



# The challenges of rescaling South African water resources management: Catchment Management Agencies and interbasin transfers



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## SUMMARY

The implementation of Catchment Management Agencies (CMAs) was supposed to be the cornerstone of the rescaling process of the South African water reform policy. Yet, less than 10 years after the adoption of the National Water Act, the process was suspended for 4 years and by 2012 only two CMAs had been established. Combining approaches in geography and political science, this paper investigates the reasons for the delays in CMAs' implementation in South Africa. It shows that the construction of interbasin transfers (IBTs) since the 1950s by the apartheid regime and nowadays the power struggles between CMAs and the Department of Water Affairs (DWA) are two of the main obstacles to the creation of CMAs planned by the 1998 National Water Act (NWA). Finally, the paper advocates taking the "hydrosocial cycle" as an analytical framework for designing new institutional arrangements that will include both rectifying the legacy of the past (the specific role of DWA) and acknowledging legitimate local interests.

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## 1. Introduction: rescaling South African water policy

With the adoption of the National Water Act (Act 36 of 1998), the South African Government officially recognised a "need for the integrated management of all aspects of water resources and, where appropriate, the delegation of management functions to a regional or catchment level so as to enable everyone to participate" (RSA, 1998: 3). Nineteen CMAs were to have been created across the country.

A whole chapter (no. 7) was dedicated to the newly created Catchment Management Agencies, which were supposed to be the cornerstone of this rescaling process. Their five initial functions were to:

- investigate and advise on the protection, use, development and control over water in the catchment,
- develop a catchment management strategy,
- coordinate related activities of water users and institutions,
- promote coordination of the implementation of the catchment management strategy with development plans resulting from the Water Services Act, and
- promote community participation (RSA, 1998: 88).

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The CMAs were supposed to be the symbol of a post-apartheid water policy that would shift the power from the highly centralised and powerful Department of Water Affairs in Pretoria to local communities, especially "disadvantaged persons or communities which have been prejudiced by past racial and gender discrimination in relation to access to water" (RSA, 1998: 90). The Water Act states that "the Minister *must* promote the management of water resources at the catchment management level by assigning powers and duties to Catchment Management Agencies" (RSA, 1998: 84) [emphasis added] and that "the purpose of establishing these agencies is to delegate water resource management to the regional or catchment level and to involve local communities" (RSA, 1998: 85).

Yet, 14 years later, the rescaling process of South African water policy is experiencing tremendous challenges. In a press release in March 2012, the South African Minister of Water Affairs stated: "The Minister decided to reduce the number of CMAs to nine from the original proposal of 19 CMAs. This is due to a number of reasons including the technical capacity required to staff CMAs, and the challenges such a large number of institutions pose to the Department of Water Affairs (DWA) in regulating their performance" (DWA 2012). This statement followed the 'institutional realignment' process initiated in 2007 at the national level which unilaterally suspended CMAs' establishment progress for 4 years. Consequently, as is provided in the 1998 Water Act: "in areas for which a catchment management agency is not established or, if established, is not functional, all powers and duties of a catchment management agency [...] vest in the Minister" (RSA, 1998: 82) (see Figs. 1a and 1b).

