisation and the establishment of robust local institutional arrangements (Agrawal and Ribot, 1999; Larson and Ribot, 2004; Ostrom, 2005). Johnson (2001) points out that democratic decentralisation in rural areas is essential in achieving enhanced accountability and empowerment of poor people. The degree to which decision makers involve communities in deciding how resources are used, accessed and governed determines the power relations between institutions and resource users (McDermott, 2009).

Sowman (2015) points out that in South Africa, the nature of interactions between government actors (i.e. conservation authorities) and communities is usually characterised by conflict resulting from poor downward participation, and a lack of accountability and transparency by powerful actors. The findings of this study suggest that in the case of the iSimangaliso World Heritage Site, the lack of downward accountability is largely attributable to the fact that national government (DEA) persistently operated through a system of indirect rule in the iSimangaliso World Heritage Site, i.e. via the iSimangaliso Authority. A similar pattern of rule was used in colonial and apartheid times when chiefs had discretionary powers in Maputaland, due to indirect rule by apartheid and colonial governments. The success of both colonial and apartheid policies in rural areas was therefore dependent on chiefs and headmen, which is what made the system of indirect rule work in favour of governments and chiefs, and against the desires of rural communities (Mthethwa, 2002).

Post-colonial systems of rule are largely modeled and transferred from the authoritarianism of colonial states (Young, 1994). In the context of this study, it is argued that this notion held true as the Minister of Environmental Affairs who is responsible for managing world heritage sites in South Africa, does so remotely through structures such as the iSimangaliso Authority. This resulted in the

iSimangaliso Authority using indirect rule for its own ends by promoting certain images of governance that DEA officials were not entirely aware of. This was confirmed when a DEA official stated that they were not aware that the iSimangaliso Authority prohibited historical livelihoods such as agriculture within the world heritage site (DEA1, 2017). The DEA officials stated that this was not the intention of the World Heritage Convention Act, and asserted,

It's not as if when you declare a world heritage site you have to have strict conditions on local people. That is not the case. Most authorities like to use world heritage status as a deterrent for development because they don't want any development to happen, and then they use world heritage site status as an excuse for preventing it. Some of these conservationists are extreme; they don't want any development in conservation areas. But it's not like people in communities don't know about conservation, they have lived in these areas for a long time. They are the ones who used to protect and look after the environment and coexisted with the resources for many years before they were fenced off. It's not that they don't know about conservation, they know, but now the circumstances are such that they are removed from it while at the same time they need to put food on the table (DEA1, 2017).

In scenarios where governing orders are incoherent, and where institutions are not nested, there is likely to be less cooperation and more conflict (Jentoft and Bavinck, 2014). Guyot (2005), Sunde (2013), Hansen et al. (2014) and Nustad (2015) all highlight the existing conflicts surrounding the constructions of nature conservation and the local realities of communities within the iSimangaliso site. Accountability within multi-level institutions in the context of legal pluralism can be reduced where it is not clear for people on the ground which institution is responsible for what. This institutional plurality not only minimizes accountability, but exacerbates power struggles between governance actors at a local level who fail to work together cohesively. This was observed when communities within the iSimangaliso World Heritage Site protested at the integrated management plan (IMP) meeting for 2017-2021. People were weary of the ambiguous roles between the iSimangaliso Authority and Ezemvelo KZN Wildlife, and the manner in which the iSimangaliso Authority appeared to use this ambiguity to its own advantage.

There were also ambiguities in decision-making powers between the iSimangaliso Authority and DEA officials. This had implications for accountability, exacerbated by the fact that DEA officials were not able to police the governance processes of the iSimangaliso Authority because DEA officials operate centrally, and have poor understanding about governance practices implemented by its counterpart at local level. This was a problem not just in terms of a lack of downward accountability, but also with a lack of procedures for communication and deliberation amongst the multiple relevant governance actors and institutions.

The other problematic issue was the fact that community members in Maputaland were not represented in key decision-making structures relevant to the world heritage site, and there was no designated platform for community voices to be heard. According to the DEA official, if communities are unhappy with any aspect of governance, they could write directly to UNESCO about their complaints, and these would be taken down to DEA, who would then try to resolve those problems (DEA1, 2017). This highlights the fact that there is no space for communities to raise their concerns at national and local levels. The institutional design mostly enabled upward accountability of powerful actors, as well as centralised decision-making. This is problematic because the principles of fair participation and representation are enshrined in the Constitution of South Africa and embedded within various environmental laws of the country which promote representation, participatory democracy, accountability, transparency and public involvement in decision-making processes (Republic of South Africa, 1996).

For instance, Section 12 of the Operational Guidelines for the Implementation of the World Heritage Convention (UNESCO, 2015:12) requires that:

State Parties to the Convention are encouraged to ensure the participation of a wide variety of stakeholders, including site managers, local and regional governments, local communities, non-governmental organisations and other interested parties and partners in the identification, nomination and protection of World Heritage properties.

The Operational Guidelines further state that local communities and indigenous peoples are considered partners in the conservation and protection of world heritage

and they must be involved in the management and conservation of the sites (UNESCO, 2015).

Section 13 of the World Heritage Convention Act (Republic of South Africa, 1999:10) also states that world heritage authorities appointed by the Minister of Environmental Affairs have a duty to “liaise with, and be sensitive to, the needs of communities living in or near world heritage sites”. Section 14 of the Act goes on to state that the minister must make sure that board entities of world heritage sites are “broadly representative and multidisciplinary, with members who may make a contribution towards the proper functioning of the Authority, and may include, without limitation, representatives from...directly affected adjacent communities...” (Republic of South Africa, 1999:10). The Act also stipulates that the IMP of each world heritage authority must be developed in consultation with “surrounding communities on, or communities adjacent to, the World Heritage Site” (Republic of South Africa, 1999:13).

Although these policy and legal provisions distinctly highlight that institutional arrangements should be in place for communities to be effectively involved in the governance of world heritage sites, the contrary proved true for Kosi Bay. The ongoing negative perceptions at community level were largely linked to the fact that decision-making structures, such as the iSimangaliso Board, contained little or no community representation or participation.

The existence of the iSimangaliso Board as a key decision-making institution raises two critical issues that have implications for the legitimacy and accountability of the governance system, and for local livelihoods. The first is that, according to the World Heritage Convention Act (No. 49 of 1999), wider community members, land claimants and traditional authorities may be represented on the board of a world heritage site. In fact, one could assume that the iSimangaliso Board provided representation for communities whose livelihoods were affected. However, this is not the case. The board is made up of members from different organisations, including the DEA. Board member positions are appointed and remunerated solely by the minister (DEA1, 2017). The iSimangaliso Board members were appointed according to the experience and skills of the individuals, and could be any citizen of South Africa. A

DEA representative confirmed that participation within the board is not meant to provide affected communities with representation, as board members are selected at the discretion of the minister, based on their qualifications and competencies (DEA1, 2017). “Most board members come from different areas and do not even have a clue about how communities work and what communities want and don’t want and so on” (DEA1, 2017). This raises questions about the quality of governance interactions, governance, as well as the nature of decision-making processes for the iSimangaliso site.

The second issue is that iSimangaliso Board meets once per quarter, and bases its knowledge on the IMP, which is put together by the iSimangaliso Authority. It is argued here that this institutional setup is exclusive and not representative of community voices because the iSimangaliso Board, and therefore the DEA and the minister, base their knowledge about what is happening within the site on *prima facie* evidence provided by the iSimangaliso Authority. There is no mechanism in place to verify whether the iSimangaliso Authority effectively consults with and/or integrates the views of stakeholders, such as communities within and near the site, in decision making about what the IMP should comprise. This was discovered when a board member confirmed that the board receives its information about what is happening on the ground from the CEO of the iSimangaliso Authority only, and it is up to the CEO and the operational staff to ensure that they effectively engage with communities - as is the expectation of the board (DEA1, 2017).

It is apparent that communities within Kosi Bay have poor representation and participation in the governance structures concerning the iSimangaliso site. Simultaneously, the Minister of Environmental Affairs and the iSimangaliso Board remotely govern the actions of the iSimangaliso Authority. These are arguably the loopholes in governance and the root of most issues pertaining to the lack of accountability and exclusion of local people in the governance of the site. This confirms that, just like chiefs in the colonial and apartheid eras, the iSimangaliso Authority continues to hold discretionary powers with regards to governance practices. One could argue that such loopholes enable institutions such the iSimangaliso Authority to ignore the need to be downwardly accountable to stakeholders on the ground.

These issues are further exacerbated by the fact that it is the iSimangaliso Board, and not communities or actors on the ground, which has the power to remove the iSimangaliso Authority if it is not performing its duties appropriately. Larson and Ribot (2004:11) thus argue “leaders who cannot be selected – or removed – by constituents have only limited downward accountability”. Agrawal and Ribot (2003) confirm this assertion by providing an example from the Senegalese forestry sector where rural councils that received powers to distribute benefits to local people from government, were selected by government and not elected by community members. As a result, villagers often felt that the rural councils did not represent community needs. Moreover, those councils were not accountable to the local people since there were no formal mechanisms put in place by government to allow for this. The same pattern applied in the governance of the iSimangaliso site, as members of the iSimangaliso Board are remotely selected at the Minister of Environmental Affairs’ discretion, without any form of representation or inclusion of wider community members in decisions pertaining to the selection of board members, or in decisions pertaining to the governance of iSimangaliso.

