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An Analysis of Public Participation in Environmental Development
in
South Africa Post 1994

By

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(Submitted in fulfilment of Master's Degree)

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Declaration:

I, Justine Demas declare in lieu of oath that this is my own master's thesis written by me, that it has not been submitted for any degree or examination at any other university. All the information and resources derived from the work of others have been indicated and acknowledged by means of footnotes and a complete list of references.

Date: **12 April 2018**   Signature:

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Abstract:

Sustainable development and public participation have become two buzzwords in the academic field, especially when speaking about environmental justice and rights. These two concepts have become central and are often used inter-connectedly in the discourse of development. The term "sustainable development" was given recognition at the Rio Conference in the Brundlandt report of 1987.

After this report was released most of the development focus shifted to sustainability especially also given that along with this report, the Agenda 21 was issued with principles and standards emphasising environmental deterioration and how to preserve this for future generations. Of course, when speaking of sustainable development the term public participation is accompanied with it.

Due to the fact that public participation enables the people of a country to participate and be active in the decisions making processes of governance to allow for transparency and accountability, scholars and academics argue that it is needed to achieve sustainable development. "Public participation is particularly significant in the context of sustainable development. Sustainability depends largely on the way economic, social and environmental considerations have been integrated in decision-making," (Richardson and Razzaque, 2005).

This dissertation attempts to address these two concepts, sustainable development and public participation, in light of environmental decision making. The researcher chose to focus on this in the South African context because of South Africa's history. South Africa used to be governed by an apartheid regime, which allowed for many racial, residential, land, educational, economic, social and even recreational disparities. The white skinned people (Europeans) were seen as superior and 'better' and had better living, educational, social conditions than that of the so-called 'black people' (people of colour, mixed race, Indians, Africans'). This, however, changed in 1994 when South Africa had their first voting elections as a representative democracy country and gained 'freedom'. This was the start of transformation, inclusivity and equality for all.

The researcher discusses all this concepts, background and history in the chapters to follow and finds that transformation and change is not an easy process in the discussion and analysis chapter. The implementation of policies and strategies is being done by governmental departments, however, participation is not an easy task to implement or achieve when certain

factors (discussed in chapter 4) play a role. Therefore, sustainable development along with public participation in the discourse of development is a long, complex, sometime hard to achieve phenomena in the academic and maybe even practical world. An analysis of Public participation in environmental development in South Africa post 1994.

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Chapter 1: Introduction

1.1 Overview & Background to the phenomena

"After decades of economic decline and political instability, the region of Southern Africa has engaged in a process of rapid and comprehensive political and economic change".[1] Post 1994 South Africa was faced with a number of challenges regarding to social and economic development. One of the ideologies that strongly emerged during this period of unprecedented transitional time was 'rapid development'.

Rapid development however, gave birth to a number of separate concerning factors. Of these a need for active public participation (community involvement) was identified. The country's new constitution and bill of rights placed great emphasis on public participation within almost all of the various spheres of government. According to this, public involvement within the decision making process was encouraged not only in their local communities but, also in the great cities and provinces which would either directly impact them or pose an indirect impact.

As we know the world faces many challenges which need attention such as climate change, which in turn affects the social and environmental spheres and this subsequently affects the global economy. There are debates among scholars that the economy is indeed significant as this indicates growth which means development is taking place. According to DVV International[2] the world's global challenges such as rapid population growth, the continual environmental degradation and vast differences between the rich and the poor affect everyone greatly in the 21st century. With (global/international) problems such as desertification, deforestation, climate change, ozone depletion, the El Niño and many more problems, it has become critical to seek solutions to preserve earth and its environment and diverse life forms internationally. The implications for planet Earth in terms of environmental degradation and resource exploitation was brought to attention in a 1972 report called "Limits of growth" by

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[1] Petersson, L.1996. Post -Apartheid Southern Africa: Economic Challenges and Policies for the future. Routledge Studies in Development Economics: London (p1)

[2] DVV International. *Global Challenges at the Beginning of the Twenty-first Century.* Available at: /www.dvv-international.de/adult-education-and-development/editions/aed-542000/globalization-development-and-adult-education/global-challenges-at-the-beginning-of-the-twenty-first-century/ [accessed: 22.10.17,21:06]

the "Club of Rome[3]". At the core of the problems are human behaviour along with addressing and catering to their basic needs. According to Tobar-Arbulu [4], needs are universal and would therefore signify the principles of human existence, which according to Maslow's theory of human motivation [5], are physiological needs such as to breathe, survive, safety and security and being nourished, emotional needs like having a sense of belonging and being loved and then transcendental needs such as personal achievement and having a sense of the world around us.

To put this in context, Max-Neef's human scale development theory argues that needs can be categorised into two main criteria, existential and axiological as it symbolises the diversity and independence of the spaces in which humans function. These two criterion show on one hand the interaction of being, having, doing interacting and on the other there are needs of subsistence/survival, protection, affection, understanding leisure, identity and freedom. He contends that need such as food and shelter should not be seen as needs but rather as satisfiers of a fundamental need, i.e subsistence. In the same way too education is a satisfier of the need for understanding. However, to distinguish between the two concepts depends on changes over time and through culture as he advocates that fundamental human needs are finite, few and classifiable and also the same in all cultures and in all historical periods.[6]

Therefore, humans make use of the natural resources provided in the environment, i.e animals, plants and wood, trees fossil fuels and water. The continuous extraction of resources without it being replenished will lead to a scarcity of that resource and thus it means the (earth's) natural ecological system cannot function properly because that specific resource was helpful and necessary for regulation. Hence, the concept of sustainability comes into

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[3] An informal organization established in 1968 with purpose of giving an understanding of various social, political, economic and natural components which make up the global system. Emphasizing consideration of these, by policy makers and worldwide public, to encourage new policy initiatives and action. Membership varies from 25 nationalities, consisting of approx.70 members. Ranging from educators to scientists, humanists, economist's industrialists, national and international civil servants.

[4] Tobar- Arbulu, J.F. n.d. *Human Needs and Development.* [accessed: 06.09.17, 14:09]

[5] Martinez, I. 1995-2017. *Human Needs.* Available at: http://webserver.dmt.upm.es/~isidoro/Env/Human%20needs.pdf. [accessed:06.09.17, 23:43]

[6] McGhie, V.F, and Keim, M. 2017. Understanding the needs and challenges of a Black community in South Africa, Development in Practice, 27:3, 380-391, DOI: 10.1080/09614524.2017.1294146

play. In 1987 the well-known report known as *"Our Common Future"*[7] was officially accepted by the United Nations (UN) as a guideline and brief on sustainability. According to Kasemir et.al.[8], for sustainable development to be successful more public participation methods and procedures need to be discussed and implemented in its policy and debates.

The term public participation has become central to sustainable development discourse. It is the belief of the proponents of people centred theory that public participation is one of the key answers to sustainable development projects. "Public participation" and "Sustainable development" have become central and interconnected terms in present day development discourse".[9] Public participation approaches can be seen as both a means and an end to something and therefore it is argued that it can be efficient and empowering. Efficient because participation may be used as a tool to achieve better project outcomes and empowering because participation is a process to develop the individual's capacity and develop their own lives and facilitates social change to the advantage of a previously marginalised group.[10] The notion of public participation is that "the state or government" represents the public. At local level of government a ward councillor is appointed to act as intermediary between the people and the government. This notion holds true to the representative participatory democracy which now governs South Africa.

1.2 Defining Sustainable Development

Sustainable development most academics, scholars and experts would argue is a contradictory term because when looked at separately, "sustainable" means to prolong, to keep something maintained at a specific level or rate or preserving an ecological balance by evading the

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[7] United Nations Commission on Environment and Development. 1987. The Brundtland Report. *Our Common Future.* (UNCED)

[8] Kasemir, B.; Jaeger, C.C.; Jaeger, J.; Gardner, M.T. 2003. Public Participation in Sustainability Science: A Handbook. Cambridge University Press. United Kingdom

[9] United Nations Economic Commission for Africa. *Improving Public Participation in the Sustainable Development of Mineral Resources in Africa. Chapter 6.* Available at: http://www1.uneca.org/Portals/sdra/sdra1/chap6.pdf [accessed: 17.03.17, 19:40]

[10] Cleaver, F. 1999. Paradoxes of Participation: Questioning Participatory Approaches to Development. *Journal of International Development* 11, p,598

depletion of natural resources[11], whereas "development" means to change or advance from one state of being to another, development means growth or a process of transforming land into something purposeful by erecting new buildings or utilising the resources.[12] Even in the definition of development where it says it means growth and transformation, this may be true but could also be seen as contradictory as growth means a change is size, a change of quantity, hence it is quantitative in approach and development is a change in quality as per the example above, transforming something completely from useless to useful, from a degrading state to a state of upliftment, hence qualitative in approach. However, no distinct, clear definition can be formulated amongst the many parties using the term for their own purpose, such as developers use the term to explain or define why a certain development should take place but when asked how it could be sustainable to the economy or environment, there is no explanation. Both Daly [13] and Lele [14], agree that the term "sustainable development " has become a shibboleth (or a catchword), a conviction from the past which used to be important that is now being used in present day considered to be as important and correct as it was in the past.[15] When speaking of sustainable development, public participation plays a particularly important role. Sustainability greatly depends on the integration of social, economic and environmental aspects into decision making. The centrality of public participation and social justice is replicated I the discourse of sustainable development by the principle(s) of inter- and- intra-generational equity.[16]

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[11] Oxford Dictionaries. Available at: https://en.oxforddictionaries.com/definition/sustainable [accessed: 16.05.17, 15:00]

[12] Oxford Dictionaries. Available at: https://en.oxforddictionaries.com/definition/development [accessed:16.05.17, 15:10]

[13] Daly, H.E. 1990. Sustainable Development: From Concept and Theory to Operational Principles. *Population and Development Review* 16, p, 92

[14] Lele, S.M. 1991. Sustainable Development: A Critical Review. *World Development* 19 (6), 607-621

[15] Cambridge Dictionary. Available at: http://dictionary.cambridge.org/dictionary/english/shibboleth [accessed 16.05.17, 16:00]

[16] Razzaque, J. and Richardson, B.J. 2005. Public Participation in Environmental Decision-making. Research Gate available at: https://www.researchgate.net/publication/228305864

According to Bossel[17], Emas [18] and Novacek [19], the most generally accepted definition for sustainable development is the one according to the UN commission on Environment and Development (1987): "development which meets the needs of the present without compromising the ability of future generations to meet their own needs".

For the purpose of this study the researcher will look at public participation in environmental decision making in South Africa after the apartheid era.

1.3 Public Participation in South Africa Post 1994

The apartheid regime in South Africa allowed for many racial disparities and this was reflected by the way in which the apartheid government handled things. It was disadvantageous to most of the South African population and favoured the minority group of "whites", it was also known for its "divide and rule" attributes. During apartheid the government made decisions based on what they thought were "best" for the people or what they thought the people wanted, however this was skewed and benefitted only the whites, the non-white group was marginalised and the decisions made by government then, reflected the inequality amongst racial and ethnic groups, (Public Participation Framework[20]; Lelokoana,[21]; Mhlauli et. al.,[22]). The apartheid era was a non-participatory government; however, this was all to be changed after South Africa gained independence in 1990 and had its first democratic elections in 1994.

The year 1994 marks the end of the apartheid era in South Africa and a move towards democracy. This meant a new governing system and constitution which amongst other things

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[17] Bossel, H. 1999. Indicators for Sustainable Development: Theory, Method, Applications. *International Institute for Sustainable Development:* Canada

[18] Emas, R. 2015. The Concept of Sustainable Development: Definition and Defining Principles. *Brief for GSDR.* Florida International University

[19] Novacek, P. 2011. Sustainable Development. Palacky University:Olomouc

[20] Public Participation Framework for the South African Legislative Sector. June 2013.

