



Natural Resource Governance Systems in South Africa



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A recently completed Water Research Commission (WRC) project has taken a critical look at the most pertinent water governance issues in South Africa with a view to recommend a new governance framework.



South Africa is a water-scarce country, and its water resources are under increasing pressure as the need for both development and socio-economic transformation increases. These pressures are exacerbated by increased climate variability as a result of climate change.

Integrated water resource management (IWRM) has become the internationally accepted paradigm within the water sector, and has as such dominated how we think about governance of our natural resources as well as the range of human activities that impact upon natural resources.

In South Africa, implementation of IWRM has been difficult, and there have been ongoing debates around the institutional frameworks that would in effect provide a conduit for corporates and communities to engage in water resource management.

Water governance in South Africa

South Africa has a rich and fairly robust governance framework. Through the 1990s and early-2000s the country produced a plethora of revised/new policies and legislation. Together with these, there came a number of new institutional arrangements that were aimed at supporting and implementing these new policy frameworks.

However, upon reflection, we realise that there has been a significant array of challenges that have served to slow down the implementation of these policies and laws. The institutional changes have also been more drawn out than ever envisaged. South Africa's experience, as well as that from other countries, does reveal that, in fact, these challenging processes are all part of an important process of doing, monitoring and adapting as part of an adaptive management cycle.

The three key governance challenges in South Africa are:

- The ability to ensure effective regulation.
- The lack of accountability at a variety of levels, and
- The failure to engage with private sector and civil society actors in order to strengthen our management of water resources.

In reflecting on these matters a few steps are required to address these challenges. Some of these are loaded and require significant input, effort and political support. Others are less so.

The proposed steps required to redress the challenges are noted in Table 1.

Challenge	Step to address challenge
Regulation	<ul style="list-style-type: none"> • Finalise the legislative reform • Implement and monitor the NWRS • Finalise the revision of the pricing strategy • Stabilise the institutional environment and reduce uncertainties • Address the role of municipalities and give support to strengthen • Re-instate the water tribunal • Drive water allocation reform • Further strengthen compliance monitoring and enforcement
Accountability	<ul style="list-style-type: none"> • Improve alignment between departments • Strengthen and improve the data and information management • Establish the economic regulator • Establish CMAs towards improved vertical accountability
Engagement	<ul style="list-style-type: none"> • Articulate the rationale for engagement (i.e. the drivers) • Understand who the stakeholders are and the types of engagement • Recognise that there are different mechanisms for engagement • Provide the necessary support to enable them to function effectively

Table 1 – Proposed steps to address water governance challenges

Adapting our governance approach

Within 18 years of the promulgation of the NWA, there are questions being asked as to whether the approach to water governance for South Africa was indeed appropriate. However, when one takes cognisance of what is happening across an array of different sectors, one quickly realises that governance challenges exist across many sectors, and not just those sectors that have the ‘wicked problem’ of managing natural resources.

In fact, the debate and discourse with regards to governance models and the efficacy of these various models is not limited to South Africa or the water sector.

Our governance regimes have adjusted with time, and this is linked closely to the socio-economic context at each of these stages.

Polycentricism is a social system of many decision centres having limited and autonomous prerogatives and operating under an overarching set of rules. Alternatively, monocentric systems are where the rules are determined and enforced by one single hierarchical authority, often government authorities, that often have legally prescribed and mutually exclusive mandates.

The overriding feature that makes polycentric models attractive to managing natural resources in an uncertain future is that they have the ability to self-correct and adapt. If we note that ultimately no perfect governance system exist and as such they attempt to address the need to collectively tackle complex resource challenges, then the ability to act swiftly from lessons learned becomes imperative.

With the uncertainties of climate change, economic and social stability, as well as political unrest linked to service delivery, it comes absolutely essential to have a governance model that is adaptive in a way that typical hierarchical centralised government cannot be.

The exchange of information becomes critical to ensuring the success of polycentric systems. This information exchange enables shared learning, which is not only a key part of day-to-day functioning of the system, due to its complexity, but equally is invaluable in providing the ready knowledge to be able to adapt to changing circumstances.

It is important to note that the adaptability of polycentric systems is based upon the ability of people to both enter and exit the system. This contrasts with conventional thinking where government tries to ‘lock in’ members and ensure their participation at all meetings.

However, it is clear that there is a need for a balance between formal and informal structures. The South African governance model supports this, however, the resources to support informal structures have remained a challenge since the promulgation of the NWA. Sadly, this has ended up hampering livelihoods more than helping them.

Unlocking the governance framework

The existing governance framework shows us that actually we have a useful balance of formal and informal structures, of governmental and non-governmental engagement, and of hard and soft regulation that provides structure and

encouragement. Across these dimensions we see a shift from the more monocentric, centralised government towards a more polycentric and decentralised governance.

This is a model that the country needs to develop over time. There are already distinctive elements of the model in place. It requires of the Department of Water and Sanitation (DWS) and the catchment management agencies diligent support and guidance to foster and encourage.

In its strictest terms we are only applying the polycentric governance model in certain circumstances, but noting the history of South Africa and the massive governance challenges that are being faced across a range of sectors, this is probably appropriate.

There are questions as to whether our society is 'mature' enough at this stage to entertain a fully polycentric governance model. The imbalances in power, in socio-economics and in capacity do need to be managed in certain circumstances.

While the final report on this project provides an array of suggestions towards getting our governance framework back on track it must be noted that most of what is suggested is

actually about getting on and implementing the existing policy and legislation. Some shifts are fundamental, and probably the most important is the need to take water beyond the bounds of the government's environmental cluster.

In the last year, the country has experienced the devastating effects that drought can have upon the economy. This should have indicated that we need to re-think how we govern this scarce resource.

If we are to manage our resources sustainably, and support a growing economy, then the discourse needs to include National Treasury, the Department of Trade & Industry, Department of Mineral Resources and the Department of Cooperative Governance and Traditional Affairs, in addition to other sector departments that underpin the economy of the country.

This would be aligned with the moves that the many corporate businesses are making in establishing partnerships, as they understand the risks associated with water and their own production.

Further reading:

To order the reports, *Natural Resource Governance Systems in South Africa (Report No. 2161/1/16)*, contact Publications at Tel: (012) 330-0340, Email: orders@wrc.org.za or Visit: www.wrc.org.za to download a free copy.