8.4.2 The ambiguous roles of traditional authorities

In colonial and apartheid eras in South Africa, customary practices were weakened by laws that transferred powers to traditional authorities who were seen as more militant and effective agents of ruling indigenous communities (Cordell, 1991). In communities such as Kosi Bay, customary institutions involved in governing coastal resources are distinct from traditional institutions and operate on a more democratic and downwardly accountable fashion. However, the authority of traditional institutions usually overrides the authority of customary institutions (Ntsebeza, 2006; Delius, 2008).

This study has highlighted the questionability of traditional authority roles and the marginalization of customary institutions in Kosi Bay. For instance, in Kosi Bay, one of the prime members of the tribal council was also the chairperson of the Umhlosinga Development Agency established by the Umkhanyakude District Municipality, aimed at promoting agribusiness and tourism within the district (UMDA, 2014). It is unclear and questionable how a member of the traditional

authority (which is a hereditary institution) could also be a member of a democratic statutory institution; especially given that traditional and democratic institutions in rural South Africa operate parallel to each other and are usually in conflict, as they draw upon different sources of law (Ntsebeza, 2006; Delius, 2008; Mbatha, 2011; Buthelezi and Yeni, 2016).

It is clear that members of the tribal council have “double-dipped” between traditional and statutory roles. For instance, most community members were not aware that their traditional leader was a member of the iSimangaliso Authority Board at the time this study commenced (iSimangaliso Authority, 2012). The “double-dipping” of traditional authorities can be traced back to the colonial era when chiefs found themselves straddling and having to meet the demands of two different administrative systems, (i.e. the colonial system versus the pre-colonial (customary) system that was more people-centered). They were able to meet demands from either side with differing degrees of success (Delius, 2008).

Fast forwarding to the commencement of South Africa’s democracy in 1994, there remains much ambiguity about the role of traditional institutions in relation to customary, as well as statutory institutions governing land and coastal resources in rural areas such as Kosi Bay. This is largely attributed to the historical powers of colonial and apartheid governments which dismantled customary institutions by appointing and deposing chiefs as they wished, coupled with the impact of the indirect style of rule they adopted (Mthethwa, 2002; Delius, 2008). This has resulted in the wicked problem of resolving challenges related to “traditional” governance in rural South Africa, which the democratic government has failed dismally to address (Ntsebeza, 2004). Without understanding the role that the colonial and apartheid governments played in confusing the system of customary leadership in many parts of rural South Africa, most people will not realise that some existing traditional leaders in rural areas are not customary leaders, but were put in power through the discretion and authority of colonial and apartheid powers.

Buthelezi and Yeni (2016) point out that the view that traditional leaders are the most accountable and effective modes of authority in the governance of rural areas is erroneous. This is because colonial and apartheid rule gave traditional authorities

discretionary powers that made them less accountable. This was also evident in Kosi Bay, evidenced by the poor involvement of traditional authorities in engaging or supporting local customary structures that were not part of the Tembe royal family. Traditional authorities have typically opposed representative local structures, as they perceive that they may potentially compete for the powers that they hold (Ntsebeza, 2006). There were stark divisions between different houses of the Tembe royal family in Kosi Bay which created more confusion about the future of traditional governance. The ruling national political party (ANC) which has been striving to dominate the electorate in rural communities such as those in KwaZulu-Natal has also failed to clarify the roles of traditional authorities in the midst of democratic local government structures that were put in place in the democratic dispensation (Ntsebeza, 2004). As a result, there are overlapping and unclear jurisdictions between municipalities and traditional authorities at the local level.

Mamdani (1996) argues that where the system of indirect rule prevails, actors that are given power tend to be despotic and upwardly accountable, instead of being downwardly accountable. He further argues that this despotism is as prevalent in local and national governance of post-colonial African societies, as it was during the colonial era. It is concluded that, indirect rule, upward accountability, as well as lack of participation and representation were key reasons for the contradiction between the impression that DEA and UNESCO have that the iSimangaliso Authority is exemplary in its governance of the iSimangaliso World Heritage Site on the one hand, and the complaints of local communities and other stakeholders that the iSimangaliso Authority was making life difficult for them on the other.

8.5 THE FIRST ORDER: GOVERNANCE PROCESSES AND PRACTICES INFLUENCING LIVELIHOOD STRATEGIES

In a context where legal pluralism exists, the first order of governance is concerned with the day-to-day actions of governors, as well as how people respond to these (Jentoft and Bavinck, 2014). In post-colonial states where indigenous people have lived for many years using natural resources and applying customary rules to manage them, Western legal systems of rules for conserving resources have often prevailed even in the post-colonial era and usually conflict with the operation of customary laws

and institutions on the ground (Techera, 2008). This was also the case in Kosi Bay where, over the years, the existence of plural governance actors (i.e. statutory, traditional and customary) has indeed affected the ability of community members to pursue livelihoods.

Historically, forced removals, and subsequent livelihood restrictions imposed by conservation authorities on land and coastal resource use for agriculture, tourism and fishing have all had direct and indirect influences on local livelihood shifts over the years. Currently, the presence of the iSimangaliso Authority, together with Ezemvelo KZN Wildlife, local and district municipalities, traditional authorities, customary institutions, as well as other government departments has also created a lot of confusion and ambiguity. For instance, world heritage site jurisdiction that operated upon fortress conservation rules overlaps with the jurisdiction of democratic municipal structures whose roles were to facilitate rural development. This ambiguity not only makes it difficult for community members to comprehend the governance system, but also for other actors on the ground who were usually excluded from key decision-making processes facilitated by the iSimangaliso Authority.

The poor interactions that the iSimangaliso Authority have had with various actors at local level (i.e. Ezemvelo KZN Wildlife, customary institutions and municipalities), and the ambiguous roles of actors and conflicts that existed at the local level have not only affected governability of coastal resources, but also the livelihoods of people in Kosi Bay. Persisting power struggles and ambiguity of roles between the iSimangaliso Authority and Ezemvelo KZN Wildlife have also exacerbated confusion and asymmetries in the day-to-day governance practices in Kosi Bay. As Poteete (2012) points out, where there is an existence of multiple institutions that are supposed to be working together but experience tensions and conflicts on the ground, a joint-decision trap may arise. A joint-decision trap is “the production of systematically suboptimal outcomes that can occur when two levels of government exist and policy decisions require agreement at both levels” (Poteete, 2012:138).

Local people believed that the day-to-day governance practices of the iSimangaliso Authority, enforced through Ezemvelo KZN Wildlife, did not reflect the human rights approach promoted by the South African Constitution. They also expressed that the

iSimangaliso Authority did not understand their livelihood needs and was trying to make it difficult for them to continue living in the area in order to force them to move out.

With a specific focus on land tenure security, and agricultural and fishing livelihoods; the following sub-sections discuss the manner in which day-to-day governance in the legal pluralist context of Kosi Bay influenced the livelihood strategies of community members.

8.5.1 Influence of plural governance systems on land tenure security

The imposition of international conservation and nature-based tourism models in Kosi Bay posed threats not only to local livelihoods, but also to future land tenure security and the historical land rights of local people. This was because all the land falling under iSimangaliso World Heritage Site is under claim by communities within and adjacent to the park through the Restitution of Land Rights Act (No. 22 of 1994). Over and above this, it was not clear at the local level how the declaration of the world heritage site was meant to enable local livelihoods, as most respondents stated that they neither understood what “world heritage” status meant, nor had they perceived benefits from tourism promoted by the iSimangaliso Authority.

A DEA official stated that communities within and adjacent to the iSimangaliso World Heritage Site were meant to benefit from tourism emanating from co-management programmes that result once land claims are settled between claimant communities and conservation authorities (DEA1, 2017). However, the possibility of this happening is highly questionable. For instance, there are 14 land claims that have been lodged within the iSimangaliso World Heritage Site by adjacent communities since 1994 (iSimangaliso Authority, 2016). The Tembe land claim was submitted in 1995, but has not been settled. Four other land claims within iSimangaliso remain unsettled due to challenges and back-logs that are slowing down land claim processes. Although it is beyond the scope of this study to provide a detailed discussion about the Tembe land claim, people in villages such as Mvutshane had high expectations that the settling of the land claim would restore land ownership back to the

community, which would enable them to dictate what livelihood activities could occur within their area (MFG, 2015).

When the land restitution process was introduced in South Africa in the democratic dispensation, there was a belief that it would bring about livelihood improvements and empowerment for people. This was a sentiment that was widely expressed in this research. However, for a long time the democratic government did not develop a policy framework for regulating the overlap between land reform and environmental protection in protected areas such as iSimangaliso (Paterson, 2011). Legal instruments such as the Communal Property Associations Act (No. 28 of 1996) and the National Environmental Management: Protected Areas Act (No. 57 of 2003) provide that when communities are successful in their land restitution claims, they might be co-management partners with conservation authorities in order to ensure that, as land owners, they benefit from conservation. However, this does not necessarily mean that communities would be able to negotiate a land use change from conservation to the desired activities of local people (Kepe, 2008; Paterson, 2011).

This raises questions about what land restitution processes mean for livelihoods where land is used for conservation, since regaining land ownership would not necessarily translate to changes in conservation land use. Walker (2005) argues that in South Africa, there is a persistent mismatch between local expectations pertaining to land reform and the political discourse surrounding the land question. In fact, when the iSimangaliso site was nominated as a world heritage site, the government was aware that there were ongoing land claim processes within the park. However, land claims were not viewed by the government actors that nominated the site as a threat to world heritage status when the application was put forward to UNESCO (DEA1, 2017). The motivation given was that if land claims were to be settled, the conservation land use would never change, and communities would work with conservation authorities through co-management structures to manage the parts of the site where claims had been made and settled (DEA1, 2017). The process of settling land claims within the iSimangaliso site has thus been a challenge, even for communities whose land claims have been settled.