[21] Lelokoana, L.E. 2011. Public Participation in Local Government in South Africa: A Case Study on Decision Making in Street Naming in Kwamashu Township of the Ethekweni Municipality. *Faculty of Humanities, Development and Social Sciences: University of Kwa-Zulu Natal.* Durban

[22] Mhlauli, M.B., Salani, E., & Mokotedi, R. 2015. Understanding Apartheid in South Africa through the Racial Contract. *International Journal of Asian Social Sciences* 5(4), 203-219

included a representative and participatory democracy, whereby citizens elect who they choose to represent them and this meant that when a decision is to be taken at local, national or regional/provincial level, which could impact the lives of the citizens, they are to be informed of this and are allowed to raise their concerns or opinions about it and the government has to take their concerns and opinions into account when finalising the decision. For example, at local level, the government should inform and consult the people (community) of housing developments and the use of public land. Therefore, South African citizens have the power to influence policy making, so that the policies reflect "the will of the people".[23] Public participation is regarded to be a significant turning point and a key principle in democracy as it allows for a bottom-up approach to governance because it involves the people, (Babooa,[24] and Lelokoana,[25]). Public participation allows the citizens to practice their constitutional right to "freedom of speech" and hold accountable the government representatives they have elected to represent them for decisions made. The citizens also pay taxes and have a right to know how the money is being used, if the people are not informed or consulted, government will be violating its values such as transparency and accountability and this may be seen as an "abuse of power"[26].

1.4 Problem Statement and Justification

Due to the fact that South Africa was under apartheid rule with so many disparities for so long, and even though today, it is a representative democracy with aspects of public participation, it is believed that the marginalised group is still "voiceless" or unaware of their right to "be involved" and to what extent or in which matters they are allowed to have an opinion and "be heard" about it. The apartheid past largely still determines the present socio-economic conditions, despite the great/intense political changes South Africa has gone through. By

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[23] Public Participation Framework for the South African Legislative Sector, June 2013, p, 12

[24] Babooa, S.K., 2008. Public Participation in the Making and Implementation of Policy in Mauritius with reference to Port Louis' Local Government. University of South Africa (UNISA)

[25] Lelokoana, L.E. 2011

[26] Paralegaladvice.org.za available at: http://paralegaladvice.org.za/wp-content/uploads/2016/05/03-PLM2015-Democracy.pdf [accessed 22 April 2017]

improving public participation in the administration, policy-making and implementation, it puts those who were marginalised in a position of power.[27] Because of the "divide and rule" aspect of apartheid this meant that non-whites were segregated according to the Group Areas Act No.41 of 1950[28], and they were geographically placed in different areas than the whites, and the location of these areas were significantly different. The passing of this law meant that non-whites were forcefully removed from the most developed urban areas and placed elsewhere.[29] Although today, South Africa is no longer under apartheid rule, and has been a democracy for more than 20 years, some of the non-white groups still reside in the rural areas and these are the areas with development potential. When a development takes place in these areas it has risks such as pollution and noise which may affect the health of the residents, but it may also have risks on the infrastructure surrounding the area and may later affect the residents. Hence, this is why it is important for the public to be informed and raise any concerns they might have.

The researcher found that there is little to no empirical evidence on the correlation and implementation of public participation in development projects. The researcher would like to analyse whether public participation is indeed being implemented in South African development as provided for in the constitution or whether it is just on paper. The researcher will also briefly explore the reasons as to why there is a lack of public participation in South Africa. The researcher believes that lack of scientific knowledge, education and improper information is the reason why people often do not participate in decision making process, especially environmental decision making.

1.5 Research Questions

- How can public participation help the discourse development?
- Is public participation being implemented in South Africa's development projects and how?
- How can the implementation of public participation be improved?

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[27] Public Participation Framework for the South African Legislative Sector, June 2013, p,17

[28] An official document that was implemented and enforced by the South African apartheid government 1948-1994. This Act separated and assigned racial groups in different residential and business spaces in urban areas.

[29] GetLegal.com, available at: [http://public.getlegal.com/legal-info-center/april-27-1950-south-africa-passes-group-areas-act-formally-segregating-races-and-beginning-era-of-apartheid/ [accessed: 9 September 2017]

- Are the people properly informed of their right to participate in environmental decisions?

1.6 Research Aim

The researcher's aims is to

- Analyse public participation as a means to sustainable development by looking at the local agenda 21 policy framework of South Africa which is the reconstruction and development programme (RDP)
- analyse how public participation is implemented into these strategies/policies by looking at the legislative frameworks, Environmental impact assessment (EIA) process policy and municipal systems act
- how public participation is being implemented in development projects and
- how it can be improved?

1.7 Research Objectives

The researcher wants to look at

- how public participation can help the discourse of development by looking at South Africa's development since it became a representative participatory democracy government after apartheid and
- how public participation is being implemented, if so, and how it could be improved, if needed?

1.8 Research Methodology

The researcher will be making use of an interpretive qualitative method of study using inductive and deductive reasoning. The researcher will be conducting a desktop study, using secondary data. It will be a case study research. The researcher will be analysing local agenda 21 policy frameworks in terms of public participation, mainly the Reconstruction and development programme of South Africa and the EIA policy amongst others to see how and if public participation is being implemented and how it can be improved. The researcher will also make use of other sources such as formal and informal, published and/or unpublished reports and articles.

The methodology will further be discussed in chapter 3.

1.9 Research Limitations

The research limitations of this study is that it is only focussing on public participation in South Africa and the researcher is only making use of secondary data, no fieldwork/primary data will be collected due to geographical and travelling constraints of the researcher.

1.10 Chapter outline

Chapter 1: Introduction:
This chapter introduces the topic of the study and gives a brief background pertaining to the study and how it came that the researcher has decided to do this specific study. It also states the aims, objectives and methodology to be used in this study. This chapter also briefly describes each chapter in the thesis.

Chapter 2: Literature Review:

This chapter will review what other scholars and academics have written about the topic and highlight how this study will be different and needed. This chapter also expands on the ideas and notions of the terminology and phenomena being researched in this study.

Chapter 3: Theoretical framework and Methodology:

This chapter will focus on and explain the methods that the researcher will be using to collect data, and to analyse the data. This chapter will also explain the conceptual framework that will be used to argue/explain/discuss the findings and the viewpoint of the researcher. This chapter also introduces the case study site and gives a brief description of the case study and/or site and explains its relevance to this research study.

Chapter 4: Data Analysis and Discussion:

This chapter will look at the data retrieval since it is a desktop study and analyse it for any discrepancies and discuss in detail what has been found to be lacking, similar and/or different to the Austrian standards of public participation. The researcher will be looking at research and literature from other scholars and academics in terms of analysis and this will be in the form of a case study.

Chapter 5: Conclusion and Recommendations

This chapter is the final chapter and will summarize what has been discussed in each chapter and discuss the findings for further recommendation on what could still be done in the field of research.

Chapter 2: Literature Review

2.1 Introduction to South Africa's Environmental Disparities

With the reformation of South African politics in the 90's, moving from segregation and marginalisation to democracy, it allowed for new policies and a renewed constitution. Thus, due to the environmental disparities previously encountered this also allowed for a rethinking of environmental issues with many deliberations on the meaning, causes and effects of environmental deterioration[30], (McDonald, 2004). According to Cock and Koch (1991)[31] and Ramphele and McDowell (1991)[32] in Mcdonald (2004), it became apparent that environmental capabilities/resourcefulness were similar to the post-apartheid, democratic goals. This meant that soon a new environmental discourse was embraced. Not long after/shortly after trade unions, civil associations, non-governmental (NGO's) and academics began to dispute the environmental policies and practices. As part of this new dialogue the term environmental justice became important. According to the Environmental Justice network forum (EJNF) which was established as part of the "Earthlife Africa" conference held in 1992[33], environmental justice means:

> *"Environmental justice is about social transformation directed towards meeting basic human needs and enhancing our quality of life—economic quality, health care, housing, human rights, environmental protection, and democracy. In linking environmental and social justice issues the environmental justice approach seeks to challenge the abuse of power which results in poor people having to suffer the effects of environmental damage caused by the greed of others. This includes workers and communities*

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[30] McDonald, D.A. 2004. Environmental Justice in South Africa. *What is environmental Justice?* Chapter 1: pp, 1-10.

[31] Cock, J., and Koch, E. 1991 (eds). Going Green: People, Politics and the Environment in South Africa. Cape Town: Oxford University press

[32] Ramphele, M., and McDowell, C. 1991 (eds). Restoring the Land: Environment and Change in Post-Apartheid South Africa. London: The Panos Institute.

[33] The EJNF was initiated at 1992 Earthlife Africa conference. The concept of environmental justice was introduced to South Africa at this conference and 325 civil society delegates had committed to the idea of redefining environmental justice in SA.

exposed to dangerous chemical pollution, and rural communities without firewood, grazing and water. In recognizing that environmental damage has the greatest impact upon poor people, EJNF seeks to ensure the right of those most affected to participate at all levels of environmental decision-making," (EJNF 1997).

When speaking about public participation in environmental decision-making to promote environmental justice the idea of environmental rights comes to mind as well. A mentioned in chapter 1 sustainable development has become a catch phrase, however, so has participation over the last four decades by whichever name it is known, (stakeholder participation, public participation, citizens involvement, indigenous peoples' rights, consultation etc.). The rapid awareness that "the governed" should engage or participate in their own governance is growing in law and practice.[34]

This definition or explanation of environmental justice is what makes this study so important and why it is relevant to South Africa. As mentioned above (in chapter 1/problem statement) the apartheid divide of white versus non-white led to land, racial, employment and all other disparities. As McDonald[35] mentions, many non-white South Africans were forcefully removed from their ancestral land to give way and avail the land for game parks and as previously mentioned as well, the Group Areas Act, was enforced to ensure that non-whites did not have access or could not benefit from the "developed" urban areas. The range and extent to what is entailed in environmental justice allows for a variety of social circumstances and ideological stances which in turn attracts people from many organisations such as trade unions, religious outreaches, environmentalists, democratic and environmental activists and civil organisations. These organisations were able to influence the discourse and environmental policies of the past[36].

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[34] Du Plessis, A. 2008. Public Participation, Good Environmental Governance and Fulfilment of Environmental Rights. North West University, Potchefstroom: South Africa, p, 2

[35] McDonald, D.A. 2004. Environmental Justice in South Africa. *What is environmental Justice?* Chapter 1: pp, 1-10.

[36] McDonald, D.A. 2004. Environmental Justice in South Africa. *What is environmental Justice?* Chapter 1: pp, 1-10.

2.1.1 Democratic South Africa

In the new democratic South Africa environmental policy plays a significant part in having to meet the development needs of the people as it is going through a process of socio-economic transformation trying to fix the negative affects which was caused by the apartheid regime. The 1994 democratic government has instilled a vision for the country to rid the country of the previous injustices by creating the Reconstruction and development programme (RDP). Central to this programme is the notion of sustainable development which means that all development will be designed to "improve the quality of life for all without affecting the options for future generations."[37] There are articles and legislation drafted in South Africa's constitution which speaks to the protection of the environment. Section 24 of the Bill of Rights in the Draft Final Constitution of the Republic of South Africa[38] states the following:

> *"...Everyone has the right: (a) to an environment that is not harmful to their health or well-being; and (b) to have the environment protected for the benefit of present and future generations, (i) through reasonable legislative and other measures that prevent pollution and ecological degradation; (ii) promote conservation; and (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development..."*

Sustainable use of natural resources, equity and participation is required for sustainable development, this includes the protection of the environment in which we as humans live and work. Therefore it is of utmost importance to ensure that development is managed properly, sufficiently and conforms to the prescribed principles which is outlined in the United Nations programme for Sustainable Development, Agenda 21[39].