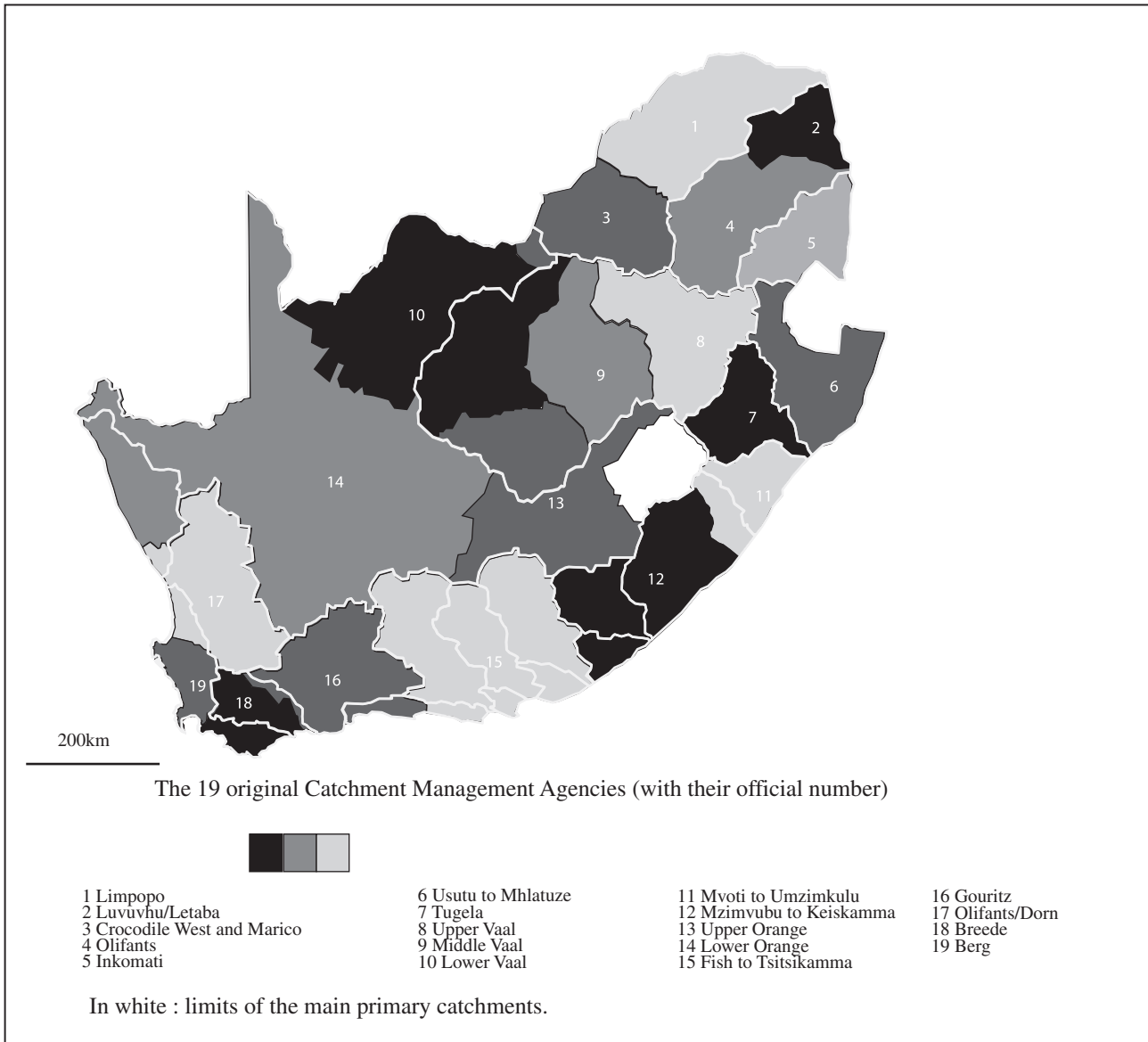
**2. Hypotheses, methods and paper outline**

The question that we want to address in this paper is straightforward: why has the rescaling process of South African water management failed so far? There can be several explanations, the most cited one referring to problems of policy implementation that impede almost all of South Africa's policy sectors nowadays, including the water sector (von Holdt, 2010). More closely related to CMAs, a fairly large number papers have been written been written on aspects mostly focusing on poor administration, mismanagement, lack of training of newly appointed public servants or coordination problems (Gorgens et al., 1998; Pegram and Palmer, 2001; Pollard and du Toit, 2008). For instance, according to Mazibuko and Pegram (2006: 1), “most water resources managers do not know which directorates or departments to make contact with in a local government organisation to achieve cooperation around a specific issue. This leads to frustration, inefficiencies and inadequate cooperation or consultation between the institutions”.

By focusing on the geo-historical background, as well as on contemporary socio-political aspects of the South African water

management policy, this paper aims at shedding new lights on the failure of the implementation of CMAs in the South African context. Our preliminary hypothesis was that the two major obstacles to the “delegation of management functions” to CMAs are (1) the building of interbasin transfers (IBTs) by the apartheid regime from the 1950s onwards and (2) the power struggles in DWA.

The arguments that are presented here are based on two distinct methodologies. The first one relies on work that has been conducted in the DWA archives in Pretoria. Internal reports, internal documents and press releases were analysed, as well as official documents. The point was to have a geo-historical view of the South African waterscape, focusing on the implementation of the huge IBT system. We argue here that this historical background is necessary in order to understand the dynamics of CMAs implementation in South Africa. Indeed, as L. Swatuk (2010: 522) pointed out recently: “present day water policy, practice and management are the results of historical dynamics not easily displaced by generalised discourses of ‘good water governance’”. Therefore, understanding South Africa's complex history of water management, in particular the web of powerful actors, interests and



**Fig. 1a.** The 19 original Catchment Management Agencies (with their official number).

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