The view of conservation as a land use was however contested, with many feeling excluded in decision-making processes by the iSimangaliso Authority and national government. A substantial body of research (e.g. Kepe, 2008; Paterson, 2011; Blore et al., 2013) reveals how community benefits from co-management arrangements and land reform in protected areas in South Africa have been limited. In the case of Mkambati Nature Reserve in the Eastern Cape province, the co-management model that was used after the land claim was settled was inappropriate for meeting restitution and conservation objectives because there was a distinct focus on conservation rather than on the rights of the claimants (Kepe, 2008). This was largely because conservation authorities were the institutions responsible for negotiating with communities about the settling of land claims in protected areas. However, conservation authorities do not have the capacity to fulfill this task or to understand community needs; the problem persists because the South African government has not developed an appropriate institutional arrangement that would ensure equitable power sharing in land restitution processes that involve conservation authorities and communities in protected areas (Kepe, 2008).

The increased prevalence of ambiguities in land restitution processes affecting protected areas in South Africa could suggest that they are left there because they possibly serve a certain purpose. Kepe (2008:319) argues:

Another way of looking at how this ambiguity may serve the state is to relate what is happening in these geographical areas to the apparent disjuncture in the country's constitution, where both land rights and biodiversity conservation are enshrined, but without any clarity on which of the two has priority over the other.

It was not clear how co-management would benefit people inside the world heritage site, i.e. Nkovukeni and kwaDapha villages, who would not necessarily partake in land claim processes. In villages such as Nkovukeni that are remote and where tourism activities are not viable, it was not clear how people could benefit from the existence of the iSimangaliso World Heritage Site, given that the iSimangaliso Authority's and DEA's discourses on community benefits from this type of conservation revolve mainly around tourism from co-management. This only pertains to communities that are eligible for land claim processes under the restitution process.

Such scenarios therefore paralyze governance at the local level and diminish future livelihood hopes for people in rural communities. When governance images at the top do not reflect people's values and expectations on the ground, governability becomes difficult (Song et al., 2013).

8.5.2 Influence of governance on tourism development at local level

In many developing countries, protected areas have exacerbated poverty due to the restrictions that they place on livelihoods (West, 2006; Brockington and Igoe, 2006; 2008). Protected areas in these countries are often a source of conflict because they are regarded as important for conserving resources and for generating income, while the costs borne from conservation are usually skewed towards the poor and the marginalized (Brockington and Wilkie, 2015).

The projection of nature-based tourism as a panacea for conflicts between conservation and economic development, as well as poverty reduction in rural areas of developing countries, has been comprehensively critiqued (Büscher et al., 2012; Duffy, 2015). Nature-based tourism discourses tend to present tourism as a “clean industry” in comparison to heavy industries, such as mining (Duffy, 2015). This shifts attention away from wider environmental, social and political impacts that tourism has on local communities. Critiques of nature-based tourism stem from the fact that its use in conservation, motivated by discourses of “benefits for indigenous communities”, rests on the idea that communities are separate from nature (Igoe and Brockington, 2007; Fletcher, 2009). This means that the image held by conservationists about indigenous communities is that of beneficiaries of nature based in conservation, rather than key actors in decision-making processes about conservation. Evidence of this is observed in various cases within South Africa where protected area conservation continues to lead to the exclusion and marginalisation of local communities, even in post-colonial and post-apartheid society (Emdon, 2013; Sunde, 2014; Hansen, 2015).

Techera (2008) points out that in the South Pacific region, the “national park conservation model” has failed due to the fact that it is usually in conflict with local governance structures. In the case of world heritage sites, UNESCO requires that management authorities promote tourism in their conservation plans. As a result, the

iSimangaliso Authority has developed a conservation strategy that seeks to “rewild” the iSimangaliso site (iSimangaliso Authority, 2016). The iSimangaliso Authority (2016) states that the “rewilding” strategy would provide a strong basis for linking conservation to the development and empowerment of local communities through revenue generation, job creation and the promotion of tourism developments that would benefit communities adjacent to the park (iSimangaliso Authority, 2016).

Neoliberalism plays a significant role in contemporary representations of biodiversity protection and the creation of protected areas (Igoe and Brockington, 2007). Certain environmentalisms (including environmental protection) are usually not solely undertaken purely for the purpose of protecting the environment for its own good. Rather, these emerge as part and parcel of certain social and economic agendas by those in power; either to improve their power in controlling resources, to increase profits from environmental protection ventures (i.e. ecotourism), to win political votes, or to increase their popularity/sovereignty. Using ecotourism as an example, Brockington asserts,

Often the growth of protected areas is associated with new strategies of accumulation based on ecotourism. It is an important business, particularly in poorer countries, worth between \$30 billion and \$1.2 trillion a year (West and Carrier, 2004). The growth of ecotourism proceeds hand in hand with protected areas (Duffy, 2002; West and Carrier, 2004; West et al., 2006), which provide clients the authentic unspoilt nature they wish to consume on their holidays (2008:555).

It is apparent and arguably not a coincidence that there is a positive correlation between the increase of protected areas through strategies such as “re-wilding” and the growth of ecotourism in many developing countries in marginalised areas (Igoe and Brockington, 2007). The prosperity of local livelihoods is not usually part of this agenda, and could in fact be an inconvenience by those in power who control the benefits not only from profits generated through this, but also through securing control over the resources.

For example, Büscher (2014) points out that in the Maloti-Drakensberg Transfrontier Project (MDTP) between Lesotho and South Africa, the use of tourism to stimulate the link between conservation and rural development resulted in a focus on enriching the experiences of tourists that came to the area, rather than on improving interactions between local people and the environment.

Tourism, operationalized as branding in the project, used natural scenery and poverty (i.e. primitiveness) as the “underlying assets” to generate value in the contemporary neoliberal political economy...Tourism in the project, after all, “catered to perceptions, not reality”. Crucially, this catering to perceptions should be seen against the observation that tourism, or the project in general, had not benefited local people in the MDTP region much or made a big impact on the environment (Büscher, 2014:207).

Büscher (2014) also notes that in the MDTP, images and discourses that were propelled by powerful actors were most influential in determining what took place in terms of conservation and development in the region. He points out that in the MDTP, there was inequitable access to decision-making spaces and processes between actors, as certain actors were more central, and therefore had more power in decision-making processes because of their positions within key institutional arrangements, as well as their networks and resources (Büscher, 2014).

The analysis of the governance system in Kosi Bay reveals that although community members perceived that they should have a voice in decision-making processes, this was not necessarily the case; or one could argue it was not the intention of those driving the governance processes. The image of “re-wilding” that key governance actors promoted was that of community involvement in the governance of the iSimangaliso World Heritage Site through benefiting from conservation through tourism (iSimangaliso Authority, 2011; 2016; DEA1, 2017). However, the iSimangaliso Authority had a strong hold on tourism activities within its jurisdiction, and various tourism operators felt that their efforts were stifled by the iSimangaliso Authority. This control that the iSimangaliso Authority had on tourism activities in the park appeared to be stronger in villages that were inside the park boundaries, such as kwaDapha. For instance, in 2013, local men from kwaDapha acquired assistance from a private investor to construct a tourism accommodation facility. However, it

was not long before bulldozers demolished this facility upon instruction from the iSimangaliso Authority. A representative from the iSimangaliso Authority commented that the demolition was done because they could not allow “unsustainable” tourism developments that would allow for benefits accruing only to a few businessmen in the community (Louw, 2010). However, people from kwaDapha believed that the iSimangaliso Authority sought to stifle any sort of “community-based” tourism development that was not directly administered by the iSimangaliso Authority. Various private tourism business owners in Sodwana Bay who were present in the protest against the iSimangaliso IMP meeting confirmed that their businesses have suffered from the way the iSimangaliso Authority operates (SM2, 2016).

Therefore, the idea of “selling nature to save it” is increasingly dominating conservation discourse, revealing underlying motivations behind conservation that are driven by the need to create and control capital gains from the protection of nature; hence the exclusion of local communities (Büscher, 2014). Duffy (2015:531) concurs by stating “nature-based tourism allows neoliberalism to turn the very crises it has created into new sources of accumulation”.

8.5.3 Influence of plural governance systems on agriculture and fishery livelihoods

Meinzen-Dick and Pradhan (2002) point out that in situations where multiple legal orders exist and are in conflict, people tend to choose one or the other, depending on which one enables them access to the resources they need at a given time. This is when forum shopping occurs as “the way in which people call upon different legal orders, and the negotiation between them, provides some of this dynamism” (Meinzen-Dick and Pradhan, 2002: 7). In Kosi Bay, kinship ties became pivotal for people in Mvutshane, allowing them to “maintain” claim over agricultural livelihoods by drawing on customary relations with people in the south of Mozambique, who gave them land to use to continue agriculture livelihoods. On the other side of the border this was prohibited by the iSimangaliso Authority. Historically, the people in the south of Mozambique and in Kosi Bay used to belong to one community (under the same traditional authority) and therefore shared the same customs and practices,

until the border was drawn between South Africa and Mozambique on the eastern part of the country in the late 1800s (Mthethwa, 2002).

Agriculture had been the key livelihood strategy of many people in Kosi Bay over the past seven decades, especially before the conservation interventions in the area intensified, and before wild animals began to pose serious problems for local farmers. However, increasing conservation regulations in the latter part of the 20th century led to decreasing levels of agricultural activity. The introduction of the iSimangaliso World Heritage Site, which enclosed Nkovukeni and kwaDapha villages, made it even more difficult for local people to continue with their agriculture livelihood. People in Nkovukeni and kwaDapha emphasised that had it not been for the restrictions on agriculture within the boundaries of the park, they would still participate in agriculture activities to a greater extent than they currently do. In Mvutshane, people “illegally” continued this livelihood in the south of Mozambique. This is because the swampy land that the people from Mvutshane relied on for conducting agriculture activities was enclosed within the world heritage site, adjacent to the Kosi Bay system. However, across the border in the south of Mozambique, the same ecosystem exists with no world heritage site rules.

