Struggles over conservation space

Social justice in the iSimangaliso Wetland Park, South Africa

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Struggles over conservation space: Social justice in the iSimangaliso Wetland Park, South Africa

Abstract: In the past several decades under a growing influence of ecological modernisation, various assumed 'win-win' approaches to protected area conservation and poverty alleviation have been introduced all over the world, especially in resource-rich developing countries. Yet protected area conservation is an inherently political process, and the goals are often not achieved. There are concerns about competing social outcomes, as well as debates over contrary epistemologies. Drawing on a constructivist and critical research approach, I discuss the politics of protected area conservation in South Africa, with a focus on social justice. I do this through an analysis of conflicts over conservation space in the iSimangaliso Wetland Park (IWP) in northern KwaZulu-Natal. The IWP is a 'conservation for development' project and UNESCO World Heritage site, managed by the iSimangaliso Wetland Park Authority (IWPA) on behalf of the state. The IWPA seeks to combine the conservation of World Heritage with poverty alleviation and local economic development, through private eco-tourism.

My theoretical approach starts off with a view of protected areas as spatial phenomena. I tackle the analysis with inspiration from Henri Lefebvre's theory on the production of space. Through an examination of top-down political economic processes, I ask whether conflicts over conservation space arise because of conflicting norms that underlie conservation in protected areas. I interrogate the ways in which conservation influences the freedom, or capabilities, of local users and inhabitants, to achieve 'beings' and 'doings' (Sen 1999), according to their values and norms. Examining bottom-up initiatives from local actors, I focus on reactions to the enclosure of conservation space, in terms of everyday life, agency and resistance.

The findings of my research show that global and national norms of protected area conservation that are imposed upon local lived space, have negative consequences for the freedom of local inhabitants. Enclosure in the IWP plays out in two ways: Firstly, the proclamation of the park by the state has resulted in the consolidation of previously disparate areas of land, into one protected and contested area. Secondly, institutional enclosure has been reinforced through a strengthened legal framework for conservation – and a global impetus for the conservation of World Heritage. There have been both civil and criminal cases taken against conservation transgressors in the IWP.

Ultimately, local inhabitants have been alienated from land, as well as from management practices in the IWP. This juxtaposes efforts to restore local land and resource rights against national and global interest in conservation. The implementation of global conservation through market mechanisms is particularly problematic where there is structural inequality with historical roots, such as in South Africa. Taking a view of protected areas as spatial phenomena allows a nuanced recognition of the relationship between land, the environment and political rights, an important theme in the emerging field of Sustainability Science. Although developed in a South African context, the analytical framework is transferrable to cases elsewhere in the world.

Key words: Agency, capabilities, human development, the politics of sustainability, the production of space, protected areas, rights and resistance, South Africa, struggles

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For Roderick and Patricia

In memory of Lola Shepherd

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Abstract

In the past several decades under a growing influence of ecological modernisation, various assumed 'win-win' approaches to protected area conservation and poverty alleviation have been introduced all over the world, especially in resource-rich developing countries. Yet protected area conservation is an inherently political process, and the goals are often not achieved. There are concerns about competing social outcomes, as well as debates over contrary epistemologies. Drawing on a constructivist and critical research approach, I discuss the politics of protected area conservation in South Africa, with a focus on social justice. I do this through an analysis of conflicts over conservation space in the iSimangaliso Wetland Park (IWP) in northern KwaZulu-Natal. The IWP is a 'conservation for development' project and UNESCO World Heritage site, managed by the iSimangaliso Wetland Park Authority (IWPA) on behalf of the state. The IWPA seeks to combine the conservation of World Heritage with poverty alleviation and local economic development, through private eco-tourism.

My theoretical approach starts off with a view of protected areas as spatial phenomena. I tackle the analysis with inspiration from Henri Lefebvre's theory on the production of space. Through an examination of top-down political economic processes, I ask whether conflicts over conservation space arise because of conflicting norms that underlie conservation in protected areas. I interrogate the ways in which conservation influences the freedom, or capabilities, of local users and inhabitants, to achieve 'beings' and 'doings' (Sen 1999), according to their values and norms. Examining bottom-up initiatives from local actors, I focus on reactions to the enclosure of conservation space, in terms of everyday life, agency and resistance.

The findings of my research show that global and national norms of protected area conservation that are imposed upon local lived space, have negative consequences for the freedom of local inhabitants. Enclosure in the IWP plays out in two ways: Firstly, the proclamation of the park by the state has resulted in the consolidation of previously disparate areas of land, into one protected and contested area. Secondly, institutional enclosure has been reinforced through a strengthened legal framework for conservation – and a global impetus for the conservation of World Heritage. There have been both civil and criminal cases taken against conservation transgressors in the IWP.

Ultimately, local inhabitants have been alienated from land, as well as from management practices in the IWP. This juxtaposes efforts to restore local land and resource

rights against national and global interest in conservation. The implementation of global conservation through market mechanisms is particularly problematic where there is structural inequality with historical roots, such as in South Africa. Taking a view of protected areas as spatial phenomena allows a nuanced recognition of the relationship between land, the environment and political rights, an important theme in the emerging field of Sustainability Science. Although developed in a South African context, the analytical framework is transferrable to cases elsewhere in the world.

Keywords: Agency, capabilities, human development, the politics of sustainability, the production of space, protected areas, rights and resistance, South Africa, struggles.

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List of papers

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II. Hansen, Melissa (2013). New Geographies of Conservation and Globalisation: The spatiality of development for conservation in the iSimangaliso Wetland Park, South Africa. *Journal of Contemporary African Studies*: 1-22. doi: 10.1080/02589001.2013.807566.

III. Hansen, Melissa, Mine Islar (MI), and Torsten Krause (TK) (manuscript, submitted to a peer-reviewed journal). The politics of natural resource enclosure in South Africa and Ecuador. *Journal of Development Studies*.

IV. Hansen, Melissa, Turaj S. Faran (TSF), and David O'Byrne (DO'B) (manuscript, submitted to a peer-reviewed journal). The Best Laid Plans: Environmental conservation and human development in South Africa – the case of the iSimangaliso Wetland Park. *Journal of Environment and Development*.

List of contributions

I. I was the first author of this article. VR, KB and I collaborated on developing the key argument. I conducted the analysis. KB and I carried out fieldwork in the IWP, both together and separately. Most of the results presented from the Big 5 False Bay Local Municipality; non-governmental organisations (NGOs) operating in the area; and the Mbila, Makhasa, Nibela, and Mnqobokazi communities, adjacent to the IWP; are findings from KB's LUMES Master dissertation, entitled: "Disjoined action in a conjoined world: An analysis of human development governance in rural KwaZulu-Natal, South Africa" (Buchanan 2011). I conducted all research in KwaDapha (and elsewhere in the Coastal Forest Reserve section of the IWP), and made final changes and edits, following peer review.

II. I was the sole author of this paper. Nevertheless, the empirical findings draw partly from KB's Master dissertation, where cited in the text (Buchanan 2011).

III. The paper is rooted in TK's fieldwork in Ecuador, and my own work in South Africa. All authors contributed equally to the paper in all aspects.

IV. I was the first author of this article. I initiated the paper and the writing process, developed the study design and undertook all of the research in the park, except where Buchanan (2011) is cited in the text. TSF and DO'B both assisted with developing the key argument of the paper, and in writing the final text.

Acronyms

ANC:	African National Congress
DEAT:	National Department of Environmental Affairs and Tourism, South Africa. From 2009 the Department of Environmental Affairs has merged with the Department of Water Affairs (DWAF), to form DWEA.
DWEA:	National Department of Water and Environmental Affairs, South Africa
IMP:	Integrated Management Plan for the IWP (2009 – 2014)
IWP:	iSimangaliso Wetland Park
IWPA:	iSimangaliso Wetland Park Authority
KZN:	KwaZulu-Natal
LTFCA:	Lubombo Transfrontier Conservation Area
LSDI:	Lubombo Spatial Development Initiative
NEMA:	National Environmental Management Act (Act 107 of 1998)
NEM:PA:	National Environmental Management: Protected Areas Act (Act of 57 of 2003)
NDP:	National Development Plan (2012)
NGP:	New Growth Path
NPC:	National Planning Commission
RSA:	Republic of South Africa
TA:	Tribal authority
UNESCO:	United Nations Educational, Scientific and Cultural Organization
UN-REDD:	United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries
WCS:	Wildlife Conservation Society
WHC:	World Heritage Committee
WWF:	Worldwide Fund for Nature

Introduction

"We are not free in this area."

This is what the iNduna, the traditional leader[1] at KwaDapha shared with me, when we first met in August 2011. KwaDapha is a small rural community at Bhanga Nek, Kosi Bay[2], in northern KwaZulu-Natal. Kosi Bay is one of the most scenic areas on the South African coastline (see Ezemvelo KZN Wildlife 2014) – falling within the Coastal Forest Reserve section of the iSimangaliso Wetland Park (IWP) (Figure 1).

The IWP is a state-led "development for conservation" project (IWPA 2008, 3) and a UNESCO World Heritage Site. The park, proclaimed in terms of regulations published under the World Heritage Convention Act (RSA 2000) – which incorporates the World Heritage Convention into South African legislation – has consolidated previously disparate areas of land into one protected area, often with borders and fencing. Nevertheless, the IWP strives to be a new model for protected area development and management, with a policy framework that aims to deliver "Benefits beyond Boundaries" (IWPA 2008, 11) – promoting the view that protected areas can provide a synergy between conservation and sustainable development. This approach to conservation emphasises the role of protected areas in broader (and combined) conservation and development agendas and efforts. The park is touted as a flagship of post-apartheid[3] protected area conservation policies in South Africa. Conservation management in the IWP, in addition to the conservation of World Heritage, strives to achieve the goal of socio-economic development. This aligns with the resolution of the African National Congress (ANC)[4] to build a democratic developmental state in South Africa (Gumede 2009, Fine 2010). The ANC intends for the state to play a central and strategic role by "directly investing in underdeveloped areas" (ANC 2007b, in: Edigheji 2010, 1) linking the imperatives for economic growth with addressing social challenges (see Paper IV).

Yet since the proclamation of the IWP in 2000, there have been conflicts over conservation space between local people[5] and the IWPA – at various locations and at various times. People at KwaDapha complain that the iSimangaliso Wetland Park Authority (IWPA)[6] has developed its own plans for Bhanga Nek, in isolation of their voices. Conflicts over fencing have led to local people ignoring rules for access, cutting fences and even burning down gates – illustrating local concerns with delimited access to natural resources inside the park (Buchanan 2011, Van Wyk 2003). At KwaDapha and elsewhere in the Coastal Forest Reserve section of the IWP, local people – engaged

in unauthorized tourism development – have been faced with both civil and criminal court action taken by the IWPA.

For example, in September of 2011, I met Jacob[7] on the banks of kuNhlange. He and his partner, a white Afrikaans South African from Durban[8], had recently[9] been taken to the KwaZulu-Natal High Court in Durban, under Section 9 of the World Heritage Convention Act, for engaging in commercial tourism on his homestead in KwaDapha, a plot of tribal land owned by the iNgonyama Trust, and allocated to him by the iNduna. Jacob had constructed three grass huts with ncema reeds (Juncus krausii) for walls, and a fourth building with a concrete base and a septic tank for showers and toilets. He was ordered by the court to halt construction work in the IWP, to stop any commercial or tourism activities, and to pay for the costs of the application, and the rehabilitation of the site. He was evicted from January 01, 2010.

For his part, Jacob maintained that he believed he had gone through the necessary channels for authorisation – receiving the go-ahead from the local iNduna and the owners of the land, the iNgonyama Trust[10] (interview, 7 September 2011). When Jacob failed to remove the buildings by early 2010, a demolishment force arrived; comprising a representative from the IWPA, Ezemvelo KZN Wildlife, armed police officers and bulldozers. Such strong measures seem to reflect more obviously the historical approach of the apartheid state, rather than that of a democratic developmental state.

Jacob was not alone in engaging in commercial tourism at KwaDapha, and in being faced with court action. There have been at least three concluded civil cases and one concluded criminal case against local people in the Coastal Forest Reserve section of the IWP (Savides 2011). In many instances, people from KwaDapha have been in partnership with white South African tourists who vacationed in the area, receiving money for allowing and managing tourist camps on their homesteads.

The applicants in these cases, the IWPA together with the KwaZulu-Natal Nature Conservation Board and in some cases the (previously named) Minister of Water and Forestry, likened these tourism development initiatives to ecological theft (Kuppan 2009). They feared that the IWP will suffer irreparable damage, that it might lose its status as a world heritage site and that the communities which could benefit through controlled management of the park might suffer hardship, unless unlawful occupiers are stopped and evicted before it is too late (Kuppan 2009). IWPA officials accuse white partners of hijacking the development process for their own ends, and to the detriment of the local community (interview, IWPA, August 03, 2012).

There are at least four significant concerns that these conflicts over conservation space in protected areas bring to the fore – and which I explore in this thesis: Firstly, there are questions around procedural social justice, or what Nancy Fraser has called "representation" – referring to both ordinary political injustices and meta-political injustices[11] (Fraser 2008, 6).

Figure 1: Geographical location of the iSimangaliso Wetland Park
Source: Adapted from the IWPA (IWPA 2009a)

Conflicts over conservation space in the IWP juxtapose efforts to restore local land and resource rights against national and global interest in conservation. For example, there are questions such as: To whom do South Africa's protected areas belong: to those with ancestral claims, to the nation at large or to the "global community" (de Satgé 2013, 6)? In this regard, I ask whose interests dominate – and how this comes to be so – through an examination of the political-economy of globally protected areas.

Secondly, there are questions around the impact of the enclosure of conservation space on local social and social-ecological relations. Protected areas, conventionally understood as those areas with a minimal human presence and a limited history of alteration (Miller, Minteer, and Malan 2011) can lead to the foreclosure of future land use options, with potentially significant economic opportunity costs, and substantial negative effects on local people (Roth and Dressler 2012, Adams, Aveling, Brockington, Dickson, Elliott, Jon, et al. 2004). There is a strong concern that global efforts to maintain biodiversity are in conflict with those to reduce poverty (Adams, Aveling, Brockington, Dickson, Elliott, Hutton, et al. 2004). This is particularly problematic in contemporary South Africa, given the policy goal of redress for past racial inequalities. Yet in a country shaped by structural poverty, mounting environmental challenges, and the declining contribution of agriculture to the livelihood strategies of most rural people, there continue to be deep spatial, economic and political consequences of segregation and apartheid (de Satgé 2013). Looking into these issues, I explore the outcomes of the enclosure of conservation space, on the everyday lives of people from KwaDapha.

Thirdly, in relation to distributive social justice, there are questions around "who gains what?", and "at the expense of whom?" As I will show in this thesis, there are (old and new) frictions and tensions that arise from restricted access to natural resources inside protected areas. Here I investigate how conservation management in the IWP affects the capabilities of local users and inhabitants, to achieve valuable beings and doings, according to their own values (Sen 1999).

Fourthly, protected area conservation raises questions about state power in its relational engagement with local space. In examining this, I explore the ways in which local users and inhabitants mobilise their resistance and use their agency in their everyday lives, in reaction to the enclosure of conservation space.

The research falls within the 'people vs. parks' debate, which largely turns on the question of whether biodiversity scientists and advocates should prioritise nature protection or human welfare in conservation projects (Miller, Minteer, and Malan 2011). The ultimate question is whether these interests could be negotiated and reconciled (and jointly promoted for the benefit of both).

Research questions

In this thesis, the overarching question is:

Given the strong and progressive ambitions for social justice and human rights in protected areas in South Africa, why do conflicts over conservation space continue to arise; and what is the outcome for social justice, of enclosing conservation space in protected areas?

My analysis is guided by the following interlinked sub-questions:

1. How is the space of the IWP represented in policy documents and legislation; and produced through broader discursive frames, institutions or networks?

2. How is the space of the iSimangaliso Wetland Park perceived? What are the outcomes of protected area conservation for the everyday lives of local users and inhabitants?

3. In what ways does conservation in protected areas influence the freedom, or capabilities, of local users and inhabitants, to achieve beings and doings, according to their values and norms?

4. In what ways do local users and inhabitants mobilise their resistance and use their agency (or autonomy) in their everyday lives, in reaction to protected area conservation?

The overall research aim is to identify and critically discuss the implications for social justice, of protected area conservation in South Africa. Looking into both distributive and procedural social justice, I interrogate conflicts over conservation space between conservation authorities, and local users and inhabitants. From the top-down, I investigate how these conflicts arise, with a spotlight on varying norms and normative discourses that underlie conservation management in protected areas, and the spatial production of local users and inhabitants.

At the local level, I show how the imposition of protected area conservation affects local lived (and subjective) space, as well as the capabilities of local users and inhabitants to achieve valuable beings and doings, according to their values and norms.

From the bottom-up, I discuss local reactions to the enclosure of conservation space in the IWP – with a spotlight on how local people make spaces for themselves, through struggles over land and access to resources and income opportunities. I show and discuss some of the linkages between land, the environment and political rights in South Africa. Taking up the challenge issued by Fred Hendricks in 2013[12], I endeavour to provide a more nuanced recognition of the relationship between human and non-human nature.

Study approach

One of the key features of Sustainability Science is its normative foundation – and this dissertation is normative in its approach to social justice. I am concerned with the need to remove identifiable injustices in the world, following the work of Sen, developed recently through his book *The Idea of Justice* (Sen 2009). Sen refers to this approach as realisation-focused and comparative – concerned with social realisations that result from actual institutions, actual behaviours and other influences (Sen 2009).

At the same time, the research draws on constructivist and critical approaches in the social sciences. Critical theory calls the very framework of the system into question; and seeks to analyse how it is maintained and changed (Ford 2003). Further, it often takes the perspective of those 'marginalised' through and from the process of 'development'. I build on Sustainability Science as being concerned with the critical questioning of the conditions that created problems of un-sustainability in the first place; and take a reflexive approach for breaking out of a particular reference frame, allowing one the benefit of seeing beyond the boundaries of the problem (Jerneck and Olsson 2011). Ultimately, such reframing is constructive for problem resolution (see Jerneck and Olsson 2011); and is also a useful tool for bridging critical and problem-solving research.

The critical stand of this research emerges from its focus on conflictual social and human-environment relations, and thus I attempt to challenge conservation mechanisms that are taken for granted. Like Kaijser (2014) – I do this in an effort to bring sustainability science into closer dialogue with critical social theories, as called for by Jerneck et al. (2011). The approach thus assumes the existence of multiple, socially constructed realities; is critical towards 'truth'; and emphasises the analysis of meanings and communication through which knowledge is exchanged (Hajer and Versteeg 2005). Considering reality as socially constructed also implies attention to the historical, cultural and political context in which a particular account arises (Islar 2013).

Scientific studies require repeated movements between the concrete and the abstract, and between empirical cases and theory (Sayer 2000). This method of analytical induction with progressive focusing, where I have continuously moved between theory and ever sharper images and understandings of reality (Ragin and Amoroso 2011), fits well into a case study on struggles over conservation space, and the implications for social justice. In my fieldwork in the IWP, I used several data construction methods and interpretive frames, based on the analytical application of theory presented in this kappa (Chapter 3). This allowed me to gain an in-depth understanding of the multilayered realities and complexities that exist within and around the park. In particular, I scrutinised the institutional arrangements of the IWP in relation to theory, and took into account the perspectives of local people, again in relation to theory. This was in order to explore everyday life within an institutional (structural) frame of protected area conservation; and to further illustrate how local people mobilise their resistance

and use their agency, in reaction to structural constraints arising from conservation governance and management. This process of analytical induction generated empirically grounded and theoretically informed knowledge feeding into the interlinked research questions (see Chapter 5); and ultimately into the overall research question.

Table 1 locates the empirical case in the theoretical literature and broader debates. The table situates the four papers and the perspectives used to inform my research, from specific to broad and from concrete to abstract. At the specific and concrete level, I explore protected area conservation by looking into particular cases of conflicts over conservation space. At the specific and abstract level, I explore aspects of protected area conservation, including: norms and normative discourses in governance; enclosure; and neoliberal natures. Through an analytical application of the capability approach (and its relation to discussions on human rights) – I explore how the agency of local people is facilitated or impeded by protected area conservation. At the broad and concrete level, I discuss the implications of protected area conservation in terms of social justice, with specific reference to the capability approach and agency in socio-economic development. Finally, at the broad and abstract level, the research is informed by a 'political economy of space' perspective, that views protected areas as spatial phenomena produced by, and at the same time producing, both bottom-up and top-down political-economic and social processes.

Table 1: Case study design

	Concrete (empirical)	**Abstract (theoretical)**
Specific	• Protected area conservation in South Africa: the IWP; enclosure (Paper II, III) • State-driven ecological modernisation and neoliberal natures (Paper II, III) • Conservation conflicts, everyday life, autonomy and resistance at KwaDapha (Paper I, II, III, IV) • Primary assets and instrumental freedoms (Paper IV)	• Norms and normative discourses in governance (Paper I) • Capabilities (Paper IV) • Procedural justice (Paper I, II, IV)
Broad	• Human development: Capabilities, needs and well-being (Paper IV)	• A political economy of space (Paper I, II, III) • Social justice (Paper I & IV)

Source: Adapted from Christian Lund (Lund 2012)

Thesis structure

The thesis is a compendium of three papers published in or submitted to peer-reviewed journals, one book chapter, and this introductory *kappa*. The *kappa* comprises six chapters, including this introduction. Chapter 2, the methodology, discusses methodological choices and the materials analysed. In Chapter 3, I present the theoretical framework that informs this thesis. I use an overall frame on the political economy of space to engage with work on norms and normative discourses in governance; as well as with debates on state-driven ecological modernisation and neoliberal natures; enclosure; sustainable human development; and everyday life, agency and resistance; and social justice. Chapter 4 introduces the case, locating the research within a political-economy of land and conservation in South Africa. The function of this chapter is to explore the historical and spatial connection between land, political rights and human development in South Africa. Chapter 5, the synthesis and discussion chapter, summarises and unifies the arguments developed throughout the papers. Chapter 6 – the concluding chapter – reflects upon the insights of the thesis in terms of the outcomes of protected area conservation for social justice, and draws out some theoretical contributions.

In the four papers, which are all theoretically informed and empirically grounded in fieldwork, I draw on the analytical framework presented in this *kappa*.

Methodology

The work relies on qualitatively constructed fieldwork methods, conducted in parallel with a close reading of literature and theory, as shown in Table 2. The early stages of the field study, in 2011, initiated my search for theory, whereas later field visits in 2012, continued to inform, shape and test the emerging analysis. As such, the study is based on a qualitative approach, where I seek to understand and explain *the reasons for and the dynamics, and implications of,* the phenomenon under study (Flick 2009): protected area conservation in South Africa and its implications for social justice.

The study approach and its epistemological implications

In writing this thesis, I recognise the need to name and invoke subjectivity in the act of translating the social world into words and texts (Bauchspies 2009). I acknowledge that a text is a site of political struggle over the real and its meanings (Lincoln and Denzin 1998) – and I acknowledge the multiplicity of lived experience (everyday life) through subjectivity. In this way, I emphasise my positionality in the research process (Kirby, Greaves, and Reid 2006). In other words, I note that a researcher's personal and political position mediates her research questions, interpretations, analyses and writing (Alvesson and Sköldberg 2009). This corresponds with the constructivist approach taken in this research.

Case selection

I approached the research through what I call an embedded case study method. Firstly, I chose to study the IWP, which I have defined as a paradigmatic case (Flyvbjerg 2011) of protected area conservation in South Africa. This means that we can learn many things beyond the case itself, for example, we can gain a better understanding of South Africa. In particular, the empirical case connects to broader debates on sustainable development; and on the role of the democratic developmental state in post-Apartheid South Africa. The IWP simultaneously pursues the goals of natural resource conservation; socio-economic development; poverty alleviation; and the redress of historical injustices. The case has allowed me to study the protected area phenomenon in a real-life context and at close range. According to Flyvbjerg (2006) concrete, context-dependent knowledge is more valuable than the search for predictive theories and universals, as these cannot be found in the study of human affairs.

Secondly, the embedded sub-unit of analysis was the community of KwaDapha. Where 'community' is used in this text, it is taken in the South African institutional context, to refer to a ward governed by an elected councillor, or to a tribal area governed by an iNduna. In this sense, 'community' may be broadly interpreted as a site of regulation and management; the embodiment of various institutions – such as property rights – which turn on questions of representation, power, authority, governance and accountability. A 'community' in this definition is an object of state control.

But communities can also be understood in terms of hegemonies: not everyone participates or benefits equally in the construction or reproduction of communities, or from the claims made in the name of community interest (Watts and Peet 2004). It is owing to this characteristic of community that I often defer to the term 'local people', or 'users and inhabitants', in this thesis. Throughout the research process, I have endeavoured to be continuously sensitive to a community that is internally differentiated in complex political, social and economic ways (Watts and Peet 2004).

Data construction

As a South African researcher conducting research in South Africa, it was important for me to take into account my dual role as both an insider and an outsider. As an insider my research was greatly aided by my access to networks and institutional memory, as a previous employee of the government of South Africa. During the initial phase of the research in 2009, I attended meetings of state-driven institutions for natural resource governance, including the provincial wetland forums; catchment management forums; and the annual National Wetlands Indaba. At these forums, scientists and government officials come together to discuss natural resource governance, policy and regulation in South Africa. I was able to interview government officials; NGO representatives; and researchers in the fields of Geography and Environmental Science (see Appendix I). On the other hand, my role as an insider meant that often conducting research in South Africa seemed overwhelming, as I perceived many ongoing debates as relevant to this project. I endeavored to continuously and actively delimit my areas of inquiry, throughout the research process.

At KwaDapha, however, I was an outsider: I come from a different culture, and have a different mother-tongue. Initially this was problematic, as local inhabitants were reluctant to engage in politically sensitive topics of discussion with me (see Section 2.5.3). Nevertheless, through numerous visits and informal conversations in the area, I got to know people on a more intimate level.

In 2009 and 2010, I traced and analysed relevant policy documents and legislation related to conservation policy and management in the IWP. These included South African legislative documents giving effect to and mandating the IWP and the IWPA; the integrated management plan (IMP) for the IWP (2009 – 2014); and integrated development plans from the uMkhanyakude District Municipality, as well as the Big

5 False Bay and uMhlabuyalingana Local Municipalities. Furthermore, I have used survey data from the South African statistical bureau; and maps from the IWPA. I have often drawn from photographs taken at KwaDapha during fieldwork periods, to present my findings. I have also collected newspaper articles, via the internet, related to the conservation conflicts between local people and the IWPA; most of which were published in 2009 and 2010.

Fieldwork

From January 2011 to September 2012 I visited the IWP six times. I engaged with communities residing both in and adjacent to the IWP. I also interacted with local tribal authorities and the IWPA offices at Dredger Harbour, in the town of St Lucia. Table 2 summarises the different methods that I used during these field-work periods in and around the IWP. The specific locations visited can be referenced in Figure 1. As is common in qualitative research, I continuously reviewed relevant literature to clarify and revise the research aims and questions, and to contextualise and interpret the research within the larger intellectual debates, on the social impacts of conservation. All interviews, dialogues and focus group meetings were conducted in confidentiality; and the names of the respondents are withheld by mutual agreement.

I conducted six structured interviews with officials from the IWPA, consisting of standardised open-ended questions, which focused on the governance framework of the IWP. Certain questions were planned to guide the interviews, which were nevertheless designed for openness and flexibility according to the nature of the interviewee and the context of the interview. Each interview lasted between one and two hours.

During my third field visit, I drove through the entire park (Photo 1) – camping in various locations: Maphelane; St Lucia; Cape Vidal; uMkhuze; Sodwana Bay; Kosi Bay; and KwaDapha at Bhanga Nek (refer to Figure 1). This allowed me to develop a spatial perspective of conservation management in the IWP. I moved between sites, which contributed to my understanding of the socio-economic and socio-ecological context of communities living in and adjacent to the IWP. I also conducted 'narrative drives', merging observations with dialogues (see Jerneck and Olsson 2013a), whilst providing transport from KwaDapha to KwaNgwanase, for people from the community. During these drives, my various companions in the front seat graciously allowed me to ask many questions about their everyday lives, and their desires and hopes.

During my visits to KwaDapha, I conducted interviews in the form of on-going dialogues with several key people, who were purposively sampled based on my research focus: struggles over conservation space. I asked questions on clusters of issues, rather than predetermined and set questions, and allowed people to point to their own experience of struggle and the impact of conservation management on their everyday lives.

Table 2: Data construction strategy 2011 – 2012

DATA CONSTRUCTION STRATEGY 2011-2012				
Field-work periods	**Locations (refer to Fig. 1)**	**Methods**		
Jan. - Feb. 2011	St Lucia Cape Vidal	Structured interviews with officials from the IWPA at Dredger Harbour, St Lucia. Observations	Review of conservation policy documents and legislation; as well as newspapers referring to the IWP	Close reading and application of theory to the data
Apr. 2011	Kosi Bay Estuary	Observations		
Aug. - Sep. 2011	Maphelane St Lucia Cape Vidal uMkhuze Kosi Bay KwaDapha at Bhanga Nek	Repeated structured interviews with officials from the IWPA `Narrative drive´ (observations) Dialogue with local people at Kwa-Dapha Observations		
Sep. - Oct. 2011	KwaDapha	Repeated dialogue with local people at KwaDapha Structured interviews with 24 households at KwaDapha Observations		
Jul. - Aug. 2012	St Lucia Cape Vidal KwaDapha	Structured interviews with the IWPA Dialogue with local people at Kwa-Dapha Observations		
Sep. 2012	KwaDapha	Dialogue with local people at Kwa-Dapha Observations		

One person from KwaDapha proposed that further research be conducted in the community, owing to the constraints imposed on local people as a result of the IWPA's management practices at KwaDapha. Other people with whom I engaged in repeated dialogue, over many visits to the area, included local people who had been prosecuted for instituting illegal developments in the IWP.

In September and October of 2011, I conducted structured interviews with 24 of the 49 households in KwaDapha. This was in order to develop a deeper contextual understanding of socio-spatial; socio-economic; and socio-ecological dynamics.

I asked questions on sources of income; livelihood strategies; desires and aspirations; and relationships with non-human nature. I also gathered/constructed perceptual data on community relations with the IWPA; and concerning changes in local livelihood subjectivities since the proclamation of the IWP in 2000.

Photo 1: 'Narrative drive' in the IWP
(Photo: Mine Islar 2012)

The households were chosen randomly, based on their willingness to participate. The duration of each interview was 30 – 60 minutes, depending on how much conversation each question incited. The interview script was open-ended, in order to allow further discussion on issues considered important by the respondents. In this way, the questionnaire was qualitative in style.

In connection with the structured interviews, I engaged in 'narrative walks' (Jerneck and Olsson 2013b), guided either by the interviewees or the research assistant. As an integrated method, this served several purposes: it captured social and ecological conditions of the landscape; it related spatial to temporal aspects of changes in the landscape and livelihoods; and it balanced an asymmetry between the interviewer and interviewee, by making the respondent a locality-specific 'knower' of the environment (Jerneck and Olsson 2013a). These structured interviews and narrative walks also helped me to get to know the people of KwaDapha on a more intimate level.

Lastly, two focus group meetings on conservation conflicts were conducted with local people from KwaDapha. One of the focus group meetings was attended by men and the other exclusively by women, in order to avoid a potential gender gap in the discussions (see Photo 2). This was a good way to get people talking, in a forum where they were not apprehensive of any individual consequences of being an 'informant' (particularly in comparison with the household interviews). The meetings were held

with the assistance of an interpreter, who had previously informed community members of the meeting. On the respective days of the meetings, we drove together from household to household at KwaDapha, to collect the participants and transport them to the Kosi Bay Beach Camp. The focus group meetings happened later in the research process, and a relationship of trust with many community members had been established by then, leading to frank and open discussions in the focus group meetings.

Language was a fairly strong limiting factor during the household interviews and focus group meetings at KwaDapha. The first language of the respondents was isiZulu, in which I have only basic communication skills. This barrier was tackled through the employment of two research assistants, who were fluent in both isiZulu and English; who translated during the household interviews and focus group meetings. Most of the key local people at KwaDapha were also bilingual.

Data analysis and interpretation

I used a method of analytic induction, which is the process of constructing representations from interactions between analytic frames; and an interplay of induction and deduction (Ragin and Amoroso 2010). I used flexible analytical frames, moving from empirical observation to theory, and vice versa, continuously allowing the empirical material to inform my analytical thinking and theoretical discussion. For example, after conducting the narrative drive, I interpreted the IWP as a *spatial phenomenon*, which led me to Lefebvre's work on the production of space. With this overall theoretical frame in mind, I used perspectives on everyday life, agency, and resistance, in order to more thoroughly discuss and analyse local reactions to spatial production. In this way I continuously analysed my findings in relation to propositions. This is in line with critical theory, which emphasises the dialectics of theory and practice (Prozesky and Mouton 2001).

As previously stated, most of my empirical material is based on qualitative data, in the forms of field notes; interview transcriptions; focus group meeting transcriptions; observations and photos from narrative walks; and newspaper articles. In any analysis, an infinitely complex world must be reduced and made analysable by deliberately choosing certain aspects to study (Jönsson 2013) and by reducing data into categories, clusters, patterns and themes (Miles, Huberman, and Saldaña 2013).

Every case study should strive to have a general analytical strategy – defining priorities for what to analyse and why (Yin 2009).

Every case study should strive to have a general analytical strategy – defining priorities for what to analyse and why (Yin 2009). I did this primarily through drawing out key themes that were repeatedly raised during my interviews with officials from the IWPA; and with the local people at KwaDapha. In this way I was able to continuously downsize my topic; and delineate and refine my research questions and thus adhere to progressive focusing.

Photo 2: Women's focus group meeting at the Kosi Bay Beach Camp, September 7, 2012 (Photo: Focus group meeting participant 2012)

I analysed the empirical materials in parallel with the on-going literature review. To improve the reliability of my interpretive analysis, I verified most of the observations and findings by comparing different types of sources.

Limits of study

Limits of case study research

It is important to note that this study does not suggest that the analysis can be straightforwardly transferred to other protected areas in South Africa; or to any other country context. Yet there are certain parallels between the IWP and protected area conservation elsewhere in South Africa, such as the influence of ecological modernisation on policy frameworks and management strategies. The understanding generated from my findings, analysis and discussion is therefore transferrable to other settings where it can be tested and refined.

As I have continuously analysed my findings in relation to initial and emerging propositions closely associated with theory (see Chapter 3), my analytical generalisations are transferrable.

The researcher: friend or foe?

It is necessary at this point to have a brief discussion regarding how I was perceived by people at KwaDapaha – and the politically sensitive nature of the subject research topic.

During initial field visits, I was often met with some hostility – and it was discerned that respondents believed me to be an employee of the IWPA. The particular history of South Africa is such that inequalities on the basis of class are intertwined with inequalities on the basis of race. The appearance of a white South African female, travelling alone in rural black communities, is an incongruity. During the household interviews, the research assistant was accused of "being bought" by the IWPA; and of "selling her community". Some questions, especially those concerning attitudes to the IWPA, may not have been answered honestly.

However, a relationship of trust developed through the research process and numerous research visits – leading to more frank and open discussions in 2012, especially during the focus group meetings. I returned to the community as many times as I could, and tried to engage with local people in multiple ways. I provided lifts to and from the nearest town, KwaNgwananse, for as many people as I could, and as often as I could. On many evenings, I shared wine and cigarettes with the security guards and general handymen at the Kosi Bay Beach Camp (Photo 3) – who were responsible for lighting the fires for hot showers, turning the generator on at sundown and off at 22h00, and for the general maintenance of the camp. I visited the iNduna as soon as I arrived in the area, and bought cold-drinks and other supplies from the 'spaza' shop at his homestead.