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[37] Green Paper on an Environmental Policy for South Africa. October 1996. Department of Environmental Affairs and Tourism. Available at: https://www.environment.gov.za/sites/default/files/legislations/environmental_policy.pdf

[38] A manifesto which contains the rights of all south African people which affirms the democratic values of human rights, dignity, equality and freedom.

[39] Green Paper on an Environmental Policy for South Africa. October 1996

2.1.2 Concept of Public Participation

As mentioned above (chapter 1) public participation is the active involvement of the citizens/community in social, political, economic and environmental decisions that affect them "Public participation plays a critical role in deepening democracy and promoting good governance. Citizens' involvement in governance processes ensures that their experiential and grounded perspectives inform government on their needs and how these needs can best be addressed." (Chairperson: Public Service Commission, South Africa).

Not only does public participation play a vital role in the deepening of democracy, but it also gives a sense of ownership to the citizens and promotes transparency (which will be discussed below). Public participation can influence decision making depending on the perspective of all stakeholders involved, the perspective taken is particularly important to government (decision makers).

According to Nuredinoska and Evans[40], wrote:

> "*Many years ago, a large American shoe company sent two sales representatives out to different parts of the Australian outback to see if they could drum up some business among the Aborigines. Sometime later, the company received telegrams from both agents, the first said, 'No/business here…natives don't wear shoes', the other said, 'Great opportunity here…natives don't wear shoes'*".

The above is a matter of perspective; likewise, one can compare/relate this to public participation. People, citizens, a community can influence law making and policy and also physical environmental developments by means of public participation.[41] When for example in an environmental perspective there is open (public) land space that has the potential for development , some business man sees the opportunity and grabs it and buys the space and

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[40] Nuredinoska, E and Hadzi-Miceva Evans, K. 2010. Transparency an Public Participation in Law Making Process: Comparative Overview and Assessment of the situation in Macedonia. P.12

[41] Hadzi-Miceva-Evans, K. Comparative Overview of European Standards and Practices in Regulating Public Participation. European Center for Not-for-Profit Law. Commissioned by OSCE. Available at: http://www.icnl.org/research/resources/ngogovcoop/compover.pdf [accessed: 30 August 2017]

decides to build a block of flats because there are people who need houses. Plans are approved and the building is about to commence, meanwhile, the people who live in the community see all these "developments"/happenings but are unaware that they have a right to speak up/out about even that. They are under the impression that it is private or governmental and they cannot intervene with government matters. The fundamental point here is that people need to be educated on their rights to participate in social, economic, environmental and political matters. In Moseti,[42] the following is stated, "Public participation varies from simply sharing of information to active engagement of citizens in the implementation and management of projects and services," (UN-HABITAT, 2004). Hence, again information sharing between local authorities and citizens is vital. The ways in which information sharing can take place in order to ensure public participation is through stakeholder consultations, public hearings, "community watchdogs" and private-public partnerships. The one most significant and common factor is that there is a commitment of the local government to share information and involve the community in an open dialogue. The views of the people must not only be heard but also be echoed and shown in development decisions thereby making the government transparent and accountable.

Peoples voices were deemed unheard in the decision making process of local authorities due to the fact that municipal and political officials who were elected to represent "the people" were under the impression that they are the legitimate "decision makers" for the people. Meaning that they did not have to consult with the people or hear their view, the representatives' interests and views were the frontline and therefore "accepted" by the people. This is the distorted view of what public participation entails or means.[43] According to the department for international development (DFID, 2002) in Moseti,[44] usually elections are held frequently, once every four to five years and it is free and fair. However, due to the fact that it is held every four to five years it may mean that local needs, priorities and choices are not acknowledged through the election process in adequate and satisfactory detail for planning and budgeting purposes. The aim of public participation is to close the gap between government, civil society, private sector and the general public/citizens. It is meant to establish a common understanding about the local issues and circumstances, priorities and programmes which

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[42] Moseti, Y. 2010. Public Participation for Sustainable Development in Local Cities. 46th ISOCARP Congress: Kenya

[43] Moseti, Y. 2010. P1-2

[44] Moseti, Y. 2010.

affect these groups. Public participation is key to inclusive decision making as it encourages openness, accountability and transparency. It is also said that the quality and level of public participation in local governance are used as determinants of a healthy civic culture.

There are some participatory models and procedures which have been used in some of the legislature and governance issues in some municipalities' in South Africa. For example, public participation in budgetary processes, or stakeholder participation in flood risk management or collaborative participatory modelling in water resource management.

2.1.3 Budgetary Participation Process

Participatory budgeting has become a worldwide phenomenon in the implementation thereof, to effectively influence good governance in a decentralised, democratised government. In Europe specifically, there is an evident diversity in the interpretation and application of participatory budgeting from networking activities to the incorporation of the private sector in initiatives such as service delivery[45].

In Africa the participatory budget process started due to a poverty reduction strategy and also by requests from international donor organizations and aid agencies. In 2010 the Kenyan constitution announced a new period/timeframe of public participation. The Electoral Institute for Sustainable Democracy in Africa and the Westminister Foundation for Democracy makes reference to "the unequivocal right of people to participate in and oversee the government" as imperative to the constitution. Public participation is also provided for in The Public Finance Management Act, 2012, whereby participation should take place in various financial management processes. However, public participation is restricted to capital projects without any chance to give input once the amalgamated budget is complete. Whereas, in South Africa the need for public participation and good governance is emphasized in legislature and regulatory frameworks.

While scholars emphasize the public participation principles such as inclusiveness, empowerment, knowledge, management, continuous engagement and a quality dialogue, the

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[45] Reutner, M. and Fourie, D. 2015. The Role of Civic Participation in the South African Budgeting Process. *Public and Municipal Finance 4(3)*: pp, 7-15. South Africa

South African Local Government Association (SALGA) preserves that the philosophy in South Africa's environment is rights-based. Where consultation is seen as pre-requisite in cases where the decisions made by public authorities'' may have the potential to affect stakeholders. In addition it is mandatory for a municipality to take into account and deliberate the common interests and concerns of a community when considering drawing-up bye-laws, policy and program implementation and then to communicate the plans and (expected) outcomes clearly to the community.

The philosophy of the participatory budget process in democratic societies such as South Africa and Kenya is invaluable. The main democratic philosophy is sustained as a collective responsibility to keep progressing development irrespective of the intermittent experiences of internal instability in Kenya aggravated by the regional conflict. Therefore, participatory budgeting is about the improvement of the democratic imperative and understanding the role of civil society in deciding the "when" and "how" of decision making as part of the decentralization aspect/process.[46]

2.2 Concept of Sustainability and development

As mentioned before, the world faces many problems which affect social, political, economic and environmental spheres and needs urgent attention. The concept of sustainability arose as a means to aid these problems but to all stakeholders involved (conservationists, environmentalist, developer, politician and economist) the term is being used to explain or defend something different. The term sustainability or sustainable development (SD) is very complex and covers a broad spectrum of things that need to be prolonged or preserved, for most part the term was officially coined by the UN World Commission on Environment and Development (WCED) (also known as Brundtland Commission, 1987) because of the environmental deterioration and resource extraction without it being replenished and there is a general consensus that resources need to be maintained for the future generations to fulfil their basic needs and for enjoyment of life.

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[46] Reutner, M. and Fourie, D. 2015.

2.2.1 Sustainable Development and the Environment

The environmental deterioration was seen at first as a problem of only developed countries or the so called "rich nations" and as an outcome of industrialisation and thus impacted the developing nations. The wealth of the resources belong to/come from the developing nations and are now experiencing a continual resource extraction by the developed nations with very little in return and thus are being underdeveloped. [47]Earth, together with its diverse forms of resources, such as water, clean air, forests (trees), deserts, fauna, flora, animals and in conjunction with humans ,form part of a system. A relationship exists between it all. The relationship though, most scholars and academics argue is not one that would last forever, because some things just are not forever. The earth and resources are there for human enjoyment, happiness and for them to live a full (quality) life; the question remains: if this is so, what about the future generation's enjoyment and full life of resources when it disappears because it cannot be sustained. Daly [48] calls it a throughput definition of sustainability.

The term throughput as Daly[49], explains it refers to the physical turnout or output of "nature's flow of sources through the economy and back to nature's sinks". This means that the resources provided by nature are there to be utilised and provide for humans. This may contribute to the economy in such a way as long as there is a way of this resource not becoming extinct or overused to the point where the ecosystem's natural balance cannot be restored, i.e there is a relationship and system in place and needs to be able to function in order to keep providing. For example, there has been an increase in public and private economic opportunity since the discovery of minerals (gold and diamonds) in Africa. Companies, developers, economists, government turn this into a mining industry where they mine for gold or diamonds which is a natural resource provided by nature for utilisation. This creates an opportunity for manufacturing raw material to something valuable to sell to the market. For instance, turning gold or diamonds into jewellery or even sometimes sold raw, to the consumer (market) and in this way contributing to the country's economy otherwise known as development. In this way Daly argues that in terms of biophysical resources and services supplied by the ecosystem the future generations will at least be well-off as today by means of access to it. Daly further

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[47] Novacek, P. 2011. Sustainable Development. Palacky University: Olomouc/See Also: Our Common Future

[48] Daly, H.E. 2002. Sustainable Development: Definitions, Principles, Policies. *World Bank*: Washington DC

[49] Daly, H.E. 2002.

maintains that happiness and enjoyment cannot be handed down to future generations, it is a benefit and an outcome created by the resources and services from nature, he contends that knowledge may be left or passed on along with "things", but whether they make themselves happy with these "gifts" is beyond present day control[50].

The term sustainability can therefore also be applied to other things, not just natural resources that have to be maintained or kept constant. For example implementing a strategy or policy in a country, with the proper, non-corrupt, transparent and accountable government representatives/officials the strategy or policy may be sustainable or maintained in the long term.

When taking all this into consideration, sustainability, economy and resources, the one common discourse for this, is development. As mentioned before development is about growth-expanding in size, quantity and transformation-changing from one form to another, quality. For the purpose of this paper the qualitative approach to development will be explained and used because the paper is environmentally focussed and the earth's biosphere is changing, with all the global issues, but it is not getting bigger.

2.3 Development Discourse Definition

Della Faille[51], states that during the 1950's defining development used to be easy and uncomplicated meaning "to achieve global stability" and the means of achieving this was through the creation of cultural and material terms needed for achieving steady economic growth. While in the mid-1960's veered towards improved life conditions such as better health, education, food and political democracy. Thomas (2004) and Gore (2000) in Sumner and Tribe[52] concurs with the above shift in defining development. Today, development is unstructured and indefinite, which lost any correct and particular meaning and currently the concept is progressively being replaced by more particular objective such as fighting against

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[50] Daly, H.E.2002, p,1-2

[51] Della Faille, D. 2011. Discourse Analysis in international Development studies: Mapping some contemporary contributions. *Journal of Multicultural Discourses 6(3):* pp215-235. Taylor &Francis (P,218)

[52] Sumner, A. and Tribe, M. 2008. International Development Studies: Theories and Methods in Research Practice. *What is development, Chapter 1.* Sage Publications

poverty. According to Della Faille[53], development is a collection of ideas, policies, documents, strategies and institutions which were set up after World War 2 (WW2) that recognised development irrespective of the meaning accompanying it (social, economic, poverty reduction etc.), subsequently development is a field with many political, social and cultural struggles and worldviews where disparities exist and these are arranged into problems, solutions are deliberated, policies are designed and programmes are implemented.