Meinzen-Dick and Pradhan (2002) confirm that when social or political change occurs, and when statutory law is introduced and does not recognise local customary rights, resource users’ livelihoods become faced with uncertainty. This was indeed the case in Nkovukeni and kwaDapha villages where people were enclosed within the boundaries of the world heritage site with conservation rules imposed on their livelihoods. For these villages, there were no alternative avenues for pursuing agriculture livelihoods. This resulted in dwindling agricultural activities within the two villages, exacerbated by the increased numbers of hippopotamuses within the lakes, as well as rainfall variability over time that make it difficult to plant crops.

During the time spent with people from Nkovukeni village, they expressed that they were under the impression that the iSimangaliso Authority was aware that livelihood options for the people in the village are becoming more and more limited due to conservation restrictions, and that they felt that the conservation authorities are not assisting them. They would thus get frustrated and move out of the village. An official

from the iSimangaliso Authority commented by stating “The park management is looking for conservation that will work for UNESCO, but that will benefit local people” (WHA, 2015). He went on to state that they could not assist people of Nkovukeni with mobility issues they were experiencing and that if the people perceived that their livelihoods were becoming difficult because of that, they should consider relocating to the nearest town (WHA, 2015).

Where customary institutions for governing local livelihood activities did not exist before statutory rules were imposed, statutory rules tended to dominate, and ultimately managed to shift livelihood strategies. However, where customary rules were in place before statutory rules were imposed for governing resources, it was more difficult for statutory rules to dominate or shift customary practices upon which rural livelihoods were embedded. Agriculture livelihoods (which did not historically have strongly defined customary rules or boundaries), for example, were influenced by rules imposed by conservation authorities over time. On the contrary, fisheries activities had robust customary rules and arrangements that had existed over a long period of time. As a result, even with the increasing efforts of conservation authorities to impose new rules and laws to govern fisheries resources, local people managed to resist this dominance. Customary institutions governing fishing activities in the Kosi Bay system have seemingly remained a strong superstructure governing fishery livelihoods.

In a study conducted in Haiti, Smucker et al. (2000) reveal how property rights to land that are locally defined enable local people to challenge imposed statutory laws over resource access. This resonates with the findings of this study that reveal how the existence of established customary rights, rules and institutions in the trap fishery enabled fishers to effectively defend this system against the imposition of conservation rules. This finding is striking, given the fact that the iSimangaliso Authority has, since its establishment, managed to alter most aspects of local livelihoods that take place within the world heritage site.

However, there is still an ongoing struggle between customary fisheries institutions in Kosi Bay and conservation authorities who argue that the fish trap system has become unsustainable because it is not managed by statutory laws that draw on scientific

evidence (Kyle, 2013). Moreover, customary institutions remain marginalised in Kosi Bay, as they operate at village level and are usually left out of key decision-making processes between the iSimangaliso Authority and traditional authorities. Cinner et al. (2012) concur that in developing countries such as Mexico, Indonesia and Papua New Guinea, customary institutions are also stifled by conflicts between themselves and organisations operating at more influential governance scales, that exclude them from key decision-making processes. Sunde (2014) points out a similar case in Dwese-Cwebe villages in the Eastern Cape where traditional leaders, who are assumed to represent the interests of wider communities, did not support customary institutions. This was also the case in Kosi Bay, along with increasing evidence of traditional authorities, especially in the province of KwaZulu-Natal, not being supportive of any democratic or locally representative institutions in rural areas, as they believe that this will threaten their powers (Ntsebeza, 2002; Logan, 2008). Traditional authorities have also been criticised for being both anti-democracy, and for promoting individual interests ahead of community interests, thus impeding the development of a democratic and just society (Logan, 2008).

8.6 THE SIGNIFICANCE OF HISTORY AND LEGAL PLURALISM CONTEXTS IN INFLUENCING GOVERNANCE AND LIVELIHOODS

In contexts where history plays a pivotal role in determining the manner in which governance processes and practices take place in existing legal pluralist systems of governance, asymmetries usually manifest by way of uneven power distribution, as well as mismatching values, images, discourses, worldviews and practices within governance systems. In such cases, conflicting worldviews may be remedied through constructive interaction and dialogue, as well as through the empowerment of weaker actors (Jentoft and Bavinck, 2014). However, based on the findings of this study, it appeared that governance asymmetries in Kosi Bay were unlikely to be easily remedied, due to a lack of opportunities for interaction between different orders of governance across the different governance systems (Figure 8.2).

The poor governance interactions were seemingly entrenched by the way institutional arrangements were set up that did not allow for participation and representation of local actors in key decision-making structures. This meant that constructive dialogue

could not occur because there was poor downward accountability to local communities by powerful actors involved in key decision-making processes. This also meant that there was no space for communities to communicate their livelihood priorities to actors involved in second and third order governance. This is particularly highlighted by the fact that the iSimangaliso Authority's "rewilding" strategy that is stipulated on its website, and the IMP states that they intend promote a "conservation vision of restoring all historically occurring game back into the world heritage site" (iSimangaliso Authority, 2014: 1). On the other hand, the people living within the park that formed part of this study strongly asserted, "People must understand that this is not a jungle or wilderness, this is an area with people, where we have lived for many years..." (Kosi Bay community, 2016). This highlights the divergent worldviews between key actors involved in governance and wider communities in Kosi Bay.

In any setting, governance practices of complex systems in a multi-level world are not likely to be politically or socially neutral because "inequities are intrinsic to shifting relations of status, power and knowledge, culture and history" (Armitage, 2008:11). Therefore, the roles of politics and power, as well as lack of acknowledgement of history and the existence of plural governance systems has implications for governance and for how people in rural areas can conduct their livelihoods strategies. Poor interactions between plural governance systems create conflict and pose serious threats to the governability of natural resource systems. The challenge, therefore, that is usually posed when it comes to the governance of complex and multi-level systems such as coastal resources that are managed at multiple levels is the issue of "for whom?" resources are governed and "whose values?" are taken into account when resources are protected through conservation (Blomquist, 2009).

Moreover, the Kosi Bay case clearly demonstrates that in the conceptualisation of rural livelihoods, recognising the roles of history and legal pluralism contexts upon which governance systems are embedded is critical, as these influence the livelihood strategies of rural people. This is mostly relevant because history, as well as governance in the context of legal pluralism, do not currently feature in the sustainable livelihoods framework.

8.7 CONCLUSION

This chapter has discussed the key issues arising from different levels of governance orders that have influenced governance processes and practices and livelihood strategies of rural communities at the local level. It has underlined how in situations where plural governance systems exist to govern protected natural resources and land, the adoption of global norms and principles tends to pose problems if they ignore historical and current country contexts. What is also raised in the discussion is the significance of interrogating the manner in which governance institutions involved in key decision-making processes interpret global discourses, values, images, principles and norms in ways that create winners and losers at the local level. Therefore, in rural contexts, poor governance interactions coupled with poor downward accountability and broader participation and representation of communities in key decision-making processes result in conflicts and decreased opportunities for improved governability of human-environment systems. Livelihoods analyses at community level are thus useful for assessing the impacts and effectiveness of plural governance processes and practices, especially where plural governance systems result in poor representativeness and downward accountability. Studying governance systems, what they are meant to do, as well as why and how they are created, is a significant step towards resolving societal problems (Song et al., 2013). This also requires understanding of behaviours, actions and decisions of different governance actors at different levels.

CHAPTER NINE: CONCLUSION

This study has sought to enhance understanding about the conceptual linkages between livelihoods and plural governance systems, using the case study of Kosi Bay, a coastal region in northern KwaZulu-Natal, South Africa. This is done with the view to strengthen the conceptualization of relationships between livelihoods and governance, in order to highlight ways in which governance processes and practices influence rural livelihoods. Using a case study methodology, empirical research was conducted in Kosi Bay, with qualitative and quantitative data collected to: a) describe livelihood strategies; b) identify and document statutory, traditional and customary governance structures linked to coastal resource governance; c) explore the norms, discourses, images, values and worldviews that have informed coastal resource governance in this area; d) review and analyse the influences of plural coastal governance systems on livelihood strategies; e) contribute towards conceptual frameworks that link livelihoods and governance and; f) make recommendations for improved livelihoods and governance in rural areas in the South African context and beyond.

The study demonstrates that rural livelihood strategies are diverse and dynamic, and can be profoundly affected by political processes and different governance approaches. In forefronting the role of power, politics and governance, it helps to address the historical lack of attention paid to these dimensions in other livelihood studies (Scoones, 2009). It also highlights the manner in which legal pluralism and historical context affect and influence governance processes. Through this analysis it concludes that livelihoods evaluations cannot be reduced to apolitical descriptions.

Within the sustainable livelihoods literature, institutions are often depicted as merely playing a role of mediating and governing people's power and access to different types of capitals, as well as to opportunities and livelihood decisions (Morse and McNamara, 2013). Findings of this study reveal a far more profound influence of governance, demonstrating how it determines, shapes and influences how people access resources, formulate livelihood strategies and derive benefits. More specifically, the way governance influences livelihoods in contexts of legal pluralism,

and the role of history in shaping current governance processes, are important considerations in attempts to understand rural livelihood strategies. This is especially the case in countries such as South Africa, characterised by traumatic displacements and forced removals from land and resources. This study shows that understandings about natural resources in plural legal and institutional contexts can benefit from nuanced livelihoods analyses; these can reveal the impacts, influences and shortcomings of governance processes and practices and how these are distributed at different scales.