Photo 3: The community-operated Kosi Bay Beach Camp
(Photo: Melissa Hansen 2011)

Theories and perspectives

This chapter provides an overview of the theories and perspectives that have inspired my research; and that underlie the discussion and analysis of struggles over conservation space in protected areas. The theoretical approach in this dissertation takes off from my first emerging proposition from the research process, which allows me to analyse the case through the lens of social theory, namely: the view of protected areas as spatial phenomena, both produced by and producing, bottom-up and top-down political-economic and social processes. In order to unpack the production of conservation space, I use Henri Lefebvre's theory on the social production of space (Lefebvre 1991) as an 'umbrella theory' or overall theoretical frame. I supplement this frame with perspectives that help to explain top-down spatial production processes, specifically theorisations on norms and normative discourses in governance; as well as debates on state-driven ecological modernisation and neoliberal natures; and new enclosures. In order to analyse the local-level outcomes of these top-down producers of conservation space, I find inspiration from sustainable human development, and specifically Amartya Sen's work on the capability approach (Sen 1999). My second emerging proposition from the research process – is the emphasis on bottom-up social, political and economic dynamics *in relation to* top-down drivers of space production. In order to interrogate these dynamics, I use work on 'everyday life' (Lefebvre 2008); and 'autonomy[13] and resistance' (Scott 1985). As I continuously seek a theoretical understanding of my empirical material and findings, this chapter should be read as part of the discussion of my findings. Sections 3.1 – 3.4 introduce the theories and perspectives underlying this work, while section 3.5 explains how these theories and perspectives are applied in my analysis.

A political economy of space

The study of international political economy has been enriched in recent years by a spatial turn, in which scholars from a variety of disciplines have coalesced around a shared concern with the role of social forces in the transformation of world order and state space (Charnock 2010). For example, where traditional political economy looks at the relations between the political and the economic, a new political economy of scale looks specifically at the socio-politically constituted space of international political economy – both within and between national states (Charnock 2010). This stems from the contributions of scholars such as Robert Cox, who shows how social

forces do not simply operate within and across national state space, but also politicise space itself (Charnock 2010, Cox 1998). Such scalar politics have been explored by scholars of the neoliberalisation of nature (see Sections 3.1.2 and 3.1.3).

Fairhead, Leach, and Scoones (2012) show that a variety of actors are involved in the appropriation of land and resources for environmental ends – and that these actors interact in an array of relationships that link across local and global scales. They use the term 'green grabbing' to denote an emerging process of "appropriation", which implies the transfer of ownership, use rights and control over resources that were once publicly or privately owned – or not even the subject of ownership – from the poor (or everyone including the poor) into the hands of the powerful (Fairhead, Leach, and Scoones 2012, 238).

The political economy of scale is also an explicitly *spatial* approach to the study of the transformations wrought by neoliberal globalisation; one that recognises that globalisation entails more than the temporal reorganisation of the rhythms of the productive economy (Charnock 2010). Lefebvre, the French Marxist philosopher and sociologist, argues that: "Today the state and its bureaucratic and political apparatuses intervene continually in space, and make use of space in its instrumental aspect in order to intervene at all levels and through every agency of the economic realm. Consequently, (global) social practice and political practice tend to join forces in spatial practice, so achieving a certain cohesiveness, if not a logical coherence" (Lefebvre 1991, 378).

Lefebvre is best known for his work *The Production of Space* – where he proposes that space is produced by, and at the same time produces, political-economic processes (Lefebvre 1991). Lefebvre's basic position is that theorising social space is not independent from theorising society (Swyngedouw 1992). A spatial theory is a social theory and vice versa. In other words, Lefebvre argues that there exists a dialectical interaction between a society and that society's space. He highlights contradictory, conflicting and ultimately, political processes of space production. These processes are usefully applied to the case of protected area conservation in Southern Africa. For example, 'Peace Parks'[14] are argued to be both a tool to foster co-operation between states (The Peace Parks Foundation 2013), and an example of state-dominated space, leading to the alienation, of local users and inhabitants from land and management practice (Whande 2010, Buscher and Whande 2007).

Lefebvre suggests a method for analysing processes of space production, drawing from Hegel and Marx's dialectical logic. This approach indicates that production is not only viewed as the creation of material things (space), but also as an essential part of the reproduction of social relationships (Konzen 2013). Social space, then, appears simultaneously as a *material product* resulting from the process of social production (space as product-produced); a *productive force* affecting social production (space as product-producer); and the *physical site* where living bodies interact as a necessary

condition for social relations (space as product-medium) (Konzen 2013).

Lefebvre's dialectical analysis of space production relies on three elements of a spatial triad – conceived space, perceived space, and lived space (Lefebvre 1991) (Figure 2). Social space is produced by dialectical interrelations amongst these three categories.

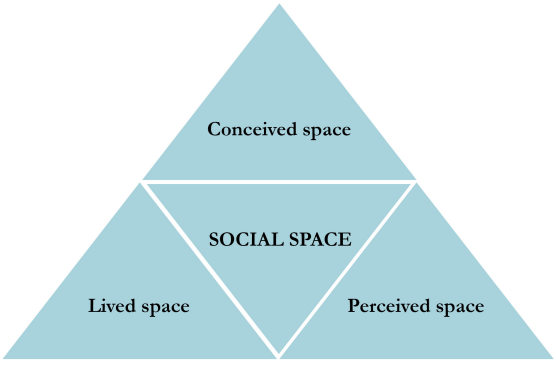

Figure 2: Diagrammatic illustration of Lefebvre's conceptual triad.
Social space is produced by dialectical interrelationships amongst conceived space (or representations of space), perceived space (or spatial practice) and lived (or representational) space.

The first category in Lefebvre's (1991) triad is conceived space. This is the ideological space of scientists, planners, urbanists, technocratic sub-dividers and social engineers (Lefebvre 1991) – or of politicians and conservation planners. Representations of conservation space are envisioned through policy documents and conservation plans. An important aspect of Lefebvre's critique of (urban) planning relates to this idea of conceived space, for Lefebvre indicts planning ideology as reductive in its practice (Lefebvre 2003). He uses a medical analogy, referring to an urbanist who perceives "spatial diseases", where space is conceived abstractly as an available void which must be taken care of, so that it can be returned to health (Lefebvre 2006, in Buser 2012, 288). Even in the rural context, processes may be observed where the power of regional economic development has rendered the expression of counter-narratives, such as subsistence resource-based livelihoods unreasonable. For example, in the speech given by President Nelson Mandela at the launch of the Lubombo Spatial Development Initiative (LSDI), of which the IWP is a key node, the former president remarked on "the extent to which an area of such abundant natural wealth has suffered from neglect" (Mandela 1998, 1). The LSDI, a development project between South Africa, Swaziland and Mozambique, aims to "establish globally competitive industries and create new jobs" (Mandela 1998, 1). In order to do this, it will "define and ensure forms of secure property ownership; protect and conserve the environment; ensure that local communities benefit from development in their areas; and enable the private sector to maximise the many opportunities that exist" (Mandela 1998, 1). Dressler and Büscher (2008) argue that projects based on private sector investment in community based activities, such as tourism, merge capitalism and conservation to by-pass the

subsistence core of rural livelihoods.

The second category, perceived space, comprises physical interventions that change the materiality of the environment, such as fencing around protected areas; and the appropriation of material sites by living bodies (Konzen 2013). Lefebvre distinguishes between dominated and appropriated space. Dominated space refers to "a space transformed – and mediated – by technology, by practice, the realisation of a master's project" (Lefebvre 1991, 165). Contrastingly, a space appropriated by a group is "a natural space modified in order to serve the needs and possibilities of [that] group" (Lefebvre 1991, 165). Li (2007) shows, for example, how local people often continue to follow their own social conventions and norms, and do not comply with new policy and legislative frameworks for conservation management imposed upon them from above.

The last category, lived space, is (subjective) space as directly lived through its associated images and symbols, and hence the space of "users and inhabitants" (Lefebvre 1991, 39). This is an analysis of place, or what Lefebvre calls everyday life. It consists of particular *rhythms of being* that confirm and naturalise the existence of certain spaces (Thrift 2009).

Norms and normative discourses in conservation governance

Governance refers to ordered rules and collective action in society, where a system of rules around decision-making is implemented by social actors in a co-ordinated way (Hydén 2001). A system of rules has a distinctive normative foundation, and this holds true at all levels – global, regional, national, and local.

The Oxford Dictionary describes a norm as a standard or pattern, especially of social behaviour, that is typical or expected (Oxford Dictionary 2013). A normative discourse is a moral prescription of what *ought* to be done. As such, normative discourses are the rules that are often implicitly followed in public policy decisions. In his influential paper *What is Conservation Biology?*, Soulé points out that ethical norms are a genuine part of conservation biology, as they are in all crisis-oriented research fields (Soulé 1985) – including Sustainability Science. He lays out several normative postulates, for example, that biotic diversity has intrinsic value (Soulé 1985). These normative claims, and the view that protected areas are the best – if not the only – means to adequately protect all elements of biodiversity (i.e. genes, populations and landscapes), still serve as the central tenets of nature protectionists (Miller and Minteer 2008, Miller, Minteer, and Malan 2011). In the context of governance, norms and normative discourses are central in the first category of Lefebvre's triad – that of conceived space. Protected areas can be viewed as a norm or standard, of conservation.

Theoretical work on norms and normative discourses in governance has informed research on the outcomes for conservation of incongruities between, for instance, the imposed norms of global environmental governance, and conflicting norms at local levels (see Li 2007). Another example of research – drawing on norm theory – relates to

how the state and its laws are constructed and reconstructed, invented and reinvented when they come into contact with competing informal norms and unwritten sets of rules (Urinboyev 2013). Research on norms argues that the place to seek the sources of power that enforce order is specifically in society's norm structures; and that the very nature and outcomes of social and political order are characterised and determined by the interplay between different normative orders (legal, social, technical, and so on) (Urinboyev 2013).

Different orders of norms and normative discourses are integral to protected area conservation. For example, legal norms are compulsory rules of conduct established by the state. South Africa's National Environmental Management: Protected Areas Act (RSA 2003a) establishes norms that include promoting the sustainable utilisation of protected areas for the benefit of people (albeit in a manner that would preserve the ecological character of such areas); and the participation of local communities in the management of protected areas. Legal normative discourses that establish these norms are, for instance, related to the restitution of historical injustices in protected area conservation in South Africa. These norms in protected area conservation also arise from the paradigm of people-oriented conservation, which became progressively more entrenched in conservation discourse beginning with the World Parks Congress in Bali in 1982 (Phillips 2003, in: Miller and Minteer 2008). A social norm is a habitual rule that governs behaviour in groups and societies. A social normative discourse in rural South Africa may favour governance through traditional government, commonly referred to as a tribal authority. Tribal authorities comprise an iNkosi, or chief, and iNdunas, or headmen, who oversee the community (Buchanan 2011). A technical norm may relate to rules of conservation, for example the necessity of a fence to protect sensitive ecological areas. A normative discourse here is, again, around enclosed protected areas being the best way to conserve biodiversity. An example of an economic norm is that gross domestic product is a useful indicator of development. A normative economic discourse may prescribe, for example, that to eliminate poverty and reduce inequality South Africa has to strive for economic growth (RSA 2012a). Whereas a discourse based on equality as a norm, would call for fair distribution before and during such growth.

State-driven ecological modernisation and neoliberal natures

An important normative economic discourse in the context of conservation is that of ecological modernisation. Many contemporary conservation tools are based upon ecological modernisation (Büscher et al. 2012, Brockington and Duffy 2010). Ecological modernisation is essentially the assumption that there is no necessary conflict between environmental and economic goals – hence the popular 'win-win' discourses in formulating conservation policy goals. Ecological modernisation discourses posit that the environmental crisis can be handled by the institutions of the capitalist welfare society through the use of markets, collaboration, technological innovation

and 'smart' regulations; thus creating the 'right' incentives. For example, ecological modernisation argues that externalities, such as pollution, should be brought into the marketplace, to ensure that these costs are adequately accounted for in polluter-pays profit-loss calculations (Bond 2000). Besides awareness building, collaboration and communication, ecological modernisation theory does not address social aspects, or social sustainability goals.

Ecological modernisation can be perceived as a strategy of the neoliberalisation of nature, as it is based on the allocation of private property rights. In ecological modernisation as a policy trend, nature is seen primarily as an instrumental resource (Walker 2008). Many critiques of ecological modernisation policies focus on processes of the neoliberalisation of nature, arguing against this instrumental approach to valuing nature, which has become dominant under a consistent imperative of neoliberal reform in environmental politics, governance and change (Heynen et al. 2007b, Cock 2013). This instrumental approach aims to conserve nature through market-based valuations of ecosystem services. For example, eco-tourism initiatives create marketised exchanges for conservation products, including accommodation, tour guides and cultural commodities, such as baskets or fabrics (Büscher et al. 2012). This follows what Dressler and Büscher (2008) term a hybrid approach to community-based natural resource management (CBNRM), to denote projects based on private sector investment in 'community based' activities, such as tourism. They argue that this is a sort of hybrid neoliberalism, which merges capitalism and conservation to by-pass the subsistence core of rural livelihoods. Neoliberal conservation shifts the focus from how nature is *used* in and through the expansion of capitalism, to how nature is *conserved* in and through the expansion of capitalism (Büscher et al. 2012).

Ecological modernisation policies are often put forward in combination with policies that strengthen state control over natural resources. In the context of areas with the existence of plural land ownerships and indigenous rights: nature conservation initiatives can be seen as tools through which states have extended their area of control over tribal and indigenous lands, by establishing new or re-regulated private property regimes (Li 2007, Büscher 2010). States can also extend their control by introducing new approaches in line with economic development. In demonstrating a range of forms of state participation in neoliberal regimes, it has been argued that the state remains constitutive of neoliberal schemes and practices (Robbins and Luginbuhl 2007).

Realising 'win-win' outcomes remains, however, a challenge; and conflicts and tensions between environment and economic development are common (see Muradian et al. 2013). People and communities often experience negative impacts from state-led interventions in the name of ecological modernisation, such as a loss of access to natural resources (Muradian et al. 2013, Büscher et al. 2012, Li 2007).

Another important critique of the basis for ecological modernisation and the neoliberalisation of nature, stems from work on common property regimes, which contests

the assumption that private property rights are more conducive to the sustainable management of natural resources (Peluso 2007). Already in her book, *Governing the Commons*, Elinor Ostrom's case studies refute prevailing economic policy convictions – that the only way to solve common pool resource problems is for external authorities to impose full private property rights or centralised regulation (Ostrom 1990, Ostrom 2010, Harvey 2012).

Enclosure

Scholars of the neoliberalisation of nature have applied the concept of enclosure in relation to more recent developments in environmental governance (Heynen et al. 2007a, Castree 2008, Mansfield 2008, Harvey 2012). These studies focus in particular on the implementation of new state-imposed rules or market mechanisms for conservation management, by changing property regimes. Private property rights in different types of natural resources – including rivers, forests, oceans and even carbon stored in trees – are often assigned in these projects (see paper III). For example, in the IWP, in the case of successful land claims, land title has been transferred to claimant communities, but with limited user rights, and people have not moved back onto the land (see section 4.2.4). Management remains under the IWPA. This represents a portrayal of land as a productive asset, rather than as a social right to property. These rights are based on arguments that private property will lead to a better management of these resources and will, ultimately, hinder environmental deterioration (White et al. 2012, McCarthy and Prudham 2004, Heynen et al. 2007b).

The growing literature on 'new enclosures' highlights these recent shifts in the restructuring of property regimes concerning access to and control of nature (see Heynen et al. 2007a, White et al. 2012). New enclosures are often characterised by increasing exclusivity through private or state control; and represented in terms of aims to ensure individual freedoms, economic efficiency and the maintenance of ecological integrity (Heynen et al. 2007b).

In this regard, 'green grabbing' refers to the appropriation of land and resources for environmental ends (Fairhead, Leach, and Scoones 2012, 242). The term is derived from the recently established concept of land grabbing. It puts forward the argument that processes of the appropriation of land and resources for environmental ends (or the creation of new enclosures) reflect the ideas of what they call 'the economy of repair'. This is the argument that environmental destruction in one place can be offset by the preservation of nature and ecosystems in other places. The concept of green grabbing links with research on the political economy of scale. A variety of actors, interacting in an array of relationships that link across local and global scales, are involved in the appropriation of land and resources for environmental ends.

It has been argued that enclosure creates a "new ecological order", as the environment is transformed from a source of livelihood, formerly outside market or state

control, into an economic resource for national and global production, thus redefining how and by whom the environment is managed (Illich 1983, in: Hildyard, Lohmann, and Sexton 2012, 22).

The enclosure of natural resources also redefines the community, or the people who are being enclosed, by the rules of the authority. Moreover, new rules and arrangements change the reference points by which people are valued. White et al. (2012) have shown how changes in property rights can lead to the appropriation of land and other natural resources, and transform the previous owners or users of that land into subjects of economic dependency.

Harvey (2012) discusses the relationships between the commons and enclosures, arguing that there is a justification – particularly at the global level – for some sort of enclosure as the best way to preserve certain kinds of valued commons. The idea of nature conservation via enclosing land and forest can be seen as one of the best ways to prevent the exploitation, misuse or degradation of natural resources. However, he also emphasises that when it is deemed necessary to expel or alienate indigenous populations from their lands in order to preserve biodiversity, there is the dangerous presumption that the best way to preserve one type of commons is to deny another (Harvey 2012).

Human development: Capabilities, needs and well-being

Human development is a theoretical approach in development studies, which follows Amartya Sen's earlier writings on poverty and famine, where he questions the common practice of economists (and developmentalists) to take monetary income as an indicator of development (Faran 2010). Instead he proposes human "functionings", as opposed to fulfilling basic needs, as the foundational basis of a "good" life (Sen 1999, 75). Functionings are the various things a person may value doing or being. These include such factors as having good health; having enough food to eat; being able to participate in the political process; and having an education (Cruddas and Rutherford 2009).

The capability approach can be seen as the theoretical backbone of sustainable human development (Chung 2010). The approach provides a way to address socio-economic development, which is based on the idea that social arrangements should aim to expand people's capabilities: their freedom to promote or achieve valuable beings and doings (Alkire 2005). Capabilities are a combination of functionings, which can be achieved by individuals. The approach argues that people should have the relevant primary assets and instrumental freedoms to achieve different functionings. We assess primary assets in terms of human assets (health and education); natural assets (entitlements to land and access to resources); and physical assets (access to infrastructure) (adapted from Chung 2010). We assess instrumental freedoms in terms of political freedom (representation and consultation); economic opportunities (the

IWPA's approach to socio-economic development, and restrictions on everyday life); and protective security (state-funded grants and job creation) (see paper IV).

Everyday life, agency and resistance

In his *Critique of Everyday Life*, Lefebvre examines the trivial details of commonplace experience – an experience colonised by the commodity and shadowed by inauthenticity, yet one which remains the only source of resistance and change (Lefebvre 2008, Preface by Michael Trebitsch). Lefebvre shows that "[t]he everyday [person] is a [person] of praxis, and praxis alone will enable them to free themselves from alienation and attain the concrete totality of the 'total [person]', at one and the same time the subject and the object of their becoming" (Lefebvre 2008, Preface by Michael Trebitsch, xx)[15]. "Lefebvre was opening philosophy to action: taken in its Kantian sense, critique was not simply knowledge of the everyday life, but knowledge of the means to transform it" (Lefebvre 2008, Preface by Michael Trebitsch, x).

This idea of the 'revolution of everyday life' corresponds with the work of James Scott on autonomy and resistance (Scott 1985). Scott argues that local people, who have been politically and economically marginalised from development processes, often turn to non-confrontational forms of everyday resistance. In relation to protected area conservation, empirical cases of everyday resistance have been documented by various authors (Neumann 2002, Li 2007, Van Wyk 2003). Here people resist intrusions on their agency through what Scott has called 'weapons of the weak' – where resistance often takes the form of passive non-compliance, subtle sabotage and quiet evasion. These forms of everyday resistance are "informal, often covert and concerned largely with immediate, de facto, gains" (Scott 1985, 32). Such practices can also be understood in terms of Lefebvre's concept of spatial appropriation, as they are concerned with modifying space in order to serve the needs and aspirations of local people. In other cases of everyday forms of non-confrontational resistance, there is superficial compliance with an arranged (but unauthorised) situation, allowing people to go about their daily tasks without open conflict (Van Wyk 2003).

One reason for non-compliance with official rules may be the difference between cultural norms and the imposed policy and legislative framework for conservation management. In other words, spatial conflicts over conservation space can emerge when conceived space (or the imposed conservation space of political ambitions and conservation planners) conflicts with lived space (or the subjective space of users and inhabitants). For example, local people at KwaDapha who had been faced with court action because of tourist development often maintained that they had gone through the necessary channels for authorisation, receiving the go-ahead from the local iNduna and the owners of the land, the iNgonyama Trust. This brings to the fore the tensions between different value systems and cultural norms. Ultimately, imposing the conservation agenda of enclosed protected areas that are separate from human

activity, raises questions around the dominance of Western ideologies and value systems, addressed by many post-colonial theorists (Fairhead, Leach, and Scoones 2012; Li 2007; Neumann 2002).

Social justice

Amartya Sen addresses social justice in his recent work, *The Idea of Justice* (Sen 2009). The main point of departure for Sen's approach to social justice is with the pressing need to remove identifiable injustices in the world. Sen refers to this approach as realisation-focused and comparative – concerned with social realisations (resulting from actual institutions, actual behaviours and other influences) (Sen 2009). The works of Smith, Condorcet, Bentham, Wollstonecraft, Mill, and Marx are all described as involved in societies that already existed or could feasibly emerge, rather than focusing their analyses to transcendental searches for a perfectly just society. The comparative approach asks the question: "How would justice be advanced?" (Cruddas and Rutherford 2009). This is in contrast to the more dominant and mainstream paradigm of political philosophy – theories of justice that are primarily concerned with what an ideally just society would look like – and more specifically the ideally just institutions required for a just society. These theories are termed transcendental institutionalism – and are represented by philosophers such as Hobbes, Locke, Kant, Rousseau and Rawls. In addition to the concern that the search for perfectly just institutions will hold back actions to remove manifest injustices, Sen objects to transcendental institutionalism on the grounds that even reasoning and fair-minded individuals will disagree on the institutional rules that define a perfectly just society (Corbridge 2010).

Sen builds on his work on human capabilities to identify the materials of justice. The use of capabilities is intended to answer the question: "Equality of what?" within contemporary debates around equality, freedom and justice (Clare and Horn 2010). Justice is related to an individual's capabilities or 'substantive freedoms' in being able to realise various functionings. The capability approach thus offers a way to inquire into distributive justice. It involves the allocation of rights, goods and liberties in a society; and the manner in which social and economic equality or inequality is regulated (Schlosberg 2007). In other words, this aspect of social justice relates to the distribution of costs and benefits in protected area conservation.

An important absence in Sen's work, however, is an adequate discussion of the political – which we would need in this dissertation, given the struggles around protected area conservation, and South Africa's history of being a divided/divisive society. Sen's argumentation does not adequately take historical dynamics into account, such as economic power; the violence and corruption of ruling classes; and the fear, anger and shame of the marginalised (Cruddas and Rutherford 2009). Collective political action, trade unions and political parties appear to have no part to play. In Sen's world

there are no corporate enemies of justice, democracy and equality to undermine or purchase the outcomes of public reasoning (Cruddas and Rutherford 2009).

This gap can be addressed, to some extent, by a focus on 'representation' – one dimension in Nancy Fraser's (2008) three-dimensional account of the 'what' of justice ('redistribution', 'recognition' and 'representation'). Fraser conceptualises representation partly to account for 'ordinary political injustices'. These injustices arise internally, within bounded political communities. They occur when skewed decision rules compromise the political voice of some who are already counted as members, impairing their ability to participate as peers in social interaction (Fraser 2008, 6). 'Representation' also accounts for 'meta-political injustices'. These injustices arise when the division of political space into bounded polities works to mis-frame first-order questions of distribution, recognition and representation (Fraser 2008, 6). For example, the IWP's identification as a UNESCO World Heritage Site raises it above the status of the local territory and, sometimes, beyond the decision-making authority of people living in the area. This is a meta-political kind of mis-framing (in a globalising world), that can lead to the social exclusion of the global poor (Fraser 2010, Fraser 2008). This is particularly problematic in times where there are calls for 'inclusive globalisation' (see Therborn 2000). A focus on representation relates to procedural justice, which derives from attempts to broaden the scope of distributive aspects of justice. Procedural justice is defined as the fair and equitable institutional processes of a state in relation to its citizens (Schlosberg 2007). Procedural justice is a concept that can be used to emphasise exclusion and inclusion in environmental governance and conservation management.

Analytical application

Struggles over conservation space encompass a number of scales: from the global arena to state and regional geographies, to notions of local community and the body (Watts and Peet 2004). In order for my research to encompass these different scales, I combine an analysis of top-down processes driving protected area conservation and the consolidation of the iSimangaliso Wetland Park, with a bottom-up focus on everyday life, agency and resistance (Figure 3). Finally, I discuss the interrelations between these top-down and bottom-up processes in protected area conservation, in terms of both distributive and procedural social justice.

A political economy driving the production of conservation space

As intimated in Chapter 2 of this kappa, my first emerging proposition, and starting point for the analysis, is the view of protected areas as socio-spatial phenomena produced by society's interactions at different scales, global, regional, national and local. As an overarching theoretical frame, I am inspired by Lefebvre's work on the political economy of space. From the top-down, I ask how the space of the IWP may

be described as the reproduction of social relations of production:

Firstly, I use Lefebvre's ideas on conceived space, in order to unpack how the space of the IWP has been produced. I supplement Lefebvre's work on representations of space, with work on norms and normative discourses in governance. It is important to recognise that different agents involved in governance have their own particular mandates and normative prescriptions. The Constitution of the Republic of South Africa is based on a co-operative government approach – and this is integral to the governance framework of the IWP[16] (RSA 1996, Chapter 3). Norms have an influence on the governance regime of the IWP through various initiatives at the global and regional levels, as well as through national policy documents and legislation, such as the National Development Plan (RSA 2012b) and the National Environmental Management: Protected Areas Act (NEM:PA) (RSA 2003). I look at how norms of global biodiversity conservation along with national and regional economic development have been applied in the IWP's formation.

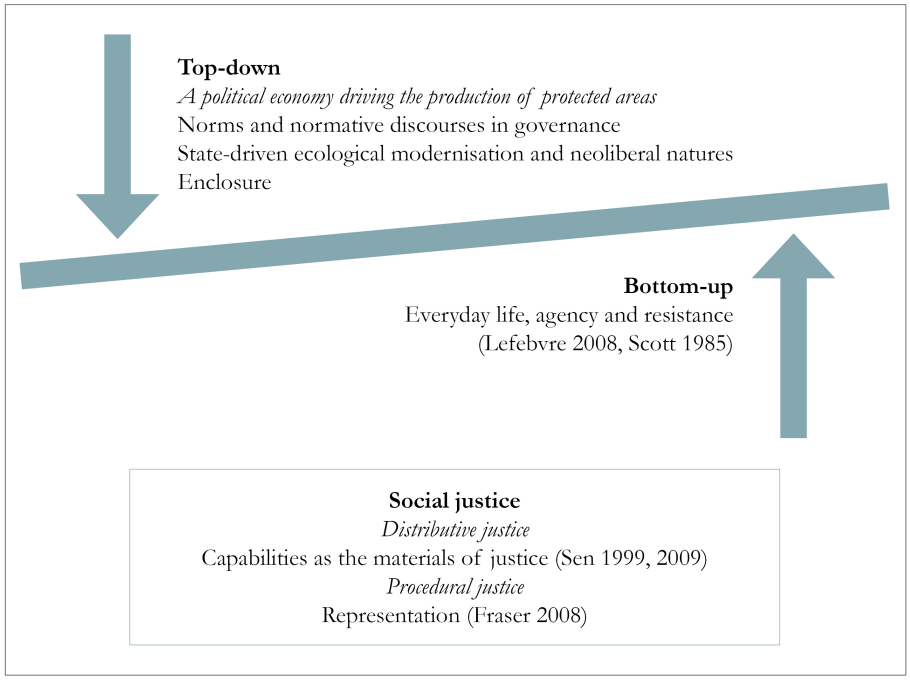

Figure 3: Analytical application.

Secondly, I situate my research within the debate on state-driven ecological modernisation and neoliberal natures. This addresses my question on the political economy driving the production of conservation space. I assess contradictions arising through normative discourses directing the divergent goals of the conservation of World Heritage, and social and economic development at the national and local levels. At the regional level, I examine a political-economy of ecological modernisation and mar-

ket-based tourism, driven by spatialised development projects such as the Lubombo Transfrontier Conservation Area (LTFCA) and the Lubombo Spatial Development Initiative (LSDI).

Thirdly, I discuss the IWP in terms of the new enclosures debate, as new strategies such as land claim agreements are used to structure property rights. This has important implications for the capability of local users and inhabitants to achieve beings and doings, according to their values and norms. Analytically, I use the concept of enclosure to emphasise changing patterns in the access to and control of natural resources in protected areas.

Everyday life, agency and resistance

I use Lefebvre's concept of spatial practice – and dominated and appropriated space – to discuss local reactions to protected area conservation. I unpack conflicts over conservation space in the IWP, with a spotlight on how local people make spaces for themselves, through struggles over land and access to resources. At this point I supplement Lefebvre's insights with Scott's work on everyday resistance. I also use Lefebvre's idea of lived space, to examine local nature-society conceptualisations and local-lived realities.

Social justice

In order to discuss social justice, I am inspired chiefly from Amartya Sen's ideas presented in *The Idea of Justice* (Sen 2009). I look at two aspects of social justice – distributive and procedural – as evaluative criteria for analysing protected area conservation:

Firstly, I look into the "what?" of distributive justice – using a capabilities as the materials of justice approach – as a way to understand the influence of conservation in protected areas on the agency of local communities. I assess the impact of top-down political-economic processes (in relation to protected area conservation), on the everyday lives of local users and inhabitants. I ask in what ways protected area conservation impacts upon the plight of local people, through an analysis inspired by the capability approach.

Secondly, I discuss protected area conservation in terms of Fraser's work on representation (Fraser 2008). This allows me to take up issues of democratic decision-making in conservation management (i.e. procedural justice).

Environmental conservation and sustainable human development in South Africa: the case of the iSimangaliso Wetland Park

In this chapter, I present an account of the case, the IWP in northern KwaZulu-Natal/Maputaland, South Africa. The account is based on primary sources (such as government documents); secondary data (literature); and my own primary data from the field. Firstly, I provide a wider analytical and empirical context, by locating integrated conservation and development projects in contemporary South Africa within national, regional and global political economies. More specifically, I set the scene by depicting the normative historical and post-apartheid policy milieus; their impacts on poverty alleviation; and how they have been related to protected area conservation. Secondly, I introduce the IWP, mainly in terms of its history, and the socio-economic situation of inhabitants and neighbouring communities. I also present the policy basis for conservation management in the park – the integrated management plan (IMP). As a main focus, I discuss the concerns that have surrounded the park historically; and those that continue to plague it today, including land claims in the IWP; and poverty and spatial inequality in Maputaland. Finally, I introduce the embedded case, the community of KwaDapha at Bhanga Nek, Kosi Bay.

The context: Post-apartheid South Africa

Conservation measures in South Africa are a subset of the country's approach to social and economic development and it is therefore appropriate for them to be discussed in this context. South Africa is known globally for its long period of apartheid, which started in 1948, when the National Party was elected by the white electorate (Black 1999). The apartheid government initiated, elaborated, enforced and defended – through decades – a system of apartheid that violated human rights in an increasingly systematic way (Black 1999).

In 1994, South Africa underwent a regime change from apartheid to democracy. In the immediate post-apartheid politics, the country formulated policies, passed legislation and built democratic institutions that aimed to redress past racial imbalances (Ntshona et al. 2010). The Constitution of 1996 enshrines a rights-based approach and envisions a prosperous, non-racial, non-sexist democracy that belongs to its entire people. South Africa's Bill of Rights is widely regarded as one of the great human rights

triumphs of the post-Second World War era (Black 1999) and redistributive justice is an oft-mentioned policy priority for the state (Manuel 2013).

Yet there is a host of literature critical of the economic development path in post-apartheid South Africa (James 2013, Bond 2011, Dressler and Büscher 2008). These scholars argue that neoliberal economic policies prevalent in South Africa – based upon the New Growth Path (NGP) framework[17] – are doomed to failure in meeting the needs of the majority of the population. At its heart, the debate revolves around the suitability of the neoliberal economic doctrine in the pursuit of poverty alleviation. Advocates of neoliberal policies, in this case the ANC-led government, argue that economic development, ushered in through 'good'[18] economic policies, is a prerequisite for *social and economic* development. I argue that neoliberal policies, when played out on the ground, are fundamentally harmful to poor people, diminishing *human* development, and ultimately exacerbating poverty. Measures to address poverty should directly target human development, if they are to be successful.

Indeed, as South Africa approaches twenty years of democracy, there continue to be deep spatial, economic and political consequences of segregation and apartheid. This is intensified in a context shaped by structural poverty; mounting environmental challenges; and the declining contribution of agriculture to the livelihood strategies of most rural people (RSA 2012b).

The Bill of Rights

As this is a thesis about struggles over conservation space, I look at protection against social injustices. An important aspect of this in South Africa is the Bill of Rights in the Constitution (RSA 1996). The Bill of Rights contains all categories of human rights that are ordinarily included in most international human rights instruments – including first-generation (traditional, civil and political) rights as well as second- and third-generation (social, economic and cultural) rights (Mubangizi and Mubangizi 2005). Civil and political rights enshrined in the Constitution include a free press; freedom of speech; equality for women; the right to form trade unions; and an independent judiciary and equality before the law. Socio-economic rights include the right to education; healthcare; housing; social security; and protection from crime and violence.

Yet the language used circumscribes most of these socio-economic rights; the duty of the state being only to take reasonable legislative and other measures to progressively realise such rights (Vizard 2005). Thus, the realisation of socio-economic rights largely depends on state ability and willingness (Sarkin 1999), rather than the actual fulfilment of these rights per se.

Nevertheless, the South African Constitutional Court has upheld claims for the violation of socio-economic rights in a series of landmark judgements (see Vizard, 2005). These cases, Vizard (2005) argues, establish that resource constraints do not relieve the government of the obligation to fulfil the socio-economic rights established

in the Constitution. The government needs to take positive measures to eliminate or reduce the large areas of severe deprivation that afflict South Africa.

However, the Court has also sought to delimit the nature and scope of the duties that flow from this obligation, reasoning that the State's responsibilities under these Articles can be discharged through the adoption of policies and programmes that aim at the achievement of human rights *over time*, rather than their immediate or complete fulfilment (Vizard 2005). The violation of obligations of this type involves the absence and inadequacy of policies and programmes, rather than the non-fulfilment per se (Sen 1982, 2000).

Delivering ecologically sustainable development

In post-apartheid South Africa, not only social, economic and political rights have been incorporated into the Constitution, but also the right to ecologically sustainable development. Article 24 of the Bill of Rights establishes that everyone has a right (b) to have the environment protected, through reasonable legislature and other measures that – (ii) promote conservation; and (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

South Africa has adopted the notion of ecologically sustainable development, not only as a human right entrenched in its Constitution, but also as one of its major policy objectives. The National Environmental Management Act (NEMA) – which is the framework legislation for securing ecological sustainability in South Africa, mandates the State to respect, protect, promote and fulfil the social, economic and environmental rights of everyone and strive to meet the basic needs of previously disadvantaged communities (RSA 1998, Preamble).

