

Contents lists available at [SciVerse ScienceDirect](#)

Geoforum

journal homepage: www.elsevier.com/locate/geoforum

A fair share? Perceptions of justice in South Africa's water allocation reform policy

Synne Movik

Department of International Environment and Development Studies, Norwegian University of Life Sciences, P.O. Box 5003, 1432 Aas, Norway

ARTICLE INFO

Article history:
Available online xxx

Keywords:
Environmental justice
Water reform
Allocation discourses
South Africa

ABSTRACT

This paper examines the multiple meanings of justice embedded in the notion of environmental justice. It uses research on South Africa's Water Allocation Reform policy to explore how ideas of justice have shifted in the course of crafting the policy, employing the notion of 'allocation discourses' to capture the changing conceptions of justice. South Africa's reform efforts are part of a global trend that vests the ultimate authority over water resources with the State, which provides it with a large degree of discretion in allocating use rights to resources. Drawing on discourse analysis and interviews with key stakeholders, the paper demonstrates how the early versions of the policy were characterised by desert-oriented and utilitarian interpretations of justice, which then shifted to an explicitly egalitarian perspective in the final version, but which, to-date, has had little practical consequence, however. In the early versions, existing users were portrayed as unilaterally beneficial and productive, and the process of redistribution as a risky venture that could lead to environmental degradation and the economy being undermined, whilst failing to acknowledge the waste and pollution of existing users. The paper highlights the importance of unpacking key concepts and understanding how particular framings of human-nature relations influence ideas of justice, and how these may shift over time.

© 2013 Elsevier Ltd. All rights reserved.

1. Introduction

Environmental justice is not only about the distribution of environmental bads. It is also about the distribution of environmental goods (Sikor et al. this volume), such as e.g. water resources. Much of the literature on environmental justice has focused exclusively on the distribution of bads, and environmentalism in general has been more preoccupied with reducing the amount of waste generated by industrial production, rather than with the distribution of environmental goods – green politics has been the politics of 'reducing aggregates rather than distributing disaggregates' (Dobson, 1998, p. 13). But what would a just distribution of environmental goods look like? Justice is a contested term (Walker and Bulkeley, 2006), and is open to a variety of often contradictory understandings that in turn rest on particular conceptions of the environment and human-nature relations. This paper draws on the South African Water Allocation Reform policy papers to examine how the idea of justice is conceptualised with respect to water (re-)distribution. Due to its long legacy of colonialism and apartheid, South Africa suffers from a severely skewed distribution of natural resources, including land and water. When the first democratic elections were held in 1994, one of the first priorities was to

get in place new water policies and legislation that would deal with the backlog in water services, and facilitate the redistribution of water resources in order to even out the existing inequalities. Land was another politically highly contested issue, and the land reform processes have been fraught with multiple difficulties (see e.g. Bernstein, 1997; Claassens, 2005; Cousins, 2007; Hall, 2004).

Environmental justice is often conceptualised as the struggle of particular individuals or groups of individuals against the avoidance of hazards, or to gain access to particular resources. The environmental justice movement offers rich examples of such struggles (see e.g. Agyeman et al., 2003b; Hofrichter, 1993; McDonald, 2002; Pellow, 2007; Ruiters, 2002). Attention has naturally been directed towards the physical manifestation of environmental injustices. However, less attention has been paid to the processes of policy-making that provide the space for such injustice to materialise. This paper, therefore, addresses policy formulation – in this case the South African water allocation reform policy – in order to tease out how justice is understood and represented. Policies are not value-neutral (Fischer and Forester, 1993; Gasper and Apthorpe, 1996), and particular understandings and assumptions will influence policy-making; certain framings and assumptions shape the way use rights to water and the mechanisms of distribution are conceptualised, which are not necessarily made explicit in the

E-mail address: synne.movik@umb.no

0016-7185/\$ - see front matter © 2013 Elsevier Ltd. All rights reserved.
<http://dx.doi.org/10.1016/j.geoforum.2013.03.003>

Please cite this article in press as: Movik, S. A fair share? Perceptions of justice in South Africa's water allocation reform policy. *Geoforum* (2013), <http://dx.doi.org/10.1016/j.geoforum.2013.03.003>

policy process. Questions that emerge, then, relate to how guidelines and principles are interpreted and formulated in water allocation policy, what perspectives do these interpretations give rise to, and how is justice conceptualised?¹

The paper is structured as follows. First I review and discuss briefly the concept of environmental justice, in particular teasing out the different understandings of the term 'justice', and argue the case for drawing on a pluralistic notion of justice in order to understand different perceptions. I develop the concept of 'allocation discourses' to facilitate the analysis of how interpretations of distributive justice are subject to shifting framings over time. I then go on to present the South African case study, providing a brief account of the historical context, before describing the case of the water allocation reform in more detail. The main points are then summarised, and the future prospects commented upon by way of conclusion.

2. Interrogating the notion of 'justice' in environmental justice

Environmental justice is often portrayed as an issue of how environmental 'bads' are spatially distributed; how burdens of pollution and the geographical location of waste dumps and industrial complexes are located in such a manner as to disproportionately affect the poorer segments of society (Agyeman et al., 2003b; Freudenburg, 2006; Harvey, 1996; Ruiters, 2002; Walker and Bulkeley, 2006; Waterstone, 1997). The initial focus of the environmental justice movement, which emerged as a force to be reckoned with in the US with the Love Canal case (Szasz, 1994), was on inequity in the distribution of environmental bads (Schlosberg and Carruthers, 2010). The 'environmental' in 'environmental justice' is often understood to be a question of environmental *quality* or the degradation or despoliation of nature (Agyeman et al., 2003a). Environmental justice movements have often revolved around the struggles of individuals or communities to avoid being burdened with hazardous waste such as toxic chemicals (see e.g. Hofrichter, 1993; Madhilaba, 2002; McDonald, 2002; Schlosberg, 2004). In such terms, the injustices committed are often understood as the exploitation of weaker groups' vulnerability and lack of voice (cf. Introduction, this volume).

