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**Contractual National Parks:
Meeting Conservation and Development Objectives
in South Africa and Australia**

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Thesis submitted for the degree of Doctor of Philosophy

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at Canterbury, UK, with Visiting Researcher status at the University of the
Witwatersrand, South Africa.**

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ABSTRACT

Contractual national parks (CNPs) are one of many community-based conservation models. They are usually established on land owned by a group of private individuals, but managed by the national conservation authority. Management is according to the terms of a joint management agreement drawn up by a joint management board consisting of representatives from the landowners and the conservation authority or other officials. CNPs are popular in Australia and South Africa, where they are seen as a model through which conservation and development objectives can be met, particularly where landowners are previously disadvantaged communities. This study looks at six South African and two Australian CNPs to assess whether they are successful in terms of meeting conservation objectives, providing sustainable income for both landowners and the conservation authority, and providing social sustainability, assessed in terms of strength of tenure, intangible benefit accrual, resource use rights and equity in benefit distribution. Management criteria, stakeholder institutional capacity and the policy environment in which the CNP operates were also assessed. Lessons are learnt from Australia's much longer experience with joint management, and comparisons are also drawn with one South African national park without joint management. Few CNPs met conservation objectives and demonstrated economic and social sustainability, but this was usually a problem of implementation rather than concept. Moreover, sustainability at the ecological, economic and social levels was not necessarily a prerequisite for success. Some landowners valued intangible benefits at least as much as quantitative benefits, and CNPs running at an economic loss were subsidised by government and other high-earning national parks. CNPs contribute much towards meeting conservation and development objectives, and successful joint management should rather be defined as a process which facilitates an equitable power balance between the landowners and conservation authority, through which the social and economic objectives of the landowners, and the ecological and economic objectives of the conservation authority are met.

SUMMARY

Contractual national parks (CNPs) are frequently seen as a model through which conservation and development objectives can be achieved. They are usually established on privately or communally owned land, and managed by the national conservation authority. Management is conducted according to the terms a joint management agreement drawn up by a joint management committee consisting of representatives from the landowners and the conservation authority or other officials. To be a successful model for community-based conservation, CNPs should ideally meet conservation objectives, achieve economic sustainability for both the landowners and the conservation authority, and achieve social sustainability. This study assesses the success of six South African CNPs according to these criteria, and comparisons are drawn with one non-contractual South African national park. Two Australian CNPs are also studied to determine what lessons can be learnt from Australia's much longer experience with joint management.

Conservation objectives are compromised to some extent in all CNPs, particularly where clear conservation objectives and sustainable use levels have not been ascertained and incorporated into the terms of the contract. CNPs may be less likely to meet conservation persistence criteria than non-CNPs, as agreements are usually for finite periods of time, size is often small, and fencing can be erected thus effectively reducing protected area size. However, in practice, joint management rarely fundamentally compromises conservation objectives. Natural resource use is rarely unsustainable, and CNP human habitation does not necessarily compromise conservation objectives.

CNPs provide landowners with considerably more economic benefits than communities surrounding state-owned protected areas. Landowner costs are few, and benefits usually outweigh costs, including opportunity costs. Such benefits include lease payments and a proportion of CNP income. Landowners also benefit from employment in the CNP, particularly when traditional skills are recognised and innovative workplace schemes are in operation. However, involvement with the private sector has considerably more potential to generate such benefits for the landowners than involvement with the conservation authority, particularly where the landowners control and benefit from CNP tourism development.

CNPs are rarely economically viable for the conservation authority, and the additional costs of joint management usually account for one quarter to one half of CNP budgets. Therefore, alternative funding from government (justified by the expenditure of public money for public good) or from other high-earning national parks is usually necessary.