Hattingh and Attfield (2002) explore the conceptual and ethical problems involved in reaching the goal of ecological sustainable development, including apparent conflicts with other pressing needs – such as the alleviation of poverty. The point of departure for their article is that there seems to be major practical, conceptual and ethical stumbling blocks to implementing the policy goal of ecologically sustainable development. Nevertheless, they conclude that the ideal of ecologically sustainable development is a necessary policy goal. This should include goals to move away from 'development' that is destructive of life-sustaining ecological systems. Ecologically sustainable development should also contribute to social justice, both intra- and inter-generational.

The National Development Plan

The National Development Plan (NDP), released in 2012, sets out a vision for a South Africa that is inclusive and people-centred; espousing the values of unity, non-racialism and the just apportionment of economic wealth in South Africa – as laid out in the

Constitution (Manuel 2013). The plan aims to improve the standards of living of all South Africans. The NDP cuts across sectors: it is a roadmap to a South Africa, where all will have water; electricity; sanitation; jobs; housing; public transport; adequate nutrition; education; social protection; quality health care; recreation; and a clean environment. The plan conditions economic growth on social and infrastructure developments, and on the ability of the private sector to co-operate with government in the attainment of a common goal (Foreign Affairs 2013).

The NDP aims for development that systematically includes the socially and economically excluded, where people are active champions of their own development; and where government works effectively to develop people's capabilities to lead the lives that they desire (RSA 2012b). Although not directly citing the work of Amartya Sen or his associate Martha Nussbaum, the NDP seems to have drawn strongly from Sen in its definitions of development (RSA 2012b). The plan identifies six pillars that will need to underpin efforts to eliminate poverty and reduce inequality (see Manuel 2013, 7). The fourth pillar addresses the need to build the capabilities of both people and the country. For people, capabilities can include adequate nutrition or a functioning transport system to get to a place of work; a college certificate to boost the chances of getting a job, or work experience.

Although the question of whether 'capabilities' can be understood on a collective basis, or only in relation to an individual, remains a matter for debate, the NDP does assume collective capabilities for the country. The plan provides the examples of the broadband speed that South Africans require; energy needed to power a growing economy; port capacity to support a diversified economy; or a water supply that meets the needs of households, industry and agriculture.

The NDP acknowledges that building capabilities is a long-term endeavour, stretching over the next decade and beyond (RSA 2012b).

Poverty and spatial inequality in South Africa

South Africa has a sophisticated infrastructure, a well-developed private sector and a stable macro-economy in comparison with other African countries. Nevertheless, the country suffers from social and economic inequality (RSA 2013). As Trevor Manuel, a minister in the presidency, in charge of the National Planning Commission (NPC) commented in a speech given at the Ruth First Memorial lecture on August 29, 2013:

> Colonial oppression and racial exploitation, perpetuated for over three centuries, dominates our history. Black people were systematically denied their rightful share of the wealth of the country. With the discovery of diamonds in the 1860s and gold in the 1880s, colonial expansion aimed to exploit South Africa's natural resources, using cheap labour as

> the means of production. Land dispossession, forced removals, influx controls, poor education for black people and a sophisticated security apparatus were used as tools to control labour and exploit South Africa's mineral wealth. Later, the migrant labour system, the homeland system and Bantu Education were added to the lexicon of exploitation.
>
> (Manuel 2013)

As a consequence, the new government inherited a country marked by severe poverty and inequality, with a large share of the population living without access to basic services (Bhorat and van der Westhuizen 2013). Spatial divisions based on race, institutionalised under apartheid, continue to be prevalent today (Hendricks 2013) – and the spatial legacy of apartheid is still exclusionary (Manuel 2013). The most deprived areas in the country are located in the rural former homelands (Noble and Wright 2013). Homelands, originally termed Bantustans, were territory set aside under apartheid for black South Africans; and slated for eventual independence (Westaway 2012). Ten homelands, including KwaZulu, covering thirteen per cent of the country's land, were created from the former native reserves (de Satgé 2013).

Although homelands were abolished under the new South African constitution – these areas remain economically marginalised and underdeveloped in terms of infrastructure like roads, clinics and schools; and the provision of social services, such as healthcare and education. They also remain differentiated from the rest of South Africa by a distinctive form of land tenure; and a different form of local government, that recognises the role of traditional authorities (TA's) (Hendricks 2013).

Protected area conservation in South Africa

In South Africa, conservation policies during colonial and apartheid eras have exacerbated spatial inequalities in homeland areas (de Satgé 2013, Hendricks 2013). Protected areas have been an important political tool for the centralisation of state power in South Africa since the advent of European colonialism (Spierenburg and Wels 2006). Carruthers argues that the proclamation of the Kruger National Park in 1926 was closely linked to the resurgence of Afrikaner nationalism (Carruthers 1995). Historically, protected areas have in many instances served as tools to foster and strengthen centralised state power; and were drivers of modernity through territorialisation (Vandergeest and Peluso 1995, Neumann 2001, 2002, Li 2007a).

A 'fortress conservation' model (also known as 'protectionism') has dominated the establishment of protected areas for much of the 20th century in Southern Africa. Relocations and a 'fences-and-fines' conservation approach has often pitted conservation authorities against local people, and has led to a lack of access to natural resources: the key rationale being that local people constituted the principal threat to conserva-

tion (Dwivedi 1996, in: Jones 2006, 485). Protected areas were delimited and placed under state control, and human impact was monitored and policed (often using armed patrols); local people were removed or excluded from the consumptive use of natural resources; and customary rights were ignored (Jones 2006, Ghimire 1997, Fairhead 1996). It is now widely accepted that the particular style of conservation that emerged in Southern Africa during the colonial and apartheid periods, generated a range of social conflicts that now endanger the future of natural resources (Fabricius 2004).

In South Africa, protected area conservation has often resulted in the loss of ownership and use of land; and the gradual loss of traditional bodies of knowledge, practices and webs of meaning (IWPA 2008). Fabricius (2004) argues that protected areas were usually located in the segregated homelands, or on marginal lands with low rainfall, poor soils, malaria and the occurrence of tsetse fly. People in these areas were poor and lacked political representation, and were less able to resist land alienation than people in the commercial agricultural regions. Whites had disproportionate political power; and conservation became a tool to enforce the political imperatives of segregation. Traditional African institutions that managed the use of resources were replaced by Western institutions and practices, such as courts of law, fines and fences.

Even today, conservation and the declaration of protected areas often reflect a clash between 'northern' and 'southern' perspectives, especially in the context of different environmental regimes. These different viewpoints are framed by diverse value sets. Ramutsindela (2013) argues that a persistent push for land for conservation gained momentum during a period of political change that coincided with South Africa's signing of the Convention on Biodiversity in 1992. The Convention sets biodiversity targets expressed as a percentage of land to be retained for conservation.

Protected area conservation has a number of implications for post-apartheid land reform. Initiatives such as trans-frontier conservation areas propose to enclose large areas for conservation, but often the maps of the planned parks do not show where rural people are currently living – and making a living. Their presence and rights are often not adequately reflected in the treaties, as only people with legal land claims are mentioned in the text. Conservation imperatives can serve to lock land away from land reform (Ramutsindela 2013).

Integrated conservation and sustainable development

Conservation approaches since the end of apartheid have rallied calls for sustainable development (WCED 1987). In general, sustainable development was supposed to contribute to conservation, while also addressing social and equity issues. Internationally – since the early 1980s – discourses of the sustainable use of natural resources, participatory development and social justice in relation to conservation, have influenced the evolution of community-based conservation and natural resource management strategies (CBNRM) (Fabricius 2004). CBNRM also emerged in relation to the advent of

common property theory, also in the 1980s, which questioned the myth that common property management always led to the overuse of natural resources (Ostrom 2010). Common property theory became one of the foundations of CBNRM (Campbell et al. 2001). CBNRM is understood to encompass a wide range of projects and programmes, which assert that conservation goals should be pursued by strategies that emphasise the role of local residents in making decisions about natural resources (Whande 2007).

In post-apartheid South Africa, there has been a proliferation of laws, policies and constitutional principles to reinforce the basic foundations of CBNRM. Such foundations include democratic participation; ownership, or legally recognised and secure rights; benefits that accrue to those community members that make a contribution to the initiative; the incorporation of local knowledge; and the presence of mechanisms to manage conflicts (Fabricius 2004, Koch 2004). For example, the National Environmental Management: Protected Areas Act (RSA 2003a, Section 3) directs the state trustee of protected areas to implement the act in partnership with the people, in order to achieve the progressive realisation of the rights enshrined in the Bill of Rights of the Constitution. The Act stipulates that a co-management agreement may provide for: the delegation of powers; the apportionment of income generated from the management of the protected area; the use of biological resources; access; occupation of the protected area; the development of economic opportunities within and adjacent to the protected area; the development of local management capacity and knowledge exchange; and financial and other support, to ensure the effective administration and implementation of the co-management agreement (RSA 2003a, Section 42).

More recently, scholars and practitioners in South Africa have engaged in efforts to integrate conservation and sustainable development in the context of 'free' markets (Büscher and Dressler 2012). These are often conceptually geared towards the ecological modernisation paradigm (WCED 1987, Adams, Aveling, Brockington, Dickson, Elliott, Hutton, et al. 2004). Socially inclusive conservation approaches in South Africa include payments for ecosystem services (PES), which have become increasingly influential in the context of state-led sustainable resource management programmes. The Working for Water Programme (WfW) aims to create jobs and training opportunities, in the clearing and controlling of invasive alien plants that threaten water resources and biodiversity. Although the environmental benefits of the programme have been demonstrated, there is emerging concern that the social development goals are overly ambitious and impractical (Buch and Dixon 2009).

As we have seen, conservation is an inherently political process (Adams and Hutton 2007). The debate is as influenced by concerns over competing social outcomes, as it is by discussions over contrary epistemologies. The role of powerful international conservation NGOs has been called into question for neglecting the needs of people (Brockington, Igoe, and Schmidt-Soltau 2006), and concerns have been raised about the neo-liberalisation of conservation (Adams and Hutton 2007). As it stands, propo-

nents offer a variety of approaches; it is understandably controversial as to whether and in what way conservation for development can be regulated and achieved (Igoe and Brockington 2007). Integrated conservation and sustainable development projects have taken a number of forms that include research; direct employment in biodiversity profiling; sustainable tourism; donations from international aid agencies; and the involvement of international conservation agencies, such as the Worldwide Fund for Nature (WWF) and the Wildlife Conservation Society (WCS) (Alpert, 1996). Increasingly popular are market based instruments, particularly payments for ecosystem services. One example is the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD) scheme (Blom, Sunderland, & Murdiyarso, 2010).

The debate has since moved on from naïve attempts at achieving the utmost in terms of both conservation and development: progressing into discussions of the complex trade-offs involved in negotiating different conservation, poverty alleviation and other development goals; in addition to the ethical orientation of conservation within sustainable development (Adams, Aveling, Brockington, Dickson, Elliott, Jon, et al. 2004, Minteer and Miller 2011).

The Case: The iSimangaliso Wetland Park in northern KwaZulu-Natal/ Maputaland

The iSimangaliso Wetland Park (IWP) was listed as South Africa's first World Heritage site in 1999, and proclaimed in 2000, in terms of regulations published under the World Heritage Convention Act. At the same time the IWPA was set up to manage the park on behalf of the state. The IWPA reports directly to the national Department of Environmental Affairs, from which it receives its core funding (DEAT, 2009). It has a board of nine members, who represent business, traditional councils, land claimants, as well as national, provincial and local government (DEAT 2009).

The proclamation of the IWP effectively consolidated sixteen parcels of previously fragmented land – a patchwork of former proclamations (the earliest going back to 1895), state-owned land, commercial forests and former military sites – to create an *integrated* park for the first time (DEAT 2009, IWPA 2009a).

The park covers more than 330 000 hectares, stretching for 220 kilometres along the Indian Ocean from Kosi Bay, just below the Mozambican border in the north, to Maphelane, south of the St Lucia estuary (DEAT 2009). It encompasses one third of the KwaZulu-Natal coastline and nine per cent of the entire coastline of South Africa (DEAT 2009). Its eastern boundary is the Indian Ocean and its western boundary is irregular, incorporating the entire Kosi, Sibaya and St Lucia lake systems, as well as the uMkhuze Game Reserve (Figure 1).

As it was proclaimed after an extensive environmental impact assessment process in 1993/1994, during South Africa's regime change to non-racial democracy, the IWP

represents a landmark in the history of the environmental struggle in South Africa (Drogin 1994, Lyman 1993). In the late 1980s and early 1990s, a multinational company proposed to mine the dunes on the eastern shores of Lake St Lucia for titanium and other heavy metals. This proposal was met with resistance, and it polarised public debate (Bainbridge 1993/1994). An extensive environmental impact assessment (EIA) process was characterised by a clash between two contrasting views: economic benefits versus aesthetic value and sense of place (Kruger et al. 1997). An independent review panel was appointed to review the EIA process and the final reports; to assess public opinion; and to submit a recommendation to the cabinet as to which land use for the area was considered to be the most appropriate (Bainbridge 1993/1994). The panel put forward a strategy for the future development to be based on eco-tourism as the primary land use option. This paved the way for eco-tourism to be viewed as a viable alternative to primary-sector natural-resource extraction (Dominy 1993/1994, Drogin 1994, Lyman 1993).

On another level, this strategy was influenced by an overwhelming national and international outcry concerning the loss of a global biodiversity hotspot, representing an explicit connection of the IWP to global conservation goals. Saved from dune mining, the IWP (then known as the Greater St Lucia Wetland Park) was named a UNESCO World Heritage Site in 1999. The park was later, in 2000, proclaimed in terms of regulations published under the World Heritage Convention Act (RSA 1999). The Park met three of the ten UNESCO World Heritage criteria (WHC 2000): Firstly, the IWP is a representative example of ecological and biological processes in the evolution of ecosystems and communities of plants and animals. Secondly, it contains "superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance" (WHC 2000). Finally, it contains "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 conservation or science" (WHC 2000).

In addition, The IWP contains four wetlands of international importance under the Ramsar Convention (DEAT 2009). The Maputaland coastal plain is also an acknowledged centre of biodiversity; and the Maputaland Centre of Endemism is part of the Maputaland-Pondoland-Albany biodiversity hotspot (IWPA 2008).

Socio-economic situation

The IWP falls almost entirely within the boundaries of the uMkhanyakude District Municipality. Some of the most impoverished communities in South Africa are found in the uMkhanyakude region, and areas neighbouring the IWP in particular (IWPA 2008). As of 2007, 614,046 peopled live in the uMkhanyakude council area, translating into 114,973 households (Community Survey 2007, cited in uMkhanyakude District Municipality 2011/2012). Within the Coastal Forest Reserve section of the

park, there are six small townships[19] whose combined population in 1998 comprised approximately 200 families (KZN NCS 1998). The area is characterised by high levels of underdevelopment, unemployment and poverty, along with some of the highest rates of HIV/AIDS in the country (uMkhanyakude District Municipality 2011/2012).

Significantly, many people rely on natural resources for their livelihoods. For example, my fieldwork identified the common use of ncema reeds (*Juncus krausii*) for mat-making and the building of traditional Zulu structures; ilala palm (*Hyphaene coriacea*) for the production of ilala wine; fish from the coastal area; and grazing land for cattle. The management plan for the park raises a concern about increasing pressure on such resources inside the park, through the depletion and degradation of natural resources in communal areas (IWPA 2008).

The integrated management plan for the iSimangaliso Wetland Park

The policy basis for conservation management in the IWP is the integrated management plan (IMP) (IWP 2008) – a five-year management plan developed under the World Heritage Convention Act (RSA 1999), along with the National Environmental Management: Protected Areas Act (NEM:PA) (RSA 2003).

NEM:PA (RSA 2003a, Section 38 – 41) stipulates that when preparing a management plan for a protected area, the management authority must consult municipalities; other organs of state; local communities; and other interested and affected parties. A management plan may contain provisions for the development of economic opportunities within and adjacent to the protected area; the development of local management capacity and knowledge exchange; and financial and other support.

The IMP strives for the local economic development of communities in and adjacent to the park – primarily through equity partnerships between the private sector and mandatory community partners (IWPA 2008). An example is the Thonga Beach Lodge and Mabibi community campsite, initiated in 2002. These have been cited as prime examples of the development of eco-tourism partnerships between the private sector and local communities (Sunde and Isaacs 2008). However, conservation objectives are foremost, in order to ensure that World Heritage values are not compromised – with an emphasis on "development for conservation" (IWPA 2008, 3).

The iSimangaliso Wetland Park's role in regional market-based development projects

The IWP is a major node in two collaborative development projects of the governments of Mozambique, South Africa and Swaziland. These are: the Lubombo Spatial Development Initiative (LSDI); and the Lubombo Transfrontier Conservation and Resource Area (LTFCA).

Maximising private-sector involvement and creating an attractive and stable cli-

mate for investors to operate in (NDEA n.d.), are among the priorities for the LSDI. Within this framework, the IWP is conceptualised as a "commercial asset that has the potential to help drive the economic revival of a region that was systematically underdeveloped in the past" (IWPA 2008, 3).

The LTFCA aims primarily to create the conditions for an internationally competitive tourism destination. Although not new, TFCAs have become an important part of a wider context of forms of trans-national management of the environment (Duffy 2006). TFCA initiatives create potential benefits in the form of contributing to the maintenance of key ecological functions; sharing management expertise and capacity; better enforcement against poaching; fewer border and customs complexities; and benefits created through eco-tourism and other types of entrepreneurial ventures (Fakir 2000).

Land claims in the iSimangaliso Wetland Park

There have been a total of fourteen land claims encompassing the whole of the IWP (interview, 14 February 2011). Three of these were settled in 1998 and 2002, six in 2007, and five remained to be settled in 2013. Given that land dispossession was central to colonialism and apartheid, the land reform programme has become one of the central avenues through which post-apartheid policies and legislation can be put into practice (Ntshona et al., 2010). Section 25(7) of the Constitution provides that any person or community dispossessed of property after 19 June 1913, owing to past racially discriminatory laws or practices, is entitled to restitution of that property or equitable redress (Gore and Moodley, 2013). The Restitution of Land Rights Act contains the enabling framework for this constitutional right. In the IWP case, successful land claims have allowed the transfer of land titles to claimant communities. Management remains under the IWPA, and (limited) user rights are implemented through co-management agreements. The co-management process includes representatives of IWPA and the land claims committee, usually made up of tribal authority members in a given community. As people have not moved back onto the land, this has been a policy shift in the land claim settlement policy: from originally seeing land as a social right to property, to a new portrayal of land as a productive asset (Nustad 2011).

Although land belongs to a Zulu tribal trust (the iNgonyama Trust), the IWPA manages the land on behalf of the state where claims are still to be settled.

The embedded case: The KwaDapha community at Bhanga Nek, Kosi Bay

I conducted local-level research in KwaDapha – a 'tribal authority' area at Bhanga Nek, Kosi Bay, in northern KwaZulu-Natal/Maputaland. Kosi Bay is located within the Coastal Forest Reserve Section of the IWP, and comprises four lakes linked by a network of channels; Bhanga Nek lies between the third and biggest lake – kuNhlange – on the west, and the Indian Ocean on the east (Figure 4).

There are six small rural communities in the Coastal Forest Reserve section of the IWP, which share broad similarities with KwaDapha:eNkovukeni, KwaDapha, Mbqobela, Mbila, Shazibe and Hlabezimhlope. These communities are all under the jurisdiction of the Tembe Tribal Authority; and together fall under the Coastal Forest land claim. Physical infrastructure – such as roads, schools and municipal services – is limited. Many community members are dependent on government grants (pension and childcare).

Maputaland has a long history of contestations over land and tribal affiliations. Until the late 1960s the government recognised the people of Maputaland, including the KwaDapha tribal area, as belonging to the Tsonga ethnic group. But in 1976 Maputaland was incorporated into the KwaZulu Homeland, and its people were classified as Zulu by the state (Kloppers 2003). The western banks of kuNhlange were first proclaimed the Kosi Bay Nature Reserve by the Natal Parks Board in 1950, for the purpose of outdoor recreation activities (Guyot 2005). At the same time, the eMalangeni swamp forest was declared an 'Indigenous Forest Reserve' by the Department of Water Affairs and Forestry (Guyot 2005). Local people from KwaDapha and neighbouring communities had migrated to KwaNgwanase since the 1970s, but migration accelerated when in the early 1980s, rumours of the establishment of nature conservation parks were heard (Mthethwa 2002). In 1984, an extended Kosi Bay Nature Reserve was formally proclaimed by the provincial conservation authority, the KwaZulu Bureau of Natural Resources (KBNR) (Kyle 1995).

Those who stayed at KwaDapha resisted forced removals as a result of this proclamation (Guyot 2005). They lived under several restrictions from the KBNR (Mthethwa 2002). For instance, local people who owned fields around the banks of kuNhlange were not allowed to plough these anymore. This major change in land management, implemented by the state (Mthethwa 2002), led to a loss in the contribution of agriculture to livelihoods.

Since mid-2011, the community of KwaDapha has fallen within the uMhlabuyalingana local municipality, one of the economically poorest in the country (uMhlabuyalingana Local Municipality 2011/2012). The community is under the leadership of iNkosi Mabhuda Tembe of the Tembe Tribal Authority, represented by the local iNduna. Title deeds are absent, as the land is communal. Permission to reside in KwaDapha is given by the iNduna.

Figure 4: Geographical location of the KwaDapha community at Bhanga Nek, Kosi Bay
Source: Adapted from the IWPA (IWPA 2009a)

Synthesis of the findings

This chapter presents a synthesis of the empirical findings from the four articles. The analysis is structured by the four interlinked sub-research questions, introduced in the first chapter. This leads me to the concluding chapter, in which I discuss how these processes lead to social injustice – using concepts of distributive justice and representation.

The political economy of 'development for conservation' in the iSimangaliso Wetland Park

This section provides an answer to my first sub-research question, on how the space of the IWP is represented in policy documents and legislation; and produced through broader discursive frames, institutions or networks. Using Lefebvre's theoretical insights (Figure 2) from the production of space in a rural context, I show that the IWP as a protected area arises from international norms of sustainability, which are adapted and modified to the national context by the South African state. As a UNESCO World Heritage site, the governance framework of the IWP is founded upon normative discourses of global conservation and sustainability. Through the World Heritage Convention Act (RSA 1999), a global commitment to the conservation of areas of 'outstanding universal value' has received national legislative support and, in this case, been given effect through the establishment of the IWP.

At the same time, the space of the IWP is produced from national ambitions for the conservation of ecological World Heritage – and the recognition that arises out of that – as well as for regional and national modernisation and economic growth strategies. The World Heritage Convention Act is integrated into South African domestic legislation, and strongly emphasises South Africa's post-apartheid priorities, including intersectional justice, human rights and social development (RSA, 1999). Given South Africa's history of dispossession and inequality in terms of access to natural resources, particularly in the context of conservation, the IWPA specifically strives to balance conservation and sustainable development. The management plan for the park strives to integrate conservation, tourism development, and the local economic development of communities in and adjacent to the IWP, through private tourism. By putting a market value on conservation products – in this case, through private tourism, the plan is an obvious example of an ecological modernisation strategy. Economic investments, job creation and the establishment of tourism as an internationally competitive

sector are the main priorities of the plan.

The recentralisation and perpetuation of state control of land has occurred in three ways (Paper III). Firstly, where land claims are settled, although title is transferred, the IWPA remains the overall manager of the land. The land claim settlement policy here views land reform only as a question of the transfer of land, a move from seeing land as a social right, to portraying land as a productive asset (Nustad 2011). This is clearly related to, and a consequence of, a market-oriented paradigm.

Secondly, the consolidation of the IWP has resulted in the imposition of new rules of governance through the World Heritage Convention Act, which limits access to natural resources in the park, considered important for social and economic development and livelihoods (for example land for grazing and agriculture).

Thirdly, the consolidation of state control in the park through the World Heritage Convention Act has meant that, although the IWPA aims to provide benefits for local people in the form of material gains, their social and economic development opportunities have been constrained. For example, local economic development is strived for though equity partnerships between the private sector and mandatory community partners in tourism development, but at the same time, conservation objectives are prioritised, in order to ensure that World Heritage values are not compromised. This means that where the social and economic activities of local actors are in conflict with conservation, these actors are heavily penalised. This is evidenced by the court cases against local people at KwaDapha, and elsewhere in the Coastal Forest Reserve section of the IWP.

The above political-economic factors, at all scales – global, regional, national and local – gives rise to processes of the *enclosure* of conservation space in the IWP. There are two main ways in which these processes play out in the IWP: Firstly, the proclamation of the park by the state has resulted in the consolidation of previously disparate areas of land, into one protected and contested area, often with borders and fencing. Secondly, institutional enclosure has been reinforced through a strengthened legal framework for conservation – and a global impetus for the conservation of World Heritage. As I have shown, there have been both civil and criminal cases taken against conservation transgressors in the IWP.

"iSimangaliso has stolen this area": The IWP as a space of inclusion and exclusion

This section answers my second sub-research question, on how the space of the iSimangaliso Wetland Park perceived, and the outcomes of protected area conservation for the everyday lives of local users and inhabitants.

The above political-economic developments give rise to processes of the *enclosure* of conservation space in the IWP. There are two main ways in which these processes play out in the IWP (see Paper III): Firstly, the proclamation of the park by the state has

resulted in the consolidation of previously disparate areas of land, into one protected and contested area, often with borders and fencing. Secondly, institutional enclosure has been reinforced through a strengthened legal framework for conservation – and a global impetus for the conservation of World Heritage. As I have shown, there have been both civil and criminal cases taken against conservation transgressors in the IWP.

These new processes of enclosure have important impacts upon the everyday lives of local users and inhabitants, particularly in terms of inclusion and exclusion in relation to conservation governance and management. Since the proclamation of the IWP in 2000, new rules for conservation *management* have been imposed upon local users and inhabitants. For example, measures to preserve ecological integrity and endemism are embodied in spatial practices, such as the use of fencing. This is an example of spatial domination (Paper II). For users and inhabitants on the other hand, fencing often symbolically represents power relations that lead to their continued exclusion from access to resources, decision-making and co-management (Paper II). For people living in the IWP, fencing means that they are enclosed with dangerous wildlife, frequently with negative impacts upon their livelihood strategies. At KwaDapha, there was a constant refrain against the destruction of subsistence gardens by hippopotami (*Hippopotamus amphibious*) and vervet monkeys (*Chlorocebus pygerythrus*).

The imposition of new rules of governance for conservation management in the IWP also constrains the economic and social development activities of – and opportunities for – local users and inhabitants. Local people often perceived the lack of jobs in KwaDapha as a result of the restrictions on local tourism development initiatives. These perceptions were evident in discussions about the Kosi Bay Beach Camp. There had been a decrease in the number of tourists staying at the Camp, with community members arguing that this was a result of court action against a white partner, responsible for advertising the camp. Even official maps for the IWP are silent about the Camp, although responsibility for day-to-day management had been transferred from Ezemvelo KZN Wildlife to the community in 2001.

Views like the following were expressed:

> We want the government to intervene to build big lodges for people to have jobs at KwaDapha. People won't then have a problem with permits or sanctions. [...]. We have submitted an application to develop a 4-star diving lodge where the community tented camp currently is and to upgrade the Kosi Bay Beach Camp. Then iSimangaliso will find it easier to work with communities. If iSimangaliso doesn't stop development, they will find it easier to work with the community.

People also had negative attitudes toward the IWPA because of sanctions elsewhere in their everyday lives. A telling quote is the following:

> After iSimangaliso came in 1999 they put sanctions on us. Life was better before. Now there are sanctions even in the lake. People can't renovate their houses, can't fish on the lake.

In terms of inclusion and exclusion in environmental governance, the research found that in the IWP, management choices, decision-making structures, and policies in support of conserving a World Heritage Site, are guided by discourses around global conservation. Although local needs are acknowledged, the World Heritage status of the IWP means that some decisions have been taken beyond the bounds of the local area (Paper I). Residents of KwaDapha did not participate in the designation of the Kosi Bay area as part of a World Heritage Site. It was said in a focus group meeting that:

> iSimangaliso has stolen this area. They [the IWPA] were supposed to ask our permission to declare this a World Heritage Site. We are confused because we haven't even seen the papers that say this is a World Heritage Site.

Local people also expressed the perception that they have no voice in future plans for the Kosi Bay area. A community based development committee had submitted an application to the IWPA to develop a diving lodge, in partnership with an external investor. However, they had not received a reply since submitting their application in 2009. They believed that this was because the IWPA had other plans for the area. One community member stated that:

> We do have our own plans, but our plans do not matter so much because they [the IWPA] have their own plans.

van Wyk (2003) found that in Maputaland, only certain men had access to the privileged domain of negotiation with the state by virtue of their claim to be traditionally sanctioned representatives of local people. Often they used these negotiations to further their own private political and economic interests. For example, in 2011 I spoke with a young entrepreneur and relative of the king, who managed a tourist camp at the entrance to the Kosi Bay mouth, together with a white partner. The camp was well frequented and advertised. Permits to enter the Coastal Forest Reserve section at the Kosi Bay estuary were sold exclusively at this camp. The young man recounted a recent instance when he had been invited to attend a high-level event with the president of Mozambique. The opportunities available to him in promoting his business seemed greatly at odds with the way in which commercial tourism initiatives are treated at KwaDapha (i.e. punitively).

On another level of governance, municipalities too have been 'fenced out' from participating in planning, development and management pertaining to the park (Paper I and II). This means that, for example, municipalities have not provided social services and infrastructure development at KwaDapha, such as piped water; electricity;

refuse removal; roads and road maintenance, as required by the Constitution (RSA 1996, 1998). This is exacerbated by local expectations regarding service delivery in post-Apartheid South Africa.

'The Best Laid Plans': Environmental conservation and human development in the iSimangaliso Wetland Park

This section summarises the answer to the third research question, which interrogated the ways in which conservation in the IWP influences the freedom, or capabilities, of local users and inhabitants, to achieve beings and doings, according to their values and norms (see Paper IV).

We have found that conservation in the IWP constrains the agency of local users and inhabitants, in combining different natural assets and instrumental freedoms in order to achieve their capabilities. In other words, the freedom of local users and inhabitants, to achieve doings and beings according to their own values and norms, is constrained through conservation in the IWP (Paper IV).

Firstly, in terms of natural assets, the evaluation of the IWPA's balance sheet is not impressive: land entitlement at KwaDapha is unsettled and insecure. As I have discussed in Chapter 4, the Bhanga Nek area is registered under the Coastal Forest Reserve land claim, which is still to be settled. Access to natural resources is curtailed through conservation management (Paper II and IV). The physical infrastructure in KwaDapha has remained poor. The road from KwaDapha to the nearest town, KwaNgwanase remains a poorly maintained track, traversable only by off-road vehicle, or by foot. Basic municipal services, such as electricity, clean water and sanitation are absent.

Secondly, with regard to instrumental freedoms, although on the whole the IWP seems to have maintained a good track record with regard to social opportunities, economic opportunities are severely constrained through conservation management at KwaDapha (Paper IV).

Ultimately, this brings to the fore questions around the dominance of Western ideologies, value systems and cultural norms. This is not to suggest a naive view of local people as stewards of the natural environment. Indeed, field research at KwaDapha shows a strong desire for modernist development. Local people often engage in harmful environmental practices, for example the use of gill nets for fishing. The point is that the imposition of firmly bounded protected areas has profoundly alienating effects, in terms of democratic participation in conservation management. This leads the discussion to the question of inclusion and exclusion in conservation governance in the IWP, which I will discuss in Chapter 6.

Agency and resistance

This section provides a summary in answer to my final sub-research question, which explores the ways in which local users and inhabitants mobilise their resistance and use their agency in their everyday lives, in reaction to processes of enclosure accompanying protected area conservation. Firstly, in the IWP, local people continue to enter to gather natural resources according to their own schedules, knowingly ignoring the IWPA's rules for access (Paper I). Community members at KwaDapha engage in gill net fishing activities for subsistence. There are household subsistence gardens in the wetland adjacent to kuNhlange, which are allowed to stay, although any form of agriculture is prohibited through various pieces of environmental legislation in South Africa, including NEMA (RSA 1998) (Photo 4). Tribal authority leaders of the Mbila, Makhasa, Nibela, and Mnqobokazi communities, adjacent to the IWP, have criticised the construction of a fence as potentially limiting their access to natural resources that are considered important for economic and traditional use (Paper I). Representatives of three of these communities have refused to allow a fence. The fourth community has permitted the erection of a fence, even though the residents knowingly ignore the IWPA's rules for access to the park. A tribal authority representative explained that they were not complying with the IWPA's requests to restrict cattle grazing in the Park, because the authority was not listening to them. Fences between the IWP and adjacent communities have been cut down at various times and locations, according to tribal authority leaders.

These instances emphasise Scott's assertion that people who have been politically and economically marginalised in relation to development processes, often turn to non-confrontational forms of everyday resistance (Scott 1985).

In other cases of everyday forms of non-confrontational resistance, there is superficial compliance with an arranged (but unauthorised) situation, allowing people to go about their daily tasks without open conflict (van Wyk 2003). This is illustrated, for example, through sometimes obstructionist relationships between the IWPA and land claims committees. Members of the Mnqobokazi community were not observing the rules and regulations established in their co-management agreement, which had not yet been formally signed (Paper I). One reason for non-compliance with official rules may be the difference between cultural norms and the imposed policy and legislative framework of the IWP. As we saw in Chapter 1, local people at KwaDapha faced with court action because of commercial tourism development that they believed they had gone through the necessary channels for authorisation, receiving the go-ahead from the local iNduna and the owners of the land, the iNgonyama Trust. One person was quoted in a newspaper report, stating that '[w]e believe that the court was wrong to rule against us. We followed all the relevant channels before we started building' (Sapa 2009).

Photo 4: Household subsistence garden in a wetland adjacent to kuNhlange
(Photo: Melissa Hansen 2012)

"Our work is for freedom for all": Social justice in the iSimangaliso Wetland Park

In the IWP, local users and inhabitants are both excluded from meaningful participation in formulating ideas about the future management of their land, and physically from the land itself. In the previous chapter, I have discussed *why* the South African government is not living up to the promise of social justice in protected area conservation. In this concluding chapter, I discuss *how* these processes lead to social injustice – using the concepts of both distributive and procedural justice.

Firstly, new rules for conservation management impose a strategy that aims to conserve nature through the establishment of strictly bounded protected areas, posits a fundamental distinction between humanity and nature. This view is problematic for many reasons. Firstly, protected areas are surrounded by conflicts, including conflicts with local people over access to resources in protected areas. Issues of distributive social justice are raised when asking the questions: "conservation at whose expense?", and "for whom?" The neoliberalisation of nature through the application of market principles is central in this discussion, where new boundaries and new property rights are established. This has led to new social and social-ecological relations, with decreased access to natural resources and alienation from the land itself, for local users and inhabitants.

Secondly, the idea that nature and humans are fundamentally opposed is a Western idea, arising out of environmental change and a romantic longing for a 'nature' un-transformed by industrialisation (Lefebvre and Enders 1976). Imposing the conservation agenda of enclosed protected areas that are separate from human activity thus raises questions around the dominance of Western ideologies and value systems.