The significance of understanding how history plays a role in informing what governance looks like today is underscored. Findings reveal how current governance systems for natural resources in Kosi Bay are failing rural communities because they are still largely informed by colonial and apartheid modes of regulation that depend on centralised, remote and indirect rule, through the use of authoritarian actors that are usually not downwardly accountable. Centralised management of natural resources by the State, paralleled by indirect rule, has proved to be a failure in many countries around the world (Pomeroy and Berkes, 1997; Agrawal and Ribot, 1999). The existence of parallel statutory, traditional and customary systems of governance in areas such as Kosi Bay, within a context of deep colonial and apartheid histories, is an indication of how complex and dynamic governance can be. However, such complexity and the way it influences meta-level, second order and first order governance has not been adequately considered by key actors. In Kosi Bay, this has resulted in mismatches between normative governance and the realities of governance processes and practices on the ground. This is because statutory conservation governance systems dominate processes and practices, while parallel customary systems of governance are often ignored in key decision-making processes. This is exacerbated by the ambiguous roles of traditional authorities in rural areas who “double-dip” between statutory and “customary” roles. The post-apartheid government is largely to blame for these asymmetries since it has failed to clarify the roles of traditional authorities in relation to other democratic or representative structures in rural areas. Moreover, national government has failed to justify promoting fortress conservation in areas such as the iSimangaliso World Heritage Site where communities have been persistently marginalised and dispossessed of land and resources since colonial times.

Over the years, economics-driven and apolitical analyses have been advocated to explain the relationship between livelihood strategies and governance institutions that regulate resources use and access. This overly monetised view has been fueled by assumptions made by Chambers (1987; 1995) and other conceptual livelihood pioneers that rural people in the Global South are “poor”. The data informing livelihoods work in the 1990s was largely quantitative and made use of monetary/economic analyses to the exclusion of using social, cultural or political perspectives to define or understand “poverty”. Kosi Bay, for instance, is an extremely rich area in terms of biodiversity, coastal resources and culture. The tendency to homogenise rural people in the Global South is considered to be questionable, given that the reasons for poverty and inequality tend to be context specific. The nuances of life in the coastal villages of Kosi Bay have highlighted that the livelihoods and backgrounds of people within rural communities are not as homogenous as is often assumed in livelihoods literature.

The study has revealed that a variety of State institutions hold and promote norms, values, images, discourses and worldviews about coastal governance that are derived from global or Western ideas; in the case of Kosi Bay, these usually do not match those of communities. These asymmetries exacerbate the erosion of customary livelihoods, and exacerbate feelings of marginalisation among rural dwellers in South Africa. Discourses such as Hardin’s (1968) *Tragedy of the commons* still play a powerful role in shaping images that inform natural resource management and governance in different parts of the world. Such discourses promote a romantic view of nature as “wilderness” and “pristine” and in need of being protected from humans, who act to degrade the environment (Guha, 1989; Cronon, 1996; Fletcher, 2009). The main problem with governance images inspired by this thinking is that many indigenous people and customary communities who have a long history of direct interaction with the environment and resources do not see themselves as separate from “nature”, but rather as one with it. This is affirmed in the case of Kosi Bay.

It is apparent that where plural governance systems exist in areas where the State governs remotely, governability becomes difficult; under such circumstances it becomes even more difficult for local communities to hold governance actors to account for negative livelihood impacts (Schmelzle, 2007). As this study reveals,

effective governance interactions cannot always be assumed to be innate characteristics of governance practices. The stated policy objectives of promoting interactions between actors at different scales of governance in Kosi Bay, for example, did not match the institutional design established for implementation. Mismatches between laws, policies and institutional design can influence the nature of governance interactions, as well as governance practices. This may also increase wider community perceptions of exclusion, and may inhibit equity and justice in governance processes. This argument resonates with that of Ostrom (2005) who asserts that robust institutional arrangements for resource use and management are those that promote fairness and the participation of affected individuals in decision-making processes. It is pivotal for international organisations such as UNESCO to understand and constantly assess the applicability, relevance and interpretations of global environmental governance tools that they promote within the Global South; in such contexts the role played by history and legal pluralism in influencing governance is paramount.

The first recommendation of this study is for international organisations such as UNESCO to evaluate the performance of world heritage authorities for natural sites based on a wide range of considerations. The assessment of natural world heritage sites (Hockings et al., 2007; Osipova et al., 2014) typically focuses on plant and animal species, climate change and tourism rather than the impacts on local livelihoods and historical contexts of community marginalisation in post-colonial states. This is a pertinent issue for countries like South Africa where protected areas are often introduced within or adjacent to rural areas with histories of deep exclusion and where black populations and indigenous people have been marginalised. If such considerations are not taken into account, world heritage sites will lend themselves as systems that serve to continue the legacies of colonialism and apartheid that benefit the powerful few, while suppressing the lives of the majority.

Second, in situations where plural governance systems exist, it is important for national government to clarify their own roles and those of different governance actors, so that people in rural communities may be able to harness their rights. Clarifying the mandates, powers and jurisdictions of statutory governance actors and traditional authorities in rural areas could improve the governability of land and

resources, as well as provide more haste towards land reform processes that are currently pending in areas such as within the iSimangaliso World Heritage Site. In addition, the role of traditional authorities at the local level needs to be clearly defined and a platform provided to allow democratically elected structures to represent local people, without undue interference. The failure to resolve this not only has implications for the governability of land and resources, but also for the ability of actors such as municipalities to implement rural development strategies that do not compete with powers of traditional authorities and the strict restrictions imposed by conservation authorities.

Third, national government needs to recognise and act upon the reality that conservation authorities are not necessarily equipped to resolve intricate land claim processes in former homeland areas (Kepe, 2008; Paterson, 2011; Blore et al., 2013). A resolution needs to be reached in this regard to restore the integrity, security, tenure and rights of rural people to their historical land and livelihood practices that they seek to revive or maintain.

Lastly, the study shows that because of legal pluralism and the role that history has played in informing governance in rural South Africa, livelihoods analyses conducted in areas such as Kosi Bay should be re-conceptualised in order to be relevant and to contribute towards improved rural livelihood sustainability. Strengthening equity and representation in rural areas through the establishment and support of representative institutional structures is also fundamental, and can help to promote human rights, rural development and the empowerment of people in rural communities. This conclusion was echoed by the people of Kosi Bay when they stated,

It would be better if governing institutions humble themselves and work with us and include us in their planning activities and formally introduce themselves to us... We could live better lives if there was recognition that we can conduct our livelihoods on our own... Governing actors need to enable our livelihood needs and support us, not the other way around. They must negotiate with us and not take decisions on our behalf. We know how to conserve the resources ourselves but they could play a role in assisting us do that better, rather than taking over and overpowering us (FFG, 2015).

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APPENDICES

APPENDIX 1 – Household Survey

THE INFLUENCE OF PLURAL GOVERNANCE SYSTEMS ON COASTAL LIVELIHOOD STRATEGIES

HOUSEHOLD QUESTIONNAIRE

Household Questionnaire Number-----

Date: _____
Interviewer's Name: _____
Respondent's Name: _____
(Optional)

1. BACKGROUND INFORMATION

1.1 Study Site Location

1. _____ Region/Province
2. _____ District
3. _____ Village/Community
/Locality _____
4. _____ Name of Ward _____ /Sub-
Location _____

1.2 Respondent's Information

5. Gender [1] Male [2] Female

6. Age _____

7. Marital status of the respondent: [1] Single [2] Married [3] Divorced [4]
Widow [5] Separated [6] Widower

8. Level of education of respondent.

- [1] No formal Education
- [2] Incomplete primary education [between Gr.1 and Gr.4]
- [3] Complete Primary education [finished Gr.5]
- [4] Incomplete High School Education [between Gr. 6 and Gr.11]
- [5] Complete High school Education [finished Gr. 12]
- [6] Technical/ College Education
- [7] University Education

9. Occupation of Respondent

[1] Employed

[1b] If employed (please state) _____

[2] Self-employed

[2b] If self-employed (please state - e.g. Farmer, livestock keeper, agro-pastoral, fisher, taxi driver, shop owner, trader etc) _____

[3] Unemployed

[4] Pensioner

[4b] If a Pensioner, please state former occupation _____

[5] School-going learner

[6] Other (please state) _____

10. Where does your family come from/born?

1. In this village
2. In different village within the district
3. Outside the District but within the Region/Province
4. Outside the Region/Province
5. Outside the Country

11. For how long have you lived in this village _____ (Mention years)

12. If you migrated to this village/community/locality, mention where you migrated from and the reason(s) for migrating

13. How many HOUSES are there in your homestead/Compound?

14. How many HOUSEHOLDS live in your homestead/Compound?

15. What is the total number of rooms in the MAIN dwelling? _____

16. What is the MAIN material used for the walls and roof of the MAIN dwelling?
Observe and tick only one for each.

17. How many people live in your household/homestead? _____

18. How many adults, older than 18, live in your household/homestead?

19. Are you the household/homestead head? [1] Yes or [2] No _____

20. If No, what is your relation to the Head of Household?

21. What is the occupation of the head of your household/homestead?

[1] Employed

[1b] If employed (please state)

[2] Self-employed

[2b] If self-employed (please state - e.g. Farmer, livestock keeper, agro-pastoral, fisher, taxi driver, shop owner, trader etc)

[3] Unemployed

[4] Pensioner _____

[4b] If a Pensioner, please state former occupation

[5] School-going learner

[6] Other (please state)

22. What is the range of your household monthly income (pensions, grants, other sources of income included?) [*Ask range and not specific amount*]

[1] Less than R1000

[2] R1001-R1700

[3] R1701-R3000

[4] R3001-R7500

[5] R7501 or more

23. What present activities contribute towards supporting your livelihoods? Circle **ALL** that are applicable and go through each.