As mentioned previously, sustainable development requires participation among other things as a key factor to the protection of the environment. Participation of the citizens in a decision which affects them and their health and immediate environment could have many benefits.

2.4 Lack of participation explained

The school of thought behind environmental/developmental community participation is believing that it would improve residents sense of belonging and pride with regard to their local surroundings. Furthermore, enabling the development of social networks or partnerships, indoctrinates a greater appreciation for the value of the local area as well as allowing for an understanding of the developmental landscape of the region.[54]

Keeping this school of thought in mind, the question then arises why a lack of public participation when it presents such positive possibilities? According to Tosun[55] "It is argued that the notion of community participation is deeply ideological in that it reflects beliefs derived from social and political theories about how societies should be organised' and how development should take place".

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[53] Della Faille, D. 2011.

[54] Rasoolimanesh, M.S.; Jaafar, M.; Ghafar Ahmad, A.; and Barghi, R. 2017. Community Participation in World Heritage site Conservation and Tourism Development. *Tourism Management 21:* p142

[55] Tosun, C. 2000. Limits to Community Participation in the Tourism Development Process in Developing Countries. Tourism Management 21: pp, 614

With the exception of a few unique circumstances, stakeholders' and public participation in the decision making process have not been given acknowledgment as an important part in planning documents. It has also not been attended to in practice.[56]

Tosun argues that there are two main deliberations when speaking of the public being involved in the development process. One would be philosophical which is associated to political theories of democracy, which is a forerunner for people having the right to be informed and consulted about a development and expressing their views on this matter which affects them. The second deliberation would be a pragmatic one.[57]

The elected representatives in contemporary democratic government have however, "failed to represent grassroots". Community members have feelings of hostility towards governmental decision making. The pragmatic deliberation primarily forms a part of the failure of plans and the decision making process that did not consider or take into account public preferences. Thus, procuring public support has been a difficult task for planners and politicians, whether it is at the ballot box or after implementation.[58]

When looking at development in relation to South African cities, it is evident that the majority of large scale developments (e.g. housing, infrastructure, industrial) which are taking place are either directly undertaken by governmental departments or by its affiliated agencies. As an outcome of this, the state gets away with piloting developments with very little or no contribution from civil society. This is either due to a result of ignorance by community members or a lack of interest to participate or raise their concerns regarding the development. This is particularly the situation within poor and low income communities where the state commonly exerts "…its will through discriminatory legislation and economic manipulation in order to serve its own interests…" and not that of the public.[59] Hence, it is a one-way flow of

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[56] Tosun, C. 2000. Limits to Community Participation in the Tourism Development Process in Developing Countries. *Tourism Management 21:* pp, 613-633

[57] Tosun, C. 2000

[58] Tosun, C. 2000

[59] Napier, M. 1993. Housing problem in South Africa: Ideological Perspectives. *Forum 2(1)*: p, 27

development where the state plays the role of the developer (decision maker) and civil society is only the recipient, (Kim[60]and Napier[61]).

The lack of education, especially scientific and developmental knowledge in communities, is a major contributing factor to the above mentioned.[62] Furthermore, the regular use of acronyms and various other academic terminologies used to either describe or present a development is not understood by the majority of the general public[63]. This makes providing the general public with information through media advertising regarding a particular development virtually futile. This, along with the fact that many residents are not aware of their rights as citizens to influence the developmental process as an Interested and Affected Party (I & AP), a right which is entrenched into virtually all government environmental and spatial policies (bylaws and regulations)[64] . Thus, many developments are often approved and undertaken without public knowledge or consent. Simultaneously the public shares the blame as their lack of knowledge about a specific development is often as a result of the 'a waste of time' attitude towards municipal officials and activities. Consequently, many urban development projects are being built in communities and are not necessarily beneficial to these local communities nor are they sustainable. Unfortunately, once the project is completed, nothing can be done about it as the communities were unaware that they should have been involved in all phases of the development process.

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[60] Kim, H.S. 2007. PEP/IS: A New Model for Communicative Effectiveness of science. *Journal of Science Communication 28(3):* pp, 287-313. Available at: http://journals.sagepub.com/doi/abs/10.1177/1075547006298645

[61] Napier, M. 1993.

[62] Magutu, J. 2015. Towards Populization of Low Cost Building Materials and Technologies for Urban Housing in Developing Countries. *International Journal of Scientific Research and Innovative Technology 2(1):* pp, 20-43. Available at: http://www.ijsrit.com/uploaded_all_files/2967136270_n3.pdf

[63] Kim, H.S. 2007.

[64] Backstrand, K. 2004. Civic Science for Sustainabiity: Refreshing the role of experts, policy makers and citizens in enviornamnetal governance. *Journal of Global Environmental Politics 3(4):* pp, 24-41
Available at: http://www.vedegylet.hu/okopolitika/Backstrand%20-%20Civic%20Science.pdf
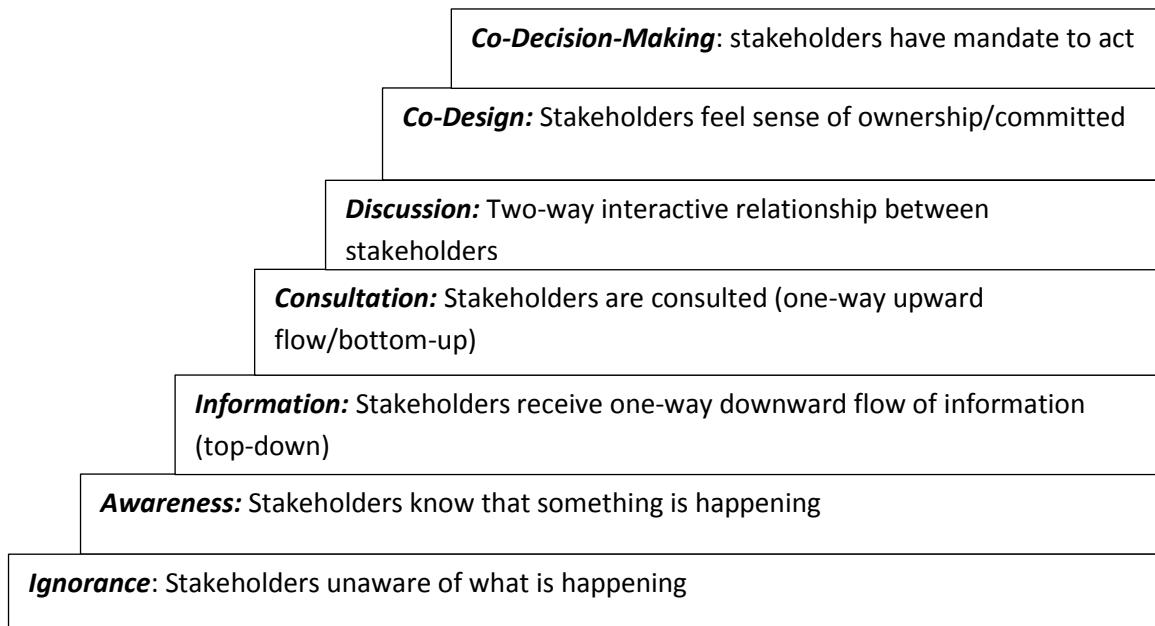
2.4.1 Environmental Modelling

Water, as mentioned previously is also a natural resource provided for by nature for human consumption and survival. However, Water Resource Management (WRM) has undergone a significant transformation over the last few years. The approach was redeveloped to an Integrated Water resource management (IWRM) plan rather than a top-down, single disciplinary planning approach. The IWRM is a bottom-up, demand-orientated plan with multidisciplinary activities. This has opened up the path to stakeholder participation in the process of planning and decision-making. The aim of the IWRM is to balance out the current water and land resources for socio-economic purposes, however not to over-utilise it but also to protect it for future use. Thereby the aim in mind is to keep and manage water resources in a sustainable manner and hence why participatory methods in the decision making process is of importance. "Participatory Modelling" and "collaborative modelling" appears as possible solutions to these challenges.[65]

Participatory modelling take place over a broader range and may involve lower levels of participation which includes stakeholder involvement varying from discussion to consultation to information sharing aspects. The kind of collaboration which exists between organising and modelling teams and the stakeholders vary from coordination to joint action. In contrast collaborative modelling is more appropriate for highly cooperative decision-making processes with collaboration and joint action with high level of stakeholders participating in the co-design and co-decision making aspects. To further explain the levels figure 1 below represents a kind of step form where the lower step is a lower level and the higher step is a higher level/ a ladder representation of stakeholder participation, (Basco-Carrera, Warren et. al ,2017).[66]

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[65] Basco-Carrera, L.; Warren, A.; Jonoski, A.; and Giardino, A. 2017. Collaborative Modelling or Participatory Modelling? A framework for water resource management. *Environmental Modelling and Software 91: pp, 95-110.*
[66] Basco-Carrera, L.; Warren, A.; Jonoski, A.; and Giardino, A. 2017.

| Co-Decision-Making: stakeholders have mandate to act |
| Co-Design: Stakeholders feel sense of ownership/committed |
| Discussion: Two-way interactive relationship between stakeholders |
| Consultation: Stakeholders are consulted (one-way upward flow/bottom-up) |
| Information: Stakeholders receive one-way downward flow of information (top-down) |
| Awareness: Stakeholders know that something is happening |
| Ignorance: Stakeholders unaware of what is happening |

Fig.2.4.2.1 Source: Researcher Representation of hierarchy of participation

In the above figure one can see that the lowest level of participation is not being aware that something is taking place which may affect you or your health. This level progresses to where you are aware of a development taking place, to being informed about it and where you get the opportunity to partake in the decision- making process and bring forth your concerns which you may have about the development and its affects. The highest level of this "ladder" is where you as a stakeholder can be involved as a co-decision-maker.

Determining when to use which model-participatory modelling or collaborative modelling is dependent on a number of other critical factors which depend on the type of development. Often a combination of the two may be used. For example, a collaborative approach may be used for key stakeholders such as those who will benefit from the development and whose input and expertise may be of value whereas a participatory approach may be used for the lower level stakeholders, such as those who will not directly be impacted but may also benefit.

For environmental sustainability laws and policies have been passed to ensure the environment and its resources are not compromised and pertaining to the people, when a development project takes place what their rights are and how to voice their concerns should it be health, pollution, noise etc. this law/policy is known as the environmental impact assessment.

2.5 Environmental Impact Assessment (EIA)

In South Africa the environment is distinguished/specified by limited resources, a deteriorating biophysical environment and an increased socio-economic need and the EIA evaluates this (environment) by looking at the impact of human actions. The EIA process collects comprehensive, detailed information on social, economic and environmental outcomes a proposed development might have on the environment, in a systematic and consultative manner. This information is then used to make a decision about the development based on the best possible socio-economic outcomes while also safeguarding ecological integrity. The main purpose of an EIA process is to promote sustainable development through productive and constructive management of the social, economic and environmental impacts so that/in order for valuable resources to be protected. This is achieved by eliminating negative and irreversible changes, protecting /preserving human health and safety and the enhancing/improving social and economic aspects by implementing the proposed project.[67] South Africa is one of many countries which have responded to the global call for Sustainable Development and started the process to incorporate this term into many development activities and policies, and even the law is steered towards conserving the few resources available to the ever increasing population.