In addition, perceptions from local users and inhabitants of the restrictions placed on their livelihoods through conservation in the park highlight the insufficient communication between the IWPA and local people. Negative perceptions of the impact of the IWP on everyday life is further complicated in the case of KwaDapha, as the area falls under the Coastal Forest land claim, which is yet to be settled. In practice this means that there has been limited benefit flows to local people from the designation of the IWP as a World Heritage Site. Walker (2008) highlights the issue of the public interest in protected areas in national environmental legislation and policy frameworks. She argues that the current orthodoxy for settling land claims in protected areas in South Africa, premised on commitment to social justice for those

who were dispossessed of their rights in the past, tends to downplay or disregard the interests of other constituencies who are not claimants. Nevertheless, although I recognize the overall benefits of the IWP in terms of the public interest, I argue that where local livelihood and socio-economic opportunities are constrained, in light of South Africa's post-apartheid priorities that include intersectional justice, we need to pay attention to new social-ecological and social relations, where these lead to a decrease in human development.

At the heart of these transformations in social and social-ecological relations, are issues of procedural social justice, or representation. In the case of the IWP, management choices, decision-making structures, and policies, in support of conserving a World Heritage Site, are guided by a normative discourse around the global conservation. Although local needs are acknowledged, the impetus to 'think global' means that some choices have been made beyond the bounds of the local area. A question of justice arises not from simply looking at the local level, but rather through understanding the interplay caused by the intersection of several levels – in this case, the implementation of different policies and initiatives relating to the IWP. Nancy Fraser suggests that injustices at intersecting scales can lead to the social exclusion of the global poor (Fraser 2010). The IWP's identification as a UNESCO World Heritage Site raises it above the status of the local territory and, sometimes, beyond the decision-making authority of local people. There is no prioritization in explicit policy of the global conservation need over local social and economic development needs. Nevertheless, the strength of the global impetus is reflected in the fact that World Heritage status privileges certain actors and goals over others. This could lead to injustices of 'misframing', in which some issues are framed as being primarily of local importance, yet obliged to compete for resources with issues that are considered to be of international or national importance.

In conclusion, conflicts over land use in conservation areas juxtapose efforts to restore local land and resource rights against national and global interest in conservation. Contemporary conservation strategies continue to perpetuate historical insecurities, through the alienation of local communities from land, as well as management practices. Ultimately, I argue that conservation will not be successful without the real inclusion of local users and inhabitants. In some cases, this may mean acknowledging the existence of multiple realities, value sets and normative frameworks. This echoes the words of Nelson Mandela:

> "Our work is for freedom for all."[20]

Theoretical contributions

The case has illustrated the relevance of Lefebvre's theories, which have been developed and applied mostly in the field of urban studies, in a rural context (see Paper II).

The case also shows that Lefebvre's work is relevant for analysing processes of global environmental governance. This may be particularly important in light of recent calls for a return to state guidance (for example, with regard to the politics of climate change) (Giddens 2009). Unpacking the contradictory dynamic of global/local as it plays out in conservation governance and management in the IWP, highlights a 'politics of sustainability'. This is the relational and comparative aspect of social justice that I enquire into. On the one hand, global normative sustainability discourses, together with ecological modernisation, both produce and legitimise 'World Heritage' sites (Paper III). But at KwaDapha, normative discourses of sustainability have been invoked in support of a project that has led to decreased access to natural resources for local people, the IWP. This global/local tension takes a particularly sharp form in South Africa, where inequalities based on race are connected with space (and place). This is in spite of a constitution that enshrines formal social and economic equality and freedom for all.

In sum, discourses of global conservation and sustainability, as well as the marketing of South Africa as a global eco-tourism destination, must be reconciled with local human development needs, which should be prioritised over economic growth (Paper IV).

Final reflections

In presenting an alternative, I take inspiration from Lefebvre (2003, 148), who in an urban context argued for a "politicisation of urban issues", where democratic processes support rather than deny a vibrant politics of contestation. A key term used by Lefebvre is 'autogestion', which highlights not the erosion of state power as such, but the possibility of its qualitative transformation into a radically decentralised, participatory institutional framework that not only permits social struggles and contradicts them, but actively encourages and provokes them (Lefebvre 2003). In the context of protected area conservation in South Africa, a re-politicisation of conservation space is called for. In this vision, the state serves as an arena for spatial (or territorial) autogestion: or, direct democracy; democratic control; and affirmation of the differences produced in and through that struggle.

Suggestions for further research

My second emerging proposition from the research process is the emphasis of bottom-up social, political and economic process in relation to top-down drivers of space production. I have found that local users and inhabitants creatively and consistently make spaces for themselves through struggles for land and access to resources. I believe it would be very fruitful to explore this in more depth. In particular I would like to further explore, using the method of analytic induction, socio-spatial processes at KwaDapha, in dialogue with Pierre Bourdieu's theory of power and practice, his ideas about misrecognition, Nancy Fraser's 'justice as recognition' (Fraser and Bourdieu 2007), and Gramsci's 'consent and hegemony' (Gramsci 1971, Ekers et al. 2012).

Notes

1. An important intricacy of the South African Constitution is the provision it makes for traditional government, acting through customary law, to function within the local governance sphere (RSA 2003b). This manifestation of traditional government is commonly referred to as a tribal authority, which comprises an *iNkosi*, or chief, and *iNdunas*, or headmen, who oversee the community. The *iNkosi* is entitled to the position through his bloodline, while the *iNdunas* are usually appointed by the *iNkosi*.

2. Kosi Bay comprises a system of four lakes, Makhawulani, Mpungwini, KuNhlange and Amanzamnyama (Ezemvelo KZN Wildlife n.d., IWPA 2009b). The lakes consist of inter-connecting channels which drain via a sandy estuary into the Indian Ocean (Ezemvelo KZN Wildlife n.d.). The community of KwaDapha is located at Bhanga Nek, between the third and biggest lake, kuNhlange, on the west, and the Indian Ocean on the east (see Figure 4). The Bhanga Nek beachfront is a breeding ground for leatherback and loggerhead turtles.

3. South Africa is globally known for its long period of apartheid, which started in 1948, when the National Party was elected by the white electorate (Black 1999). In 1994, the country underwent a regime change from apartheid to democracy. In the post-apartheid policy milieu, the government has formulated policies, passed legislation and built democratic institutions that seek to redress past racial imbalances (Ntshona et al. 2010). In this context, the iSimangaliso Wetland Park Authority (IWPA) emphasises both conservation, and the economic development of historically marginalised communities, who were often dispossessed of land through forced relocations, accompanying colonial and apartheid-era 'fencing and fines' (or 'fortress') conservation strategies (Jones 2006, 485).

4. The ANC has been South Africa's governing political party, since the first democratic elections in 1994.

5. I often defer to the term 'local people' in this thesis. This is because I recognise that to speak in terms of 'community' can imply a homogenous group. But communities must be understood in terms of hegemonies: not everyone participates or benefits equally in the construction or reproduction of communities, or from

the claims made in the name of community interest (Watts and Peet 2004). It is owing to this characteristic of community that I defer to local people. Throughout the research process, I have endeavoured to be continuously sensitive to a 'community' that is internally differentiated in complex political, social and economic ways (Watts and Peet 2004).

6. The iSimangaliso Wetland Park Authority (IWPA) was set up to manage the park on behalf of the state, under the World Heritage Convention Act (RSA 2000).

7. Name changed to keep anonymity.

8. Name and place of residence changed to keep anonymity.

9. in October of 2009.

10. A Zulu tribal trust.

11. Ordinary political injustices arise internally, within bounded political communities. They occur when skewed decision rules compromise the political voice of some who are already counted as members, impairing their ability to participate as peers in social interaction (Fraser 2008, 6). Representation also accounts for meta-political injustices. These arise when the division of political space into bounded polities works to mis-frame first-order questions of distribution, recognition and representation (Fraser 2008, 6) (see Chapter 3, section 3.5.1).

12. In the editorial to a special issue of the *Journal of Contemporary African Studies*, entitled: "Old land, New Practices: the changing face of land and conservation in post-colonial Africa", Fred Hendricks (Dean of Humanities, Rhodes University) referred to the preceding conference, held at Rhodes University, September 12 – 14, 2012. He said that the conference had been an important intervention, demonstrating the "intimate linkages between the environment and political rights and suggesting a much more nuanced appreciation of the dialectical relationship between human and non-human nature" (Hendricks 2013, 334).

13. I use the term 'agency' rather than 'autonomy' – combing Scott's work on *Weapons of the Weak* (Scott 1985), with Sen's work on *Development as Freedom* (Sen 1999).

14. A 'Peace Park' is a transboundary protected area, spanning the boundaries of more than one country or sub-national entity, where the political border sections that are enclosed within its area, are abolished. The Peace Parks Foundation envisages the establishment of a network of protected areas that links ecosystems across international borders (The Peace Parks Foundation 2013).

15. The study of everyday life is sometimes called 'institutional ethnography' by radical feminists like Dorothy Smith. Although I do not explicitly situate my research within institutional ethnography, my work is loosely similar, in that I study institutional arrangements (structures designed by history and the state) and how these interact with other norms in society to 'produce' people's lives.

16. The Constitution of the Republic of South Africa states: "All spheres of government and all organs of state within each sphere must exercise their powers and perform their functions in a manner that does not encroach on the geographical, functional or institutional integrity of government in another sphere; and cooperate with one another in mutual trust and good faith" (RSA, 1996, section 41(1)(g) and (h)).

17. Announced on November 23, 2010

18. Those policies promoted by the World Bank and International Monetary Fund (IMF), characterised by the three pillars of neoliberalism: fiscal austerity, market liberalisation and privatisation.

19. Enkovukeni, KwaDapha, Mqobela, Mbila, Shazibe and Hlabezimhlope.

20. The words of Nelson Mandela in 2008, at his 90th birthday concert in London, in support of the 46664 AIDS campaign (AFP 2013). The name 'Nelson Mandela' has entered the pantheon of history's sages, becoming a short hand for imperishable, trans-historical values that define human progress (eNCA 2013).

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Appendix

Appendix: List of interviews

Date	Type of interview	With whom?	From where?	About what?	Duration
2009/10/28	Expert interview	**DEA official 1** Mr Kiruben Naicker Deputy Director: Biodiversity Conservation	Ministry of Water and Environmental Affairs, Department of Environmental Affairs, Branch: Biodiversity and Conservation; Chief Directorate: Biodiversity and Heritage; Directorate: Biodiversity and Conservation)	Natural resource governance, policy and regulation in South Africa	60 minutes
2009/10/28	Expert interview	**DWA national official 1** Mr Sam Thobejane Assistant Director: Water Management Institutions and Governance	Ministry of Water and Environmental Affairs, Department of Water, Branch: Institutional Oversight	Water resource governance, policy and regulation in South Africa	60 minutes
2011/04/13	Expert interview	**DWA national official 2** Mrs Elmarie van Rooyen Assistant Director: Water Management Institutions and Governance	Ministry of Water and Environmental Affairs, Department of Water, Branch: Institutional Oversight	Water resource governance, policy and regulation in South Africa	60 minutes
2011/04/14	Expert interview	**WfWet official 1** Mr John Dini	Director: Freshwater Programme South African National Biodiversity Institute (SANBI); Working for Wetlands (WfWet)	Wetland resource governance, policy and regulation in South Africa	60 minutes
2009/10/29	Expert interview	**Mondi Wetlands Programme official 1** Mr David Lindley Programme manager	Mondi Wetlands Programme	Wetland resource governance, policy and regulation in South Africa	60 minutes

Date	Type of interview	With whom?	From where?	About what?	Duration
2009/	Expert interview	**South African researcher 1** Dr Donovan Kotze	University of KwaZulu Natal (UKZN), Centre for Environment, Agriculture and Development (CEAD)	Wetland governance, policy and regulation in South Africa	60 minutes
2009/10/28	Expert interview	**South African researcher 2** Prof. Fred Ellery Associate Professor and Head of Department	Rhodes University, Department of Environmental Science	Wetland governance, policy and regulation in South Africa	60 minutes
2009/10/28	Expert interview	**South African researcher 3** Dr Heather Malan	Freshwater Research Unit, University of Cape Town	Wetland governance, policy and regulation in South Africa	60 minutes
2009/11/13	Expert interview	**South African researcher 4** Dr Mark Dent	University of KwaZulu-Natal (UKZN), Centre for Environment, Agriculture and Development (CEAD)	Water resource governance, policy and regulation in South Africa	60 minutes
2011/04/05	Expert interview	**DWA KZN region official 1** Mr Nkonsinjani Mkhize Assistant Director: Usuthu to Mhlatuze WMA	Ministry of Water and Environmental Affairs, Department of Water, KZN Regional office	Water resource governance, policy and regulation in KwaZulu-Natal	60 minutes
2011/02/11 2011/04/08 2012/06/ 2012/08/03	Expert interviews (4)	**IWPA official 1** Bronwyn James Senior Manager: Research, Policy and Planning	iSimangaliso Wetland Park Authority (IWPA)	Policy and legislation pertaining to the IWP, as well as conservation governance and management	60 minutes 60 minutes 60 minutes 60 minutes
2011/02/14	Expert interview	**IWPA official 2** Mr Sizo Sibiya Development Facilitation manager	IWPA	Policy and legislation pertaining to the IWP, as well as conservation governance and management	60 minutes
2011/02/14	Parastatal	**IWPA official 3** Nerosha Govender Research Manager	IWPA	Policy and legislation pertaining to the IWP, as well as conservation governance and management	60 minutes
2011/02/16	Parastatal	**Ezemvelo KZN Wildlife official 1** Mr Ricky Taylor	Ezemvelo KZN Wildlife	Policy and legislation pertaining to the IWP, as well as conservation governance and management	60 minutes

Paper I

3 Localizing global environmental governance norms

Implications for justice

Melissa Hansen, Vasna Ramasar and Kent Buchanan

Introduction

With the increasing scale and complexity of environmental and social problems, there has been a trend of elevating responses to the global level. The call to 'think global and act local' means that a global perspective on what is required for sustainability strongly influences actions at national and subnational levels (United Nations [UN] 1992). Global environmental governance is underpinned by a set of normative discourses which hold assumptions on the causes of unsustainability and the corresponding solutions to these challenges (Kates et al 2001; Clark and Dickson 2003; Ostrom 2010). Such normative discourses are important in providing a coherent frame for international strategies in response to large-scale problems such as biodiversity loss, climate change and desertification.

Normative discourses on sustainability, as well as social goals and values are deeply embedded in the minds of agents, the structures of institutions and rules of policy. When global sustainability goals are introduced at the national and local levels, they meet and are influenced by traditional normative objectives that nations aspire to, such as democracy, human rights and economic growth. This chapter explores the intersection of global normative sustainability discourses with others of social and economic development. This is done in order to understand how, at a local level, these normative discourses may correspond or clash, and what the outcomes are for social justice of resulting management decisions. The analysis is based on a case study of the iSimangaliso Wetland Park (IWP) undertaken in 2010 and 2011 in South Africa.

A theoretical discussion on the role of normative discourses in governance follows immediately below, after which the case study is introduced and contextualized. The third section presents the actors involved in the IWP's governance, tracing their primary legislative mandates and the underlying normative discourses that direct their management decisions. The tensions that arise through the application of differing normative discourses at all levels are then described – tensions most often related to a conflict between the divergent goals of the conservation of World Heritage sites and national goals of social and economic development. Evidence from the case study is used to explicate these conflicts in South Africa. This is followed by a discussion of the overall findings and some final conclusions.

Theoretical background

Norms and normative discourses in governance

In our definition, 'governance' refers to ordered rules and collective action in society, where a system of rules around decision-making is implemented by social actors in a coordinated way (Hydén 2001). A system of rules has a distinctive normative foundation, and this is true at all levels. Norms have an influence on the governance regime of the IWP through various initiatives at the global and regional levels, as well as through national legislation and policy frameworks. The Constitution of the Republic of South Africa is based on a cooperative government approach – and this is integral to the governance framework of the IWP[1] (Republic of South Africa 1996: 1267–9). Here it is important to recognize that different agents involved in governance have their own particular mandates and normative approaches.

The *Oxford Dictionary* describes a 'norm' as 'a standard or pattern, especially of social behavior, that is typical or expected' (*Oxford Dictionary* 2012). Norms are embedded in our thinking and often not explicit. They are, however, extremely powerful, in that they represent a prevailing view on a topic and therefore often assume consensus. To better understand what we mean by a 'norm' here, we follow Hydén and Svensson's (2008) ontological analysis, founded on the Aristotelian ideas of 'essence' and 'accident'. A distinction is thus made between the 'essential' and 'accidental' attributes of norms. Three essential attributes of norms are that they are behavioural imperatives, they are socially reproduced and they are the individual's understanding of surrounding expectations regarding their own behaviour (Hydén and Svensson 2008). Accidental attributes of norms include the presence of sanctions, the origin of the norm, the context or arena in which the norm is socially reproduced, whether the norm is system-oriented or value-oriented, the internal function of the norm and the purpose of the norm (Hydén and Svensson 2008).

A legal norm is a compulsory rule of conduct established by the state. For example, South Africa's National Environmental Management Act (Act 107 of 1998) directs the state to 'respect, protect, promote and fulfil the social, economic and environmental rights of everyone and strive to meet the basic needs of previously disadvantaged communities' (RSA 1998a: 2). Legal normative discourses here are those around human rights and restorative justice. A social norm is a habitual rule that governs behaviour in groups and societies. A social normative discourse in the post-apartheid South African context may favour the embracing of a vibrant multiculturalism (Sonnichsen 2009). A technical norm may relate to rules of conservation, for example the necessity of a fence to protect 'sensitive' ecological areas from human impact (United Nations Educational, Scientific and Cultural Organization [UNESCO] World Heritage Centre 2011, p. 1, p. 11). An economic normative discourse may presume, for example, that job creation is integral to economic growth, or that gross domestic product is an indicator for economic growth (RSA 2010). A bureaucratic normative discourse may be that of transparency or of democratic participation (RSA 2000).

Normative discourses prescribe what ought to be done. They are the rules that are implicitly followed in management decisions. This chapter delineates the normative discourses underlying legislative and policy documents at different levels (global and regional, national and local). This has important implications, in that conflicting normative discourses may lead to the precedence of global, regional or national priorities and values over those at the local level, or vice versa, leading to important outcomes for social justice. This chapter will look specifically at contradictions arising through normative discourses directing the divergent goals of the conservation of World Heritage, and social and economic development, influencing the management decisions of actors at different levels.

Normative discourses of sustainable development and the iSimangaliso Wetland Park

The IWP is a UNESCO World Heritage Site. Our analysis is based upon the argument that, as a site of ecological world heritage, the governance framework of the IWP is partly founded upon normative discourses of global conservation and the public interest. Through the World Heritage Convention Act (Act 49 of 1999), which incorporates the World Heritage Convention into South African legislation, a global commitment to the conservation of areas of 'outstanding universal value' has received national legislative support and, in this case, been given effect through the establishment of the IWP. Thus global norms of conservation become entrenched in national and local levels of government.

At the national level, although normative discourses around economic development are present, intersectional justice, human rights and social development also come strongly into play, in light of South Africa's post-apartheid priorities. The Bill of Rights in the Constitution of South Africa states: 'Everyone has the right to an environment that is not harmful to his or her health or well-being' (RSA 1996). Even the World Heritage Convention Act includes a strong emphasis on intersectional justice. Among the fundamental principles of the Act are that 'participation by vulnerable and historically disadvantaged persons must be ensured' and that 'decisions must take into account the interests, needs and values of all interested and affected parties' (RSA 1999).

At a southern African regional level, the IWP comprises a major node of the Lubombo Spatial Development Initiative (LSDI) and of the Lubombo Transfrontier Conservation and Resource Area (LTFCA)[2], two collaborative development projects of the governments of Mozambique, South Africa and Swaziland. Jourdan (1998) has argued that spatial development initiatives are guided by growth-based definitions of development. Among the priorities for the LSDI are to generate economic growth by making maximum use of the inherent, but underutilized, potential of the area; to maximize private-sector involvement and create an attractive and stable climate for investors to operate in; and to maximize job creation by ensuring that the new industries being stimulated are competitive and have a long-term future in the region (National Department of Environmental Affairs [NDEA] n.d.). At the signing of the Trilateral Protocol for the LTFCA on 22 June 2000,

Mohammed Valli Moosa, South Africa's Minister of Environmental Affairs and Tourism at the time, stated that the LTFCA 'aims to consolidate conditions for the development of Lubombo's considerable tourism potential that underpins the promise of a revitalized regional economy' (Moosa 2000). The role of the iSimangaliso Wetland Park Authority (IWPA) (then the St Lucia Wetland Park Authority) would be to 'accelerate development, generate sustainable jobs and create conditions for the establishment of an internationally competitive tourism destination' (Moosa 2000). This shows that there is a strong emphasis on economic development goals at the southern African regional level. Here the policy view is that the IWP will facilitate socio-economic development through tourism.

Introduction to the case study

The study area

The IWP in northern KwaZulu-Natal was listed as South Africa's first UNESCO World Heritage Site in December 1999, in recognition of its superlative natural beauty and unique global values (UNESCO World Heritage Centre [WHC] 2000). Specifically, three of the ten criteria of UNESCO were met (UNESCO WHC 2000). First, the IWP is an example representing ongoing ecological and biological processes in the evolution and development of ecosystems and communities of plants and animals. Second, it contains superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance. Lastly, it contains 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 IWP also contains four wetlands of international importance under the Ramsar Convention (DEAT 2009).

The IWP was elevated to the status of an icon in the history of the environmental struggle in South Africa (Department of Environmental Affairs and Tourism [DEAT] 2009). In the late 1980s and early 1990s, a proposal by a multinational company to mine the dunes on the eastern shores of Lake St Lucia for titanium and other heavy metals was met with vehement and polarized public debate (Bainbridge 1993/1994). An extensive environmental impact assessment (EIA) process was characterized by a clash between two contrasting views: economic benefits versus aesthetic value and sense of place (Kruger et al 1997).

An independent review panel, chaired by Justice Ramon Leon, was appointed to review the EIA process and the final reports, to assess public opinion and to submit a recommendation to the cabinet as to which land use for the area was considered to be the most appropriate (Bainbridge 1993/1994). The panel put forward a proposal that future development be based on ecotourism as the primary land use option (Dominy 1993/1994). This proposal was influenced by an overwhelming national and international outcry about the loss of a global biodiversity hotspot, representing an explicit connection of the IWP to global conservation goals. Significant normative discourses here were those around global biodiversity conservation and the public interest.

Informed by the recommendations of the Leon Commission, South Africa's new democratic government ruled that dune mining on the eastern shores of Lake St Lucia be prohibited and the area's fragile beauty and sense of place protected for future generations (DEAT 2009). This was a landmark decision for the South African environmental movement, contributing to a change in the way conservation areas were thought of in South Africa, and creating the opportunity to view ecotourism as a viable alternative to primary-sector natural-resource extraction as an economic growth strategy (Dominy, 1993/1994; Chellan and Khan 2008; Walker 2008).

Saved from dune mining, the IWP (then known as the Greater St Lucia Wetland Park) was proclaimed in 2000, in terms of regulations published under the World Heritage Convention Act. At the same time the IWPA was set up to manage the park on behalf of the state. The IWP effectively consolidated 16 parcels of previously fragmented land – a patchwork of former proclamations (the earliest going back to 1895), state-owned land, commercial forests and former military sites[3] – to create an integrated park for the first time (DEAT 2009; IWPA 2009).

The IWP covers more than 330,000 hectares, stretching 220 kilometres from Kosi Bay, just below the Mozambican border in the north, to Maphelane, south of the St Lucia estuary (DEAT 2009) (Figure 3.1). Its eastern boundary is the Indian

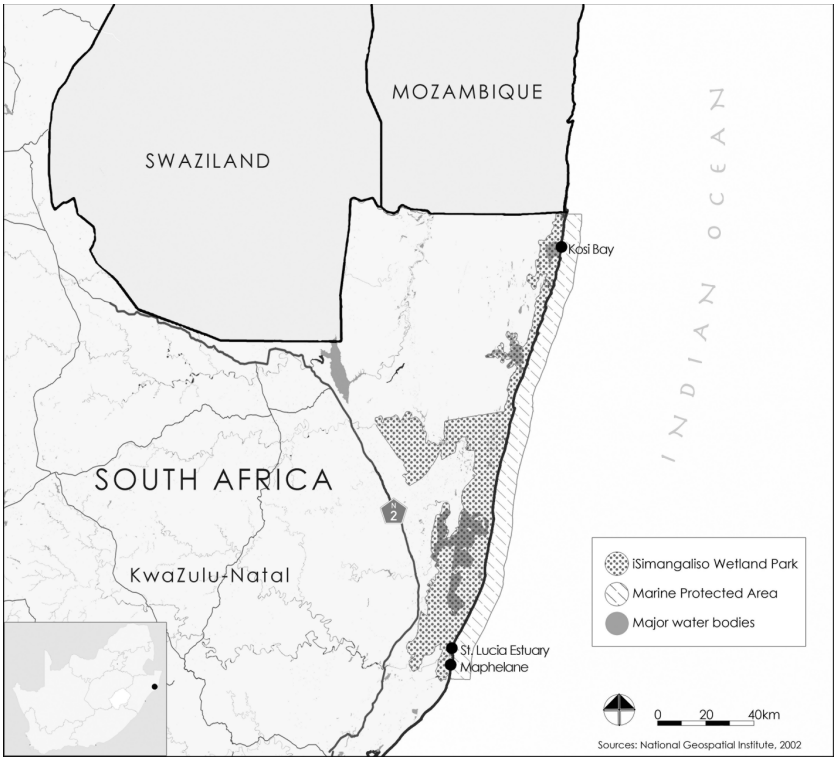

Figure 3.1 Geographical location of the iSimangaliso Wetland Park.

Ocean and its western boundary is irregular, incorporating the entire Kosi, Sibaya and St Lucia lake systems, as well as the uMkhuze Game Reserve. It encompasses one-third of the KwaZulu-Natal coastline and 9 per cent of the entire coastline of South Africa (DEAT 2009).

Socio-economic context

The IWP falls almost entirely within the boundaries of the uMkhanyakude District Municipality (IWPA 2008). Some of the most impoverished communities in South Africa are found in the uMkhanyakude region, and areas neighbouring the IWP in particular (IWPA 2008). As of 2007, 614,046 people live in the uMkhanyakude council area, translating into 114,973 households (Community Survey 2007, cited in uMkhanyakude District Municipality 2011/2012). Within the Coastal Forest Reserve section of the park, there are six small townships[4] whose combined population in 1998 comprised approximately 200 families (KwaZulu-Natal Nature Conservation Services [NCS] 1998). The area is characterized by high levels of underdevelopment, unemployment and poverty, along with some of the highest rates of HIV/AIDS in the country (uMkhanyakude District Municipality 2011/2012). Significantly, many people rely on natural resources for their livelihoods. For example, our fieldwork identified the common use of ncema reeds (*Juncus krausii*) for mat-making and the building of traditional Zulu structures, ilala palm (*Hyphaene coriacea*) for the production of ilala wine, fish from the coastal area and grazing land for cattle. The integrated management plan for the IWP raises a concern about increasing pressure on such resources inside the park, through the depletion and degradation of natural resources in communal areas (IWPA 2008).

Data collection

Field research was carried out in 2011 and 2012, with numerous visits to communities residing both in and adjacent to the IWP, as well as interviews with local tribal authorities, municipal officials from the Big Five False Bay Local Municipality (a subdivision of the uMkhanyakude District Municipality) and several non-profit organizations working in the Big Five False Bay local municipal area. Data collection consisted primarily of semi-structured interviews and direct observations (Kvale 1996; Brockington and Sullivan 2003), as well as focus groups (Bryman 2008) in KwaDapha, a small community residing within the boundaries of the IWP. In addition, household surveys were conducted with around half of the 49 households belonging to this community, in order to gain information about the socio-economic context of the area and perceptual data on the impacts of the IWP on everyday life and the nature of community relations with the IWPA. Relevant legislative and policy documents were also collected and analysed and newspaper articles relating to the management of the IWP were also reviewed. To improve the credibility of results, most of the findings were verified through triangulation.

Interviews with the IWPA were limited because their officials were often unavailable. However, five interviews of approximately an hour each were undertaken with officials from the IWPA in February and March 2011 and August 2012.

The governance framework of the iSimangaliso Wetland Park

This section discusses the actors constituting the governance framework of the IWP, their enabling legal framework and the normative discourses that guide their management decisions.

The iSimangaliso Wetland Park Authority

The IWPA is the management authority for the IWP. Its major objective is to ensure the implementation of the proposal put forward by the Leon Commission – that the development of the park be based on ecotourism as the primary land use option, integrating both the conservation of World Heritage and local economic development. The authority reports directly to the national Department of Environmental Affairs, from which it receives its core funding[5] (DEAT 2009). It has a board of nine members, including the CEO, who represent business, traditional councils, land claimants, the provincial government (specifically Ezemvelo KZN Wildlife), the national government (specifically the Department of Environmental Affairs) and local government (DEAT 2009).

The goal of the IWPA is 'develop to conserve' (IWPA 2008, p. 2). The authority specifically strives to balance conservation and sustainable development, taking into account the 'pressing social development priorities of the region' and aiming to end the 'paradox of poverty amongst natural plenty' (IWPA 2008, p. 2). Conservation objectives however, are foremost, in order to ensure that World Heritage values are not compromised (IWPA: 2008). Although the goal of intersectional justice is of fundamental importance in the IWP's policy framework, it is overshadowed by that of global conservation.

In addition to conservation as its primary aim, the mandate of the IWP includes the facilitation of optimal tourism-based development in the park (IWPA 2008). The integrated management plan for the IWP aims to achieve this through creating an enabling environment for tourism development. It clearly recognizes the role of the private sector as the primary actor in the development of tourism (IWPA 2008). The plan explicitly strives to balance conservation, tourism development and the local economic development of historically disadvantaged communities in and adjacent to the IWP (IWPA 2008). The latter is expected to be achieved through equity partnerships between the private sector and mandatory community partners (IWPA 2008). An example is the Thonga Beach Lodge and Mabibi community campsite – cited as benchmarks for the development of ecotourism partnerships between the private sector and communities (Sunde and Isaacs 2008). Here, normative discourses centre strongly on human rights and restorative justice.

The IWP is also conceptualized as a 'commercial asset that has the potential to help drive the economic revival of a region that was systematically underdeveloped in the past' (IWPA 2008, p. 3). This is typical of an ecological modernisation discourse, which views nature as an instrumental resource (Cock 2007, cited in Walker 2008).

Ezemvelo KZN Wildlife

The IWPA has contracted the provincial conservation agency, Ezemvelo KZN Wildlife, as its nature conservation agent (IWPA 2008). The organization consists of the KwaZulu-Natal Nature Conservation Board and the KwaZulu-Natal Nature Conservation Service. The board is a public entity reporting to the KwaZulu-Natal provincial Department of Agriculture and Environmental Affairs. The service carries out the day-to-day operation of nature conservation in KwaZulu-Natal and is accountable to the board. In line with its statutory mandate, Ezemvelo KZN Wildlife is responsible for the management of nature conservation within the province of KwaZulu-Natal, and the development and promotion of ecotourism facilities within protected areas (EKZNW 2009). Most tourist facilities within the IWP, such as camping grounds and rustic cottages, are managed by Ezemvelo KZN Wildlife, although there are some community-owned and private facilities within the park, for example the Thonga Beach Lodge and Mabibi community campsite (interview, 14 February 2010).

The mission of Ezemvelo KZN Wildlife is 'to ensure effective conservation and sustainable use of KwaZulu-Natal's biodiversity in collaboration with stakeholders for the benefit of present and future generations' (EKZNW 2009). Since democracy, the organization has invested in repositioning ecotourism so that it contributes more substantially to provincial growth and development (EKZNW 2009). The Ezemvelo KZN Wildlife strategy for the period 2009–14 states that responsible management of biodiversity conservation is recognized worldwide as being a critical factor in the success of sustained economic development, and that often protected areas are a catalyst for economic development (EKZNW 2009). Objectives guiding Ezemvelo KZN Wildlife involve stakeholder participation, as well as ecotourism and conservation as means for achieving economic growth.

uMkhanyakude district and local municipalities

Until mid-2011, the IWP was a district management area[6] falling almost entirely in the uMkhanyakude District Municipality and contiguous to all five of its local municipalities. Since mid-2011, however, district management areas have formed part of their adjacent municipalities (uMkhanyakude District Municipality 2011/2012). This means that the IWP is now geographically split among three local municipalities, the Big Five False Bay, Mtubatuba and uMhlabuyalingana (uMkhanyakude District Municipality 2011/2012). Local municipalities represent a subdivision of district municipalities, usually in rural areas, with district munici-

palities offering coordination and support to those local municipalities under their respective jurisdictions (Frödin 2009).

The South African Constitution declares that the South African government is founded on three distinct but interdependent and interrelated spheres, thus making local government not just a subordinate level of government, but a significant sphere in its own right (Frödin 2008). Local government has considerable autonomy and the responsibility to promote social and economic development, in addition to providing water, sanitation, roads, stormwater drainage, electricity and municipal health services (Cameron 2003, cited in Frödin 2008). Municipalities also provide the linkages to the provincial and national departments that are responsible for other services, such as health care and education (RSA 1998b).

Tribal authorities

An important intricacy of the South African Constitution is the provision it makes for traditional government, acting through customary law, to function within the local governance sphere (RSA 2003). This manifestation of traditional government is commonly referred to as a tribal authority, which comprises an inkosi, or chief, and indunas, or headmen, who oversee the community. The inkosi is entitled to the position through his bloodline, while the indunas are usually appointed by the inkosi.

Formally, the role of the tribal authority is to work with the municipality while promoting functions under customary law (RSA 2003, section 4). In practice this parallel governance is characterized by unclear roles and questionable jurisdictions over the people, necessitating the negotiation of memorandums of understanding between the municipalities and tribal authorities (Buchanan 2011). There is thus some uncertainty as to how much power and influence they have within municipal structures (Buchanan 2011). Nevertheless, data collected from our interviews and observations show that the tribal authorities were consistently considered the legitimate representatives of local communities in and adjacent to the IWP, by both the IWPA and the communities themselves. Tribal authorities functioned as the communication link between the IWPA and local people. Tribal authorities also oversee much of their community's affairs, including social rules and regulations.

Governance through tribal authorities comes with its own set of legal, social, economic, technical and bureaucratic norms. Though tribal authorities showed respect for the ecological system managed by the IWPA, the importance of social and economic development – and guarantees to uphold their traditions, including the medicinal, spiritual, nutritional and economic uses of natural resources – were observed to be their main priorities (Buchanan 2011).

Tensions between normative discourses and resulting management decisions around the conservation of World Heritage, and social and economic development

Various actors play a role in the governance of the IWP, mandated through policy and legislation at all levels – global and regional, national and local. Management

decisions taken by these actors are in turn guided by various normative discourses. As these discourses can be contradictory or ambiguous, management decisions often lead to conflict. This chapter highlights three areas where tensions are visible: the imposition of restrictions on everyday life for people residing within the IWP, the construction of physical conservation measures such as fences and the conditions and channels for participatory governance.

Restrictions on everyday life as a source of conflict between the public interest and local social and economic development

The consolidation of the IWP has led to the imposition of new rules of governance, which constrain the economic and social development activities and opportunities of local people falling within its boundaries. Our research in KwaDapha showed that negative perceptions of these restrictions are widespread. For example, one interviewee stated that: 'fter iSimangaliso came in 1999 they put sanctions on us. Life was better before. Now there are sanctions even in the lake. People can't renovate their houses, can't fish on the lake.' (interview, 6 September 2012).