Minority and lower-income groups are disproportionately subjected to environmental burdens (Konisky, 2009), though there has been considerable controversy in terms of the methods and empirical foundations of this claim (Ringquist, 2005). Justice in this context, then, is viewed as communities' and individuals' right not to suffer from negative impacts on health, and justice is often couched in the language of human rights – as the right to a healthy environment (Giorgetta, 2002; *Global Environmental Change Programme*, 2001). This approach emphasises the procedural aspects of justice, such as the right to information and the opportunity to participate in decision-making (UNECE, 1998). Following on from the human rights perspective, environmental justice can also be understood more broadly in terms of human capabilities, as disenfranchised individuals and communities gaining voice and empowerment, thus increasing their capabilities and overall welfare (see

also e.g. Dodge, 2009; Munton, 2003; Schlosberg and Carruthers, 2010; Sen, 2009a).

With respect to environmental goods, justice is not merely about ensuring everyone's access to a healthy environment and the basic requirements necessary to sustain life – e.g. the human right to water – but also about the just distribution of resources over and above the demands of basic needs satisfaction (which reflects the notion of a human development approach to resources such as water, see Mehta, this volume). But what is meant by a just distribution? There are different understandings of what justice is, depending on one's conception of what is to be distributed (Lamont and Favor, 2012; Walker and Bulkeley, 2006; Walzer, 1983). Distributive justice may refer to widely different interpretations (see Lamont and Favor, 2012, for an overview), such as strict egalitarianism (e.g. Cohen, 2008), the 'difference principle' (Rawls, 1971), equality of opportunity and luck egalitarianism (e.g. Dworkin, 2000), welfare-based principles (e.g. Arneson, 1989), desert-based principles (e.g. Locke, 1690 [2005]), feminist principles (e.g. Garvey, 2011) and libertarian principles (e.g. Nozick, 1974) of distributive justice. Strict egalitarianism implies an equal allocation of material goods to all members in society, whereas the concept of the 'difference principle' refers to the notion that any inequalities in distribution should only be allowed as long as they make the worst-off in society better off than they would otherwise have been. Welfare-based principles – where utilitarianism is the most well-known (see e.g. Mill et al., 2003; Mill and Crisp, 1998) – take as the point of departure that a just distribution of resources should maximise the welfare, or utility, of the greatest number. The luck egalitarianism literature, on the other hand, attempts to design principles that accommodate considerations of responsibility and luck in economic life (Lamont and Favor, 2012). Desert-based principles also emphasise responsibility, arguing that distribution should be proportionate, or at least reflect, the degree of effort exerted by individuals (Locke, 1690 [2005]; Scheffler, 2000). Libertarians, on the other hand, go against any idea of consequentialist concerns of distributive justice. One of the most well-known libertarians and proponents of a 'minimal state', Robert Nozick, held that as long as any distribution of resources results from a just process, the distribution itself is also just (Nozick, 1973, 1974). In summary, what constitutes a just distribution is far from straightforward (see also Dobson, 1998, 2003).

Justice, then, is not amenable to being defined through reference to any one principle. As amply demonstrated above, the idea of justice can be understood in multiple, often contradictory, ways, though there has certainly been no lack of effort in trying to come up with an all-encompassing theory of justice, the most influential such attempt being John Rawls' 'A Theory of Justice'.² However, critics argue that searching for a unified theory of distributive justice based on a single principle is a moot effort – for instance, Walzer (1983) doubts the idea that rational women and men will choose one, and only one, system of distributive justice. This point is emphasised through empirical studies highlighting how individuals draw upon different dimensions of justice, such as desert and equality, simultaneously. The degree to which any one aspect of justice is invoked will depend on the particular situation and what sort of good is to be distributed (Miller, 1992).

The notion that justice cannot refer to one universal, unifying idea is appreciated by Sen (2009b) – but apart from simply stating that the quest for a single principle of justice is quixotic, he argues that as there are competing, but equally legitimate, claims to

¹ These questions were addressed through careful perusal of the consecutive versions of the water allocation reform strategy in combination with interviews with key policymakers and informed individuals, as well as participatory observations in relevant meetings and seminars both internally at the Department of Water Affairs and Forestry and at other venues. The information was gathered during an 11-month stay in South Africa in 2006, with two follow-up visits in 2009 and 2010. Having Dr. Barbara van Koppen, a senior researcher at the International Water Management Institute as a key contact, and using the 'snowballing' technique, it was very informative and helpful to meet and discuss with many of the key policymakers, academics and practitioners working on water allocation issues in South Africa, and to gain first-hand access to the drafts of the water allocation reform policy and other relevant documents and datasets.

² Rawls argues that a situation of a just distribution can only be arrived at through a 'veil of ignorance' – i.e. that people do not have any knowledge of their position in society or personal endowments, and that rational agents would arrive at two basic principles, that all would have access to equal opportunities, and that unequal distribution of primary goods would only be favoured if it were to the benefit of the least advantaged.

Download English Version:

<https://daneshyari.com/en/article/5074015>

Download Persian Version:

<https://daneshyari.com/article/5074015>

[Daneshyari.com](https://daneshyari.com)