The EIA is an important part of this new development in the development and implementation of law and policy with regards to/related to the environment, although others argue that the strategic environmental assessment (SEA) is different from EIA and yet also important, South Africa has found a constructive and effective approach of both processes. It is holistic and integrative and involves social, economic and environmental issues. Murombo[68] argues that public participation can aid in resolving the complexities. Especially due to the fact that laws are mainly designed to be implemented by developed countries, the EIA process can become difficult for developing countries. In 2006 the EIA was adjusted according to South Africa's

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[67] Western Cape Department of Environmental Affairs and Development Planning. EIA Processes

[68] Murombo, T. 2008. Beyond Public Participation: The Disjuncture between South Africa's Environmental Impact Assessment (EIA) Law and Sustainable Development. *Potchefstroom Electronic Law Journal* 11(3): pp, 103-136

National Environment Act (Act 107 of 1998, NEMA)[69] in order to provide for effective public participation to be implemented into the process.

2.6 Local Agenda 21 Policy

Agenda 21 is a document which embraces all areas of sustainable development. Agenda 21 aims to bring together all the requirements of both, a high quality environment and a healthy economy for all people of the world, while identifying key areas of responsibility and offering preliminary cost estimates for success. It is a comprehensive guide for a global partnership.[70]

Thus, this document can be considered as a step in the right direction towards sustainability and as a "great" plan to put into motion local, national and global actions. Agenda 21 consists of a number of things it aims at improving globally and it is divided into four sections, namely: Social and economic dimension, conservation and management of resources, strengthening the role of major groups and the means of implementation. Each of these four sections has a list of things grouped under them that need to be conserved or strengthened in order to be sustainable.[71]

The decisions made at local level or within a community will determine if in the end a country, economy, or the world will achieve sustainability because this is where people know one another and relationships exist and people can see the impact of their contributions. It is henceforth not surprising that agenda 21 is thriving let alone local agenda 21 (LA21)[72].

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[69] A framework to execute section 24 of the South African Constitution. NEMA is a progressive and global environmental management legislation in South Africa.

[70] The Rio Declaration on Environment and Development. 1992. Available at: http://www.unesco.org/education/pdf/RIO_E.PDF [Accessed: 22 August 2017].

[71] The Rio Declaration on Environment and Development. 1992

[72] A participatory effort led by local government(s), encouraged community-wide. An initiative to establish a comprehensive action plan for environmental protection, economic prosperity, and community well-being in local jurisdictions.

LA 21 forms part of chapter 28 of agenda 21 from the Rio conference and is a programme constituting sustainable development commonly accepted and supported at municipal level.[73] Local agenda 21 is an open, optional process of consultation with local communities with the goal of creating local policies and programmes which work toward the attainment of SD and it comprises/embraces raising awareness, building capacity, community practice and the formation of relationships and partnerships.[74] This is concurred by Novacek [75], who defines LA 21 as a creative long-term process whereby local municipal authorities , cities and smaller regions work together with other societal organisations and groups with one of the goals being to establish an "action plan" for implementing sustainable development.

The basis on which LA 21 is driven is the fact that it deals with issues which the citizens regards as their own. The idea is that many environmental issues stem from local communities and that local government has a significant role to play in executing environmental programmes and gaining support from the communities.[76] Both the Global Development Research Centre[77] and Mehta[78], concur that by 1996 according to LA21 objectives, most local municipalities/jurisdictions in every country which has voluntarily adopted LA21 should have initiated a consultative process with their people/communities and reached a consensus on a LA21 for their respective communities'.

2.6.1 South Africa's Local Agenda 21 Policy

South Africa has adopted a policy framework known as the Reconstruction and Development Programme (RDP). It was a framework that was adopted by the "democratic party" known as the African National Congress (ANC) after apartheid.
The RDP policy is aimed at preparing the country and its citizens along with the resources to fully extinguish/eradicate apartheid and build towards a democratic future without racial or

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[73] Novacek, P. 2011, p, 294

[74] Global Development Research centre.org *Urban Environmental Management: Local agenda 21* Available at: https://www.gdrc.org/uem/la21/la21.html [accessed 22 August 2017]

[75] Novacek, P. 2011, p, 294

[76] Global Development Research centre.org

[77] Global Development Research centre.org

[78] Mehta, P. 1996. Local Agenda 21: Practical Experiences and Emerging Issues from the South. *Environmental Impact Assessment Review* 16: pp,309-320. ICLEI

gender inequalities. The RDP consists of six principles and in order to achieve these principles, 5 key programmes exist under the RDP to achieve the principles. Ideas of democracy, prosperity and sustainable growth which are environmentally friendly are included in the RDP.[79] The six basic principles of the RDP according to Corder[80] are:

- People- Driven
- Integrated and Sustainable Programme
- Peace and Security for all
- Nation Building
- Links Reconstruction and Development
- Democratising South Africa

The five key programmes designed to accompany these six principles and ensuring it is achieved are:

- Meeting Basic Needs
- Development of Human Resources
- Building the Economy
- Democratising State and Society
- Implementing the RDP

For the purpose of this paper/study the most significant of these five key programmes are the implementation of the RDP, they will all briefly be explained below:

- Meeting basic needs*: the question that comes to mind is what are the basic needs? Given South Africa's history of gender inequality, racial discrimination, and the overall inferior and superior class and land distribution, the needs would include land, jobs, housing, electricity, health care, water, transport, telecommunications, clean and healthy environment, nutrition and social welfare (Base Doc[81] & Corder, 1997).[82]

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[79] The Reconstruction and Development Programme(RDP): A Policy framework. 1994 Available at: http://www.sahistory.org.za/sites/default/files/the_reconstruction_and_development_programm_1994.pdf

[80] Corder, C.K. 1997. The Reconstruction and Development Programme: Success or Failure? *Social Indicators Research 41(1/3)*. Springer

[81] The Reconstruction and Development Programme(RDP), 1994

[82] Corder, C.K. 1997

- Development of Human Resources: perception that people will gain more satisfactory rewards for developing their skills and feel empowered. This will be achieved with thorough education and training in the system and within the workplace, i.e on-the-job training, courses etc. Education should be available to all from "cradle to grave" and people should be a part of the decision-making process in job opportunities, skills training and in the management and governing of our social system. Skills development is also important to the youth with the problems that they are facing, i.e unemployment, (Base doc [83] & Corder, 1997).[84]

- Building the Economy: constraints on government spending, appropriation of tax reforms and tax equality for men and women as accounted for in 1995 Budget. The main reason for building the economy is to benefit the previously disadvantaged and also for the consideration of South Africa in the world trade for its interdependence with its southern neighbours. Economy has its strengths and weaknesses; there are decreased levels of investment in research, development, low investment in skills and thus a decline in employment. The RDP attempts to restore these imbalances, by building the economy it deals with the aspect of linking reconstruction and development, industry, trade and commerce, upgrades infrastructure, labour-worker right and Southern Africa because of the world trade (Base doc[85] & Corder, 1997).[86]

- Democratising State and Society: democracy is a fundamental part of the RDP, it becomes essential to have a restructured public service after apartheid along with civil services that represents the people of SA in race, gender and geographical terms in employment, politics and social spheres. This allows for a reviewed Constitution and Bill of Rights (Base doc[87] & Corder, 1997).[88]

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[83] The Reconstruction and Development Programme(RDP), 1994

[84] Corder, C.K. 1997

[85] The Reconstruction and Development Programme(RDP), 1994

[86] Corder, C.K. 1997

[87] The Reconstruction and Development Programme(RDP), 1994

[88] Corder, C.K. 1997

- Implementation of RDP: the rudimentary aspect of RDP is getting the citizens to participate and be heard, giving them a voice and letting them feel as if they are actively helping to transform the country in all spheres. The poor should not only participate in the decision making processes but be empowered. The aim is that they "take control" over their own development gradually and hence ensuring that RDP is a "people-driven" programme. As World Bank (1995) cited in Corder (1997)[89], *"...the poor should plan, implement, supervise and help fund projects in which they are involved".*

With this last principle of the RDP, one can see that "the people" are significant key players in the decision-making process of the new democracy of South Africa. This key principle is important to the study as it pertains to the focus area of the study-public participation.

After 1994 the RDP programme was initiated as a tool to guide South Africa into reconciliation and to ensure the rebuilding of the country's communities. The principles which were drafted had sustainability in mind however, the severity of what the programme seek to remedy would reveal to be too much for the programme to deal with

2.7 Municipal Systems Act of South Africa

The municipal systems act 32 of 2000; chapter 4 also makes provision for community participation at local government level. Each municipality has to allow for participation by citizens when a decision is to be taken and chapter four sets clear guidelines on the form of the communication, the provision of information on the decision to be made and how the meetings, hearings and discussions can take place (the forum). For example making information known to the public can be in media forms such as a radio announcement, a local newspaper publication, over the loudspeakers and the facilitation of the meeting to hear the citizens' concerns and opinions can be held at a local community centre, it can be facilitated by the ward councillor who then in tur presents the concerns to the national government.[90]

All these policies and strategies i.e EIA, Municipal Systems Act, Local Agenda 21-Reconstruction and Development Programme make provision for public participation to take place in decision making processes of South Africa. In particular the EIA and Local Agenda

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[89] Corder, C.K.1997

[90] Government Gazette 34433. *Municipal Systems Act 32 of 2000*. (Commenced 2001) Available at: http://www.imatu.co.za/downloads/municipal_systems_act.pdf [accessed: 7 October, 2017]

21 are in support of public participation to occur in environmental decision making processes, which is the focus of this study.

While doing research, it was found that Austria is doing well in implementing the Local Agenda 21 into their activities. A project innovation matrix has been tested in Vienna in assisting the steering/driving of Local Agenda 21 processes and communicating these in relation to various objectives. This has been tested in Styria and has proved to be useful in making the complex and versatile term, "sustainability", more perceptible in LA 21 processes. It also provides for an evaluation and monitoring system.[91]

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[91] Pekelsma, S. 2010. Local Agenda 21 at Local District Level-A decentralised Approach for Metropolises, Vienna, Austria. *European Union Knowledge Network.* Available at: http://www.eukn.eu/e-library/project/bericht/eventDetail/local-agenda-21-at-district-level-a-decentralised-approach-for-metropolises-vienna-austria/ [accessed: 7 October 2017]

Chapter Three: Methodology

3.1 Introduction

In chapter 1 the researcher states that a qualitative form of study will be used for this research, that it will be a desktop study using mainly secondary data, which is literature from other scholars, academics and researchers. The following concepts are used in this research study to do the retrieval of data for analysis purposes.

3.2 Qualitative Secondary Approach

The research approach of the study is an interpretive, qualitative approach. Denzin and Lincoln argue that "All research is interpretive; it is guided by a set of beliefs and feelings about the world and how it should be understood and studied".[92] According to Atkinson et al in qualitative research is an "umbrella term" and many various approaches exist within a broader framework of this kind of research.[93] The focal point of qualitative research is on the manner in which people interpret and make sense of the world which they live in and also of their experiences.

Many qualitative research approaches have the same aim which is understanding the "social reality of individuals, groups and cultures**".[94]** Qualitative approaches are used to investigate the behaviour, perspectives, feelings and experiences of others and to discover what lies at the heart of their lives. Ethnographers tend to focus on culture and customs whereas grounded theorists study social processes and interaction and phenomenologists take into account what experiences mean and describe the world of life. According to Creswell, "Qualitative research

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[92] Denzin, N.K. and Lincoln, Y.S. 2000. Handbook of Qualitative Research. *2nd ed.* Sage Publications:London:p, 19

[93] Flick, U. 2009. Introduction to Qualitative Research: Part 1. *Chapter 1: The Nature of Qualitative Research: Development and Perspectives.* Blackwell Publishing: pp,1-25 Available at: http://www.blackwellpublishing.com/content/BPL_Images/Content_store/Sample_chapter/9780632052844/001-025%5B1%5D.pdf

[94] Flick, U. 2009. Introduction to Qualitative Research: Part 1. Chapter 1: The Nature of Qualitative Research: Development and Perspectives.

is a form of inquiry in which researchers make an interpretation of what they see, hear, and understand. The researchers' interpretation cannot be separated from their own background, history, context, and prior understanding".[95] This implies that the researcher interprets the phenomenon based on what her/his background, historical context and experiences are. In the event of conflict or change the use of qualitative research is also beneficial**.**

Denzin and Lincoln speak about qualitative research as consisting "…of a set of interpretive, material practices that make the world visible".[96] One can thus argue that qualitative researchers attempt to make the world of their participants 'visible' through their understanding and interpretation of the data and narrating it as objectively as possible, and this is what the researcher in this study attempts to do.