One example of local perceptions of limitations to social development is the accusation that the IWPA was opposed to the building of the KwaDapha Primary School (interview, 6 September 2011). This is, however, in contradiction with the stated position of the IWPA, which aimed to ensure that the school was constructed in an ecologically sensitive manner (interview, 3 August 2012). It has also been stated that community members have been stopped from renovating the (Methodist) church in KwaDapha (interview, 6 September 2012).

Another example of perceptions of restrictions on economic activities and opportunities is related to illegal tourism development on the part of individuals in the Coastal Forest Reserve section of the IWP. As of 2 August 2011, there had been at least three concluded civil cases and one concluded criminal case, and there remained one outstanding criminal case, against local people (Savides 2011). The applicants in these cases – the Minister of Water and Environmental Affairs, the IWPA and Ezemvelo KZN Wildlife – feared that the IWP would suffer irreparable damage, that it might lose its status as a World Heritage Site and that the communities which could benefit through controlled management of the park might suffer hardship, unless unlawful occupiers were stopped and evicted before it was too late (Kuppan 2009). The IWPA likened these tourism development initiatives to 'ecological theft' (Kuppan 2009). Nevertheless, two interviewees involved in these initiatives in KwaDapha stated that they believed they had gone through the necessary channels for authorisation – receiving the go-ahead from the local induna and the owners of the land, the iNgonyama Trust (interview, 7 September 2011). One interviewee, quoted in a newspaper report, stated that 'we believe that the court was wrong to rule against us. We followed all the relevant channels before we started building' (South African Press Association [SAPA] 2009). In addition to obtaining permission from the local induna, they had also submitted their plans to the magistrate at iNgwavuma who allowed them to build (ibid.). It was additionally reported that developers would mobilize the community against

the IWPA (ibid.). During our household surveys and interviews in the area, it was clear that many community members held significant feelings of anger and resentment towards the IWPA because of the actions taken against tourism development initiatives in the area. The local induna stated in reference to this, that 'we are not free in this area' (interview, September 11, 2011).

Our interviews, focus group meetings and household surveys in KwaDapha also show that many community members had negative attitudes towards the IWPA as a result of a perceived lack of jobs in KwaDapha, due to these restrictions on tourism development. One interviewee stated in reference to this: 'employment gives money. Money gives food.' (interview, 11 September 2011). Another interviewee stated that

> we want the government to intervene to build big lodges for people to have jobs at KwaDapha. People won't then have a problem with permits or sanctions. . . . We have submitted an application to develop a 4-star diving lodge where the community tented camp currently is and to upgrade the Kosi Bay Beach Camp. Then iSimangaliso will find it easier to work with communities. If iSimangaliso doesn't stop development, they will find it easier to work with the community.
>
> (focus group meeting, 6 September 2012)

The above examples reveal a tension between the IWPA and local people's perceptions of their socio-economic development opportunities. There seems to be a conflict between sustainability norms of intergenerational justice and the conservation of World Heritage on the one hand, and those of intersectional justice on the other. Although perceptions from local people of the restrictions placed on their livelihoods and social and economic development opportunities might be inaccurate or exaggerated, it is important to note the lacking or insufficient communication between the IWPA and local people (discussed in more detail in the section on democratic participation in the IWP). Negative perceptions of the impact of the IWP on everyday life is further complicated in the case of KwaDapha, as the area falls under the Coastal Forest land claim, which is yet to be settled. In practice this means that there has been limited benefit flow from the designation of the IWP as a World Heritage Site to local people. Walker (2008) highlights the issue of the public interest in protected areas in national environmental legislation and policy frameworks. She argues that the current orthodoxy for settling land claims in protected areas in South Africa, premised on commitment to social justice for those who were dispossessed of their rights in the past, tends to downplay or disregard the interests of other constituencies who are not claimants. Nevertheless, although we recognize the overall benefits of the IWP in terms of the public interest, we argue that where local livelihood and socio-economic opportunities are constrained, in light of South Africa's post-apartheid priorities that include intersectional justice and human rights, but also in terms of the policy framework for the IWP, some measure of recompense is necessary.

Fencing as a source of conflict between conservation and livelihoods

The IWP is considered a natural asset of global significance that must be conserved for the people of the region, the country and the world (IWPA 2008, p. 2). In order to conserve this asset, conservation and preservation measures have been instituted. In many instances, these measures have entailed restrictions on the livelihood activities of local communities, resulting in tensions.

A vivid example of such tensions between conservation and livelihoods is the construction of a fence between the IWP and adjacent areas. The IWP managers use the fence to preserve ecological integrity and endemism at the site in accordance with technical conservation norms (UNESCO WHC 2011). For adjacent communities however, access to natural resources in the IWP (for example land for grazing and agriculture) has been an important social and economic norm. Tribal authority leaders of the Mbila, Makhasa, Nibela, and Mnqobokazi communities adjacent to the IWP have all criticized the construction of a fence as potentially limiting their access to natural resources that are considered important for traditional use, economic use, health and food. Even where gates allow access, the communities are not confident that they will be allowed in.

Representatives of three of these four communities have refused to allow a fence. The other community has permitted the erection of a fence, even though the residents knowingly ignore the IWPA's rules for access to the park. For instance, a tribal authority representative of the Mnqobokazi community explained that the tribal authority was not complying with the IWPA's requests to restrict cattle grazing in the park, because the authority was not 'listening to them' (interview, 15 March 2011). Fences between the IWP and adjacent communities have even been cut down at various times and locations, according to the tribal authority leaders interviewed. The Mbila tribal authority representatives confirmed that such a fence cutting event occurred at the time of our fieldwork in 2011 (interview, 20 February 2011).

In a media statement released on 4 November 2009, the committee representing the Bhangazi, Dukuduku, Western Shores, Sokhulu, Mbila, Mdletsheni, KwaJobe and Triangle communities expressed their 'wish to bring to the attention of the world and government', the concern that their 'rights to access land for grazing, cropping and hunting are severely curtailed' and that 'community members who are trying to access the land to support themselves and their families are being subjected to all sorts of injustices' (Savides 2009).

Fences have also been a problem for communities residing within the boundaries of the IWP. One interviewee recounted an instance when they had been denied access to the park at its Coastal Forest Reserve access gate, after returning on foot from KwaNgwanase late at night. The gate was burned down in 2009 (interview, 24 September 2011).

In our surveys, most households reported that they had experienced difficulties with what they called 'nature's problem'. Older respondents in particular explained that they had detected an increase in forest cover over the preceding ten

or so years. They viewed this in a negative light, as they were not allowed to cut the trees down for fuel wood, and because hippopotami (*Hippopotamus amphibious*) and vervet monkeys (*Chlorocebus pygerythrus*) frequently destroyed household subsistence gardens.

Depending on one's perspective, a fence is either a progressive tool for ecological conservation or a stumbling block to local social and economic development. The tensions between the elements of sustainability and different normative approaches to sustainable development become clear in any attempt to constitute a governance structure that brings these together.

Democratic participation in the IWP

'Democratic participation' is a normative discourse that appears frequently at all levels of governance. The South African Constitution emphasizes 'cooperative government' and 'participatory democracy'. This democratic norm has established channels and conditions requiring governance to be conducted with consideration of the voices of stakeholders, including local residents. In practice, it is important to consider the depth of stakeholder engagement or public participation. If participation lacks depth, either purposely or accidentally, voices from the community and/or other actors are excluded. This can result in a bias towards some normative discourses in preference to others, leaving social justice and democracy in question.

The history of nature conservation in southern Africa is complex, with conservation more often than not in conflict with democratic values of participation (Fabricius 2004). In addition, the demarcation of conservation areas has often resulted in forced evictions and exclusion from natural resource use (Fabricius 2004; Sunde and Isaacs 2008). The IWP is no exception in this regard: there have been a total of 14 land claims within the park (interview, 14 February 2011). Three of these were settled in 1998 and 2002, six in 2007, and five remained to be settled at the time of writing (IWPA 2010). Land claims within the IWP have been settled through co-management agreements. The co-management process includes representatives of IWPA and the land claims committee, usually made up of tribal authority members in a given community.

At the People and Parks National Conference in 2010, communities presented a list of persistent problems and challenges they faced. A major concern related to co-management agreements. Many communities represented at the conference felt that co-management arrangements were not being implemented in a way that allowed communities to participate as much as they would like in local, regional and national decision-making processes, and that the government was failing to involve them adequately in the management of protected areas (NDEA 2010).

In the case of the IWP, the relationships between the IWPA and land claims committees vary from community to community, as our fieldwork revealed. They range from cooperative to obstructionist, with co-management agreements ignored in the latter case. In an interview with the Nibela tribal authority, the relationship with the IWPA was described as good, because both sides respected

the co-management agreement (interview, 25 February 2011). In the case of Mnqobokazi, however, the community was not observing the rules and regulations established in their co-management agreement, which had not yet been formally signed, and the IWPA was not meeting the community's expectations. For example, according to a Mnqobokazi tribal authority representative, the community is not restricting access to the park, while the IWPA is withholding the gate fee payout promised to the Mqnobokazi tribal authority (interview, 15 March 2011).

In addition, we find the depth of participation in planning and development activities related to the IWP to be lacking. According to various community members and tribal authority representatives in the Nibela and Mbila communities, as well as officials of the Big Five False Bay Municipality, the views of many community members are not always heard, since attendance at stakeholder and public meetings can be low. Nzama (2009) has found that despite the fact that regular outreach workshops are held to foster communication between the IWPA and local communities, participation in planning and development activities is still limited. One reason elicited by our research for low attendance at stakeholder meetings, is that community members know that instead of attending decision-making meetings, they can go to a second, and shorter, informational meeting the next day. The result is that those community members have no voice in decision-making.

Another reason is that participation through tribal leaders may favour community members close to those leaders and exclude others. Sunde and Isaacs (2008) report that the Mabibi community, who reside within the IWP, are adamant that they are not able to participate in the management of the IWP – and that the community is unaware of the potential benefits flowing to them from the Thonga Beach Lodge and the Mabibi community campsite. The fact that some members of the community are unaware of this demonstrates the lack of adequate and effective participation in the planning process (Sunde and Isaacs, 2008). One of the reasons Sunde and Isaacs (2008) give is the hierarchical structure of the local tribal authority.

The depth of participation is further limited by conflicting rationales, including sustainability norms and political interests. One such limiting factor observed during research was the lack of interaction between the IWPA and the municipalities. This relationship is limited at best. Municipal officials from the Big Five False Bay Local Municipality stated that they had never had contact with the IWPA (interviews, 11 and 22 February 2011). The IWPA, for its part, stated that the roles of the authority and the municipalities were 'separate and unrelated' (interview, 14 February 2011). This suggests that differing normative perspectives of sustainability – the municipality striving for social development and the IWPA mainly for the conservation of World Heritage – can limit participation. Nevertheless, the municipalities hold information about the local residents, such as details of the areas needing social development more urgently (Big 5 False Bay Municipality, 2010/2011) that could well serve the socio-economic development objectives of the IWPA.

In addition, observations during our fieldwork showed that elected officials have been known to steer the municipalities' social development activities in directions

likely to win themselves political favour. For example, both Operation Upgrade and the Makhasa Adventist Group, non-profit organizations working in the area, stated that the mayor of the Big Five False Bay Municipality took credit for their work, without publicly acknowledging them in any way.

Discussion: The iSimangaliso Wetland Park as a place for inclusion and exclusion

The IWP's status as a UNESCO World Heritage Site indicates that normative discourses around the conservation of World Heritage and the public interest play a significant role in the management decisions taken by the IWPA, as well as its very existence. As the IWP's integrated management plan affirms, the World Heritage concept implies that some sites on earth are important to all peoples of the world, irrespective of where they are located (IWPA, 2008). In these terms, the IWP is a site for global conservation, its declaration as a World Heritage Site is introduced and justified in part by UNESCO, a global actor. World Heritage status places extra responsibilities on member states and site managers. In this context, questions arise about who should bear the costs of the IWP's designation, particularly relating to communities living within and adjacent to the park.

The case study presents a local space where we see global, regional, national and local normative discourses intersecting (Cox 1998). Norms from all levels and all aspects of sustainability (ecological, social and economic) influence the management of the IWP. This is a space where different agents exert their normative beliefs about what is required to achieve sustainability. At the same time, norms are embedded in the policies, institutions and management decisions related to the IWP. In the context of the IWP, there are tensions between the different goals of sustainability, the conservation of World Heritage, and social and economic development and livelihoods. The achievement of all of these goals requires some trade-offs in decision-making. For example, the fence surrounding the IWP represents a strategy to conserve biodiversity, but can also be seen as an instrument reducing the livelihood options of local communities.

This raises questions of justice in the governance of the IWP. Arguably, South Africa's political and conservation history demonstrates the need to think about reducing the injustices of the past, more than aspiring to achieve an ideally just society in the present. The theoretical approach to justice we take in this chapter is thus realization-focused and comparative, following Sen's work presented in *The Idea of Justice* (2009). This approach focuses on the pressing need to remove identifiable injustices in the world, and is concerned with social realizations resulting from actual institutions, actual behaviours and other influences (Sen 2009). Specific questions asked around justice in this chapter focus on 'Who gains what?' and 'At the expense of whom?' The divergent goals of the conservation of World Heritage, and social and economic development, are admirable and essential for sustainable development. This is reflected clearly in the numerous policies that speak to society's conception of sustainability that demands intersectional justice, in addition to the maintenance of ecological integrity.

Achieving environmental governance for social justice is, however, a formidable task. Part of the challenge stems from the interaction of the underlying norms that guide different actors in trying to achieve this goal. Different normative approaches may be in conflict, leading to tensions that result in social injustices.

In the case of the IWP, management choices, decision-making structures, and policies, in support of conserving a World Heritage Site, are guided by a normative discourse around the global conservation. Although local needs are acknowledged, the impetus to 'think global' means that some choices have been made beyond the bounds of the local area. A question of justice arises not from simply looking at the local level, but rather through understanding the interplay caused by the intersection of several levels – in this case, the implementation of different policies and initiatives relating to the IWP. Nancy Fraser suggests that injustices at intersecting scales can lead to the social exclusion of the global poor (Fraser 2010).

The IWP's identification as a UNESCO World Heritage Site raises it above the status of the local territory and, sometimes, beyond the decision-making authority of local people. There is no prioritization in explicit policy of the global conservation need over local social and economic development needs. Nevertheless, the strength of the global impetus is reflected in the fact that World Heritage status privileges certain actors and goals over others. This could lead to injustices of 'misframing', in which some issues are framed as being primarily of local importance, yet obliged to compete for resources with issues that are considered to be of international or national importance.

The construction of physical conservation measures can also be regarded as a matter of distributive justice. According to technical norms of conservation, the fence is a logical choice to manage the movement of people and animals in and out of the IWP. Legally, the IWPA is well within its rights to erect such a structure. The tension arises when we consider the notion of access. People living in and around the IWP have had access to the park's natural resources for decades. Although the question of ownership and property rights is still a contested one and will not be addressed here, another aspect of access refers to the 'right to benefit from things' (Ribot and Peluso 2003). In this case, it is a question about not simply a bundle of rights, but a bundle of powers. Clearly, the construction of a fence removes the power of the local residents to manage their movement in and out of the park. Management of people and animals is at the discretion of the IWPA. Building a fence implicitly suggests that the local residents will not self-manage their use of natural resources sustainably and must be managed instead. This limits the powers of the local community to play an active role in governing natural resources sustainably.

Finally, channels for participation and cooperative governance can also be used as means of inclusion and exclusion. A wide range of local, national and international actors operate in the area, and this raises questions of legitimacy and accountability. It is not clear whether cooperative governance actually does foster democratic consolidation, or whether the multitude of approaches and actors produces fragmented forms of authority, where the involvement and voice of individuals, and some groups, are lost (Ribot, et al 2008). Local leaders are involved in specific decisions that are deemed to pertain to them, but management of the

IWP, for the most part, is left to the conservation 'experts'. Local people are recognized as important constituents of the heritage site, but more as beneficiaries than as conservators. In this light, socio-economic development is limited to a model based on ecotourism. Benefits for local people are in the form of material gains.

There are indeed present and potential injustices around the IWP, but these clearly do not result from explicit strategies to exclude local people. The pervasive nature of norms means that there are some fundamental beliefs about how protected areas such as the IWP should be managed. The World Heritage Convention Act and the IWPA espouse the goal of recognizing intergenerational equity with a level of priority that is not the same for municipalities or tribal authorities. Also, the means of achieving intergenerational equity may differ greatly based on the normative perspective. For example, to one person intergenerational equity is best achieved through conserving biodiversity, while to another person this may be done by improving the living conditions of the current generation (Sen 2009).

In this way, norms pervade decisions and actions about the IWP. In the process, different groups are recognized and have access differently to resources, decisions and benefits. In the end, the way people are included or excluded has implications for justice.

Conclusion

The analysis has revealed significant tensions between varying normative discourses of sustainability and sustainable development at different levels: global and regional, national and local. Firs, the conservation of World Heritage is in conflict with the IWP as a regional political economy and development project through ecotourism development. Second, both of these have an impact upon social justice at a local level. These impacts must be addressed if the governance of the IWP as a World Heritage site is to be truly sustainable.

In effect, what this case study demonstrates is that management decisions arising from normative discourses around the conservation of World Heritage, as well as social and economic development, and livelihoods, are often in conflict. Effective governance cannot be negotiated without taking this into account. The study also illustrates the complex nature of conservation in the southern African context, and highlights important tensions that exist in realizing admirable concepts such as World Heritage at a local level, where competing goals exist.

Negotiating the environment-development nexus demands a deeper examination of diverging values and normative discourses. In this regard, analyses that take into account the normative concerns of multiple actors at varying scales (global, regional, national and local) are integral to a reflexive and adaptive governance regime.

Notes

1 The Constitution of the Republic of South Africa states: 'All spheres of government and all organs of state within each sphere must exercise their powers and perform their

functions in a manner that does not encroach on the geographical, functional or institutional integrity of government in another sphere; and cooperate with one another in mutual trust and good faith' (RSA 1996, section 41(1)(g) and (h)).

2 Transfrontier conservation areas (TFCAs) are conservation areas that straddle the boundaries of two or more states, aiming to promote regional cooperation and development.

3 Cape Vidal State Forest, Dukuduku State Forest, Eastern Shores State Forest, False Bay Park, Makasa State Forest, Maphelane Nature Reserve, Maputaland Marine Reserve, uMkhuze Game Reserve, Nyalazi State Forest, Sodwana Bay National Park, Sodwana State Forest (Ozabeni), St Lucia Game Reserve, St Lucia Marine Reserve, St Lucia Park, Coastal Forest Reserve and Lake Sibaya Freshwater Reserve (IWPA 2008).

4 Enkovukeni, KwaDapha, Mqobela, Mbila, Shazibe and Hlabezimhlope.

5 Additional funding for specific projects has been received from the Global Environment Facility through the World Bank, among other sources.

6 The Local Government: Municipal Structures Act (Act 117 of 1998) defines a district management area as part of a district municipality which has no local municipality and is governed by that district municipality alone (RSA 1998b).

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Paper II

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New geographies of conservation and globalisation: the spatiality of development for conservation in the iSimangaliso Wetland Park, South Africa

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RESEARCH ARTICLE

New geographies of conservation and globalisation: the spatiality of development for conservation in the iSimangaliso Wetland Park, South Africa

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This paper analyses spatial conflicts in the iSimangaliso Wetland Park (IWP) in South Africa, a state-led 'development for conservation' project and UNESCO World Heritage Site. With inspiration from Henri Lefebvre's theory on the production of space, it examines dialectical processes of the production of conservation space empirically. Two arenas of conflict: fencing and punitive actions against conservation transgressors are discussed in terms of state power in its relational engagement with local space. Spatial conflicts emerge through tensions between the imposed objectives for the conservation of ecological World Heritage – and the subjective space of users and inhabitants. Market-based modernisation and economic growth strategies, which view land as a commodity, rather than as a social-ecological resource for livelihood generation, perpetuate historical insecurities through the alienation of local people from both land and management practices. Other alienating effects include the socially differentiated effects of new rules of governance, the reshaping of old ethnic identities as a result of envisaged benefits from ecotourism and the imposition of new social-ecological values.

Keywords: iSimangaliso Wetland Park; globalisation; market-based conservation; Lefebvre; spatial conflict; exclusion and inclusion; social and social-ecological relations

With persistent poverty, accelerating resource extraction and climate change, challenges to conserving biodiversity seem increasingly insurmountable (McShane et al. 2011). Habitat transformation, extinction of species and the decline of animal and plant populations demand urgent action (Adams et al. 2004). Biodiversity conservationists frequently hold that protected areas are the best, if not the only means to adequately protect all elements of biodiversity (i.e. genes, populations and landscapes) (Miller, Minteer, and Malan 2011). Protected areas are traditionally understood as those areas with a minimal human presence and history of alteration (Miller, Minteer, and Malan 2011). However, in those instances when the creation of protected areas causes the foreclosure of future land use options, there are potentially significant economic opportunity costs, and substantial negative effects on local people (Adams et al. 2004). For example, fencing around protected areas hinders access to livelihood resources, such as land for grazing and agriculture. There is

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increasing concern that global efforts to maintain biodiversity are in conflict with those to reduce poverty (Adams et al. 2004).

In the past several decades a variety of 'win-win' approaches have been introduced all over the world to conserve biodiversity, while also furthering local social and economic development (McShane et al. 2011). In recent years, these efforts have been increasingly connected to a market-based policy agenda for socio-economic development (Brockington and Duffy 2010; Igoe and Brockington 2007; Fairhead, Leach, and Scoones 2012). Critiques of market-based conservation have often focused on its impact on social and social-ecological relations (Bakker 2010; Dressler and Büscher 2008; Sullivan 2006). For example, it is argued that, with the enclosure of commons as commodified land, new property relations increasingly sever customary ties and institutions by placing both under the auspices of self-regulating markets (Dressler and Büscher 2008). Both distributive and procedural social justice is a significant concern in these critiques (Adams and Hutton 2007; Dressler and Büscher 2008; Igoe and Brockington 2007; Redford and Sanderson 2000; West, Igoe, and Brockington 2006). Distributive justice relates to the distribution of costs and benefits associated with protected areas, while procedural justice is connected to the ability to be heard in political processes.

This paper enters these debates with an analysis of conservation conflicts in the iSimangaliso Wetland Park (IWP) in South Africa, a state-led 'development for conservation' project (IWPA 2008). Struggles over conservation space are interrogated in terms of what they reveal regarding the politics of protected areas. Taking inspiration from Henri Lefebvre's ideas in *The Production of Space* (1992), the paper examines dialectical processes of the production of conservation space empirically. How have the norms of global biodiversity conservation and national and regional economic development been applied in the IWP's formation? At the local level, the politics of protected area consolidation, expressed in conservation conflicts are analysed. The empirical focus is on cases of conflict over fencing, as well as punitive actions taken against conservation transgressors in the IWP. The impact of dialectical processes of the production of space on social and social-ecological relations is assessed through an embedded case study of the KwaDapha community at Bhanga Nek, Kosi Bay, in the Coastal Forest Reserve Section of the Park. Some implications for conservation – arising out of the imposition of new social-ecological values and the socially differentiated effects of new rules of governance – are suggested. Lefebvre's theories have been developed and applied mostly in the field of urban studies; this study tests their relevance in a rural context.

Study area and methods

The iSimangaliso Wetland Park, South Africa

The iSimangaliso Wetland Park (IWP) covers more than 330,000 hectares, stretching 220 kilometres along the Indian Ocean from Kosi Bay, just below the Mozambican border in the north, to Maphelane south of the St Lucia estuary (DEAT 2009). It encompasses one-third of the KwaZulu-Natal coastline and 9% of the entire coastline of South Africa (DEAT 2009). Its eastern boundary is the Indian Ocean and its western boundary is irregular, incorporating the entire Kosi, Sibaya and St Lucia lake systems, as well as the uMkhuze Game Reserve (Figure 1).

Figure 1. Geographical location of the iSimangaliso Wetland Park.
Source: IWPA (2009).

The IWP was listed as South Africa's first UNESCO World Heritage site in 1999. The Park met three of the 10 UNESCO World Heritage criteria (UNESCO WHC 2000). Firstly, the IWP is a representative example of on-going ecological and biological processes in the evolution and development of ecosystems and communities of plants and animals. Secondly, it contains 'superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance'. Lastly, it contains 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 conservation or science'. The IWP also contains four wetlands of international importance under the Ramsar Convention (DEAT 2009). The Maputaland coastal plain is an acknowledged centre of biodiversity, and the Maputaland Centre of Endemism is part of the Maputaland-Pondoland-Albany biodiversity hotspot (IWPA 2008).

The IWP was proclaimed under the World Heritage Convention Act (RSA 1999) in 2000. The IWP effectively consolidated 16 different parcels of previously fragmented land – a patchwork of former proclamations (the earliest going back to 1895); state-owned land; commercial forests; and former military sites – to create an integrated park (IWPA 2008; DEAT 2009).

The iSimangaliso Wetland Park Authority (IWPA) was set-up to manage the Park on behalf of the state (RSA 2000). The major objective of the IWPA is to ensure that the development of the IWP is based on ecotourism as the primary land use option, integrating both the conservation of World Heritage and local socio-economic development. The IWPA reports directly to the national Department of Environmental Affairs, from which it receives its core funding (DEAT 2009). It has a board of nine members, who represent business, traditional councils, land claimants, as well as national, provincial and local government (DEAT 2009).

As a result of historical forced relocations for conservation, the entire park has been subject to competing land claims, with a total of 14 claims (IWPA 2010). Three of these were settled in 1998 and 2002, six in 2007, and five remain to be settled in 2013 (IWPA 2010). In the case of successful land claims, land title has been transferred to claimant communities, with limited user rights under co-management agreements (IWPA 2008; Nustad 2011). The co-management process includes representatives of IWPA and the land claims committee, usually made up of tribal authority members in a given community. Where claims are still to be settled, the IWPA remain the overall managers on behalf of the state (IWPA 2008).

The community of KwaDapha

Local-level research was conducted in KwaDapha, a so-called *tribal authority* area, at Bhanga Nek, Kosi Bay. The area, located within the Coastal Forest Reserve Section of the IWP, comprises four lakes linked by a network of channels. Bhanga Nek lies between the third and biggest lake, kuNhlange, on the west, and the Indian Ocean on the east (Figure 2).

The Kosi Bay Nature Reserve was formally proclaimed in 1987 by the provincial conservation authority, the KwaZulu Bureau of Natural Resources (KBNR) (Kyle 1995). The migration of local people attracted by the infrastructure in KwaNgwanse since the 1970s, accelerated when rumours of the establishment of nature conservation parks in the area were heard in the early 1980s (Mthethwa 2002). Those who

Figure 2. Geographical location of the KwaDapha community at Bhanga Nek, Kosi Bay. Source: IWPA (2009).

stayed resisted forced removals as a result of the proclamation of the reserve (Guyot 2005), but lived under several restrictions from the KBNR (Mthethwa 2002). For instance, local people who owned fields around the banks of kuNhlange were not allowed to plough anymore (Mthethwa 2002).

Since mid-2011, the KwaDapha community has fallen within the uMhlabuyalingana Local Municipality, one of the economically poorest in the country (uMhlabuyalingana Local Municipality 2011/2012). The community is under the leadership of iNkosi Mabhuda Tembe of the Tembe Tribal Authority, represented by a local iNduna. The area is registered under the Coastal Forest Reserve land claim, which is still to be settled (IWPA 2010). The land claim process has been characterised by continuing contestations and shifting tribal affiliations (Mthethwa 2010). Although under the management of the IWPA, land is held in trust by the iNgonyama Trust, a Zulu tribal trust (uMhlabuyalingana Local Municipality 2011/2012). Title deeds are absent, as the land is communal. Permission to reside in KwaDapha is given by the iNduna.

The community at KwaDapha is physically and economically isolated. KwaNgwanase is an hour away, accessible only by off-road vehicle. There is a primary school at KwaDapha, but secondary school attendees commute to KwaNgwanase. There is no electrical power, except for solar or petrol/diesel generators in a few households. Water is obtained from wells, or pumped from kuNhlange. Most households have a subsistence garden.

Households are frequently highly dependent on state pensions (R1200 per month in 2013, ≈US$ 135) and Child Support Grants (R260 per month in 2013, ≈US$ 29). These are supplemented by temporary jobs, for example, in the Coast Care and turtle monitoring programmes, implemented through the provincial conservation authority, Ezemvelo KZN Wildlife. Some people have also found temporary jobs at private and community-run tourist camps from time to time. In recent years, illegal tourism developments have burgeoned in the Coastal Forest Reserve Section of the IWP, in KwaDapha, as well as in neighbouring communities, such as eMalangeni. This has been in an apparent effort by local people to exploit tourism demand in the area. Female-headed households often sell resources, such as Zulu beer and palm wine, and reeds for building and maintenance, to supplement their income. Many people rely on natural resources for their livelihoods. For example, it was observed that *ncema* reeds (*Juncus krausii*) were commonly used for mat making and the building of traditional structures. The production of ilala palm (*Hyphaene coriacea*) wine was also observed, as well as the consumption and sale of fish from the coastal area and kuNhlange. The IWPA raises a concern about increasing pressure on such resources inside the IWP, through the depletion and degradation of natural resources in communal areas (IWPA 2008).

Data collection

The local study is based on field research undertaken in the IWP in 2011 and 2012. Interviews focusing on the governance framework of the IWP were carried out with experts from the IWPA. Fourteen semi-structured interviews and two focus group meetings focusing on conservation conflicts were conducted with local informants at KwaDapha. Furthermore, household surveys were carried out with half of the 49 households in KwaDapha, in order to gain information about the socio-economic

context and perceptions of the impacts of conservation management on social space. One of the focus group meetings was attended by men and the other exclusively by women, in order to avoid a potential gender gap in the discussions. All interviews, household surveys and focus group meetings were conducted in confidentiality, and the names of the respondents were withheld by mutual agreement. Relevant legislative and policy documents were also collected and analysed. In addition, newspaper articles relating to conservation conflicts in the IWP were reviewed. To improve the reliability of the results, most of the findings were verified by triangulation between different types of sources.

Spatial conflicts in the iSimangaliso Wetland Park

The history of nature conservation in Southern Africa is complex, with conservation often resulting in conflicts with local people (Fabricius 2004). Two arenas where spatial conflicts are visible in the IWP are around fencing and punitive actions taken against local conservation transgressors. For example, tribal authority leaders of the Mbila, Makhasa, Nibela, and Mnqobokazi communities, adjacent to the IWP, have criticised the construction of a fence as potentially limiting their access to natural resources that are considered important for economic and traditional use (Hansen, Ramasar, and Buchanan 2013). Representatives of three of these communities have refused to allow a fence. The fourth community has permitted the erection of a fence, even though the residents knowingly ignore the IWPA's rules for access to the park. A tribal authority representative explained that they were not complying with the IWPA's requests to restrict cattle grazing in the Park, because the authority was not 'listening to them'. Fences between the IWP and adjacent communities have been cut down at various times and locations, according to tribal authority leaders.

Another arena of spatial conflict in the IWP has been the punitive actions taken against conservation transgressors. There have been both civil and criminal cases against local tourism initiatives at KwaDapha, and elsewhere in the Coastal Forest Reserve Section of the IWP (Plate 1).

The applicants in these cases – the Minister of Water and Environmental Affairs, the IWPA and Ezemvelo KZN Wildlife – feared that the IWP would suffer irreparable damage, that it might lose its status as a World Heritage Site, and that the communities which could benefit through controlled management of the park might suffer hardship, unless unlawful occupiers were stopped and evicted before it was too late (Kuppan 2009). The IWPA likened these tourism development initiatives to ecological theft (Kuppan 2009).

A spatial conflict has also emerged with respect to the Kosi Bay Beach Camp, a community-run tourist facility at KwaDapha. An external partner, who had advertised and taken bookings for accommodation at the Camp, was taken to court by the IWPA in 2009. He pleaded guilty to five contraventions of the Protected Areas Act (Savides n.d.). These included his involvement in website advertisements and bookings for other unauthorised developments in the area.

Other punitive actions have been taken against conservation transgressors elsewhere in the IWP. For example, a bust on 'illegal poacher' boats in the uMfolozi floodplain area took place in 2012 (IWPA 2012). The action was led by Ezemvelo KZN Wildlife staff, together with members of the South African Border Police and the KwaZulu-Natal Airwing of the South African Police Service. The IWPA reported that:

Plate 1. Local tourism development initiatives within the Coastal Forest Reserve Section of the IWP.

> [w]ithin 20 minutes, a total of 28 vessels – most of which were makeshift and did not meet minimum safety requirements – had been seized and loaded onto vehicles. [A] helicopter also kept the ground team informed of possible aggressive reaction from the poachers, but on this occasion none was forthcoming. The team withdrew without incident.

The IWPA CEO stated in reference to this that:

> [t]he large-scale killing of fish and prawns from gill netting has a direct negative effect on the food supply within the estuarine system. It is not sustainable and is literally taking the food out the mouths of legitimate subsistence fishers' families. It can also impact negatively on tourism and jobs (IWPA 2012).

Nevertheless, community members at KwaDapha continue to engage in gill net fishing activities for subsistence. On occasion this has led to intra-community conflict, with some community members having been accused of informing the field rangers of the use of gill nets.

Theorising protected areas as processes of the production of space

Roth (2008) argues that the establishment of protected areas can be understood as a moment of spatial reorganisation resulting from the continual processes of spatial production. She proposes a relational approach to the spatiality of conservation conflict, arguing that space both results from and influences social, political and

economic processes. The language of spatial production refers to Henri Lefebvre's best known work *The Production of Space* (1992) – where he insists that space does not merely exist in relation, but is also *produced* in relation (Roth 2008). Lefebvre's work has been applied mostly in the urban planning field (Harvey 2009; Soja 1980), but is flexible enough to be applied in rural contexts (Leary 2009). For example, Neumann (2001) demonstrates that relocations of wildlife and people through British colonial conservation and development plans in Tanzania were fundamental to its construction as a modern nation state.

Lefebvre argues that there exists a dialectical interaction between a society and that society's space – pointing to the contradictory, conflictual and ultimately, political character of the processes of space production. Lefebvre suggests a method for approaching spatial problems, which analyses the contradictions in the utilisation of space by society, and in particular through social customs (Lefebvre and Enders 1976). He draws from Hegel and Marx's dialectical logic, seeing production not only as the creation of material things, but also as an essential part of the reproduction of social relationships (Konzen 2013). Space, then, appears simultaneously as a *material product* resulting from the process of social production (space as product-produced), a *productive force* affecting social production (space as product-producer), and the *physical site* where living bodies interact as a necessary condition for social relations (space as product-medium) (Konzen 2013). Lefebvre's dialectical analysis relies on three elements of a spatial triad – *representations of space*, *spatial practice* and *representational space* (Lefebvre 1992) (Figure 3).