Social benefits provided by CNPs include strong tenure, which can accommodate a degree of ownership self-determination. Intangible benefits such as capacity-building, and identity and pride-related benefits are significant. CNPs can also help redress the injustices of past racially orientated legislation. They can accommodate the fact that traditional resource users may not be

the same people as landowners. User rights are usually effectively enforced, and equity in benefit distribution generally exists. However, the imposition of western legislative constructs and management styles has social costs, and can damage and undermine traditional culture. Rights (such as mining rights) are not always absolute.

Effective management is facilitated by the fact that CNPs provide a framework in which decision-making and management responsibilities can equate to the levels of benefit accrual, authority and capacity. The joint management board and management plan help to ensure this, and boards provide key forums for consultation, negotiation and conflict resolution. Consultation outside board meetings is also important, as is the use of mechanisms such as legislated procedures and external mediators to resolve conflict. Conservation authorities must commit to relinquishing certain powers and authority, and care should be taken not to rely on external stakeholders. Landowners should not have all their management responsibilities removed. Common problems include false promises and high landowner expectations, conservation officials without appropriate social skills, and a lack of systemic organisational commitment to community issues. Involvement of external agencies can help build landowner management capacity. CNPs generally improve relations between the conservation authority and landowners, and although power imbalances between the two parties are often apparent, CNPs demonstrate many innovative ways of evening these out. Renewal of contracts, management plans and legislation is necessary if CNPs are to retain legitimacy.

Joint management boards benefit from legislative support. Boards are more effective when landowner representatives are elected using locally legitimate processes and all sectors of the landowning community are represented. Boards are more powerful when they operate in conjunction with key local institutions and are backed by strong landowning organisations. Capacity-building can improve institutional strength. Boards are robust and flexible enough to accommodate local circumstances, but can benefit from member capacity-building where landowners lack western competencies. Effective capacity-building needs to be ongoing. Government support can empower boards. Feedback and consultation with the whole landowning community is important.

CNPs are most successful when support from government, non-governmental and donor agencies is mobilised effectively. This requires involving all levels of government. Locating responsibility for overall co-ordination within one government agency can help ensure integrated support, but only if the agency has sufficient capacity. Changes in government structures often cause problems. CNPs benefit from up to date legislative support for issues relating to conservation and community empowerment. They also benefit from championship by powerful government officials. NGO support is often most effective when organisations are small and locally experienced. Donor funding can be effective when applied through such organisations rather than providing independent support, or support through government agencies. Joint management benefits where stakeholders have the capacity to deal with a variety

of government and non-governmental officials. National or international macroeconomic policies rarely prevent the realisation of economic benefits.

To conclude, few CNPs studied meet conservation objectives and demonstrate economic and social sustainability. However, this is usually a problem of implementation rather than concept. Sustainability at all three levels is not a prerequisite for success. For example, some landowners value qualitative benefits at least as much as quantitative benefits, and CNPs running at an economic loss are subsidised by government and other high-earning national parks.

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ACRONYMS AND ABBREVIATIONS

ADMADE	Administrative Management Design project (Zambia)
AENP	Addo Elephant National Park (South Africa)
AFNP	Augrabies Falls National Park (South Africa)
ANC	African National Congress (South Africa)
BPK	Bestuursplankomitee (Management Plan Committee - South Africa)
CAMPFIRE	Communal Areas Management Programme for Integrated Resources (Zimbabwe)
CBNRM	Community-based natural resource management
CNP	Contractual National Park
ConsCorp	Conservation Corporation
CPA	Communal property association (South Africa)
CITES	The Convention on International Trade in Endangered Species of Wild Fauna and Flora
CLC	Central Land Council (Australia)
CSIRO	Commonwealth Scientific and Industrial Research Organisation (Australia)
DANCED	Danish Co-operation for Environment and Development
DEAT	Department of Environmental Affairs and Tourism (South Africa)
DFID	Department for International Development (UK)
DLA	Department of Land Affairs (South Africa)
EIA	Environmental Impact Assessment
EMPR	Environmental Management Programme Reports (South Africa)
EPBC Act	The Environment Protection and Biodiversity Conservation Act of 1999 (Australia)
FoM	Friends of the Makuleke (South Africa)
GAI	The Great Addo Initiative (South Africa)
GEF	Global Environment Facility
GEM	Group for Environmental Monitoring (South Africa)
GTZ	German Agency for Technical Co-operation
HSUS	The Humane Society of the United States
ICDP	Integrated conservation and development project
IUCN	The World Conservation Union
JMB	Joint Management Board (South Africa)
KaNP	Kakadu National Park (Australia)
KGNP	Kalahari Gemsbok National Park (South Africa)
KNP	Kruger National Park (South Africa)
LIR	Land Interest Reference (Australia)
LRC	The Legal Resources Centre (South Africa)
NGO	Non-governmental organisation