The researcher decided on a qualitative approach because the study is interpretive in approach. The study started out because the researcher has a set of beliefs on how environmental issues can be handled and how the public can assist in aiding these issues if they are properly informed and educated about the issue and are given an opportunity to participate in decisions before implementation takes place. The research is qualitative in approach because the researcher is inquiring and making an interpretation about certain phenomena. The researcher also already has a certain understanding about the concept of public participation regarding environmental issues which cannot be separated from history and context.

The descriptive approach is used broadly/everywhere and is of great significance as descriptive research tries to provide a valid and detailed description or picture of a certain situation or phenomenon. It does not try to sought out a relationship of cause-and-effect but rather tries to "identify variables that exist in a given situation and at times describes the relationship which exist between the variables".[97] The researcher will also be using descriptive approaches to the study such as describing the phenomenon at hand**.**

Along with interpretive, descriptive, secondary approaches, the researcher will be using deductive and inductive reasoning in this study. Specifically, pertaining to the analysis chapter.

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[95] Creswell, J.W.2007. Qualitative Inquiry and Research Design: Choosing among five approaches. *2nd ed. Sage* Publications: California p, 39

[96] Denzin, N.K and Lincoln, Y.S.2000, p, 3

[97] Author Unknown. Book unknown. *Chapter 2: Descriptive Research Approaches.* Available at: http://home.cc.umanitoba.ca/~leboej/Intro/Distance/Ch%202.pdf

These reasoning approaches are used when one knows something and tries to relate and make sense of it according to what we already know. One of the reasoning approaches goes from hypothesis or question to answering or testing, whereas the other goes from an answer or logical explanation to a hypothesis or "conclusion". These approaches are explained as follows below

3.3 Inductive and deductive reasoning

According to Lucaites and Gilbert inductive reasoning is "a process which typically consists of taking past experiences and using them to explain a present of future circumstance."[98] They further contend that inductive reasoning is that in which we infer from experience to reach a present or future conclusion. Inductive reasoning is based on the assumption that "known situations can provide information about unknown situations".

In contrast deductive reasoning is "reasoning from stated premises to conclusions formally or necessarily implied by such premises". It consists of a number of statements or truths, it starts with a certain amount of simple statements or assumptions and then builds up to more complex ones, i.e. basically deductive reasoning is a statement explaining if this is done then that will happen (if…then…statements).[99]

3.4 Case Study Approach

The case study approach is a common research strategy in the fields of psychology, sociology, political science, business and planning such as environmental & resource planning. Case studies are used due to the "desire to understand complex social phenomena," it makes way for an inquiry to preserve the holistic and meaningful characteristic of real-life situations,[100] (Yin

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[98] Lucaites, J.L. and Gilbert, C. 2011. Inductive Reasoning: An Overview. Available at: http://www.indiana.edu/~c228/InductiveReasoning.pdf

[99] Naked Science.org. Available at: http://courses.washington.edu/l453/deductivevsinductive.pdf [accessed: 29 October 2017]

[100] Yin, R.K. n.d. Case Study Research: Design and Methods. *Applied Social Research Methods Series (5):2nd ed.* Sage Publications: London, p2-3

& Zainal).[101] By using the case study method it allows for a researcher to closely examine the data within a particular context. This method often means selecting a small geographical area or a restricted number of participants as "subjects of study". Case studies tend to explore and investigate modern real-life situations through a detailed contextual analysis of certain number of conditions and their relationships.[102]

The researcher decided to use South Africa as a case study as this is the researcher's home country and the issue of public participation lies deep within interest, especially environmental participation. Also given the history of South Africa during the apartheid era, whereby decisions were made solely by the then apartheid government and people, especially people of colour which were not consulted or allowed to participate in decision- making of policy. It is also significant due to the land disparities which existed during apartheid as mentioned above in chapter 1 and 2.

3.5 (History of) forms/modes of Public Participation in South Africa prior to democracy

The idea of public participation and its practice was discredited/disparaged in South Africa before 1994 by its narrow-minded and self-serving state. The apartheid government prevented the citizens to participate in decision-making matters in legislature, policy and service delivery. However, this all diverged in the transition to democracy in 1994. There seem to have been a commitment to consultation and participation of the citizens during this transitioning period, hence many white papers and policy then made provision for public participation to be a part of the governance procedure. According to Williams there are six interrelated phases/periods of participation in South Africa which can be described as follows:

➢ Pre-1976 period: the planned however inactive participatory phase, where the dream for liberation amongst unspeakable forms of oppression and exploitation resulted in fictional spaces of participation.

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[101] Zainal, Z. 2007. Case Study as a Research Method. Journal-*Jurnal Kemanusiaan 9* Available at: http://psyking.net/htmlobj-3837/case_study_as_a_research_method.pdf p,1

[102] Zainal, Z. 2007. Case Study as a Research Method. pp, 1-2

- 1977-83: the need for the community to be active and involved at grassroots level resulted due to the death of Steve Biko in September 1977

- 1984-89: a period of increasing awareness of the struggle against the apartheid state from the local to the international arenas which resulted in a need for a number of campaigns and cultural boycotts which aimed at all sectors connected to the apartheid regime. It created spaces for rampant governance throughout South Africa, often affected through the internal struggles led by the United Democratic Front.

- 1990-94: featured the unbanning of the freedom movements and the beginning of the consensual politics of negotiation. The negotiated agreement took place based on a range of promissory spaces of participation. For example, the Reconstruction and Development Programme of 1994.

- 1996-2000: the need for visible, experientially significant forms of social change gave rise to the establishment of various types of 'development' programs based on the post-apartheid Constitution, Act 108 of 1996.

- 2000-04 and beyond this period was Characterized by the process of interpreting democratic practices based on the experiential index of the past 10 years since the birth of democratic South Africa in 1994. The movement was from euphoria to disappointment, from generative hope to existential despair; hence the birth of transformative spaces such as the Treatment Action Campaign, Jubilee 2000 and a myriad of other local initiatives that seek to democratize the politically liberated spaces in South Africa[103]

3.6 Description of the Case Study Site

The researcher has decided to use the Princess Vlei (Lake) case as a case study for analyzing whether public participation is taking place in environment related decisions in Cape Town Western Cape, South Africa. (refer to chapter 4: p43)

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[103] Williams, John, J. (2008). The Politics of Social Change and the Transition to Democratic Governance: Community Participation in Post-apartheid South Africa. In Pretorius, J. (ed.) *African politics: beyond the third wave of democratisation*. Juta: Cape Town

The researcher will be making use of newspaper articles, forum articles and discussions and reports to extract most of the information pertaining to the case study.

3.6.1 Background to the Case:

There has been a proposed development of erecting a mall on the shores of the south eastern side of Princess Vlei. Princess Vlei is a green space and wetland near a residential area called grassy park in Cape Town, South Africa. The park is utilised by residents in the surrounding neighbourhoods for fishing, picnicking, and wild bird-watching. There has been a voluntary bid to buy the land in 1998 by a property developer, in order to build a shopping centre. The city approved the land sale in 2002 on condition that a public participation process takes place as well as rezoning and an EIA and a purchase price agreement.

According to the PVF there has been an irregularity in the EIA which was conducted and also it appeared that the company who wanted to buy and develop the land had failed to hand in reports and had since deregistered. Regardless of all the efforts from the developmental side the mall was not built. The people (community) of Princess Vlei had their own plans for the "princess".[104]

3.6.2 Why preserve the vlei? Significance of Case Study

During the apartheid times, after the people of colour (blacks and coloureds) were forcibly removed to estates on the Cape Flats ,due to the Group Areas Act (as explained in chapter1), Princess Vlei became one of the few natural spaces that they could visit. It became neglected by the authorities and it had become even more neglected when a road was built through it with not much regard for conserving its ecology

Princess Vlei is rich in history and culture. It is one of the few places where "coloureds" (mixed race) and "blacks" were allowed to go for some form of recreation and appreciation of nature. "For the families who were traumatised by forced removal, Princess Vlei provided a welcome

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[104] Princess Vlei Forum, available at: http://www.princessvlei.org/ [accessed 22 February 2018]

respite from the desolate wasteland in which they found themselves".[105] Princess Vlei does not only have a rich cultural significance and heritage but also boasts with a rich biodiversity that is exclusive to the vlei. Some other parts of Cape Town may not have the same species of birds or fynbos.[106]

Princess Vlei is also significant for many sociological reasons such as social, environmental and natural systems. Given that Princess Vlei has no cultural, racial, ethnic, religious barriers it makes it an area of hope. It is an area not just of privilege for the wealthy but for all, granting access for all to natural beauty and environmental health.[107] During these years, Princess Vlei grew to acquire significance in the hearts of community members. However, it was neglected by the authorities, and became run down and degraded. When Princess George Drive was widened in the late seventies, there was dumping on the vlei, and became more neglected. The road also served to separate the people from the vlei. But the threat posed by the mall has reminded the residents of the value that the vlei brought to their lives, and galvanised the community to reclaim it and create a new vision for the future of Princess Vlei.

The vlei has been cherished and valued by its many citizens from surrounding areas for a long time now and also consists of an immense history. People have enjoyed its peacefulness, serenity and beauty. The vlei also plays an important role in purifying water from the wetland system which runs through Grassy Park (a surrounding area) before it runs into the sea.[108]

Legend has it that a Khoisan |princess who used to live up in the mountains and brought her herd down to the Vlei for grazing and bathing, was abducted by Portuguese sailors while bathing in the Vlei waters. This is how the Vlei got its name.

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[105] Princess Vlei Forum: History, available at: http://www.princessvlei.org/history.html [accessed 22February 2018]

[106] Princess Vlei Forum: Birds at the Vlei, available at: http://www.princessvlei.org/birds-at-princess-vlei.html [accessed 22 February 2018]

[107] Princess Vlei Forum: Socio-ecological Importance, available at: http://www.princessvlei.org/socio-ecological-importance.html [accessed 23 February 2018]

[108] Princess Vlei Forum:About- With Thank, available at: http://princessvlei.withtank.com/about [accessed 23 February 2018]

3.7 Documents/Methods to be used (as data collection)

The researcher would like to apply the above mentioned methods of research to analyse in terms of this study. Since this is a secondary data, desktop study due to the limitations i.e the timeframe for research and geographical constraints of the researcher to be doing primary data collection makes this study dependent on what others have written as a means for analysis and drawing conclusions. Thus, the use of the two types of reasoning in research.

The researcher will look at public participation as it was used or performed in the princess vlei struggle against the shopping centre/mall. To gather this information most of the information came from the Princess Vlei Forum website which was established as a communications portal and information sharing and "discussion board". This board contains all the archived newspaper articles and events which had taken place during the struggle and fight against building a mall. In addition the Bottom road Sanctuary website has also been consulted for additional documents, in most cases official word documents, regarding the progress of the struggle against the building of a mall. The researcher will be reporting back. This has to be done as a primary survey or interview form of data collection cannot occur due to the research limitations.