The first category in Lefebvre's (1992) triad is 'Representations of space', or conceived space. This is the ideological space of scientists, planners, urbanists,

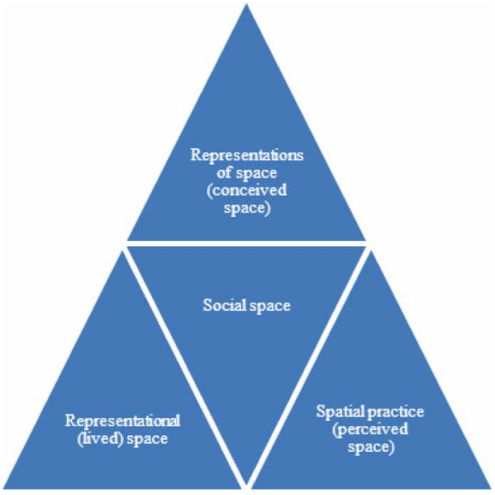

Figure 3. Diagrammatic illustration of Lefebvre's conceptual triad. Social space is produced by dialectical interrelationships between representations of space (or conceived space), spatial practice and representational (or lived) space.

technocratic sub-dividers and social engineers (Lefebvre 1992). This article describes the IWP as the conceived space of politicians and conservation planners. Representations of space, as envisioned through policy documents and conservation plans, are the main subject of discussion. An important aspect of Lefebvre's critique of urban planning relates to the idea of conceived space, for Lefebvre (2003) indicts urban ideology as reductive in its practice (of 'habiting' urban reality). He uses a medical analogy, referring to an urbanist who perceives 'spatial diseases', where space is conceived abstractly as an available void, which must be taken care of so that it can be returned to health.

The second category, 'spatial practice', is empirically observable. It comprises physical interventions that change the materiality of the environment, such as fencing; and the appropriation of material sites by living bodies (Konzen 2013). Here, the focus is on mechanisms for conservation management. Lefebvre distinguishes between *dominated* and *appropriated* space. The former refers to a space transformed – and mediated – by technology, practice, or 'the realization of a master's project' (Lefebvre 1992, 165). Contrastingly, a space appropriated by a group is 'a natural space modified in order to serve the needs and possibilities of [that] group' (Lefebvre 1992).

The last category, 'representational space', or lived space is (subjective) space as directly lived through its associated images and symbols, and hence the space of 'users' and 'inhabitants' (Lefebvre 1992). This is an analysis of place, or what Lefebvre calls 'everyday life', consisting of particular rhythms of being that confirm and naturalise the existence of certain spaces (Thrift 2009).

In what follows, I attempt to assess spatial conflicts in terms of the dialectical interrelationships between *representations of space*, *lived space* and *spatial practice* in the IWP. The analysis starts by describing the political economy of 'development for conservation' in the IWP. *Representations of space* are analysed through broad policy frameworks for regional development in Southern Africa, as well as through legislative documents specific to the implementation of World Heritage conservation in the IWP. These policy and legislative documents are given material effect through *spatial practice* for conservation management. Spatial conflicts emerge through the appropriation of space by local people, in instances where *representations of space* contradict local *representational* (lived) *space*. The analysis assesses spatial conflict in terms of *dominated* and *appropriated* space, focusing on state power in its relational engagement with local space. The dialectical interaction between *spatial practice* and *representational* (lived) *space* is furthermore analysed in terms of changing social and social-ecological relations, arising through the introduction of new values and norms in conserved space.

Representations of space in the iSimangaliso Wetland Park: the political economy of development for conservation

Nature conservation in Southern Africa has always been an important political tool, at least since the advent of European colonisation (Spierenburg and Wels 2006). For example, Carruthers (1995) argues that the proclamation of the Kruger National Park in 1926 was closely linked to the resurgence of Afrikaner nationalism. Representations of space in the IWP can be understood in terms of the political ambitions for the conservation of ecological World Heritage, as well as for national

modernisation and economic growth strategies. As a UNESCO World Heritage site, the governance framework of the IWP is partly founded upon normative discourses of global conservation and sustainability. Through the World Heritage Convention Act, a global commitment to the conservation of areas of 'outstanding universal value' has received national legislative support and, in this case, been given effect through the establishment of the IWP.

The IWP illustrates how international sustainability goals and initiatives are integrated, interpreted and operationalised in national modernisation and economic growth policies. Given South Africa's history of dispossession and inequality in terms of access to natural resources, particularly in the context of conservation, the IWPA specifically strives to balance conservation and sustainable development. The policy basis for conservation management in the IWP is the integrated management plan (IMP) (IWPA 2008) – a five-year management plan developed under the World Heritage Convention Act (RSA 1999), along with the National Environmental Management: Protected Areas Act (RSA 2003). The IMP strives to integrate conservation, tourism development, and the local economic development of communities in and adjacent to the Park. However, the Plan is clear that the balance between conservation and locally beneficial economic development is not an equal one. Conservation objectives are prioritised, in order to ensure that World Heritage values are not compromised (IWPA 2008).

Nevertheless, the IMP states that 'economic empowerment and job creation, through appropriate tourism development, is necessary to achieve conservation goals' (IWPA 2008). The IMP strives for the local economic development of historically disadvantaged communities through equity partnerships between the private sector and mandatory community partners (IWPA 2008). An example is the Thonga Beach Lodge and Mabibi community campsite, initiated in 2002 by the IWPA. These have been cited as benchmarks for the development of nature-based tourism partnerships between the private sector and communities (Sunde and Isaacs 2008). This follows what Dressler and Büscher (2008) term a 'hybrid' approach to community-based natural resource management (CBNRM), to denote projects based on private sector investment in 'community based' activities, such as tourism. They argue that this is a sort of 'hybrid neo-liberalism', which merges capitalism and conservation to by-pass the 'subsistence core' of rural livelihoods. A new set of social and social-ecological values and norms are introduced, based upon market-based conceptions of conservation and development, which substitutes direct use of natural resources with indirect alternative forms of economic development (Whande 2010).

Tourism also underlies the rise of the Transfrontier Conservation Area (TFCA) discourse in Southern Africa (Whande 2010). The IWP is a key node of the Lubombo Transfrontier Conservation and Resource Area (LTFCA), a collaborative development project of the governments of Mozambique, South Africa and Swaziland. Although not new, TFCAs have become an important part of a wider context of forms of transnational management of the environment (Duffy 2006). TFCA initiatives create potential benefits in the form of contributing to the maintenance of key ecological functions, sharing management expertise and capacity, better enforcement against poaching, fewer border and customs complexities, and benefits created through nature-based tourism and other types of entrepreneurial ventures (Fakir 2000).

On the other hand, TFCAs have been criticised for allowing a greater degree of centralisation of power and authority over resources and people in the hands of a narrow network of international NGOs; international financial institutions; global consultants on tourism/community conservation; and bilateral donors (Duffy 2006). Whande (2010) shows that top-down virtual mapping, rather than consultation with the local communities, characterises the governance frame of the Greater Limpopo Transfrontier Conservation Area (GLTFCA). He demonstrates a convergence of national tourism interests with protected areas' managerial preference for retaining strong centralist and bureaucratic approaches in the GLTFCA. Duffy (2006) argues that TFCAs, far from being democratic, accountable and transparent forms of environmental management, can often be more accurately viewed as undemocratic, centralising and top-down entities. Thus, while defined as multiple use zones, TFCAs act as windows of exclusion, with implementation heavily reliant on state actors and processes (Whande 2010). Whande (2010) argues that this state-centred model of governance, based on the status of biodiversity as a public good, is a continuation of protectionist and exclusionary approaches to conservation dominant in the first half of the twentieth century. Although the IWP does strive to be a new model for protected area development and management in South Africa – aiming to deliver 'Benefits beyond Boundaries'[1] (IWPA 2008, 11) – the state does indeed have a central role in conservation. This is expressed through the consolidation of the IWP and a strengthened legal framework for the conservation of ecological World Heritage, with the IWPA as the management authority for the state, responsible for implementation of the IMP.

The IWP also forms part of the Lubombo Spatial Development Initiative (LSDI).[2] A principle aim of the LSDI is to generate economic growth by making maximum use of the inherent, but underutilised, tourism potential of the area (IWPA 2008). At a speech at the launch of the LSDI, given in Durban on 6 May 1998, President Nelson Mandela stated:

> [t]he potential of the Lubombo development initiative for tourism and agriculture is truly amazing. Even more remarkable is the extent to which an area of such abundant natural wealth has suffered from neglect. Now that we are all free, our three nations can work together for the development of this region as a whole and realize its true potential.

Within this framework, the IWP is conceptualised as a 'commercial asset that has the potential to help drive the economic revival of a region that was systematically underdeveloped in the past' (IWPA 2008, 3). Economic growth is represented as a cure for regional underdevelopment, the latter being analogous to Lefebvre's conception of 'spatial disease' (2003, 157). As in the case of metropolitan regionalism (Buser 2012), the power of regional economic development has rendered the expression of counter-narratives, such as subsistence resource-based livelihoods, unreasonable. Lived experience is represented as flawed and to be denied in favour of abstract conceptions of economic growth (Buser 2012). This discourse around the necessity of market-based tourism for conservation intersects with the wider global development of a sense of the triumph of neoliberalism, which Swyngedouw (2011) has referred to as 'post-politicisation'. The representation of 'spatial disease' (regional underdevelopment) has enabled state control of large portions of land.

An example is co-management agreements, which have been the predominant approach for reconciling land claims and biodiversity in South Africa (Kepe 2008). Co-management agreements have been signed with nine of the fourteen registered land claims in the IWP. Through co-management agreements, successful land claimants have a share in revenues generated from the conservation area, but do not move back onto the land. This allows protected areas to be kept as conservation land, substituting subsistence resource-based livelihoods with indirect economic development through tourism (Whande 2010). This is a move from seeing land as a social right to property to portraying land as a productive asset (Nustad 2011), consistent with a market-oriented policy paradigm. This approach has led to an erosion of land rights through a land claim settlement policy that views land reform only as a question of the transfer of land (Nustad 2011)

Spatial practice in the iSimangaliso Wetland Park: dominated and appropriated space

Spatial practice is a concept that refers both to the physical environment and empirically observable behaviours – that is, particular social groups' presences, actions, and discourses (Konzen 2013). Simply put, this concept encompasses the way space is perceived and also how people behave in everyday life (Konzen 2013). In the IWP, conservation and preservation measures to preserve ecological integrity and endemism are embodied in spatial practices, such as the use of fencing as a material tool for conservation management. Attempts to control spatial patterns through the establishment of strict protected areas can be understood as an instance of *spatial domination*. The IWP's identification as a UNESCO World Heritage Site raises it above the status of the local territory and, sometimes, beyond the decision-making authority of local people. The strength of the global impetus is reflected in the fact that the IWP's World Heritage Site status privileges certain actors over others, and that conservation goals are prioritised over those of local socio-economic development. This could lead to injustices of 'mis-framing', in which some issues are framed as being primarily of local importance, yet are obliged to compete for resources with issues that are considered to be of international or national importance. An applicable notion here is Nancy Fraser's distinction between two levels of (mis)representation: ordinary political misrepresentation and a higher order concern with frame setting, which appropriates political space at the expense of the poor (Lovell 2007).

For local people, fencing often symbolically represents power relations that lead to their continued exclusion from access to resources, decision-making and co-management. This is illustrated in a media statement released on 4 November 2009, by a committee representing the Bhangazi, Dukuduku, Western Shores, Sokhulu, Mbila, Mdletsheni, KwaJobe and Triangle communities (adjacent to the IWP). They expressed their 'wish to bring to the attention of the world and government the concern that their rights to access land for grazing, cropping and hunting are severely curtailed' (Savides 2009). For people living in the IWP, fencing means that they are enclosed with dangerous wildlife, frequently with negative impacts upon their livelihood strategies. At KwaDapha, there was a constant refrain against the destruction of subsistence gardens by hippopotami (*Hippopotamus amphibious*) and vervet monkeys (*Chlorocebus pygerythrus*).

The imposition of new rules of governance for conservation management in the IWP also suggests spatial domination. This is perhaps most obvious when these new rules constrain the economic and social development activities of – and opportunities for – local people. Residents often perceived the lack of jobs in KwaDapha as a result of the restrictions on local tourism development initiatives. These perceptions were evident in discussions about the Kosi Bay Beach Camp. There had been a decrease in the number of tourists staying at the Camp, with community members arguing that this was a result of difficulties with advertising. Even official maps for the IWP are silent about the Camp, although responsibility for day-to-day management had been transferred from Ezemvelo KZN Wildlife to the community in 2001. People also had negative attitudes toward the IWPA because of sanctions elsewhere in their everyday lives. The iNduna stated that '[w]e are not free in this area'. Another respondent maintained that: '[a]fter iSimangaliso came in 1999 they put sanctions on us. Life was better before. Now there are sanctions even in the lake. People can't renovate their houses, can't fish on the lake'. Views like the following were expressed:

> [w]e want the government to intervene to build big lodges for people to have jobs at KwaDapha. People won't then have a problem with permits or sanctions. [. . .]. We have submitted an application to develop a 4-star diving lodge where the community tented camp currently is and to upgrade the Kosi Bay Beach Camp. Then iSimangaliso will find it easier to work with communities. If iSimangaliso doesn't stop development, they will find it easier to work with the community.

On the other hand, local people who have been politically and economically marginalised from development processes, often turn to non-confrontational forms of everyday resistance (Li 2007; Neumann 2002; van Wyk 2003). Here people resist intrusions on their autonomy through what Scott (1985) has called 'weapons of the weak' – where resistance often takes the form of passive non-compliance, subtle sabotage and quiet evasion. These forms of everyday resistance are 'informal, often covert and concerned largely with immediate, de facto, gains' (32). Such practices can be understood in terms of Lefebvre's concept of *spatial appropriation*, as they are concerned with modifying space in order to serve the needs and aspirations of local people. In the IWP, local people continue to enter to gather natural resources according to their own schedules, knowingly ignoring the IWPA's rules for access (Hansen, Ramasar, and Buchanan 2013). Community members at KwaDapha engage in gill net fishing activities for subsistence.

In other cases of everyday forms of non-confrontational resistance, there is superficial compliance with an arranged (but unauthorised) situation, allowing people to go about their daily tasks without open conflict (van Wyk 2003). This is illustrated, for example, through sometimes obstructionist relationships between the IWPA and land claims committees. Members of the Mnqobokazi community were not observing the rules and regulations established in their co-management agreement, which had not yet been formally signed (Hansen, Ramasar, and Buchanan 2013). One reason for non-compliance with official rules may be the difference between cultural norms and the imposed policy and legislative framework of the IWP. In other words, spatial conflicts emerge when *representational* (lived) *space* (the subjective space of users and inhabitants) conflicts with *representations of space* (the imposed conservation space of political ambitions and conservation

planners). Interviewees involved in tourist camp developments stated that they believed they had gone through the necessary channels for authorisation, receiving the go-ahead from the local iNduna and the owners of the land, the iNgonyama Trust. One person was quoted in a newspaper report, stating that '[w]e believe that the court was wrong to rule against us. We followed all the relevant channels before we started building' (Sapa 2009).

Social space in the iSimangaliso Wetland Park

'iSimangaliso has stolen this area'. Exclusion, inclusion and new social relations

In the IWP, management choices, decision-making structures, and policies in support of conserving a World Heritage Site, are guided by discourses around global conservation. Although local needs are acknowledged, the World Heritage status of the IWP means that some decisions have been taken beyond the bounds of the local area (Hansen, Ramasar, and Buchanan 2013). This is attested to by the research finding that residents of KwaDapha did not participate in the designation of the Kosi Bay area as part of a World Heritage Site. It was said in a focus group meeting that 'iSimangaliso has stolen this area. They [the IWPA] were supposed to ask our permission to declare this a World Heritage Site. We are confused because we haven't even seen the papers that say this is a World Heritage Site'. Local people also expressed the perception that they have no voice in future plans for the Kosi Bay area. A community based development committee had submitted an application to the IWPA to develop a diving lodge, in partnership with an external investor. However, they had not received a reply since submitting their application in 2009. They believed that this was because the IWPA had other plans for the area. One community member stated that '[w]e do have our own plans, but our plans do not matter so much because they [the IWPA] have their own plans'. Nancy Fraser (2010) suggests that injustices at intersecting scales can lead to the social exclusion of the global poor. A question of justice arises not from simply looking at the local level, but rather through understanding the interplays of power taking place at the intersection of several levels (Hansen, Ramasar, and Buchanan 2013).

The restructuring of rules and authority over the access, use and management of resources can have alienating effects (Fairhead, Leach, and Scoones 2012). van Wyk (2003) found that in Maputaland, only certain men had access to the privileged domain of negotiation with the state by virtue of their claim to be traditionally sanctioned representatives of local people. Often they used these negotiations to further their own private political and economic interests. Sunde and Isaacs (2008) report that many people from the Mabibi community are unaware of the potential benefits flowing to them from the Thonga Beach Lodge and the Mabibi community campsite. They cite the hierarchical structure of the local tribal authority as one of the reasons for this (Sunde and Isaacs 2008). Mthethwa argued in 2002 that the reshaping of old ethnic identities and the local leadership's mobilisation of history in Maputaland is inspired by the envisaged economic benefits to be derived from the advent of eco-tourism (2002).

Research has also found that other government departments have been effectively fenced out through the dominance of the IWPA in governing the area. Conducting research in the Nibela, Makhasa and Mnqobokazi communities, adjacent to the

IWP, Buchanan (2011) found a lack of interaction between the IWPA and municipalities. Municipal officials from the Big Five False Bay Local Municipality stated that they had never had contact with the IWPA. The IWPA, for its part, stated that the roles of the authority and the municipalities were separate and unrelated (Buchanan 2011). This has important implications for service delivery at the local level. Under the South African Constitution, local government has considerable autonomy and the responsibility to promote social and economic development (Frödin 2011). Municipalities also provide the linkages to the provincial and national departments that are responsible for other services, such as health care and education (RSA 1998). In reference to a perceived lack of service delivery at KwaDapha, one community member said: '[i]t's a new South Africa, but we are still living like in Apartheid times. Nothing is happening, we are actually neglected. We are living in a World Heritage Site, but we are still neglected'. Oviedo and Puschkarsky (2012) note that human rights violations in World Heritage sites have been perpetuated through policies of avoiding or minimising basic service provision, such as healthcare for communities forced to remain isolated and without access to infrastructure.

'We are sleeping with the hippos'. New social-ecological relations

A strategy that aims to conserve nature through the establishment of strictly bounded protected areas posits a fundamental distinction between humanity and nature. This view is problematic for many reasons. Firstly, protected areas are surrounded by conflicts, including conflicts with local people over access to resources in protected areas. Issues of distributive social justice are raised when asking the questions: 'conservation at whose expense?', and 'for whom?' In the case of the IWP, social justice is a key concern in the implementation gap between the stated policy aims of the local economic development of historically disadvantaged communities, and the alienation of local people through conservation management.

Secondly, the idea that nature and humans are fundamentally opposed is a Western idea arising out of environmental change and a romantic longing for a 'nature' untransformed by industrialisation (Lefebvre and Enders 1976). Imposing the conservation agenda of enclosed protected areas that are separate from human activity raises questions around the dominance of Western ideologies and value systems, addressed by many post-colonial theorists (Fairhead, Leach, and Scoones 2012; Li 2007; Neumann 2002). This is not to suggest a naive view of local people as stewards of the natural environment. Indeed, field research at KwaDapha shows a strong desire for modernist development. Local people often engage in harmful environmental practices, for example the use of gill nets for fishing. The point is that the imposition of firmly bounded protected areas has profoundly alienating effects, in terms of both distributive and procedural justice – the former related to the material distribution of costs and benefits, and the latter related to democratic participation in conservation management.

A related idea is that of green grabbing (Fairhead, Leach, and Scoones 2012), which builds on well-known histories of colonial and neo-colonial resource alienation in the name of the environment. Green grabbing nevertheless constitutes new ways of appropriating nature, through novel forms of valuation, commodification and markets. In the case of the IWP, nature has been commoditised through a market-based conservation approach. Here the IWP is viewed as a commercial asset,

rather than a social-ecological resource for livelihood generation. One example of the effect of this at the local level is on subsistence agriculture. A major concern here was, in a women's focus group meeting, where it was stated that: '[n]ow no one is farming'. At another meeting, residents said that '[l]ife is difficult. We don't know what we can do. They [the IWPA] don't allow us to even renovate our households. Rules must go with development. Rules are so strict for people, but there is no development'.

Further, the idea that we can address environmental change by reinforcing the conceptual dualism between humans and nature has been the subject of much critique (Adams and Hutton 2007; Castree 1995; Fitzsimmons 1989; Redford and Sanderson 2000; West, Igoe, and Brockington 2006). A good deal of the literature cited here relates to the people-parks debate (Adams and Hutton 2007; Redford and Sanderson 2000; West, Igoe, and Brockington 2006). The social impacts of protected areas have been recognised by conservation planners since the 1980s (Adams et al. 2004). However the question of whether it is possible to combine poverty elimination and biodiversity conservation relates to a more general debate about the environmental dimensions of development (Adams et al. 2004).

In the case of the IWP, there is ample evidence that conservation management has reinforced a nature-society dualism, evidenced by, for example, an increased intensity of conflict between local people and wildlife. During the household surveys conducted at KwaDapha, most people reported that they had experienced difficulties with what they called 'nature's problem'. Older respondents in particular explained that they had detected an increase in forest cover over the preceding 10 or so years. They viewed this as a negative impact. In a women's focus group meeting it was said that 'we are sleeping with the hippos'.

Conclusions: the social production of conserved nature

The analysis of the policy framework of the IWP in terms of Lefebvre's (1992) representations of space has shown that the Park is conceived as a tool for market-based modernisation and economic growth. The view here is of land as a commodity, rather than as a social-ecological resource for livelihood generation. Spatial conflicts emerge where space is dominated through state led conservation management, and local communities in turn appropriate space for their livelihoods. In this regard, analysing dialectical spatial practices – both in terms of dominated and appropriated space – provides some insights to questions of social justice, through a focus on state power in its relational engagement with local space. This has important implications, as conflicts over land use in conservation areas juxtapose efforts to restore local land and resource rights against national and global interest in conservation (Whande 2010). In the IWP, conservation strategies perpetuate historical insecurities through the alienation of local communities from land, as well as management practices. New social and social-ecological relations arise, in which local people are excluded from meaningful participation in both formulating ideas about the future management of their land and physically from the land itself. In an urban context, Lefebvre (2003, 148) argued for an alternative in the form of a 'politicisation of urban issues', where democratic processes support rather than deny a vibrant politics of contestation. In the context of the IWP, a re-politicisation of conservation space is called for.

The paper uses Lefebvre's theoretical insights in a rural context, through an analysis of dialectical processes of the production of conservation space. Referring to

Lefebvre's conceptual triad, the paper has shown that *representations of space* in the IWP can be understood as the political ambitions for the conservation of ecological World Heritage, as well as for regional and national modernisation and economic growth strategies. Similar to the case of metropolitan regionalism discussed by Buser (2012), even in the rural context processes may be observed where the power of regional economic development has rendered the expression of counter-narratives, such as subsistence resource-based livelihoods, 'unreasonable'. These representations of space are embodied in *spatial practice*, physical interventions that change the materiality of the environment and the appropriation of sites by living bodies.

Space is *dominated* through attempts to control the spatial patterns of residents both adjacent to and in the IWP, exemplified in this paper through examples of fencing and punitive actions against conservation transgressors. In reaction, local people who have been politically and economically marginalised from development processes resist intrusions on their autonomy through 'weapons of the weak' (Scott 1985). Such practices can be understood in terms of Lefebvre's concept of *spatial appropriation*, as they are concerned with modifying space in order to serve the needs and possibilities of local people. It has also been shown that local people continue to follow their own social conventions and norms, in preference to new policy and legislative frameworks imposed upon them from the IWPA.

Spatial conflicts arise through these tensions between the subjective space of users and inhabitants (*representational* (lived) *space*) and the enforced objectives for the conservation of Ecological World Heritage. Local people involved in court cases for illegal tourism development initiatives at KwaDapha argued that they had gone through all the necessary channels for authorisation, receiving the go-ahead from the local iNduna and the owners of the land, the iNgonyama Trust. In turn, local lived space is impacted upon through new rules of governance, often leading to exclusion in decision-making and other alienating effects, including the reshaping of old ethnic identities and the imposition of new social-ecological relations on local communities.

It has also been shown that Lefebvre's work may be relevant for analysing processes of global environmental governance. This may be particularly important in light of recent calls for a return to planning (for example, with regard to the politics of climate change) (Giddens 2009). As shown here, the implementation of global conservation through a market-based approach is particularly problematic where there is structural inequality, such as in South Africa.

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Notes

1. Protected Areas: Benefits beyond Boundaries' was the theme of the Fifth World Parks Congress, held in Durban, South Africa, in 2003. An important outcome of the Congress was the 'Durban Accord' (IUCN 2003), which called for an innovative approach to protected areas and their role in broader conservation and development agendas, emphasising a synergy between conservation and sustainable development. The IWP has

been 'applauded for its pioneering work in integrating World Heritage conservation into regional development – and delivering "Benefits beyond Boundaries"' (IWPA 2008, 11).
2. This is the overarching development project initiated by the governments of Mozambique, South Africa and Swaziland. The LTFCA is a core component of this project.

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Paper III

The politics of natural resource enclosure in South Africa and Ecuador

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Abstract: *The paper examines the ways in which states facilitate new enclosures of natural resources, and the challenges of this as a strategy of development and environmental sustainability. We argue that enclosures introduce significant changes in property regimes, which redefine conditions for the access and control of land and forest, especially for tribal and indigenous communities. In this context, we analyse two state-initiated projects: the iSimangaliso Wetland Park in South Africa, a UNESCO World Heritage site; and the Socio Bosque incentive conservation programme in Ecuador.*

Keywords: Enclosure; state-driven development; protected areas; financial incentives for conservation; South Africa; Ecuador

Word count: 9971

Introduction

Under increasing scarcity and competition for natural resources, various political and economic instruments that aim to combine environmental objectives with socio-economic development goals, have been implemented by states all over the world (Corbera and Schroeder, 2011; Ring et al., 2010; Ostrom, 2010; Fischer et al., 2012). These are often put forward in combination with policies that strengthen state control over natural resources. But realising 'win-win' outcomes and minimizing trade-offs

between environment and socio-economic development remains a challenge (see Muradian et al., 2013). People and communities often experience negative impacts from state interventions in the name of conservation, for instance a loss of access to natural resources (Bernstein, 2011; Boyd, 2009; Petheram and Campbell, 2010; Murray Li, 2007). This paper examines the ways in which states facilitate new enclosures of natural resources such as biodiversity, and the challenges of these interventions as a strategy of development and environmental sustainability. New enclosures are introduced under international initiatives for sustainable development, which are often integrated, interpreted and operationalized in the national modernisation and economic growth policies of states. We show that particular natural resources, such as biodiversity and forests, are being subjected to the neoliberalisation of nature, although through alternative mechanisms to natural resource extraction (Polanyi, 1944; Bridge, 2007).

Scholars vary in the ways in which they conceptualise enclosure, from 'primitive accumulation', to dispossession, to privatisation, and to creating new property rights and claims (Peluso, 2007). Heynen and Robbins (2005) define enclosure as the capture of common resources and the exclusion of the communities to which these common resources belong; using the concept to demonstrate the neoliberalisation of nature. Critical scholars like Fairhead et al. (2012) label enclosures justified by environmental conservation as 'green grabbing'. They argue that this ultimately serves a discursively constructed global green agenda, which aims for the protection of biodiversity and the mitigation of global climate change. Our analysis draws on Blomley's (2007) definition, which denotes enclosure as the transformation of common resources into exclusively owned spaces, and the embedded loss of long-standing common rights to natural resources.

There is a growing academic interest in neoliberal nature literature studying processes of new enclosures, where contemporary nature conservation is combined with the goals of environmental sustainability and economic development. The studies focus in particular on the implementation of new rules and/or market mechanisms for conservation management, by creating and changing property regimes for various natural resources. In this context, private property rights in different types of natural resources, including rivers, forests, oceans and even carbon stored in trees, are often assigned in these projects – based on arguments that formalized and private property rules lead to a better management of these resources and will, ultimately, act as a means to combat further environmental deterioration (White et al., 2012; McCarthy and Prudham, 2004; Heynen et al., 2007). However, some of these studies haven't adequately discussed the emergence of such projects and their significant impacts, for instance, on customary ties and community dynamics. By looking at two different cases, our aim is to fill this gap and to explore the emergence of enclosures; the global and national drivers; the transformation of property regimes; and the impacts on

customary ties and local institutions. We use two empirical cases of conservation: (i) the iSimangaliso Wetland Park (IWP), a protected area in South Africa; and (ii) the Socio Bosque Programme (Programa Socio Bosque, PSB) – a conservation incentives programme in Ecuador.

The following three aspects guide us in the comparative analysis and critical discussion of the process: *the emergence of enclosures* – outlining the role of global and national discourses in legitimizing natural resource enclosure; new *rules and property regimes* – showing institutional changes in the use, access and control of resources; and *conflicts and/or benefits* – discussing the impacts on customary ties and power dynamics between and within communities. The empirical cases are based on data gathered during extensive field research in South Africa and Ecuador, between 2010 and 2012. In the South African case, data was collected primarily through semi-structured and open interviews with key informants and experts from government agencies, as well as local community members who live at KwaDapha, a 'tribal authority' area within the Coastal Forest Reserve section of the IWP. Household visits with around half of the 49 households at KwaDapha; as well as two focus group meetings (one attended only by women) contributed substantively to understand the local realities and everyday lives of people who are affected by the changing rules regarding access to natural resources. In Ecuador, we collected data through structured interviews in indigenous Amazonian Kichwa communities, who participate in the Socio Bosque programme. Furthermore, we conducted semi-structured interviews with relevant government representatives, as well as non-governmental organisations and experts from the private sector.

Before introducing the selected cases in terms of their respective political and economic settings, we discuss the politics of 'new' enclosures by referring to contemporary shifts of global environmental goals towards biodiversity conservation and the mitigation of climate change. In the third and fourth sections, we argue that these global objectives, along with national developmental goals and concomitant institutional changes, introduce 'new enclosures' by changing the property regimes of natural resources. The final section focuses on the tensions and conflicts that arise from the imposition of new rules and property regimes.

The politics of natural resource enclosure

Harvey (2012) emphasizes the relationship between the commons and enclosures, by arguing that some enclosures can constitute the best way to preserve certain kinds of valued commons. The idea of nature conservation via enclosing land and forest can be seen as one of the best ways to prevent the exploitation, misuse or degradation of natural resources. Hardin's argument for centralized regulation or privatization of the commons to deal with the overexploitation of natural resources has often been used by policy makers to rationalize centralized control of the commons (Hardin, 1968;

Ostrom et al. 1999). Where plural land ownerships and indigenous rights exist, nature conservation initiatives can be seen as tools through which states have extended their area of control over tribal and indigenous lands, as they establish new or re-regulated private property regimes (Murray Li, 2007; Büscher, 2010). States can also extend their control by introducing new approaches in line with economic development, such as market-based instruments in order to motivate conservation. Although it is problematic to assume that a global market regime operates uniformly, new modes of property regimes and economic management for natural resource governance have been effectively normalized worldwide (Castree, 2008). For example, Fairhead et al (2012) highlight market-based trends by referring to various campaigns which invite supporters to buy an acre of land for wildlife preservation. The introduction of new property regimes and accompanying economic tools, such as payments for ecosystem services and carbon trading schemes, have been key to this new approach in enclosures.

The emerging liberal and modernist approaches towards nature conservation are grounded in Locke's theory of property, which legitimizes exclusive control mechanisms through the enclosure of land. The concept of enclosure emerged in order to refer to the well-known example in 16th century England, where the fencing of pastures transformed the commons into a resource where commercial flocks could be raised. In this sense, processes of enclosure can constitute a form of privatization, which results in the formation of new property regimes that are the basis for further commodification, marketization and deregulation (Mansfield, 2007). The environment is transformed from a source of livelihood, formerly outside market or state control, into an economic resource for national and global production, thus redefining how and by whom the environment is managed (Illich 1983; Hildyard et al., 2012).

Scholars studying processes of the 'neoliberalisation of nature' have reworked the concept of enclosure, in relation to more recent developments in environmental governance (Harvey, 2005; Castree, 2008; Mansfield, 2007). 'New enclosures' highlight recent shifts in the restructuring of property regimes in relation to the access to and control of nature (see Heynen et al., 2007; White et al., 2012). Characterized by increasing exclusivity of access to natural resources through private or state control, new enclosures reflect the desire for individual freedoms, economic efficiency and the maintenance of ecological integrity (Heynen et al., 2007). Examples of new enclosures vary depending on what is being enclosed, i.e., ecosystems or specific ecosystem services, or in what terms resources and their use by people are being delimited. In the quest to address global environmental problems, more recent ideas of enclosure are forming, such as ideas of assigning property rights to global commons like oceans, the atmosphere or even the Amazon rainforest (Schiff, 2010). More critically, Fairhead et.al (2012, 242) refer to the appropriation of land and resources for environmental ends as 'green grabbing', extending the concept of land grabbing towards the commodification of nature more generally. The processes of green grabbing reflect the

ideas of what they call 'the economy of repair', where environmental destruction in one place can be offset by the preservation of nature and ecosystems in another. In this context, White et al. (2012) have shown how appropriation of land and other natural resources through the changes in property rights transform previous owners or users of that land into subjects of economic dependency. As Bridge (2007) points out, enclosures can generate differential effects depending on their social and environmental embeddedness.

In this sense, the reorganization of the community, or the people who are being enclosed, by the rules of the authority is also important for measuring the effects of enclosure. People are enclosed to fit into a new society, where they must learn and accustom themselves to new arrangements, for instance budget proposals or new ways of living with wild animals. These new rules shift the reference points by which people or their livelihoods are valued (Hildyard et al., 2012).

Enclosing Nature: The examples of South Africa and Ecuador

The following two case studies are used as illustrative examples of enclosures with environmental objectives, primarily biodiversity conservation and the reduction of deforestation. Both projects are state-led; and legitimized by international sustainability discourses, fostered by global institutions such as UNESCO and REDD+ (Reducing Emissions from Deforestation and Forest Degradation in Developing Countries). Both examples demonstrate the 'economy of repair' embedded in the global impetus for sustainability; as both are based on 'win-win' policies that aim to combine nature conservation with economic development. In the South African case, state-centric conservation management is combined with private tourism. In the Ecuadorian case, monetary incentives are used as a motivation for environmental stewardship.

Protected area conservation: South Africa's iSimangaliso Wetland Park

South Africa made the regime change, in 1994, from apartheid to democracy relatively successfully – and the country has formulated policy and passed legislation that seeks to redress past racial imbalances (Ntshona et al., 2010). This is especially important in the context of conservation, as the apartheid-era 'fencing and fines' approach often dispossessed local people of land through forced relocations, and led to inequality in access to natural resources based on race. The iSimangaliso Wetland Park (IWP) in Maputaland, South Africa's first UNESCO World Heritage Site, strives to be a new model for protected area development and management. The policy framework for the IWP promotes the view that protected areas can provide a synergy between conservation and economic development, through private ecotourism development (IWPA, 2008, 11). This approach emphasises the role of protected areas in broader conservation and development agendas (Hansen, 2013). This strategy can be viewed

as an example of state-managed neoliberalism, where resources are enclosed and controlled by the state, which at the same time aims to facilitate private investment in tourism inside the IWP.

The iSimangaliso Wetland Park Authority (IWPA) manages the IWP on behalf of the state. Its' major objective is to ensure that the development of the IWP is based on ecotourism as the primary land use option, integrating both the conservation of World Heritage and local economic development. The IWPA reports directly to the national Department of Environmental Affairs, from which it receives its core funding (DEAT, 2009). It has a board of nine members, who represent business, traditional council's, land claimants, as well as national, provincial and local government (DEAT, 2009).