[1] Fisheries

[2] Crop farming (fruit, vegetables)

[3] Livestock farming (poultry etc)

[4] Sale of wood

[5] Involvement in tourism industry (state type of work)

[6] Involvement in forestry industry (state type of work)

[7] Involvement in agriculture (state type of work)

[8] Involvement in fishing industry (state type of work)

[9] Land ownership outside village

[10] Employment in other activities (please state)

[11] Pension

[12] Grants (please specify: ie: disability, child)

24. What three activities contribute most towards your monthly income?

[1]

[2]

[3]

25. Is your household connected to an electricity supply?

[1] Yes

[2] No

26. What is the source of energy for cooking in your household? [Tick all that apply]

a. Electricity

b. Solar power

c. Charcoal

d. Kerosene

e. LPG gas

f. Biogas

g. Firewood

h. Other sources

(specify) _____

27. What is the most often used source of **DRINKING** water in your household?

[Tick all that apply]

- [1] Piped/tap water inside household/homestead
 - [2] Piped – Single tap in yard
 - [3] Piped – public stand post
 - [4] Hand pump well (Borehole with hand pump, shallow well fitted with pump)
 - [5] Rainwater tank
 - [6] Collect water from flowing river/stream
 - [7] A constructed Dam with outlet for fetching water
 - [8] Stagnant water (ponding water, natural/traditional pool, swamp, dug out pits/holes)
 - [9] Open unprotected well (traditional well)
 - [10] Open but lined well with a container for lifting water
 - [11] Others sources (specify):
-

2. RESOURCE USE AND ACCESS

28. What are the natural resources that you use? Please State		29. Tick the THREE most important resources for you and your family	30. For how long have you been harvesting this resource (in years)?	31. Where do you access this resource?	32. What is the resource used for? (Please state)
Natural resources that you use	State name of resource used				
Marine Resources					
Forest Products					
Agriculture					

33. Are there key issues within these sectors that impact on your livelihood?

Sector	Yes	No	Explain
Marine resource harvesting			
Forest products harvesting			
Agriculture			
Tourism			
Conservation			
Other (specify)			

34. Who do you think is most powerful in making decisions in the following sectors?

Sector
Coastal fisheries
Trap fisheries
Agriculture
Forestry
Tourism

3. LOCAL RULES

Specify the livelihood sector	35. Are there customary rules in place that outline how people should use resources?			36. Do you think these rules are fair or enable you to pursue your daily livelihood strategies?				37. Do you keep to (comply with) these rules?				38. Do you think local people easily understand the content of these rules?			
	Yes	No	Don't know	Yes always	Yes, Sometimes	No	Don't know	Yes Always	Yes Sometimes	No	Don't know	Yes Always	Yes, Sometimes	No	Don't know
Marine															
Forestry															
Tourism															
Agriculture															
Land															

Please elaborate on the above where relevant (e.g. mentioning the rules).

4. GOVERNANCE ISSUES

Case study specific governance system	39. Are you aware of these activities in your area? 1. YES 2. NO	40. Are you involved in these activities? 1. YES 2. NO.	41. If you are involved in these activities, indicate how?	42. Were you informed about the establishment of these activities in this area?
iSimangaliso World Heritage Site				
Maputaland Marine Protected Area				
Coastal Forest Reserve				
Tembe Land Claim				
Small-scale fisheries policy				

APPENDIX 2

Restricted terrestrial environments in iSimangaliso informed by IUCN categories for protected areas (iSimangaliso Authority, 2016)

Inherent Attributes/ Characteristics	<p>An area in which the landscape and ecological processes may have been noticeably transformed by past or present development (e.g. human settlement, silviculture, agriculture, alien plant invasion and soil erosion) but in which restoration is possible to:</p> <ul style="list-style-type: none"> i A natural setting that appears largely unmodified. ii A system in which the ecological processes function naturally in many if not all respects. iii A situation in which, as a result of achieving the above, the area could be regarded as partly modified and, hence, could be upgraded to a Restricted Zone. Proactive and responsive interventions may be required indefinitely for the maintenance of the above.
Focal Purpose of Zone	<ul style="list-style-type: none"> i The restoration and maintenance of natural landscapes and ecological processes. ii Provide nature-based recreational experiences for the full spectrum of potential user groups and market segments.
Permissible Uses & Activities	<ul style="list-style-type: none"> Hiking. ii Horse riding. iii Cycling. iv Motorised vessels (concession and self-drive). v Non-motorised water craft. vi 2x4 and 4x4 driving (concession and self-drive). vii Recreational fishing. viii Freshwater diving. ix Swimming (in secured areas). x Motorised and non-motorised special interest/educational trails, tours and activities within the parameters of other permissible and non-permissible uses and activities. xi Overnighting in all types of Park Development Nodes and houseboats. xii Lake ferry shuttle service. xiii Controlled traditional subsistence resource harvesting and use. xiv Human settlement in Special Residential Nodes in the Coastal Forest Reserve section of the Park and as defined in Local Area Plans, with limited non-commercial food gardens (for subsistence purposes and using low technology). xv The quarrying of material from approved borrow pits for road maintenance in the Park. xvi Scientific research and monitoring. xvii Law enforcement patrols and reaction. xviii General management activities and intervention to restore/maintain ecological processes and the unspoilt appearance of the landscape.

<p>Non-Permissible Uses & Activities</p>	<p>i Quad bikes and motor cycles except for management purposes. ii Jet skis and private sail boats. iii Invertebrate harvesting. iv Commercial fishing. v Mining (except for borrow pits used for road maintenance in the Park), silviculture, hunting, commercial agriculture, and aquaculture. vi Human settlement, except for Special Residential Nodes and management staff and tourist accommodation facilities, as described above under ‘permissible uses and activities’. vii Supply of water to consumers outside the Park. viii Recreational and leisure activities that are not associated with an outdoor nature-based experience.</p>
<p>Use Intensity/ Frequency</p>	<p>Full range of controlled use – very low to high intensities and frequencies but relative to World Heritage status. Distinguished from previous zones by entry/access control mainly through the issue of permits (tickets) at entry gates, as opposed to advance application for individual or concession permits. Also distinguished by the potential to allow a significant level of self-drive game viewing experiences, as opposed to the need to confine activities to guided experiences (as in the previous three zones).</p>
<p>Development Nodes</p>	<p>All Development Nodes are permitted, including Medium and High Intensity Tourism Overnight Nodes, Tourism Day Visitor Nodes, Park Management Nodes and Special Residential Nodes.</p>
<p>Development Restrictions</p>	<p>Despite falling within a Controlled Zone, development must be sensitive, maintain a ‘sense of place’ and be in keeping with the Park’s World Heritage values and status. Development must also adhere to all other environmental specifications and guidelines, including avoidance of sensitive sites.</p> <p>Outside of the Medium and High Intensity Development Nodes, the following development is permitted:</p> <p>i Small, low impact management facilities, bush lodges, hides, permanent campsites, viewpoints, canopy walkways, picnic sites and interpretation displays. ii Comprehensive but environmentally harmonious informative/directional signage. iii Upgraded management and tourist roads (i.e. gravel and hard top). iv Regional supply of utility services but overhead/above ground infrastructure in exceptional cases only (e.g. occurs historically, provides an essential service and is too costly to relocate, bury or substitute with alternative technology).</p>

Restricted marine environments in iSimangaliso informed by IUCN categories for protected areas (iSimangaliso Authority, 2016)

<p>Inherent Attributes/ Characteristics</p>	<p>A marine area having no existing human settlement, infrastructure within it (e.g. buoys, piers, outflow pipes), nor consumptive use of marine resources (e.g. invertebrate harvesting, fishing, etc.), nor activities that cause disturbance to wildlife (e.g. dolphins, birds, crabs) occurring within it, having no adjacent land/sea which has human settlement or infrastructure development, and no access roads/ramps, no parking, no view sites and no picnic areas in the dune cordon alongside it. The adjacent land and seascape bear negligible visual evidence (even to the ‘educated eye’) of human influence (settlement/infrastructure) in the recent past. Thus, to even the ‘educated eye’, the area has an inherent pristine appearance and character, or at least the potential of being restored accordingly in the short to medium term with an absolute minimum of intervention. It must also be sufficiently unspoilt and of a large enough size to:</p> <ul style="list-style-type: none"> i Maintain ecological processes with an absolute minimum of management intervention. ii Provide a high quality wilderness experience by being physically, visually and audibly buffered from adjacent areas of human settlement (heightened ‘sense of place’ and of World Heritage values).
<p>Focal Purpose of Zone</p>	<ul style="list-style-type: none"> i Maintain an undisturbed pristine benchmark area of biodiversity and ecosystem processes. ii Provide visitors with wilderness/spiritual experiences in a marine environment (heightened ‘sense of place’ and of World Heritage values).

Permissible Uses & Activities
NOTE 1

Inshore:

- i Walking on beaches and rocks.
- ii Swimming and snorkelling.
- iii Guided wilderness, special interest/educational trails and activities (non-motorised, including on foot, horseback and cycling) within the parameters of other permissible and non-permissible uses and activities.
- iv Highly regulated scientific research and monitoring that cannot be carried out elsewhere in the Park.
- v Essential management activities and intervention, including law enforcement operations (scheduled patrols and reaction) applying the 'minimum tool' principle and in line with national and international principles of wilderness management.
- vi Special access, assessed on a case by case basis, and requiring permits.