3.8 Conceptual framework: Deliberative Participation

3.8.1 Definition of deliberative participation

Deliberative Participation is "a process allowing a group of actors to receive and exchange information, to critically examine an issue, and to come to an agreement which will inform decision making."[109] According to Crocker deliberative participation is whereby non-elites deliberate together among themselves sometimes also together with the elites. They engage in practical reasoning and analyse the proposals and reasons in order to reach an agreement on policies for the collective benefit. Deliberations include examination and formation of values and analysing the relative significance of numerous processes and opportunities. There are various other modes of participation which will briefly be described below, however, the

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[109] National Collaborating Centre for Healthy Public Policy. 2009. *What is a Deliberative Process?* Available at*:* http://www.ncchpp.ca/docs/DeliberativeDoc1_EN_pdf.pdf [accessed: 2 November 2017]

researcher finds that deliberative participation for environmental decision–making is the most suited for a representative participatory democracy such as South Africa given its history.[110]

According to Crocker (2007) other modes of participation include:

- Nominal participation: participation in group decision-making when that person is a member of a group but does not attend its meetings. Some people, of course, are not even members. Some are members but are unable to attend, because of other responsibilities, or unwilling to attend, for instance, because they are harassed or unwelcome. This is the lowest form of participation.

- Passive participation: In this type of participation, people are group members and attend the group or representatives' decision-making meetings, but passively listen to reports about the decisions that others already have made. The elite tell the non-elite what the elite are going to do or have done, and non-elite persons participate by listening and, at best, asking questions or making comments.

- Consultative participation: Non-elites gives information and share their opinions ("input," "preferences," and even "proposals") to the elite. The non-elite do not deliberate amongst themselves nor make decisions. It is the elite who are the "deciders," and they may feel obligated or forced to listen to the non-elite however this does not mean that they need to act on the information or opinions of the non-elite.

- Petitionary participation: to get the authorities to make decisions or act upon decisions the non-elite plea or protest/requisition usually to remedy grievances. Although it is the right of the elite to decide, the non-elite have a right to be heard and the elite have the duty receive, listen, and consider if not to heed. This participatory model, like that of consultative participation, is often used in traditional decision-making.

- Participatory implementation: the goals and main means are determined by the elite and non-elites implement the goals and decide on how in terms of strategy and procedure. In this mode non-elites do more than listen, comment, and express.

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[110] Crocker, D.A. 2007. Deliberative Participation in Local Government. *Journal of Human Development 8 (3)*: pp, 431-55.

- Bargaining: non-elites bargain with elites on the basis of whatever individual or collective power they have. Those who bargain are more adversaries than partners. Self-interest mostly motivates each side, and non-elite influence on the final "deal" depends on what non-elites are willing to give up and what concessions they are able to extract. The greater the power imbalances between an elite and non-elite, the less influence the non-elite has on the final outcome. The elite may settle for some loss in order to make a better future improvement possible. Alliances with and support from actors outside and above tend to enhance non-elite bargaining power.[111]

The researcher believes that deliberative participation will be better suited for South Africa as it entails discussing and going back and forth between stakeholders until a consensus is reached unanimously. Thereby, all opinions and voices are heard and this is taken under review, no one could be voiceless. According to the European Institute for Public Participation (EIPP) when deliberative participation is being used, it may create a shared understanding of issues and solutions and therefore considerably better decisions can be made. It is also believed that countries' with deliberative public participation may have advantages for democracy.[112]

These advantages may include making sure that the voices of the affected stakeholders are being taken into consideration by government when making decisions. It also allows for transparency as the decision makers can explain their choices and by allowing deliberation as a form of participation it creates two-way communication between policy makers and citizens'. Therefore, decisions may also be legitimized.[113] Furthermore, there are arguments regarding public participation that are being steered towards utilisation of citizens' wisdom and knowledge. This is believed to ultimately have improved regulation and accurately higher quality decisions.

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[111] Crocker, D.A. 2007

[112] European Institute for Public Participation. 2009. *Public Participation in Europe: An International Perspective.* Pp,2-49

[113] European Institute for Public Participation. 2009

Chapter Four: Analysis and Discussion

4.1 Introduction

In chapters 1, 2 and 3 the term public participation has been discussed. These chapters provide the definition, forms and history of forms of participation used in South Africa up until its democratic reformation. In this chapter the researcher will be giving views of other scholars who have researched this phenomenon and analysing this in respect to its efficacy and implementation processes/procedure. The researcher will start by giving the description of the public participation form that took place in the case study report and then analysing it in terms of whether it was efficient. An overall general account/summary will be given in terms of what others have written about the RDP and public participation.

It is worth keeping in mind the presentation of literature as mentioned in chapters 1 and 2 previously, stating that during the apartheid regime in South Africa, the people of colour (black and coloured citizens) particularly were not allowed to contribute in any form towards any official social, economic or environmental decision making process. Furthermore, they were separated from the white community in terms of education/schooling, living space, beaches, public toilets etc., which were indifferent "lesser" conditions than that of the white privileged communities. With the dawn of equality and democratic liberation of the people at the forefront, the Reconstruction and Development Programme - RDP was implemented by the newly elected African National Congress - ANC ruling party of the 1994 elections as a policy to be implemented as the spearhead for transformation. The researcher has stated the principles, goals and visions of the RDP as a Local Agenda 21 policy of South Africa along with other policies, Municipal Systems Act and Bill of Rights (as cited in South Africa's Constitution) in chapter 2.

The section that follows below documents the case study gathered from the research along with the literature described in chapter 2. The case study (refer section 4.2) is briefly discussed and focuses on public participation engagement from within a South African, coloured community/environment context. The case study reveals interesting points regarding different stakeholders, practices and different public participation models. All the information collected has been analysed in the sections to follow.

4.2 Case study

Public participation process and EIA practice in the case of: Princess Vlei Lake, Cape Town, South Africa

4.2.1. Summary

After a lengthy struggle between the developers who wanted to purchase a large section of land (Erf 82176) adjacent to lake and the various save Princess Vlei stakeholders largely civil society/ street organizations (e.g. ratepayers and resident's organization''), NGO's, religious groups, cultural groups, education sector etc. and the City of Cape Town the selling of the land at Princess Vlei and proposed development (of a shopping mall) was rejected and permanently declined by the City of Cape Town officials. In March of 2014 the plans for the selling of the land and building a mall were finally cancelled, "the Princess Vlei Forum greatly welcomes the announcement that the City has cancelled the plans for a mall at Princess Vlei".[114]

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[114] Princess Vlei Forum: Articles, available at: http://www.princessvlei.org/articles [accessed: 16 March 2018}

Figure 4.1: Visual image of Princess Vlei and the proposed mall development locale (Erf 82176) (www.princessvlei.org)

Figure 4.2: Examples of: (a.) public protest using posters to save Princess Vlei, (b.) the use of banners to promote protest by civil organization (http://princessvlei.withtank.com)

4.2.2. Public Participation Process Overview

There were two separate public consultation participation processes that took place. These processes were the extension of record of decision and extension of rezoning. The city appointed a consultant to conduct public participation in accordance with the EIA regulations. All individuals who were going to be affected by the development as well as all organisations/associations had to register as interested and affected parties (I&AP's) in order to raise the concerns and opinions. The rezoning was about "changing" the land from open public space to commercial space. With regards to this no registration had to take place and all stakeholders could submit letters to the regional manager of city of Cape Town.[115]

It appears as though the process of selling of the land at Princess Vlei and the proposal of a shopping mall has been an ongoing process since 1998. According to the newspaper articles found on the Princess Vlei Forum webpage, the communication between stakeholders and some fraudulent suspicions related to the developer/company who wanted to buy the land, is what lead to the stagnation and prolonging of the sale. In the meantime, as the investigations and negotiation dialogue was on going between the City of Cape Town, the local government and developers, the people of "the Vlei" along with the Forum chairperson had drawn up their own public participation plan and had started implementing the plan already. 'Dressing the princess' project started as an initiative to show the city and government what can be done in order to restore the vlei (lake) and rehabilitate it to its natural beauty,[116]

> "The struggle to save Princess Vlei has been a long one, originally inspired by local resident Kelvin Cochrane over five years ago. He initiated a project to rehabilitate Princess Vlei called Dressing the Princess, and encouraged local schools and community members to get involved. For him, it went beyond the rehabilitation of valuable fynbos – by beautifying the area, he was restoring dignity to the neglected and marginalised communities on its banks."[117]

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[115] Greater Cape Town Civic Alliance.org.za, available at: http://gctca.org.za/princess-vlei-irregularities-in-mall-process/ [accessed: 14 March 2018]

[116] Princess Vlei Forum ,available at: www.princessvlei.org [accessed 14 March 2018]

[117] Princess Vlei Forum: Articles, available at: http://www.princessvlei.org/articles [accessed 15 March 2018]

The City of Cape Town was approached in 2008, by a representative of the Cape Flats Wetland Forum along with an NGO called "Biowatch" with a proposal to rehabilitate the Princess Vlei lake area. One month later memorandum of agreement was signed in partnership with South African National Biodiversity Institute (SANBI) as well. With the reintroduction of some of the area's natural fynbos plant species it had attracted various pollinator species as well and other animals, mostly bird life.[118] The rescue and rehabilitation of the lake has for the most part been an endeavour undertaken by the contributions of the stakeholders involved. For example; the local schools in the area have each adopted a plot (section of land) to plant, keep clean and maintain, and so have some of the residents of the area. If the residents (other people) don't have a plot themselves to maintain, they all still encouraged to get involved and volunteer. Environmental officials of the City of Cape Town provided transport, mechanical tools and indigenous plants as a way of assisting the rehabilitation process and Working for Wetlands a SANBI and Department of Environmental Affairs initiative donated further (indigenous) plants and labour.

The surrounding residents along with all the social, street organisation and cultural/religious groups who came together to fight against the proposed mall development in the area is a representation of what is possible and what can be achieved when a local community and society at large stands united. This community stood together in unity to oppose the private development and the local authority officials in an effort to put the interest for the environment first before economic development. They defended something that could not defend itself – nature. "Princess Vlei represents what can happen when citizens take ownership of their city, and collaborate to ensure that what they value is respected."[119]

4.3 Discussion of the Analysis and Findings

This section describes the analysis of data collected from the literature and case study followed by a discussion of the research findings. The researcher will present an over-all discussion on the concept and practices of public participation partition to the research question of the study as well as the positives and challenges of South Africa's initial transformation policy the

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[118] Princess Vlei Forum: Dressing the Princess, available at: http://www.princessvlei.org/dressing-the-princess.html [accessed: 27 March 2018]

[119] Princess Vlei Forum: Articles, available at: http://www.princessvlei.org/articles [accessed: 26 March 2018]

Reconstruction and Development Programme - RDP after the end of the apartheid era post 1994. The researcher will continue to discuss the public participation policy initiatives which are in place and refer to the case study where necessary and relevant. The researcher will then give recommendations accordingly.