There have been a total of 14 land claims in the IWP. Three of these were settled in 1998 and 2002, six in 2007, and five remained to be settled in 2013 (IWPA, 2010). In the case of successful land claims, land title has been transferred to claimant communities, but with limited user rights. Management remains under the IWPA; and land rights are implemented through co-management agreements. The co-management process includes representatives of IWPA and the land claims committee, usually made up of tribal authority members in a given community. As people have not moved back onto the land, this represents a portrayal of land as a productive asset, rather than as a social right to property (Nustad, 2011). Where claims are still to be settled, although land belongs to a Zulu tribal trust, the IWPA remain the overall managers on behalf of the state.

Enclosure in the iSimangaliso Wetland Park plays out in two ways: Firstly, the park has consolidated previously disparate areas of land, into one protected area, often with borders and fencing. There have been conflicts between local people and the IWPA over fencing at various locations and at various times – with local people ignoring rules for access, cutting fences; and even burning down gates (Hansen, 2013; Hansen et al., forthcoming). Secondly, institutional enclosure takes place, as the enclosure of land has been reinforced through a strengthened legal framework for conservation – and a global impetus as a UNESCO World Heritage site. There have been both civil and criminal cases taken against conservation transgressors in the IWP, under the World Heritage Convention Act. For example, as of 2 August 2011, there had been at least three concluded civil cases; one concluded criminal case, and there remained one outstanding criminal case, against local people in the Coastal Forest Reserve section of the IWP (Savides, 2011). Conservation management has imposed restrictions of everyday life, and moreover the court cases against local people are illustrative of power relations, with the state in the dominant role. In the IWP, local communities are alienated from land, as well as management practices (Hansen, 2013). This juxtaposes efforts to restore local land and resource rights against national and global interest in conservation (Whande, 2010).

Voluntary conservation for 20 years: Ecuador's Socio Bosque Programme

The Republic of Ecuador has been shaped by a history of formal colonisation by Spain and internal colonisation and land reforms, which marginalised many Indigenous groups. Primarily in the Andean highlands and the coastal areas, where land was suitable for farming, large scale agricultural development has displaced Indigenous people from their traditional lands. In the Amazon region, these processes started in the 1950s and 1960s with the discovery of oil, and subsequently, in infrastructural development to access petroleum and other natural resources. Decades of oil production and mining sparked colonisation and migration from the Andes to the Amazon lowlands, which resulted in Ecuador having one of the highest rates of deforestation in South America (FAO, 2011; MAE, 2011). In particular, the northern Amazon region is marked by oil exploitation and a history of oil spills, environmental pollution and destruction (Mena et al., 2006; Finer et al., 2008; Widener, 2007). However, most of the negative impacts, such as health problems due to pollution from oil exploitation, are borne by local and Indigenous people in the Amazon (San Sebastián et al., 2001; Hurtig and San Sebastián, 2002), while the majority of economic benefits flow to other parts of the country (Sawyer, 2004). Indigenous communities in the rural Amazon are still among the poorest section of the population, lacking access to health care and education (INEC, 2010; Mideros, 2012).

In September 2008 the Ecuadorian government launched the Socio Bosque Programme. It has multiple objectives, namely (i) the reduction of deforestation; (ii) protection of biodiversity, provision of hydrological services and carbon storage; and (iii) poverty alleviation and development in rural areas (MAE, 2008). Legally recognized land titles are a precondition for participation in PSB.. In return for committing themselves to conserve native ecosystems on their land, participants receive biannual incentives disbursed to their bank account. The conservation agreements have a duration of 20 years; and the amount of incentives is based on the size of the area protected; the type of ecosystem (forest or native Andean grasslands); and if the participant is a community owning land collectively or individual landowner (Krause and Loft, 2013). Participants have to comply with a number of terms, including an agreement not to change the vegetation land cover; to report any changes to it (either natural or through invasion or illegal logging by third parties); not to hunt for commercial purposes; and to adequately mark the conservation area (MAE, 2008). The terms of PSB also require investment plans that detail how the incentives will be used by the participants (de Koning et al., 2011; MAE, 2012). For collective participants, most of which are Indigenous communities, the investment plans must be developed by community members in a democratic and inclusive way; and updated every year (MAE, 2009). Communities may have a set of their own rules for the conservation area, in addition to those specified by the agreement terms; often including a complete restriction of hunting and fishing (Krause and Zambonino, 2013).

One effective way that builds on the economic rationality of people who convert and degrade ecosystems for income generation is to provide financial incentives or payments for ecosystem services derived from the conservation of land and resources (Engel et al., 2008; Wunder 2007; Pirard and Karsenty, 2009). Socio Bosque is a relatively innovative idea diverging from classical conservation efforts, as it also recognizes conservation stewards. On the condition that landowners commit to conservation, they receive biannual incentive payments in return. Socio Bosque does not measure the additional environmental benefit that most payments for ecosystem services and reducing emission from deforestation and forest degradation (REDD+) schemes require (Wunder, 2007; Angelsen et al., 2012). Although legal land titles are a precondition to join PSB, being part of the programme gives participants a sense of getting official recognition which represents an additional motivation, because it eases access to other governmental programmes (Personal communication; interview with local community members, 2010). Moreover, the official signboards that are used to mark the conservation areas are a new tool for landowners to claim their property status vis-á-vis outsiders, who are deterred from entering the area and extraction resources.

Processes of enclosure in Socio Bosque occur in two ways and on different levels. Firstly, people who are not the legal owners of a resource are now excluded from using that resource, although they may have done so in the past. Secondly, in the case of collective landowners, enclosure is the process in which a common resource, such as a communal forest area, is no longer available for use by all members of the community. The decision to join PSB has to be taken by a community assembly, where a majority of members have to be in favour of the idea to dedicate a pre-determined area of the communal territory to conservation. However, these decisions are not embraced by all people who live in the community. Some people are facing a higher cost of conservation than others. They have lost a source of income (timber, hunting, potential agricultural land) with little to no compensation or personal benefits in return. This is particularly so for people who have not yet obtained a full community member status which does not allow them to partake in important decisions (Krause et al., 2013). However, since decision making in communities is also subject to Indigenous peoples' right for self-determination (ILO, 2009) there is a trade-off in how far the government can and should intervene in the internal processes of these communities without infringing on their right to self-determination.

The emergence of 'new' resource enclosures

In this section we examine how the two specific cases of enclosures connect with broader discursive frames, institutions, or networks (Castree, 2008). Both cases are influenced by international sustainability discourses and institutions, but are adapted and modified to the national contexts by the respective governments. For instance, the governance framework of the IWP in South Africa, a UNESCO World Heritage Site, is based on

normative discourses of sustainability that are dominant at the global level, specifically those of inter-generational justice and global biodiversity conservation. At the same time, the World Heritage Convention Act is integrated into South African domestic legislation, with a strong emphasis on South Africa's post-apartheid priorities, including intersectional justice, human rights and social development (RSA, 1999)

Resource enclosures in Ecuador have been primarily introduced through strategies for climate change mitigation and the global carbon market. Socio Bosque was designed and implemented at a time when the international carbon market was thriving and an international REDD+ mechanism was conceived. Thus, the prospects of financial support for reduced and avoided emissions through a potential REDD+ mechanism have been very strong (Personal communication, Ministry of Environment, 2011). In this context, PSB is also intended to support the poverty reduction and environmental conservation goals of the national development plan (SENPLADES, 2009).

The two cases illustrate how international sustainability goals and initiatives are integrated, interpreted and operationalized in national modernisation and economic growth policies. In the case of South Africa's IWP, priorities are given to economic investments, job creation and the establishment of internationally competitive sectors, energy and tourism respectively. In both cases, the new enclosures aim to generate economic growth by making maximum use of the 'under-utilised' resources, to maximise private sector involvement and to create an attractive and stable climate for investors to operate in; and to maximise job creation. For instance, the IWP's collaboration with the governments of Mozambique and Swaziland aims to ensure regional growth by creating the 'conditions for the establishment of an internationally competitive tourism destination' (Moosa, 2000). This is also justified by national and regional normative discourses. South Africa's post-Apartheid priorities of intersectional justice, human rights and social development are stressed in the World Heritage Convention Act, which has a strong emphasis on locally beneficial economic development (RSA, 1999).

The Ecuadorian approach is a strong example of the inter linkage between developmental and environmental objectives (de Koning et al., 2011). The recognition of the value of the Ecuadorian natural capital is strongly connected to global environmental governance, and promotes the country as one of the front runners in Latin America in relation to the governance and conservation of natural resources. In addition, Socio Bosque can be considered as a representative in a suite of international efforts geared towards 'green-growth' and the green economy, through the commodification of ecosystems and their services (payments for ecosystem services).

Transformation of property regimes and new rules

According to Robbins and Luginbuhl (2008) – enclosure requires changes in the institutional structure that distributes and transfers access rights at the state level. Property regime changes are introduced by states for various reasons and through

different mechanisms. The privatization and devolution of responsibilities to manage natural resources are common forms of property regime changes (Meinzen-Dick and Know, 2001). These are often induced by the promotion of neoliberal policies in developing countries to foster economic growth and development (Peck and Tickell, 2002). Contrary, but nevertheless problematic, to the privatization of natural resources, is the re-centralization and perpetuation of state ownership of resources (Phelps et al., 2010). This can be problematic because local people are often excluded from accessing natural resources for their livelihoods. Many examples of conservation enclosures reveal a hybrid model of state-driven neoliberalism, where the state encloses resources in order to introduce marketization. For the cases presented here, various discourses that seek to legitimize the transformation of property regimes, such as environmental protection, are used to justify changes of property regimes initiated by the state. In the process of these transformations, new rules for resource use or access to resources are introduced and enforced at the local level, impacting people in different ways. In the subsequent section, we briefly outline how property regimes have changed in the two cases, and discuss new rules that have been introduced.

In the IWP case, the recentralisation and perpetuation of state control of land has occurred in three ways. Firstly, where land claims are settled, although title is transferred, the IWPA remains the overall manager of the land. The land claim settlement policy here views land reform only as a question of the transfer of land, a move from seeing land as a social right, to portraying land as a productive asset (Nustad, 2011). This is consistent with a market-oriented paradigm. Secondly, the consolidation of the IWP has resulted in the imposition of new rules of governance through the World Heritage Convention Act, which limits access to natural resources in the park, considered important for social and economic development and livelihoods (for example land for grazing and agriculture). Thirdly, the consolidation of state control in the park through the World Heritage Convention Act has meant that social and economic development opportunities for people residing within the park have become limited. This relates to what has been called a hybridized community based natural resource management (CBNRM) (Dressler and Büscher, 2008). Here private sector investments support 'integrated conservation and development', or tourism-based CBNRM, without reinvesting in the resource base of rural households.

The IWPA aims to provide benefits for local peoples in the form of material gains, corresponding with the conception of the IWP as a 'commercial asset'. For example, local economic development is strived for though equity partnerships between the private sector and mandatory community partners in tourism development, as well as the procurement of goods and services from small, medium and micro-enterprises (SMMEs) for infrastructural development within the IWP (IWPA, 2008). With regard to job creation, local communities have been employed in programmes such as LandCare projects within the IWP (rehabilitation of degraded land and the remo-

val of alien vegetation). These provide employment over the short-term, usually six months. Programmes also support short-term employment in infrastructural upgrading (National Assembly Committee on Water and Environmental Affairs, 2012). Other socio-economic development projects include Tourism Skills Development – where local people are trained in hospitality, guiding and as chefs. In addition, the IWPA provides environmental education programmes and bursaries to university students from communities within and adjacent to the IWP; specifically to pursue environmental studies and related disciplines. According to the IWPA, the approach here focuses on optimizing local employment opportunities; empowering local communities through training and the transfer of skills; and seeking and channeling funds to address community needs (interview, February 14, 2010).

In Ecuador, the incentives transferred to local communities can only achieve long term development if economic projects are set up that lead to a long term income generation, such as the often cited ecotourism ideals. Until now, most of the incentives are spent to fulfil local basic needs, not leaving an immediate long term impact. Socio Bosque fosters a new land use that is based less on natural resource extraction in the traditional sense, and foremost on the conservation and protection of natural resources. Land is neither directly privatised nor re-centralised as such, but the transformation that takes place leads to a de-facto strengthening of existing private and communal land claims vis-á-vis third parties or outsiders; who are now deterred from infringing on these areas (Personal observations and interviews). PSB participants are required to delineate and mark the conservation areas and ensure that vegetation cover is unchanged, and that no illegal logging and commercial hunting takes place. The borders of the conservation area should be kept visible, with signs posted along them in order to deter potential intruders. In case of detected intrusion and change to the vegetation cover, the conservation agreement stipulates that the Ministry of Environment has to be notified within five days of the incident (MAE, 2012). However, intrusion for hunting or even illegal logging goes easily unnoticed, especially in large and remote areas where access and control is difficult. In some cases intrusions by third parties have led to the clearing of land in conservation areas for agriculture, or just selective logging and poaching with resulting conflicts.

A new and particularly interesting transformation of property regimes is the delineation of ownership over ecosystem services, such as carbon sequestration and storage services of the forest. Under the Ecuadorian constitution land can belong to either a natural person or a legal entity, such as an Indigenous community (República del Ecuador, 2008). However, this does not mean that carbon storage as a particular ecosystem service belongs to or can be appropriated by the respective land owner (Garzón, 2009). Similarly to mineral rights, which in most countries belong to the government, the production and utilisation of ecosystem services can only be regulated by the Ecuadorian state (República del Ecuador, 2008). Although landowners are

motivated through financial incentives to conserve their land, the state retains the right to market these services. This creates a new form of enclosure, with a less tangible and visible material base, but nonetheless real. It is not the timber of the tree or even the tree in itself, but the various ecological functions a tree performs that becomes a resource which is now controlled by the state. Whilst the financial incentives are the carrot, enforcement and control become part of the stick. In one community members talked about wanting to split up the collective land in order to benefit individually from the Socio Bosque incentives. Although it is not possible to partition collective land titles under the current Ecuadorian law, there is a risk that fostering an economic logic among people will lead to an erosion of the sense of community through the furthering of individualism and self-regarding behaviour as a result of payments (Vatn, 2010; Bowles, 2008).

Social conflicts and benefits

The new rules also affect the networks of power in which the society is governed and organised (Hildyard et al., 2012). Power relations become visible, both within and between communities that have long used natural resources. In other words, it matters where families, individuals and communities stand after the enclosure of natural resources. There is always a "fence" that defines how and by whom common resources are used or preserved, creating politics of exclusion and related conflicts.

Differentiated social & economic effects; and the creation of economic dependencies

Firstly, there have been differentiated social and economic effects of enclosure, depending upon existing relations of wealth, land and power. In the IWP case, tourism facilities established before the IWP proclamation have been allowed to stay, whilst new tourism developments have been severely penalised, with court cases and fines. This is problematic as those who have private businesses are usually economically better-off than those trying to provide an income for themselves through tourism more recently.

Moreover, in practice opportunities and benefits have been unequally distributed among communities in the IWP, especially with regard to successful land claims with settled co-management agreements, versus on-going claims. For example, the Coastal Forest land claim is yet to be settled, which in practice has meant that the community has not been recognized as a stakeholder in the management of the IWP. This also means that the community has received little benefit from the proclamation of the IWP as a World Heritage Site (limited to short-term jobs) – while their economic and subsistence activities have been significantly constrained.

In Ecuador, Socio Bosque has led to differentiated economic benefits and costs.

While at a national level, individual landowners are favoured by the existing incentive structure that is applied by the programme to determine and calculate the amount of incentives to be paid; communities continue to receive substantially less when calculated on a per capita or per hectare basis (Krause and Loft, 2013). Within communities, there are clear indications that inequities exist with regard to who benefits and who, or which group, tends to bear the costs. Particularly marginalized groups, women and people who are not full community members, state to be more often excluded from decision-making that concerns the management of the incentive income (Krause et al., 2013). Tensions among people within participating communities are likely to increase in the future, if these inequities are not addressed in time.

We have found that economic dependencies have been created at the local level in each of these two case studies. In the IWP, local people become beneficiaries in private and state sector interests through the provision of material gains, such as short-term jobs. The approach to ecotourism in the park is primarily one where private investors are encouraged to develop tourism infrastructure. With the exceptions of training provided to the 12 employed tour guides and the environmental education programmes and bursaries, benefits are mostly in the form of material gains – usually jobs provided by state and private sector interests over the short term. On the other hand, new rules impose significant constraints on access to resources and livelihood activities. Again, this is a policy framework views the IWP as a commercial asset, rather than a social-ecological resource for livelihood generation. The creation of economic dependencies is a particular challenge for Socio Bosque. This is because the permanence of forest conservation can only be achieved if either the payments continue, and likely also rise, in perpetuity; or if participants use the incentives for local socio-economic development projects. For example, eco-tourism projects can substitute the need for selling illegally logged timber. However, as of now there is little evidence that the incentives are used for that. Primarily, communities spend the incentive payments on satisfying basic needs, such as improved access to healthcare; emergency health fund; small pensions for seniors; scholarships and educational material; and basic daily consumer goods. However, PSB has the ambition to help communities to initiate projects that will provide an income in the future, in order to decrease dependence on incentives in the long run.

The impact upon customary ties and institutions

Dressler and Büscher (2008) have argued that with the enclosure of commons as commodified land, new property relations increasingly sever customary ties and institutions, by placing both under the auspices of self-regulating markets. This is corroborated by our findings, which show that enclosures in each of the two case studies have had some impact upon customary ties and institutions. In South Africa, traditional government is formally recognised and allowed to act through customary

law, functioning within the local governance sphere (RSA, 2003, Chapter 12). Nevertheless, the formation of the IWP has in practice led to questions around the role of the iNkosi (chief or king) in the Tembe Tribal Area (TTA). This is illustrated through the following quote from our interviews: "The King has no say about communities from Mabibi along the coast. He is on the Board of iSimangaliso. Before, we believed that the King was looking after this place. After iSimangaliso took over we got confused about who our leader is" (interview, 6 September, 2012).

The restructuring of rules and authority over the access, use and management of resources can have further alienating effects (Hansen, 2013). Sunde and Isaacs (2008), report that many people from the Mabibi community are unaware of the potential benefits flowing to them, from the Thonga Beach Lodge and the Mabibi community campsite. They cite the hierarchical structure of the local tribal authority as one of the reasons for this (Sunde and Isaacs, 2008). Mthethwa argues that the reshaping of old ethnic identities and the local leadership's mobilization of history in Maputaland is inspired by the envisaged economic benefits to be derived from the advent of ecotourism (Mthethwa, 2002).

In Ecuador, with the conservation agreements comes a set of formal rules and requirements regarding local decision making, such as the requirement for democratic and inclusive decision-making, and a documented financial management of the incentive payments. For instance, depending on how the incentives are managed at the community level and how people living in the communities are able to participate in the decision-making processes, affects people's livelihoods. However, functioning democratic institutions with inclusive participatory processes at the communal level are required in order to realise long-term socio-economic benefits. Where institutions at the community level do not work and existing power structures marginalize some groups within the community, incidences of conflict regarding land use and incentive management arise (Krause et al., 2013). These conflicts have implications on communities and traditional form of land management in the long term.

Social conflicts arising through enclosure

In each of the two cases the uneven distribution of benefits and costs has led to social conflict. This has been primarily through the creation of mistrust between people and the state but also towards the village headmen, within families and between relatives. In the IWP case, there are obvious conflicts between local people and the IWPA. Local people complain that the IWPA has developed its own plans in the area, without their consultation. Some community members have been accused of informing the IWPA about construction occurring on different homesteads, and about the use of gill nets in illegal fishing activities. Two arenas where social conflicts are particularly visible in the IWP are around fencing; and punitive actions taken against local conservation transgressors.

For local people, fencing often symbolically represents power relations that lead to their continued exclusion from access to resources, decision-making and co-management (Hansen, 2013). For example, tribal authority leaders of the Mbila, Makhasa, Nibela, and Mnqobokazi communities, adjacent to the IWP, have criticized the construction of a fence as potentially limiting their access to natural resources that are considered important for economic and traditional use (Hansen et al., forthcoming). Fences between the IWP and adjacent communities have been cut down at various times and locations, according to tribal authority leaders.

The second arena of social conflict in the IWP has been punitive actions taken against conservation transgressors. There have been both civil and criminal cases against local tourism initiatives in the Coastal Forest Reserve Section of the IWP. The applicants in these cases – the Minister of Water and Environmental Affairs, the IWPA and Ezemvelo KZN Wildlife – feared that the IWP would suffer irreparable damage, that it might lose its status as a World Heritage Site and that the communities which could benefit through controlled management of the park might suffer hardship, unless unlawful occupiers were stopped and evicted before it was too late (Kuppan, 2009). The IWPA likened these tourism development initiatives to ecological theft (Kuppan, 2009). Nevertheless, two of our interviewees said that they believed they had gone through the necessary channels for authorisation – receiving the go-ahead from the local tribal leader and the owners of the land, the iNgonyama Trust (interview, 7 September, 2011).

Two types of conflicts in the PSB, rooted in the process of restricting access to and ultimately enclosing forest resources, are of particular interest. Firstly, with the participation in Socio Bosque, communities need to be able to detect intrusion by third parties that leads to logging and poaching, but also to detect changes to the vegetation cover of the conservation area that is induced by members of the participating community. To do so requires the monitoring of the conservation area. When outsiders who intrude on the conservation areas to extract resources (timber, bushmeat, etc.) or convert land for agriculture are detected by the landowners who partake in Socio Bosque, the Ministry of Environment and the police have to be informed. When people from the participating community itself are violating the rules of the conservation agreement, internally derived sanctions may apply, ranging from the payment of a fine to the expulsion from the community (Krause and Zambonino, 2013). In addition, signs of determent inside the conservation area are used to deter people who intend to interfere with the conservation area, such as illegal logging. For instance, these signs portray satellites that monitor the forest area and are able to detect any changes, thus discouraging people from any violation of the conservation rules.

The second type of emergent conflict is found within participating communities. Theory on common resource management advocates that institutions play an important role in determining the capacity of a community to manage natural resources

(Leach et al., 1999; Cleaver, 2000; Ostrom, 2010). More than 85 per cent of the current conservation areas in the programme are owned by communities (PSB, 2013). Previous research indicates that some communities lack the capacities to equitably manage and distribute the benefits they receive from participating in PSB (Rojas et al., 2011; Pachamama, 2010). Socio Bosque's economic incentive instrument was initiated in order to 'improve' communal natural resources management. However, there have been accounts where incentives have not reached the majority of community members, or where community leaders have benefited more. For example, in one community visited, the former leader used the conservation payments to purchase a car for private use, violating the terms of the conservation agreement (interview, 13 July, 2011). Internal community conflicts about benefit distribution and land use are a destabilizing factor and present a risk for the management of common land in the long run. This is partly a result of low levels of participation and transparency in the decision making processes around PSB and the accompanying lack of knowledge about the programme (Krause et al., 2013). It underlines how new or existing conflicts due to historical land titling and territorial control by community groups are exacerbated by the introduction of new rules intended for conservation.

Comparative Dimensions

Table I shows that there are three main differences between the two cases of conservation enclosures from South Africa and Ecuador. First, the regional economic growth paradigm has been more dominant in the case of IWP; whereas it plays a subordinate role in the design of Socio Bosque. Although Ecuador's principle economic income is based on oil exploitation in the Amazon region, PSB is primarily to promote conservation on private lands and to alleviate poverty among participating landowners. The Ecuadorian case is instead driven by climate change mitigation goals. Secondly, property rights have been formalised in South Africa through settled land claims, while there has been no formalisation of property rights in Ecuador.

Table I: Synthesis

	Criteria	South Africa	Ecuador
Reasons for the emergence of enclosures	Biodiversity conservation	Yes	Yes
	Climate change mitigation	No	Yes
	Regional economic growth	Yes	No
	National policy goals	Yes	Yes
Transformation of resource property regimes and new rules	Formalisation of property rights	Yes	No
	An extension of state-control	Yes	Yes
	Loss of access to resources	Yes	Yes
Tensions	Uneven distribution of costs and benefits	Yes	Yes
	The creation of economic dependencies	Yes	Yes
	New property relations transforming customary ties and institutions	Yes	Yes
Social conflicts	Resistance (fencing)	Yes	No
	Legal cases (court)	Yes	No
	Intra-community conflicts	Yes	Yes
	Inter-community conflicts	Yes	Yes
Benefits	Ecosystem conservation	Yes	Yes
	Economic (monetary)	Yes	Yes
	Social (education, access to infrastructure, health)	Yes	Yes

Thirdly, the uneven distribution of costs and benefits of new enclosures have fostered resistance in the case of the South African IWP. The consolidation of the IWP has led to questions around the role of the tribal authorities and communities have shown civil disobedience by putting up their own fences and camp sites. In Ecuador, however, there is little to no resistance by participating communities, primarily because PSB is a voluntary programme and if landowners and communities are not agreeing to the conservation contracts, they do not join the programme. Nevertheless, at the intra-community level, new conservation agreements have instigated a set of formal rules

and requirements regarding local decision-making, which are relatively recent ideas in Indigenous communities, and which often do not work as envisioned.

Despite these differences, we have seen in both examples that an economic dependency has been created. In the IWP, local people become beneficiaries in private and state sector interests through the provision of material gains, such as short-term jobs. Nonetheless, there are several positive outcomes at various scales in relation to the environmental goals of these sustainability projects. For instance in the IWP and the PSB, ecosystems which were not covered under the national conservation legislation are now protected. Yet, for sustainability to be reached, attention must be paid to social conflicts and the uneven distribution of costs and benefits originating from these projects, both within local stakeholder groups as well as among different groups.

In the IWP, conservation through protected area development is tied to state power. Through private tourism, a new set of social and social-ecological values and norms are introduced, based upon market-based conceptions of conservation and development. This substitutes the direct use of natural resources with indirect alternative forms of economic development (Whande, 2010).

Similarly, in Ecuador the government uses economic incentives for landowners in order to achieve environmental objectives alongside socio-economic development goals. In this process, however, land that is now under conservation is being transformed from being communally managed and controlled to an area whose uses are severely restricted by the government for a 20-year time period. Landowners have to comply with strict obligations that are enforced and controlled by the state, and when the obligations are violated landowners and communities face sanctions. This is particularly worrying for some Indigenous communities with weak institutions and where certain groups of people are marginalized by existing internal hierarchies. Without appropriate, transparent and bottom-up decision making processes that are really focusing on local institutions and the effective participation as well as equitable benefit-sharing, the financial incentive approach risks to exacerbate existing inequalities and further marginalize vulnerable groups at the community level.

Conclusion

The two case studies highlight the similarities between the ambitious development goals of states towards sustainability in the two countries. Using the concept of enclosure has allowed us to illustrate changing patterns of access and control of natural resources that are turned into objects of governance with new rules and property relations. The neoliberalisation of nature through the application of market principles is at the core of this transformation, where new boundaries and new property rights are established for this purpose. We have shown that natural resource enclosures have been conceptualized and introduced by international sustainability ambitions. Although each example is unique due to the different political-economic context in which

the enclosure of the respective natural resource takes place, there are commonalities. We have found that both the IWP and Socio Bosque are driven by more conventional discourses of economic development at the national levels, where the justification for the different projects are guided by normative discourses around social development, especially poverty alleviation. We conclude that the uncritical use of normative discourses of sustainability have been invoked, in support of projects that have led to decreased access to natural resources for local people. Although both examples we present are introduced in pursuit of admirable goals, their long term sustainability is questionable if local people are being excluded from natural resource use; and if local social dynamics and complexities are not taken into account.

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Paper IV

The Best Laid Plans: Environmental conservation and human development in South Africa – the case of the iSimangaliso Wetland Park

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Abstract

In the past several decades under a growing influence of ecological modernisation, various assumed 'win-win' approaches to protected area conservation and poverty alleviation have been introduced all over the world, especially in resource-rich developing countries. Yet protected area conservation is an inherently political process, and the goals are often not achieved. There are concerns about competing social outcomes, as well as debates over contrary epistemologies. We interrogate the ways in which conservation influences the freedom, or capabilities, of local users and inhabitants, to achieve 'beings' and 'doings' (Sen 1999), according to their values and norms. We do this through an analysis of conservation governance and management in the iSimangaliso Wetland Park (IWP) in northern KwaZulu-Natal, South Africa, in terms of the capability approach. The IWP is a 'conservation for development' project and UNESCO World Heritage site, managed by the iSimangaliso Wetland Park Authority (IWPA) on behalf of the state. Our analysis focuses on KwaDapha, a small rural community at Bhanga Nek, Kosi Bay, falling within the Coastal Forest Reserve section of the IWP. We interrogate the outcomes of conservation governance and management since the proclamation of the IWP in 1999, for the availability of primary assets and instrumental freedoms at KwaDapha. We find that both conservation governance and management in the IWP is wanting in terms of the capability

approach. We argue that this is because legislated human rights alone cannot fulfil the development of human freedom.

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Introduction

Challenges to conserving biodiversity seem increasingly insurmountable (McShane et al. 2011). Habitat transformation, extinction of species and the decline of animal and plant populations demand urgent action (Adams et al 2004). Biodiversity conservationists frequently hold that protected areas are the best, if not the only, means to adequately protect all elements of biodiversity (i.e. genes, populations and landscapes) (Miller et al. 2011). Protected areas are traditionally understood as those areas with a minimal human presence and history of alteration (Miller et al. 2011). Yet there is increasing concern that global efforts to maintain biodiversity through protected area conservation are in conflict with those to reduce poverty (Adams et al. 2004). When the creation of protected areas causes the foreclosure of future land use options, there are potentially significant economic opportunity costs, and substantial negative effects on local people (Adams et al. 2004).

In response to these challenges, in the past several decades, under a growing influence of ecological modernisation, a variety of 'win-win' approaches to conservation, poverty alleviation and socio-economic development have been introduced all over the world (Igoe and Brockington 2007). Such 'win-win strategies' have a strong focus on economic growth, which – according to ecological modernisation theory – is compatible with environmental objectives (Fischer et al. 2012, Corbera and Schroeder 2011, Ostrom 2010, Ring et al. 2010).

It is connection to such conservation approaches that the iSimangaliso Wetland Park (IWP), a UNESCO World Heritage site in northern KwaZulu-Natal, South Africa, is praised as a success story. The IWP is a state-led "development for conservation" (IWPA 2008, 3) project, and a UNESCO World Heritage Site. The park was proclaimed in terms of regulations published under the World Heritage Convention Act (RSA 2000) – which incorporates the World Heritage Convention into South African legislation. The iSimangaliso Wetland Park Authority (IWPA) was set up to manage the park on behalf of the state, also under the World Heritage Convention Act (RSA 2000).

The IWP has progressive aims for socio-economic development, and strives to be a new model for protected area management. At least on a policy level, the IWPA promotes the view that view that protected areas can provide a synergy between conservation and sustainable development. Accordingly, the IWPA has been careful to combine its effort at environmental conservation with improving the conditions of the people who have traditionally inhabited the park (see section 3 below). There is an additional impetus, on the national level, for the redress of apartheid-era injustices. The ruling African National Congress (ANC) government in South Africa has been very much aware of the imperative of improving the conditions of the most vulnerable sections of the population, and the human side of development is accordingly at the center of the National Development Plan (NDP) (RSA 2012). The approach to

conservation taken by the IWPA emphasises the role of protected areas in broader conservation and development agendas.

But despite being recognized internationally as a success story, conflicts over conservation space between the IWPA and local people who have traditionally inhabited the area have been, and remain, a challenge. We present an analysis of these fieldwork findings, based on human development and the capability approach (CA) – which posit that people should have the freedom to realize valuable beings and doings (Sen 1999). In the final section (section 6), we suggest that the intellectual cause of this failure might lie in the conflation of two distinct concepts: human rights and the CA, in the IWP's operationalization of socio-economic development.

Sustainable development

The conservation of nature and economic development, as traditionally imagined, are in tension. It is this tension that is at the heart of the concept of sustainable development (World Commission on Environment and Development [WCED] 1987). To engage with this tension, sustainable development has been characterised as consisting of three equally important pillars: the ecological, the social and the economic (Harris et al. 2001). According to this elaboration, development is only sustainable if it achieves sustainability in these three areas. However, no approach in sustainable development can claim to have found the recipe for a path that equally satisfies the requirements of the ecosystem and the economic system. Different approaches in sustainable development can accordingly be viewed as different ways of handling this tension, and approaches span a spectrum of critique towards economic growth pundits (Faran 2010, Hopwood, Mellor, and O'Brien 2005). Some are highly critical and, for example, promote de-growth in the economy in order to preserve the natural environment. Other attitudes are uncritical, assuming that, as the economy develops, it reaches a point where it starts to become more efficient in terms of pollution control, to the point that it eventually no longer damages the environment, or that the damage is manageable e.g. through reinvestment (Hopwood, Mellor, and O'Brien 2005).

Poverty alleviation and sustainable development

Poverty alleviation is a central component of the social aspect of sustainable development. Indeed, the understanding of what can or does improve the material conditions of the worst-off has been a central motivating factor for "development", a theoretical project in the social sciences that emerged in its' own right after the Second World War (Greig, Hulme, and Turner 2007)Hulme, and Turner 2007. As a normative program of practice, in national and international relations, all brands of development take improvement of the lot of the poor, or the alleviation of poverty, as central (Greig, Hulme, and Turner 2007)Hulme, and Turner 2007.

Nevertheless, approaches to how just to improve the lot of the poor vary as much as economic theory itself. Theories and approaches include "trickle down liberalism" to Marxian "dependency theory" and all and sundry between and beyond.

Human development and the capability approach

Human development is a theoretical strain of development studies; that follows Amartya Sen's earlier writings on poverty and famine. The essential argument is that people should have the freedom to achieve beings and doings, according to their own values. The term was made popular by the Human Development Report, first launched in 1990 under the leadership of Mahbub ul Haq (UNDP 1990). It is critical of economists' (and developmentalists') common practice of taking monetary income as an indicator of development (Anand and Sen 2000).

For its' part, the CA is the academic term mainly used in theoretical discussions (Chung 2010). Most important to the CA is its departure from the formulation of standard welfarist approach by focusing on capability, rather than utility. To elaborate, if the aim is to achieve some sort of equality in our society, then it has to be evaluated in the space of capability, not utility (Alkire 2005b). We find Sen's approach to the expansion of human capabilities both theoretically rigorous and practically operational, when dealing with socio-economic development measures and the problem of poverty. Moreover, Sen's approach has the merit of being expandable to embrace the environmental aspect of sustainable development, without losing sight of the human dimension.

Three core conceptual terms in the CA are: 'functionings', 'capability' and 'agency'. These are introduced below.

Agency, functionings and capability

The theoretical foundations for the CA[1] provide a picture of persons as *agents* who have their own goals and play an active part in the process of development, as opposed to 'mere receptacles for resource-inputs and satisfaction' (Gasper, 2007, 339). Sen uses the term 'agent' to refer to someone who acts and brings about change, and whose achievements can be judged in terms of her own values and objectives, whether or not we assess them in terms of some external criteria as well (Gasper, 2007). In 'Development as Freedom', Sen (1999) argues that free agency is itself a 'constitutive' part of development, as well as a contributor to the strengthening of free agencies of other kinds. Here the process of development is very much an agent-centered one.

'Functionings' are the various things a person may value doing or being (Sen 1999, 75). Some functionings are universally valued, such as being adequately nourished or in good health. Other functionings could be more complex, for example, having self-respect or being socially recognized (Sen 1993). While functionings are defined in an

1 The CA is conceptually founded in the political and ethical thought of Aristotle (Sen 1999, Nussbaum 2011).

individual person, often other structural reasons (so-called "other regarding" factors) might restrict that particular functioning. To illustrate, consider a fictional character, Busisiwe, an 18 year old community member at KwaDapha, and aspiring tour guide. Busisiwe has attended both primary and secondary school, and can read, write and speak English well, which is a functioning. However, tourists at KwaDapha are few and far between, especially since the punitive action taken against tourist camps by the IWPA. This has deterred her opportunity to be a tour guide at KwaDapha, which she valued doing and being very much. Busisiwe could have expanded her functionings by operating a successful tour-guide business, but alas for the lack of tourists at KwaDapha, it is not possible.