Offshore:

- i Guided wilderness, special interest/educational activities (non-motorised vessels only) within the parameters of other permissible and non-permissible uses and activities.
- ii Highly-regulated scientific research, monitoring and World Heritage presentation that cannot be carried out elsewhere in the Park.
- iii Essential management activities, including law-enforcement operations (scheduled patrol and reaction) applying the 'minimum tool' principle.
- iv Special access, assessed on a case by case basis, and requiring permits.

Estuarine Lakes:

- i Walking on estuary margins.
- ii Guided wilderness, special interest/educational trails and activities (non-motorised, including on foot, horseback and canoe) within the parameters of other permissible and non-permissible uses and activities.
- iii Highly regulated scientific research and monitoring that cannot be carried out elsewhere in the Park.
- iv Essential management activities and intervention, including law enforcement operations (scheduled patrols and reaction) applying the 'minimum tool' principle and in line with national and international principles of wilderness management.
- v Special access, assessed on a case by case basis, and requiring permits.

<p>Non-Permissible Uses & Activities</p>	<p><i>Inshore:</i></p> <ul style="list-style-type: none"> i. All forms of extractive use, including rock and surf angling, harvesting of intertidal or shallow subtidal organisms, and collection of biota and marine products (e.g. shells, driftwood, rocks, sand). ii. Fossicking NOTE 4. iii. Beach driving, including management vehicles (except in emergencies). iv. Launching of motorised vessels except for management purposes. <p><i>Offshore:</i></p> <ul style="list-style-type: none"> i Scuba diving except for highly regulated research, monitoring and World Heritage presentation. ii Kite and wind-surfing. iii Parasailing from boats or use of jet skis. iv All forms of extractive use, including all types of fishing, and collection of biota and marine products (e.g. shells, rocks, sand etc.). v Use of motorised vessels except for essential management and research/monitoring and vessels at sea within the 3 nautical mile limit offshore which have the right of passage, but may not be in possession of any marine life or parts thereof, and may not stop for any reason, other than a declared NOTE 5 emergency (e.g. sinking). <p><i>Estuarine Lakes</i></p> <ul style="list-style-type: none"> i All forms of extractive use, including angling, harvesting of intertidal or shallow subtidal organisms, and collection of biota and marine products (e.g. shells, driftwood, rocks and sand). ii Fossicking NOTE 4. iii Beach driving, including management vehicles (except in emergencies). iv Launching of motorised vessels except for essential management and research/monitoring
<p>Use Intensity/ Frequency</p>	<p>Law enforcement, management activities and visitor use strictly limited to:</p> <ul style="list-style-type: none"> i The principles of ‘minimum tool’ and ‘leave no trace’ apply. ii Very low intensity. iii Very low frequency, the emphasis being on transient use only. iv Very small group sizes. v Very strict regulation and control over entry.
<p>Development Nodes</p>	<p>No development or infrastructural facilities (e.g. buoys, beacons) permitted.</p>
<p>Development Restrictions</p>	<p>All types and forms of development prohibited, regardless of circumstances and needs.</p>

APPENDIX 3 – KEY INFORMANT INTERVIEW QUESTIONS

Key informant interview questions – provincial and local level

1. Describe the roles and mandates of your organization.
2. How are communities within the boundaries of the World Heritage Site represented within iSimangaliso Authority Board?
3. How do the customary, as well as traditional institutions, interact with statutory institutions (i.e. iSimangaliso Authority, Ezemvelo KZN Wildlife) to govern areas within iSimangaliso World Heritage Site boundaries? Are the different roles and mandates clearly outlined?
4. What is the role and extent of involvement of UNESCO in driving or facilitating the activities and priorities of iSimangaliso Authority with regards to the World Heritage Site?
5. What is your understanding of preserving natural heritage and how do you think it is pertinent for the Maputaland area?
6. What are the motivations for the current governance arrangements of coastal resources in Maputaland. Why do you believe that this area deserves WHS status?
7. Who is benefiting from the iSimangaliso World Heritage Site, and how are these benefits attained?
8. How does your organization include community members in decision-making processes?
9. Are you aware of any positive examples where the World Heritage Site interventions improved community livelihoods? Explain.
10. List all the organisations/actors that are relevant for governance processes in Kosi Bay that you are aware of. In ascending order, rank the actors/organisations according to who you consider to have the most influence in decision-making processes.

Key informant interview questions – national level

1. ISimangaliso has been protected as a World Heritage Site since 1999/2000 for its “outstanding universal value”. Can you comment on what you understand by this and the reasons why you think such high level conservation is significant for this area? Why was protection under “protected area” status at national level considered not adequate for this area?
2. Can you comment on why, historically, the site was identified for conservation and motivated for as a natural World Heritage site, instead of a cultural or mixed site under the WHC? Who was involved in these processes?
3. Describe your role in the iSimangaliso Board.
4. Describe the duties of the iSimangaliso Board.
5. How are members of the Board nominated/appointed? Do you find these processes democratic and representative of key stakeholders? Explain.
6. Can you explain the line of communication between iSimangaliso Board and UNESCO?
7. How does national government (via the DEA Minister) regulate the activities of iSimangaliso Authority?

8. Can you describe the interactions between and roles of the following institutions with regards to the governance and day-to-day management of the World Heritage Site: a) iSimangaliso Authority and UNESCO b) iSimangaliso Authority and DEA c) iSimangaliso Authority and EKZN Wildlife d) iSimangaliso Authority and the local municipalities adjacent to the Park e) iSimangaliso Authority and traditional institutions within and adjacent to the Park.
9. How does the iSimangaliso IMP integrate and uphold national statutes guiding marine and coastal resource use and management in South Africa (i.e. NEMA, MLRA, NEMPAA)
10. What do you understand about 're-wilding' within iSimangaliso? Can you explain what this means given that the area is already a protected area? What implications will this have on local livelihoods?
11. Given that iSimangaliso is protected at the international scale all the way down to the local level, while coastal environments adjacent to the Park such as in the south of Mozambique are weakly regulated; do you think that this may pose implications on the sustainability of the resources given the porous nature of the border? Explain.
12. The UNESCO Operational Guidelines for the WHC state that indigenous communities should be party in the management and policy processes of World Heritage sites. How are wider communities within and adjacent to iSimangaliso included and represented in decision-making processes (historically and in the present), especially given that they are not represented in the Board?
13. Are you aware of any positive examples where communities in the Park have benefited from the World Heritage Site? If yes, please provide any.
14. Are you aware of how communities perceive iSimangaliso Authority and the existence of the World Heritage site as a whole? Explain.
15. How does the iSimangaliso Board monitor whether or not the stated policy objectives of the Park match management practice and that communities can yield benefits from the Park, as stated on the IMP?
16. Can you comment on the pending land claims within the Park, as well as on the blockages that prevent some of them from being settled?
17. Who do you consider the most powerful actor(s) in decision-making processes about aspects of the governance of the Park that impact on local livelihoods? Why?
18. Do you think local communities are well placed to equitably benefit from the existence of the World Heritage Site and decision-making processes involved? Explain.
19. Do you think that the existence of plural governance systems operating in iSimangaliso is conducive for good governance? Explain.
20. Do you think it is possible for iSimangaliso Authority to deliver on UNESCO requirements while at the same time ensuring that the livelihoods of communities benefit from the Park? Explain.

APPENDIX 4 – FOCUS GROUP DISCUSSION PROTOCOL

Applying Participatory Rural Appraisal (PRA) techniques in focus groups – developed by Philile Mbatha

PRA introduction

PRA is a method that can be used by researchers, particularly in the social sciences, to understand specific communities in a participatory manner as it encourages the participants from the community to actively participate in raising the views about the issue in question (Driyamedia, 1996; LBDS, 1996). Conducting research using PRA techniques therefore requires that the researchers fully engage in listening and understanding people's opinions, life experiences and traditional knowledge. This is pertinent as the community is the primary source of information on the conditions, livelihoods, needs and attitudes of the community.

Eight basic principles we should remember when conducting PRA:

- Learning from the community – PRA is from, by and for the community and therefore researchers must recognise beliefs, norms, knowledge and traditions of the community in order to realise the community's ability to solve their own problems
- Researchers are facilitators, NOT actors – researchers should not see themselves as teachers but only as facilitators, demonstrating the will to learn from the community and positioning the community members as the main source of knowledge in understanding the conditions of the community. Therefore, the community dominates the activities in PRA
- Inter-sharing of experiences – although PRA highly recognises traditional knowledge, researchers also need to contribute their scientific knowledge to provide the community people with some perspective in understanding certain issues. This is because, essentially, neither the community nor the researchers are always right, which means that knowledge contributed by either parties is equally valuable
- Researchers should create a relaxed and flexible atmosphere - an open, friendly and informal atmosphere is conducive for PRA activities
- Involvement of all the community groups – in order to prevent bias and to gain support from the whole community, PRA activity must involve community men and women from every class so that the results obtained from the discussions do not only favour a certain group within the community
- Respect differences – the people from the community are different and hold different opinions about different issues. Facilitators should therefore promote respect between participants
- Triangulation – using more than one PRA technique to address different issues and identifying various types of sources of information is important
- Learning from mistakes – it is difficult to achieve perfection with PRA techniques and mistakes in implementing it are likely to occur. Therefore, the important thing is to learn from the mistakes made so as to improve on them in future implementation of PRA (Driyamedia, 1996; LBDS, 1996).