The RDP was seen as the "liberator" for the people of South Africa, it was meant to be the policy that brought about progressive transformation. It is worth mentioning that the RDP was a newly developed program at the time and the implementation thereof was always going to challenging as a result of the legacy of the apartheid era. That said, even though it was not entirely successful at reaching its intended goals due to its shortcomings (which will be discussed below), it paved the way for stronger and more successful policies and strategies which would aid in strengthening the country's economic growth and development today. It served as a starting point (foundation) for policy makers, government and all other stakeholders and beneficiaries.[120]

Blumenfeld found that the RDP is believed to not have had proper institutions in place and because of this it led to its failure.[121] Institutions, policies and strategies have to be in place to ensure that "the plan" works effectively. According to Blumenfeld the need for a "reconstruction and development" programme in South Africa arose from the trade unions (COSATU-Congress of South African Trade Unions) that fought for the April 1994 elections together with the leading political party the, African National Congress (ANC) as well as the South Africa Communist Party (SACP). The transformation programme was intended to bring about significant changes as well as have an impact on South Africa's politics, economy and societies.[122] Initially the RDP programme was an election declaration which then turned into a formal policy for the ANC transformation of South Africa's polity, society and economy. However, although this seemed like a good idea and there were so many plans to get South Africa from one state of being to another, i.e. from a detrimental state to a better one, it soon died down. With its unifying support the focus for a national reconciliation and socio-economic

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[120] Blumenfeld, J. 1997. From Icon to Scapegoat: The Experience of South Africa's Reconstruction and Developemnt Programme. Development Policy Review 15: pp, 65-91

[121] Blumenfeld, J. 1997

[122] Blumenfeld, J. 1997

reconstruction, the government had implemented a few basic inception steps but after the first year there was no doubt that practically and politically there were difficulties.[123]

There were some weaknesses that put the RDP programme at a disadvantage, the government had failed to make year to year improvements, especially in some departments such as the housing department, and it had also become clear that the RDP meant various things to some people which therefore made room for corruption.

As previously mentioned in chapter 1 and 2, efficient public participation is important in the decision making process of all spheres and sectors, whether it be social, economic or environmental and or on local, provincial or national level. Taking into consideration what the civil societies thoughts and feelings are regarding a particular event, program or project is vital to its acceptance and success. Active public opinion is more than likely to assist "superior/authoritative decision maker's" to see things that they might have overlooked or were unaware of related to a particular topic they are investigating.[124] They know more about their local environment/ community as account of them living in an/the interested area. Furthermore, participating in effective public participation process will allow society to gain a sense of ownership, pride, responsibility and willingness to want to make a difference.[125] The case of Princess Vlei is particularly a good example of what can be achieved if a community stands united, and works in conjunction with various stakeholders as mentioned above.

The case study also reveals two different characteristics to that what the literature identified in chapter 2. Firstly, that the majority of the previously disadvantaged community's residents (black and coloured people) do not have the time or luxury to worry about developmental or environmental issues as a result of trying to ensure their day-to-day basic needs (food, shelter, health). And secondly, that people also do not participate in decision making processes due to the lack of knowledge and information, not understanding scientific terminology being used along with not being aware of their environmental rights.

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[123] Bluemnfeld, J. 1997

[124] Marzuki, A. 2009. A Review on Public Participation in Environmental Impact Assessment in Malaysia. *Theoretical and Empirical Research in urban management 3(12):* pp, 127

[125] Marzuki, A. 2009

Despite isolated cases such as that of Princess Vlei, the majority of the people do not know what it means by the term I&AP or incorrectly interpret announcements/advertisements put out by developers to inform the public about upcoming developments (Refer to Chapter 2**,** Section 2.1.2, Backstrand, 2004). As a result people often misinterpreted the information provided to them leaving them often ill-equipped to deal with a developmental activity.

Sometimes, especially in a democratic system the various party politics are a hindrance. Also the perception of a "corrupt government", by this it is meant that if in previous years for example the government made promises and never kept it to the people it created a distrust and that distrust is automatically applied to the next cabinet, even if they have the peoples best interests at heart and may also be driven for change-the people simply don't trust the government because of previous mistrust created. This mistrust in government, and need for survival to still worry about decision making and the environment creates a sense of the people not caring about what happens, even if they do want to participate or if the government or developing agencies need them to participate-in the minds of the people it remains just that-a mind-set. They believe that their opinions will not even be taken into account so why participate? This is the exact reason why participation need to be more frequently used-in order to create a sense of ownership and responsibility for the people and for transparency and accountability to exist among the people, government (public) and developing agencies(private entities).

 Nonetheless, all these reasons why people sometimes do not participate in decisions or development projects does not apply to the case study the researcher chose. The case study is unique in its own way as the people decided to stand together and fight for their heritage and cultural rights and save the memoirs and remanence they had-so that the youth and future generations can know and learn about who they are-Princess Vlei is that heritage to them. The case study is an example of what the public participation process is in terms of EIA regulations. According to a report found regarding the EIA process, which falls under the scoping aspect of the EIA, the developer had to adjust the proposal according to the first EIA done and it was re-advertised and in response they received 67 letters of objection and 3 letters of support. It

was also found that some indigenous and well as extinct species would have been destroyed in this process.[126]

The case study site vegetation consisted of Cape Flats Sand Fynbos, which is the most perilously endangered vegetation type in South Africa. In order to have restored this vegetation would have been the most significant conservation value, and if the mall were to be built there, very little of this vegetation would have remained, if any, except for the soil. With the project which was initiated it made restoration of this very endangered vegetation possible. It also contributed to the fact that South Africa had undertaken to conserve and follow the stewardship principle of looking after the Fynbos kingdom which forms part of the World Heritage Site. This was in accordance with the ecological integrity and duty of the country as part of the city's environmental resource management biodiversity department, (Save ERF 82176).[127] http://bottomroadsanctuary.co.za/wp-content/uploads/2012/08/Save-Erf-82176-Princess-Vlei.pdf).

The project "Save the Princess" which was run by the forum together with all the protests and objection letters (public participation) which occurred, has shown the potential of what voicing ones opinion and participating in decisions can do. It has shown that restoration is feasible. This proved to be congruent with the restoration of the critically endangered fynbos and the lake with a botanical garden which included a heritage memorial park and an amphitheatre from which to watch the sunset. [128]

When one looks at the local agenda 21 of South Africa which is the Reconstruction and development programme which was set up by the transformation government, it is not a complete failure as Blumenfeld states. In retrospect this article was written one year after the constitution and bill of rights was passed in South Africa, it was written in the early stages after transformation. One has to commend that some change has taken place and not all is doomed. This is evident in the case study as some of the key programmes and principles of the RDP has been met. Meeting basic needs was met in the case in the sense that the need for preserving the

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[126] Suttle, D. 2011. Report to Spatial Planning, Environment and Land use Management Committee. *SPELUM* available at: http://bottomroadsanctuary.co.za/wp-content/uploads/2012/08/SPELUM_PVLEI1.pdf [accessed: 27 March 2018]

[127] Greater Cape Town Civic Alliance.org.za Save ERF 82176 Princess Vlei, available at: y.co.za/wp-content/uploads/2012/08/Save-Erf-82176-Princess-Vlei.pdf [accessed: 28 March 2018]

[128] Greater Cape Town Civic Alliance.org.za Save ERF 82176 Princess Vlei

culture and heritage which was symbolic in the Princess Vlei has been achieved. It also developed human resources and builds the economy by allowing the community of residents, organisations, schools and learners and the minister in charge of the area who initiated the project "save the princess" it gave them all a chance to "step-up" and feel responsible for something. It allowed those who did not know about conservation, biodiversity, plants or how the ecosystem works to learn something new and thereby built their skills set and knowledge base. This was also made possible by the environmental education programme which takes place at the restored Princess Vlei. The infrastructure and relationships built during the project allows for economic growth creating interdependence between private and public sectors, departments and organisations and the people which together can bring about a great transformation.

The most significant part for this paper as stated in Chapter 2 where the researcher will be focussing on the most significant key programme was the implementation of the RDP and public participation. Based on the case study it is evident that the RDP along with the key programmes and the policies set up by government such as the EIA and municipal systems act in order to ensure that public participation takes place and the citizens voices are heard-that this is indeed the case. Yes, it is not an easy task however, given the history of South Africa; the government is doing well in ensuring that some implementation of public participation strategies and policies is taking place. Also as mentioned above it is not an easy task and sometimes it is not the government's fault either. In some cases the government and its departments' wants to hear the public opinion but the people are not open to it due to past experiences and a continuous repetition of promises of change and inclusivity but failure of it year after year. Also education levels of the people and terminology being used to announce a project and asking for public opinion is not always known to all and the layman may not always know his/her value to such a development due to their (practical) experience of the environment per se, i.e grazing the fields, living in the area knowing the climate and knowing what is best for the land/area.

"The "Dressing the Princess" project has not only succeeded in removing the weeds and alien trees and restoring fynbos to the site, it has also changed public perceptions. Through the modest efforts of schoolchildren and ordinary citizens with an inspiring leader, a degraded landscape has been transformed into a thing of great beauty.

In the case of the Princess Vlei, the people did not allow all these unknown terminology, education and other factors stop them, they stood up and created something beautiful and worthwhile. This is just one case study in South Africa, Cape Town, which has managed to portray what can be achieved with the participation process. This case study is also a representation that implementation of the reconstruction and development programme as part of South Africa's transformation for apartheid is being implemented by the government, its departments' and the people. In this case the people fought for their history, heritage and culture to be preserved for the enjoyment of future generations.

Chapter 5: Conclusion

5.1 Introduction

This chapter is the final chapter of the thesis. The researcher will be drawing all the information together from chapter 1 through to chapter 4 and make a basic summary of topics, themes, phenomena which were discussed, and summarise the findings and discussion chapter. The researcher will then also add a recommendation or two for further research into the phenomena. The aim of the researcher in writing this paper was to find out whether public participation was being implemented in South African policy and in execution of projects. The researcher had chosen South Africa as this is a country with a great history of inequalities and racial discrimination and segregation which occurred more than 20 years ago during the apartheid regime. During this time "whites" were treated as superior and had better if not all the privileges which blacks and coloureds and Indians etc. did not have. They lived separately, ate separately, and went to different public facilities and recreation areas.

The case study site was a representation of one such area where the 'non-white' went to enjoy nature, be with family and friends and ponder upon the beauty of a superior being.

Chapter 1: outlined the basic construction of this dissertation. It gave a brief background of the phenomenon, problem and concepts and also stated the main aims and objectives of the study. Chapter 1 also contains the problem statement and how the researcher aimed to address and explore this in the research study.

Chapter 2: expanded on the explanation of the concepts and the issue or problem which the study aimed to address. It also gave a literature review of what other scholars and academics and policy makers have written about the topic and/or individual concepts. Chapter 2 explained the transformation process and new policies of the democratic South Africa. It touched on two participatory models used currently in South Africa for two other spheres. Chapter 2 also contrasts the Local agenda 21 policy of Austria, as an information piece/section. Austria allows for a decentralised approach to public participation something South Africa is still trying to achieve.

Chapter 3: focussed on the methodology and conceptual framework. This chapter also gave a description of the case study site, the background pertaining to the case site and the significance of it. It explained and described the terms used for the analysis and discussion chapter. Such as

what is inductive and deductive reasoning and how this will be applied to the discussion? It explained the type of study this dissertation is, i.e. qualitative using secondary "data" and literature from others to draw the conclusion and argue the point of the researcher and answer the question posed in chapter 1.

Chapter 4: is the second final chapter of this dissertation and it brings together all the concepts and phenomena discussed from chapter 1 through chapter 3. It states the public participation type used in the case study, it found that there were two separate public participation processes and this led to the declining of the proposed mall development. This chapter discussed the relevance of the policies mentioned in chapter 2 in relation to the case study. It looked at the implementation of these policies, the concept of public participation and how it is being implemented. It answered the question of how does public participation take place in South Africa. It took another step in discussing the reason why people do not necessarily participate and the "no confidence"/little confidence they have in their own government to adhere to their opinions because of previous disparities and "corruption". Also the lack of scientific knowledge and/or education and the use of scientific terminology in announcing a development that people do not fully understand which play a part in the lack of public participation.

Therefore there is very little transparency and ownership when it comes to public participation. It is fundamental that citizens or stakeholders be properly educated and informed about a development that impacts the environment they live in or surrounds them so that they can react and review the situation and possible interaction or dialogue can be facilitated. Hence why the deliberative form of participation is encouraged (refer chapter 3). As a part of the planning and decision making process every one of these functions play a vital role.

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