Capability is defined derivatively from functionings. Capabilities are the alternative combinations of functionings that are feasible for a person to achieve. Put differently, they are the substantive freedoms a person enjoys, allowing her to lead the kind of life that she has reason to value (Alkire 2005a). In other words, a person's capability reflects her freedom or real opportunities.

Incomplete framework and lists of functionings: A limitation?

The CA is still a paradigm in the making and has been widely criticised for its 'incompleteness' and difficulty in putting into operation. However, Sen has deliberately kept the theoretical framework of CA incomplete, and abstained from defining a canonical list of functionings or designing a comprehensive framework for actions. This owed much to the insistence on open valuation scrutiny, on how rankings and choice were made. Hence, "[t]he framework of capabilities helps to clarify and illuminate the subject matter of public reasoning, which can involve epistemic uses [...] as well as ethical and political ones" (Sen 2006: 157). Therefore, for practical use one has to first look at where, when and why a CA evaluation exercise is to be used, and then move on with fixing the list by public reasoning. In the case of assessing poverty and generally human well-being, it was well accepted that, as shown in Section 4.3 and 4.3, there are a set of core, universally valid functionings that should form the backbone of the exercise, in addition to 'subjective add-on' that should be decided based on the context of the research. So, an incomplete CA framework should not be seen as problematic for the purpose of this paper.

Capabilities and human rights: A "scholarly bridge"

(Vizard 2005) analyses the work of Sen from the perspective of human rights, assessing the ways in which the human development research agenda has deepened and expanded human rights discourse in the disciplines of ethics and economics. He suggests that Sen's development of a 'scholarly bridge' between human rights and economics is an important and innovative contribution. Nussbaum (Nussbaum 2011)

has argued that capabilities can supplement the language of rights in clarifying the basic concept of human rights, by emphasizing the material and social aspects of all rights and the need for government action to protect and secure all rights. Human rights can also supplement the language of capabilities, by making clear that the idea of capabilities is not an optional entitlement, but an urgent demand that should not be ignored nor compromised in pursuit of other objectives, such as the expansion of aggregate wealth. (Nussbaum 2011) stresses that the idea of rights has the capacity to mobilize political action, as human rights have gained support and endorsement the world over. This provides some extra motivation for analyzing a state-led development project in South Africa in terms of the CA.

Human rights and the South African Constitution

Conservation measures in South Africa are a subset of the country's approach to social and economic development and must be discussed in this context.

South Africa is globally known for its long period of apartheid, which started in 1948, when the National Party was elected by the white electorate (Black 1999). The apartheid government initiated, elaborated and defended, during decades, a system of apartheid that violated human rights in an increasingly systematic way (Black 1999).

In 1994, South Africa underwent a regime change from apartheid to democracy. In the post-apartheid policy milieu, the country has formulated policies, passed legislation and built democratic institutions that seek to redress past racial imbalances (Ntshona et al. 2010). The Constitution enshrines a rights-based approach and envisions a prosperous, non-racial, non-sexist democracy that belongs to its entire people. South Africa's Bill of Rights is widely regarded as one of the great human rights triumphs of the post-Second World War era (Black 1999). Redistributive justice is an oft-mentioned policy priority for the state (Manuel 2013).

The protection of human rights in South Africa stands upon the Bill of Rights in the Constitution (Act 108 of 1996). The Bill of Rights contains all categories of human rights that are ordinarily included in most international human rights instruments – including first-generation (traditional civil and political) rights as well as second and third-generation (social, economic and cultural) rights (Mubangizi and Mubangizi 2005). Civil and political rights enshrined in the Constitution include a free press; freedom of speech; equality for women; the right to form trade unions; and an independent judiciary and equality before the law. Socio-economic rights include the right to education; healthcare; housing; social security; and protection from crime and violence.

The language used circumscribes most of these socio-economic rights however, the duty of the state being only to take reasonable legislative and other measures to progressively realize such rights (Vizard 2005). Thus the realization of socio-economic rights largely depends on state ability and willingness (Sarkin 1999).

Nevertheless, the South African Constitutional Court has upheld claims for the violation of socio-economic rights in a series of landmark judgements (see Vizard, 2005). Vizard (2005) argues that these cases establish that resource constraints do not relieve the Government of the obligation to fulfil the socio-economic rights established in the Constitution, by taking positive measures to eliminate or reduce the large areas of severe deprivation that afflict South Africa. However, the Court has also sought to delimit the nature and scope of the duties that flow from this obligation, reasoning that the State's responsibilities under these Articles can be discharged through the adoption of policies and programmes that aim at the achievement of human rights over time, rather than their immediate or complete fulfilment (Vizard 2005). The violation of obligations of this type involves the absence and inadequacy of policies and programmes, rather than the non-fulfilment per se (Sen 1982, 2000).

Delivering ecologically sustainable development

In terms of ecological sustainability, Article 24 of the Bill of Rights establishes that everyone has a right (b) to have the environment protected, through reasonable legislative and other measures that – (ii) promote conservation; and (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development. It is the latter right, to have the environment protected through ecologically sustainable development, that we are concerned with here. South Africa has adopted the notion of ecologically sustainable development, not only as a human right entrenched in its Constitution, but also as one of its major policy objectives (Hattingh and Attfield 2002).

Hattingh and Attfield (2002) explore the conceptual and ethical problems involved in reaching this goal, including apparent conflicts with other pressing needs, such as the alleviation of poverty. The point of departure for their article is that there seems to be major practical, conceptual and ethical stumbling blocks to implementing the policy goal of ecologically sustainable development. Nevertheless, they conclude that this is a necessary policy objective if in that ideal is included notions of moving away from 'development' that is destructive of life-sustaining ecological systems, as well as contributing to social justice, both intra- and inter-generational.

The National Development Plan (NDP)

The National Development Plan (NDP) released in 2012 sets out a vision for a South Africa that is inclusive and people-centred, espousing the values of unity, non-racialism and the just apportionment of economic wealth in South Africa, as laid out in the Constitution (Manuel 2013).

The NDP aims for development that systematically includes the socially and economically excluded, where people are active champions of their own development, and

where government works effectively to develop people's capabilities to lead the lives that they desire (RSA 2012). Although not directly citing the work of Amartya Sen or his associate Martha Nussbaum, the NDP seems to have drawn strongly from Sen in its definitions of development that focus on creating the conditions, opportunities and capabilities that enable people to lead the lives that they desire (RSA 2012). The plan identifies six pillars that will need to underpin efforts to eliminate poverty and reduce inequality. The fourth pillar addresses the need to build the capabilities of both people and the country (Manuel 2013). For people, capabilities can include adequate nutrition or a functioning transport system to get to a place of work; a college certificate to boost the chances of getting a job, or work experience. For the country, capabilities can cover what broadband speed we would require; energy needed to power a growing economy; port capacity to support a diversified economy; or a water supply that meets the needs of households, industry and agriculture.

The NDP acknowledges that building capabilities is a long-term endeavour, stretching over the next decade and beyond (RSA 2012).

Integrated Conservation and Sustainable Development in South Africa

Conservation approaches since the end of apartheid have rallied calls for 'sustainable development'. In general, sustainable development was supposed to contribute to conservation while also addressing social and equity issues. Internationally, since the early 80s, discourses of the sustainable use of natural resources, participatory development and social justice in relation to conservation influenced the evolution of community-based conservation and natural resource management strategies (CBNRM). CBNRM also emerged in relation to the advent of common property theory, also in the 80s, which questioned the myth that common property management always led to the overuse of natural resources (Ostrom 2010). Common property theory became on the foundations of CBNRM (Campbell et al. 2001). CBNRM is understood to encompass a wide range of projects and programmes, which assert that conservation goals should be pursued by strategies that emphasise the role of local residents in decision-making about natural resources (Whande 2007).

In post-apartheid South Africa, there has been a proliferation of laws, policies and constitutional principles to reinforce the basic foundations of CBNRM. Such foundations include democratic participation; ownership, or legally recognised and secure rights; benefits that accrue to those community members that make a contribution to the initiative; the incorporation of local knowledge; and the presence of mechanisms to manage conflicts (Fabricius 2004, Koch 2004). For example, the National Environmental Management: Protected Areas Act (RSA 2003), Section 3) states that the State trustee of protected areas must implement the Act in partnership with the people, to achieve the progressive realisation of the rights enshrined in the Bill of Rights of the Constitution. The Act stipulates that a co-management agreement may provide for the delegation of

powers; the apportionment of income generated from the management of the protected area; the use of biological resources; access; occupation of the protected area or portions thereof; the development of economic opportunities within and adjacent to the protected area; the development of local management capacity and knowledge exchange; and financial and other support to ensure the effective administration and implementation of the co-management agreement (RSA 2003), Section 42).

More recently, scholars and practitioners in South Africa have engaged in efforts to integrate conservation and sustainable development, especially in the context of 'free' markets (Büscher and Dressler 2012). These are often conceptually geared at the ecological modernisation paradigm, which is based on the theory that economic growth can be reconciled with ecological conservation, ideally bringing about so-called 'win-win' situations (WCED 1987, Adams, Aveling, Brockington, Dickson, Elliott, Hutton, et al. 2004). Socially inclusive conservation approaches in South Africa includes 'payments for ecosystem services', which has become increasingly influential in the context of state-led sustainable resource management programmes. The Working for Water Programme (WfW) has aims for the creation of jobs and training opportunities, in clearing and controlling invasive alien plants that threaten water resources and biodiversity. Although the environmental benefits of the programme have been demonstrated, there is emerging concern that the social development goals are overly ambitious and impractical (Buch and Dixon 2009).

But conservation is an inherently political process (Adams and Hutton 2007). The debate is as influenced by concerns over competing social outcomes, as by discussions over contrary epistemologies. The role of powerful international conservation NGOs has been called into question for neglecting the needs of people (Brockington, Igoe, and Schmidt-Soltau 2006) and concerns have been raised about the neo-liberalization of conservation (Adams and Hutton 2007). As it stands, proponents offer a variety of approaches and it is understandably controversial as to whether and how conservation for development can be regulated and achieved (Igoe and Brockington 2007). Integrated conservation and sustainable development projects have taken a number of forms that include research; direct employment in biodiversity profiling; sustainable tourism; donations from international aid agencies; and the involvement of international conservation agencies such as the WWF and WCS (Alpert, 1996). Increasingly popular are market based instruments, particularly payments for ecosystem services, the REDD+ scheme for example (Blom, Sunderland, & Murdiyarso, 2010).

The debate has since moved on from naïve attempts at achieving the utmost in terms of both conservation and development, to discussing the complex trade-offs involved in negotiating between different conservation, poverty alleviation and other development goals, as well as the ethical orientation of conservation within sustainable development (Adams, Aveling, Brockington, Dickson, Elliott, Jon, et al. 2004, Minteer and Miller 2011).

The IWP as a state-driven integrated conservation and development project

The IWP in northern KwaZulu-Natal was listed as South Africa's first UNESCO World Heritage Site in December 1999, and proclaimed under the World Heritage Convention Act (RSA 2000) in 2000. The IWP effectively consolidated 16 different parcels of previously fragmented land – a patchwork of former proclamations (the earliest going back to 1895); state-owned land; commercial forests; and former military sites – to create an integrated park (IWPA 2008, DEAT 2009).

The IWP covers more than 330 000 hectares, stretching for 220 kilometres along the Indian Ocean from Kosi Bay, just below the Mozambican border in the north, to Maphelane south of the St Lucia estuary (DEAT 2009). It encompasses one third of the KwaZulu-Natal coastline and nine per cent of the entire coastline of South Africa (DEAT 2009). Its eastern boundary is the Indian Ocean and its western boundary is irregular, incorporating the entire Kosi, Sibaya and St Lucia lake systems, as well as the uMkhuze Game Reserve (Figure 1).

The iSimangaliso Wetland Park Authority (IWPA) was set up to manage the IWP on behalf of the state, also in 2000 (RSA 2000). The IWPA is a development agency with a conservation mandate (IWPA 2008). The major objective of the IWPA is to ensure that the development of the IWP is based on ecotourism as the primary land use option, integrating both the conservation of World Heritage and local socio-economic development. The authority takes into account the socio-economic development needs of communities residing within and adjacent to the IWP (IWPA 2008). The IWPA reports directly to the national Department of Environmental Affairs, from which it receives its core funding (DEAT 2009) It has a board of nine members, who represent business, traditional councils, land claimants, as well as national, provincial and local government (DEAT 2009).

Conservation management in the IWP is based upon the integrated management plan (IMP) (IWP 2008) – a five-year management plan developed under the World Heritage Convention Act (RSA 1999), along with the National Environmental Management: Protected Areas Act (RSA 2003). The plan strives to integrate conservation, tourism development, and the local economic development of communities in and adjacent to the park, primarily through equity partnerships between the private sector and mandatory community partners (IWPA 2008). An example is the Thonga Beach Lodge and Mabibi community campsite, initiated in 2002. These have been cited as prime examples of the development of nature-based tourism partnerships between the private sector and local communities (Sunde and Isaacs, 2008).

Figure 1: Geographical location of the iSimangaliso Wetland Park (Source: Adapted from the IWPA 2009).

Implementing the plan is supposed to deliver 'Benefits beyond Boundaries'; promoting the view that protected areas can provide a synergy between conservation and sustainable development, through private ecotourism development (IWPA, 2008, 11). This approach emphasises the role of protected areas in broader conservation and development agendas (Hansen, 2013).

However, the Integrated Management Plan (IMP) for the park explicitly recognises that conservation objectives are foremost, the balance of locally beneficial economic development secondary. Or in other words, there is an emphasis on development for conservation (IWPA 2008, emphasis added).

As a result of historical forced relocations for conservation, the entire park has been subject to competing land claims, with a total of 14 claims (IWPA 2010). Three of these were settled in 1998 and 2002, six in 2007, and five remain to be settled in 2013

(IWPA 2010). In the case of successful land claims, land title has been transferred to claimant communities, with limited user rights under co-management agreements (IWPA 2008, Nustad 2011). The co-management process includes representatives of IWPA and the land claims committee, usually made up of tribal authority members in a given community. Where claims are still to be settled, the IWPA remain the overall managers on behalf of the state (IWPA 2008).

Methodology

In this section we first introduce the criteria we used for assessing the human development dimension, namely the capability approach, in IWP. Then we report the results of our fieldwork.

Operationalising the CA in the IWP

The capability approach provides a broad framework for measuring the human dimension of development projects. As discussed above, South Africa's official approach to development and the environmental conservation programs, including the IWP's IMP, explicitly or implicitly, embrace the expansion of capabilities as criteria for development programs. In this section first we attempt an appraisal of the impact of conservation management in the IWP for social sustainability, in terms of the capability approach.

In our assessment, we look at people's expansion of capabilities to choose various functionings, or in other words, to choose their own doing and being. The human development approach argues that people should have the relevant agency, or instrumental freedoms, to achieve different functionings, and capabilities. We have adapted the framework of Chung (2010) – and we assess primary assets available to people at KwaDapha in terms of three sub-components (Figure 2): human assets (health and education); natural assets (entitlements to land and access to resources); and physical assets (access to infrastructure). Instrumental freedoms are also assessed in terms of three sub-components (Figure 2): political freedom (representation and consultation); economic opportunities; and protective security (state-funded grants).

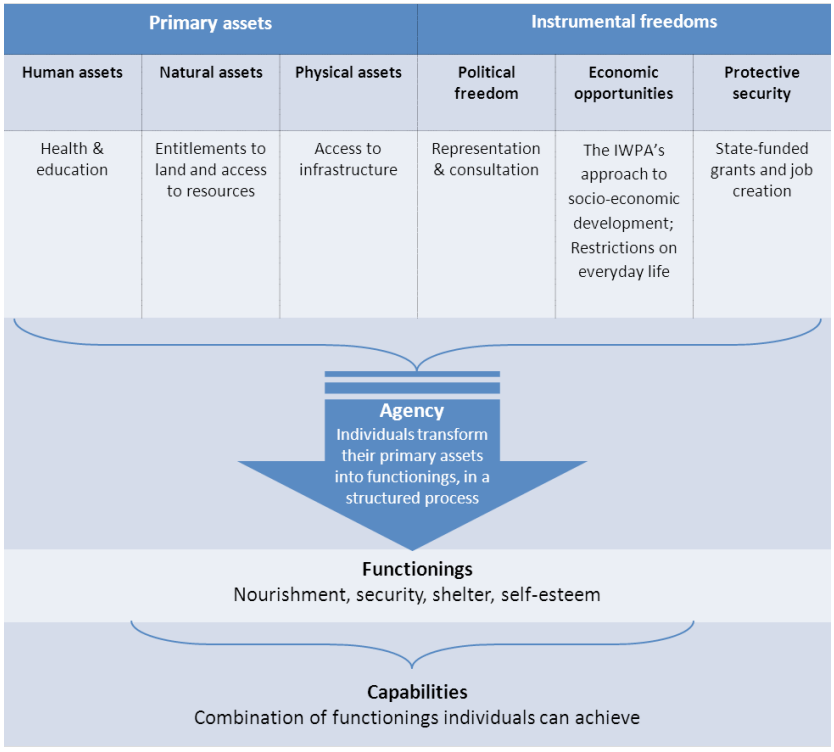

Figure 2: Application of the capability approach in our analysis

Study area: The community of KwaDapha

Local-level research was conducted in KwaDapha, a so-called 'tribal authority' area, at Bhanga Nek, Kosi Bay. The area, located within the Coastal Forest Reserve Section of the IWP, comprises four lakes linked by a network of channels. Bhanga Nek lies between the third and biggest lake, kuNhlange, on the west, and the Indian Ocean on the east.

The Kosi Bay Nature Reserve was formally proclaimed in 1987 by the provincial conservation authority, the KwaZulu Bureau of Natural Resources (KBNR) (Kyle 1995). The migration of local people attracted by the infrastructure in KwaNgwanse since the 1970s, accelerated when rumours of the establishment of nature conservation parks in the area were heard in the early 1980s (Mthethwa 2002). Those who stayed resisted forced removals as a result of the proclamation of the reserve (Guyot 2005), but lived under several restrictions from the KBNR (Mthethwa 2002). For instance, local people who owned fields around the banks of kuNhlange were not allowed to plough anymore (Mthethwa 2002). Since mid-2011, the KwaDapha community has fallen within the uMhlabuyalingana Local Municipality, one of the economically poorest in the country (uMhlabuyalingana Local Municipality 2011/2012).

The community is under the leadership of iNkosi Mabhuda Tembe of the Tembe Tribal Authority, represented by a local iNduna. The area is registered under the Coastal Forest Reserve land claim, which is still to be settled (IWPA 2010).

Data collection

The findings and analysis are based on field research undertaken in the IWP in 2011 and 2012. Interviews focusing on the governance framework of the IWP were carried out with experts from the IWPA. Fourteen semi-structured interviews and two focus group meetings focusing on conservation conflicts were conducted with local informants at KwaDapha. Furthermore, household surveys were carried out with half of the 49 households in KwaDapha, in order to gain information about the socio-economic context and perceptions of the impacts of conservation management on social space. One of the focus group meetings was attended by men and the other exclusively by women, in order to avoid a potential gender gap in the discussions. All interviews, household surveys and focus group meetings were conducted in confidentiality, and the names of the respondents are withheld by mutual agreement. Relevant legislative and policy documents were also collected and analysed. In addition, newspaper articles relating to conservation conflicts in the IWP were reviewed. To improve the reliability of the results, most of the findings were verified by triangulation between different types of sources.

Results of the fieldwork

This section presents and discusses the empirical findings from the fieldwork, in terms of the capability approach.

Primary assets

Firstly, we discuss primary assets available to people at KwaDapha, and how conservation governance and management impacts up these. We look into three categories of primary assets: human assets: health & education; natural assets: entitlements to land & access to resources; and physical assets: access to infrastructure & finance.

Human assets: Health & education

In terms of human assets (health and education) our fieldwork shows that IWPA has done fairly well in terms of education. There is a primary school at KwaDapha, built in consultation with the IWPA after 1999. However, secondary school attendees commute to KwaNgwanase, often spending school weeks in boarding, although there is a daily taxi operated by a member of the community, at a rate of R80 for a return trip (≈US$ 8.00).

In the case of healthcare, there is no primary healthcare facility at KwaDapha, and community members must travel to KwaNgwanase to visit clinics and hospitals. Thus we find the provision of basic healthcare to be lacking.

Natural assets: Entitlements to land & access to resources

As for natural assets (entitlement to land and resources), the IWPA's balance sheet is not impressive: land entitlement at KwaDapha is unsettled and insecure. The Bhanga Nek area is registered under the Coastal Forest Reserve land claim, which is still to be settled (IWPA 2010). The land claim process has been characterised by continuing contestations and shifting tribal affiliations (Mthethwa 2010). Although under the management of the IWPA, land is held in trust by the iNgonyama Trust, a Zulu tribal trust (uMhlabuyalingana Local Municipality 2011/2012). Title deeds are absent, as the land is communal. Permission to reside in KwaDapha is given by the iNduna.

Access to natural resources is curtailed through conservation management. For example, tribal authority leaders of the Mbila, Makhasa, Nibela, and Mnqobokazi communities, adjacent to the IWP, have criticized the construction of a fence as potentially limiting their access to natural resources that are considered important for economic and traditional use (Hansen, Ramasar, and Buchanan forthcoming). Representatives of three of these communities have refused to allow a fence. The fourth community has permitted the erection of a fence, even though the residents knowingly ignore the IWPA's rules for access to the park. A tribal authority representative explained that they were not complying with the IWPA's requests to restrict cattle grazing in the park, because the authority was not 'listening to them'. This is problematic as many people rely on natural resources for their livelihoods. Most households had walls made of wood and reeds (Juncus krausii), also often used for making Zulu sleeping mats were commonly used for mat making and the building of traditional structures. We also saw the collection of ilala palm (Hyphaene coriacea) wine, as well as the consumption and sale of fish from the coastal area and kuNhlange. The IWPA raises a concern about increasing pressure on such resources inside the IWP, through the depletion and degradation of natural resources in communal areas (IWPA 2008).

Our research in KwaDapha showed that negative perceptions of the IWPA are widespread, because of the imposed limits on access to natural resources inside the park. For example, one interviewee stated that: "[a]fter iSimangaliso came in 1999 they put sanctions on us. Life was better before. Now there are sanctions even in the lake. People can't renovate their houses, can't fish on the lake" (interview, 6 September 2012). Some people even accused the IWPA of being opposed to the building of the KwaDapha Primary School (interview, 6 September 2011). The IWPA said that they only wanted to ensure that the school was constructed in an ecologically sensitive manner (interview, 3 August 2012). Another respondent at KwaDapha said that community members have been stopped from renovating the (Methodist) church in

KwaDapha (interview, 6 September 2012). Although perceptions from local people of the restrictions placed on their livelihoods and social and economic development opportunities are anecdotal, it is important to note the lacking or insufficient communication between the IWPA and local people.

Physical assets: Access to infrastructure

The physical infrastructure in KwaDapha has remained poor. The road from KwaDapha to the nearest town, KwaNgwanase remains a poorly maintained track, traversable only by off-road vehicle, or by foot. Basic municipal services, such as electricity, clean water and sanitation are absent. There are private solar or petrol/diesel generators in a few households. Water is obtained from wells, or pumped from kuNhlange.

Instrumental freedoms

We discuss instrumental freedoms available to people at KwaDapha, and how conservation governance and management impacts up these. We look into three categories of instrumental freedoms: political freedom (representation and consultation); economic opportunities; and protective security (state-funded grants and job creation).

Political freedom: Representation and consultation

In terms of political freedom on a larger national scale, the inhabitants of IWP enjoy full political rights thanks to post-apartheid regime. At the local level, although local people have representation in the IWPA, as the fieldwork shows, this representation is problematic and not to the satisfaction of all members of the community. Yet the blame for this shortcoming cannot be put, or not fully, on the shoulders of the IWPA, since the community is under the leadership of iNkosi Mabhuda Tembe of the Tembe Tribal Authority, and represented by the local iNduna. Local community engagement with the IWPA occurs mainly through Tribal Council meetings. Participation through tribal leaders may exclude some in the community and favour those close to the tribal leaders. Although the Tembe Tribal Authority is represented on the IWPA Board by the king, iNkosi Mabhuda Tembe, there are questions in the community as to his legitimacy as their representative. One interviewee stated that "the iNkosi is a problem, he's not acting as a people's king. Now he's for whites who have money", referring to the perceived ease with which private tourism ventures are able to gain contracts to develop within the IWP. However, these shortcomings of representation are the result of traditional structures, although it could be argued that the IWPA could have stipulated a more modern form of representation.

Beyond this, anecdotal evidence suggests that there is very little engagement with the IWPA at the local level. Many of the women I spoke to said that they did not

know anyone from the IWPA (including the Development Facilitation Manager for the area). Men usually did know various officials from the IWPA, including Andrew Zaloumis, who had stayed in the area in the 1980s. But one of our informants, Jacob, who had been taken to court for illegal tourism development at KwaDapha, had sent a letter to the IWPA offices in St Lucia twice, asking for a meeting to discuss available socio-economic development opportunities for people at KwaDapha, within the legal framework. During the field research in 2011 we travelled to KwaNgwanase to send a third letter. No reply had yet been received at the time of writing.

Economic opportunities: the IWPA's approach to socio-economic development, and restrictions on everyday life

Although on the whole the IWP seems to have maintained a good track record with regard to economic and social opportunities, we find these severely constrained through conservation management at KwaDapha.

Firstly, the approach to ecotourism in the Park is one where private investors are encouraged to develop tourism infrastructure. The IMP for the IWP aims to achieve the facilitation of optimal tourism-based development, through an enabling environment that recognises the role of the private sector as the primary actor in the development of tourism (IWPA 2008), 90). The goal to balance tourism development with the local economic development of historically disadvantaged communities in and adjacent to the IWP is intended to be achieved through equity partnerships between the private sector and mandatory community partners (IWPA, 2008, 3). For example, the Thonga Beach Lodge and the Mabibi Campsite, initiated in 2002 by the IWPA, are often cited as benchmarks for the development of private sector/community partnerships in eco-tourism (Sunde and Isaacs 2008). The local community, through the Mabibi Community Trust, owns a 68 per cent share in the R6,5 million (≈US$ 870,000) Thonga Beach Lodge – and a 51 per cent share in the campsite (Mail and Guardian, 30 November 2004, cited in ibid.).

However, at KwaDapha there has been no facilitation between the local community and the private sector, and the community maintains that the IWPA has developed plans for tourism development at Bhanga Nek in isolation of their voices. It was said that: "[w]e want the government to intervene to build big lodges for people to have jobs at KwaDapha. People won't then have a problem with permits or sanctions. [...]. We have submitted an application to develop a 4-star diving lodge where the community tented camp currently is and to upgrade the Kosi Bay Beach Camp. Then iSimangaliso will find it easier to work with communities. If iSimangaliso doesn't stop development, they will find it easier to work with the community." (focus group meeting, 6 September 2012).

Secondly, local economic development is also strived for though the procurement of goods and services from small, medium and micro-enterprises (SMMEs) and job

creation (IWPA, 2008, pp. 90). In the 2010/11 financial period, R18,6 million (≈US$ 2,200,000) of R50,2 million (≈US$ 5,900,000) expended on capital, was awarded to local SMMEs for infrastructural development within the IWP (National Assembly Committee on Water and Environmental Affairs 2012).

At KwaDapha itself, however, economic development opportunities are lacking. Some people have also found temporary (piece) jobs at private and community-run tourist camps from time to time, although the availability of these jobs has declined after the court action taken against these tourist camps. As of 2 August 2011, there had been at least three concluded civil cases and one concluded criminal case, and there remained one outstanding criminal case, against local people (Savides, 2011). The applicants in these cases – the Minister of Water and Environmental Affairs, the IWPA and Ezemvelo KZN Wildlife – feared that the IWP would suffer irreparable damage, that it might lose its status as a World Heritage Site and that the communities which could benefit through controlled management of the park might suffer hardship, unless unlawful occupiers were stopped and evicted before it was too late (Kuppan, 2009). The IWPA likened these tourism development initiatives to 'ecological theft' (Kuppan, 2009).

Protective security: State-funded grants and job creation

South Africa is a middle income country widely perceived to have advanced furthest in growing social protection (Barrientos et al. 2013). We find social protection policies in the IWP to be strong. We look at two main components of social protection, following Barrientos et al. 2013: non-contributory social assistance programmes addressing poverty and vulnerability; and labour market and employment policies, whether "passive" or "active".

With regard to non-contributory social assistance programmes addressing poverty and vulnerability; we often found these to be a main source of income at KwaDapha. Households at KwaDapha are frequently highly dependent on state pensions (R1200 per month in 2013, ≈US$ 135) and Child Support Grants (R260 per month in 2013, ≈US$ 29) – collected on a monthly basis in KwaNgwananse.

Other socio-economic development projects include "Tourism Skills Development" – where local people are trained in hospitality, guiding and as chefs – and the support of arts and crafts groups. In the entire IWP during the 2010/11 financial period, 15 NQF4[2] tour guides had been trained, of which 12 (80%) are currently employed (National Assembly Committee on Water and Environmental Affairs 2012). During the same period, training on art development and cultural heritage had been provided to 2,241 people. In addition, the IWPA provides environmental education programmes and bursaries to university students from communities within and adjacent to the IWP, to pursue environmental studies and related disciplines. During the

2 National Qualifications Framework level 4, equivalent to Grade 12 (Matric)

2010/11 financial period, 66 schools had participated in the Environmental Education Programmes, and 45 bursaries had been awarded. According to the IWPA, the approach here focuses on optimising local employment opportunities, empowerment of local communities through training and transfer of skills, and seeking and channelling funds to address community needs (interview with IWPA Development Facilitation Manager, February 2010).

With regard to labour market and employment policies, local people have been employed in programmes such as LandCare projects within the IWP (rehabilitation of degraded land and the removal of alien vegetation). These provide employment over the short-term, usually six months. Programmes also support short-term employment in infrastructural upgrading. During the 2010/11 financial period, approximately 3,000 jobs were created in the IWP as a whole, of which 24 were permanent (National Assembly Committee on Water and Environmental Affairs 2012). At KwaDapha, some people are employed in the CoastCare and turtle monitoring programmes.

Discussion: Conservation, Human Development, and Human Rights

We find conservation management in the IWP to be wanting in terms of the capability approach. The shortcomings need explanation, all the more so because, as we have acknowledged, the IWPA's plan for conservation postulated explicit measures for improving the lot of the people of the area. In this section, we will explore an important conceptual confusion in the IMP for the IWP. We use this theoretical defect to explain the corresponding practical shortcomings of the conservation management in the park, in terms of the human dimension of development.

There is a host of literature critical of the path of economic development in the post-Apartheid South Africa (Moore 2001, Peet 2002, Narsiah 2002, Johnson 2009). The gist of the argument is that the neo-liberal notion that market is the most efficient mechanism for providing for people's welfare dooms this development path to failure in meeting the needs of the deprived majority of the people. In line with such understanding, once may conclude that although the IWPA's plan of conservation attempts to address and include the human dimension of sustainable development, but it relies on the operation of market in its concrete measures. We could agree with the theoretical basis of this approach, but we feel obliged to identify the concrete mechanisms, which in the case of IWPA's plan, justifies the reliance on the operations of market for the improvement of the lot of the vulnerable inhabitants of the Park. It seems to us that the conflation, indeed identification, of Human Rights and Capability Approach has to be singled out as the intellectual cause of the failure of the plan.

Adding human rights to the imperative of the market

We have argued that the essentially neo-liberal approach to development that we see on the ground has been the reason for limited advances in human development in the IWP. Yet the national policy context is much lauded for its inclusion of human rights and the capabilities approach, which ought to temper the negative effects of neo-liberalism. As we saw earlier, according to the South African bill of rights everyone has a right (b) to have the environment protected, through reasonable legislative and other measures that – (ii) promote conservation; and (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development. The National Planning Commission (NPC) aims at 'creating the conditions, opportunities and capabilities that enable people to lead the lives that they desire'. If the IWP project can thus be characterized as one that aims at the sustainable development of capabilities and that supports human rights, presumably these hold true in spite of the IWPAs declaration that development in the IWP plays second fiddle to its conservation in line with UNESCO values. And yet, we see that the approach to conservation in the IWP has not been a success in terms of sustainable development as it neglects social sustainability and more particularly the expansion of capabilities. The problem may therefore lie in the approach to the human rights and capabilities and their relationship.

Both Sen and Nussbaum have addressed the relationship between human rights and the CA (Sen 2004, 2005; Nussbaum 2007). The central argument is that certain human rights can be seen as entitlements to certain capabilities. Sen is very clear that neither CA nor HR should be wholly subsumed within the other and while it is clear that there are certain human rights that cannot be expressed in terms of capabilities, for example, process rights such as the right to a fair trial, the converse situation is not so clear. For Sen, HR ought not to be "incarcerated" in legislation and the juridical process but also pursued through other means, for example, monitoring, agitation and public recognition (Sen 2004) a kind of social movement. In fact, he argues against a rights based approach to development centering on legislation (Sen 2012). This echoes what famous HR scholar and critic David Kennedy sees as a failing in human rights: that when justice is seen as a relationship to the state rather than a condition in society our attention is distracted from background norms, and economic conditions which often do far more damage (Kennedy 2012). HR is mentioned in the constitution of South Africa and not in the IMP itself, therefore it could be said that in fact they are confined to national legislation.

The contradiction between HR, thus deployed, and CA appears to us to lie in the fact that legislated human rights alone cannot fulfil the development of human freedom, to choose functionings that people themselves value. In other words, the legislative measures that aim to secure ecologically sustainable development for all, are difficult to reconcile with people being the "champions of their own development".

The difference comes down to the question of universality. Human rights are seen as absolutely universal, "natural rights" that when articulated in law are subject to quantification, or minimum standards, this is perhaps their greatest strength but it also means that they are open to pursuit instrumentally, which opens the door for neo-liberalism. On the other hand stands Sen's understanding of universality. His approach recommends that the formulation of capabilities appropriate to a certain context must arise out of a process of public reasoning (Sen 2004). Universality is guaranteed by exposure to "the eyes of the rest of mankind" in the transparent evaluation of this process. Therefore, if the goal is the expansion of capabilities, rather than guaranteeing finite entitlements, Sen's approach of public reasoning and transparent evaluation procedures must be used to augment the approach of universal human rights that have become enshrined in law. To make the human rights approach work in terms of Sen's approach, the securing of "ecologically sustainable development and use of natural resources while promoting justifiable economic and social development" would have to involve a public reasoning in terms of what this means in the context of the local people the IWP and the IWPA and be subject to evaluation procedures that render them legitimate.

We see two possibilities for why development augmented by HR has failed to guarantee capability expansion. On one hand, it could be that the approach to HR was not in line with Sen's approach to the relationship and thus ought to be expanded as we have suggested above. Whether this is practicable within a liberal ethical framework and the discourse of human rights is a moot question; it is also possible that the human rights regime is destined to suffer co-option by the utilitarian ethics of the market. Therefore it may be Sen's articulation itself that is flawed or, at least, destined to perversion in the market. In the end, regardless of which is correct, our recommendation is the same i.e. that development projects aim more directly for capabilities.

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