PRA techniques

PRA techniques are visual illustrations used as a media for community discussion on the conditions of themselves and their environment (Driyamedia, 1996; LBDS, 1996). The different techniques are named and explained below:

1. Mapping

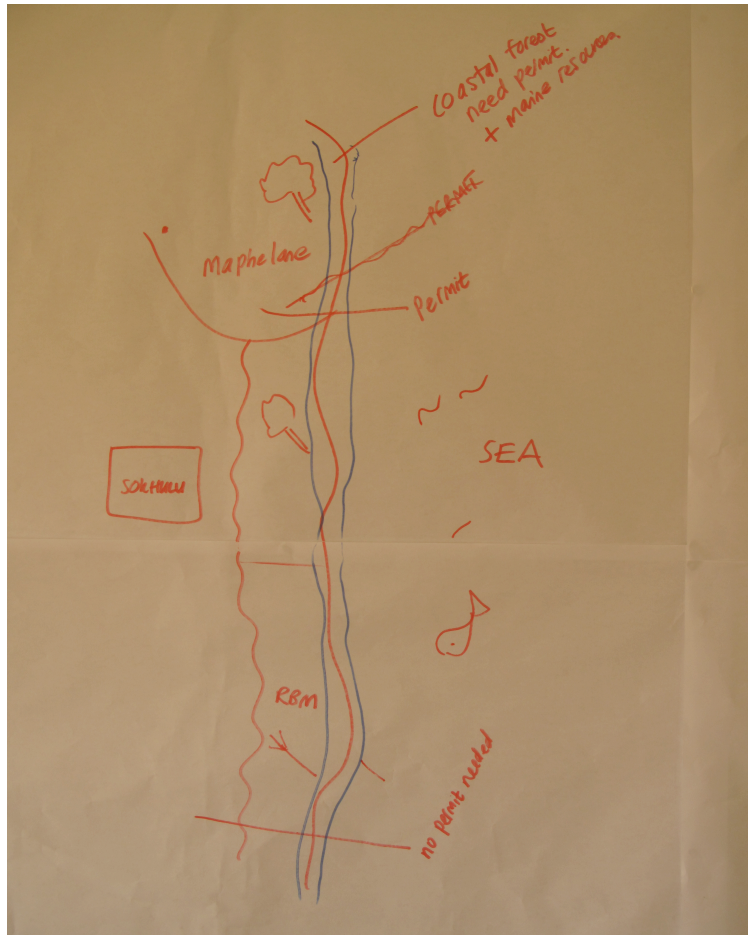
Mapping involves utilising maps of the community that depict the condition of the area. The participating community members collectively make a map of their area and this assists them to recognize community conditions, area boundaries, land uses, and so on

- Objectives of conducting a mapping exercise include getting the community actively involved in identifying and recognizing the conditions of the community collectively. It also gives the community participants the chance to identify distribution patterns of natural resource use and various relationships that exist with regards to the land uses in their area
- Other sources such as secondary data (i.e. aerial photos or maps) are useful in assisting the community in making their own maps

Figure 1: Examples of community mapping



The participants of a focus group in Mankosi highlighted on the map where they were harvest fisheries resources



Sketch map of areas of resource use and access for the traditional healers

2. Time lines and ranking

Timelines may be used to reveal important community events that occurred in the past, e.g. droughts, floods, forest felling, etc. This helps researchers understand the present condition and behaviour of the community by acknowledging the past. Timelines may be used to collect information on trends of natural resource use by the community as well as changes in land ownership. Old community members are usually crucial for providing historical information in timelines. Figure 2 below depicts an example of a timeline

Figure 2: Example of a time lines

Sokhulu community	Mbonambi community
<ul style="list-style-type: none"> • 1933: commercial forestry first came (eucalyptus) • 1980s: Mondi came • 1984: Maphelane Reserve established • 2003: mining came – casuarinas planted • 2005-2006: Mondi stopped engagement 	<ul style="list-style-type: none"> • 1933: commercial forestry first came (eucalyptus) • 1976: mining came – casuarinas planted • 1980s: Mondi came • 1984: Maphelane Reserve established • 2005-2006: Mondi stopped engagement

<p>with community and facilitating permits for planting trees</p> <ul style="list-style-type: none"> • After 2006: introduction of middlemen (new wood buyers from community) - Siyaqhubeka 	<p>with community and facilitating permits for planting trees</p> <ul style="list-style-type: none"> • After 2006: introduction of middlemen (new wood buyers from community) - Siyaqhubeka
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FACILITATOR NEEDS:

- newsprint paper
- prestik/adhesive spray
- markers
- stickers with different
- REMEMBER TO TAKE NOTES!!!

3. Ranking

Ranking is helpful in analyzing a number of key issues that were already identified by the community while using the other PRA techniques.

Perceptions, assessments and criteria are believed to be important by the community. This process indicates the order of importance among the key issues brought up. A score is determined by the PRA team and use by the community to indicate level of significance. In both ranking and scoring. It is important that all the participants have a similar understanding of the criteria by which the participants are developing their preferences for a given issue.

Figure 3: Example of ranking of impacts of interventions that were mentioned in the timelines

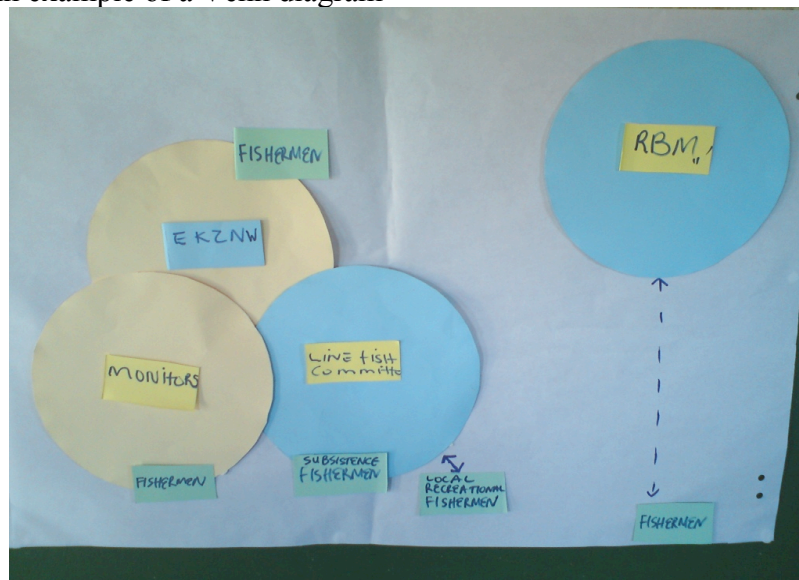
<ul style="list-style-type: none"> • Permits from co-management 😊😊 • EKZWN has built a parking lot at Nhlabane beach for safety of fishermen's cars – plan is to have a boom gate where people with cars will pay and the money will go to the community – committee did this with EKZWN but no benefits to committee 😊 • Loss of free access to mussels as a source of protein 😞😞😞 • RBM bridge at lake Nhlabane decreased fish stock at the lake 😞😞😞 • We can no longer make crafts because indigenous forests were destroyed by mining 😞😞😞
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4. Venn diagrams

Venn diagrams consist of overlapping circles drawn to indicate/identify different user groups. These are used to identify leaders or organizations within the larger circles and to study the relationship between the community and institutions or certain parties that influence the life of that community or resource use. The result of this exercise show how big or small is the influence and closeness of a certain institution with the community and the influence and roles of various organizations in the local community, based on the judgement of the community itself.

- Objectives of this exercise include learning more about the benefit and role of various organizations in the community and to study the interaction between those organizations. Venn diagrams can help identify conflicts over resources

Figure 4: An example of a Venn diagram



PROCEDURE (An example of how to conduct a Venn diagram)

The aim of this exercise is for understanding who are the stakeholders and beneficiaries of the resources in question (e.g. fisheries, forestry, tourism, etc.), the different levels of decision making power among stakeholders and the interaction of stakeholders in the sharing of benefits.

1. The facilitator explains that circle shapes are used to understand interactions between stakeholders (i.e. government, private sector, NGOs, community and other beneficiaries) involved in using or managing the resource
2. The names of stakeholders or beneficiaries are drawn from the ones already mentioned in the timeline exercise. The facilitator should name the list of stakeholders and ask the group if there are any they would like to add before proceeding.
3. The group is then asked to rank the stakeholders, in ascending order, according to who has the most decision making power
4. Write down the number of the ranking of each stakeholder by the group next to their name

5. Present the circle shapes to the group and explain largest circle = highest decision-making power, medium circle = satisfactory decision making power, and the smallest circle = little decision making power
6. Ask the group to assign a circle size shape to each stakeholder according to they perception of decision making power
7. After all the stakeholders listed are assigned rankings, write the name of the stakeholder with the highest ranking in the biggest circle, and then the rest in descending order using smaller circles. Then place the biggest in the centre of the board, then for the following one, ask whether or not it interacts with the first stakeholder in terms of decision-making. Depending on the extent to which the group says the two groups influence each other in terms of decision-making, place the following circles close, far or in overlap with every subsequent circle

APPENDIX 5 – ORAL HISTORY INTERVIEW & TRANSECT WALK PROTOCOL

THE INFLUENCE OF PLURAL GOVERNANCE SYSTEMS ON COASTAL LIVELIHOOD STRATEGIES

Date: _____

Interviewer's Name: _____

1. Name
2. Where born
3. Age.....
4. Number of years in village/community.....
5. In your own words, describe the history of the village by describing how life was in the area from when you were a child, up until now. Explain key changes in terms of livelihoods and the reasons for those changes.