NLC	Northern Land Council (Australia)
NPB	The National Parks Board, now South African National Parks
OOP	Ondersteunings en Opleidingsprogram (support and training programme - South Africa)
OJM	Office for Joint Management (Australia)
PAN	Parks Australia North (Australia)
RAMSAR	The Convention on Wetlands of International Importance Especially as Waterfowl Habitat (1971)
RNP	Richtersveld National Park (South Africa)
SADF	South African Defence Force, now the South African National Defence Force
SANDF	South African National Defence Force, formerly the South African Defence Force
SANF	Southern African Nature Foundation, now the World Wide Fund for Nature, South Africa
SANP	South African National Parks, formerly the National Parks Board
SANPT	South African National Parks Trust
SASI	South African San Institute
SAWC	Southern African Wildlife College
SPP	Surplus People Project (South Africa)
TFCA	Transfrontier conservation area
TLC	Transitional local council (South Africa)
TRANSFORM	Training and Support for Resources Management (South Africa)
UCT	University of Cape Town (South Africa)
UKTNP	Uluru - Kata Tjuta National Park (Australia)
UNESCO	United Nations Educational, Scientific and Cultural Organisation
VIDCO	Village development committee (Zimbabwe)
WADCO	Ward development committee (Zimbabwe)
WCNP	West Coast National Park (South Africa)
WWF-SA	World Wide Fund for Nature, South Africa, formerly the South African Nature Foundation

Orthographical Note

In the Australian case studies, the line beneath certain consonants in Pitjantjatjara words denotes four (retroflex) sounds that are not distinguished in English. These are l, r, n, and t. The = sign used when referring to the =Khomani San bushmen denotes a click sound, likewise not distinguished in English.

CHAPTER 1: INTRODUCTION

1.1 GENERAL INTRODUCTION

Community conservation has in recent years replaced fortress conservation as the current fashionable narrative in conservation. Contractual national parks (CNPs) are one of many community-based conservation models. They are usually established on land owned by a group of private individuals, but managed by the national conservation authority. Management is according to the terms of a joint management agreement drawn up by a joint management board consisting of representatives from the landowners and the conservation authority or other officials. CNPs are popular in Australia, where they have their longest history, and also in South Africa, where, since majority rule in 1994, they have been seen as a model through which national conservation as well as development objectives can be met. This is particularly the case where landowners are previously disadvantaged communities. This study looks at six South African and two Australian CNPs to assess whether they are successful in terms of meeting conservation and development objectives, and what lessons South Africa can learn from Australia's much longer experience with joint management. Comparisons are also drawn with one South African non-CNP. Success or otherwise was determined by assessing whether the CNP is sustainable at three levels: it should meet conservation objectives, be economically sustainable for both the landowners and the conservation authority, and be socially sustainable to persist. Social sustainability is the hardest of these to determine, and was assessed in terms of strength of tenure, qualitative benefit accrual, resource use rights and equity in benefit distribution. Management criteria, stakeholder institutional capacity and the policy environment in which the CNP operates are also assessed, as these affect sustainability at all three levels. In this research, sustainability is defined along the lines of that used by the Brundtland Commission: "*Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs*" (World Commission on Environment and Development 1987).

1.2 NATIONAL PARKS AND PROTECTED AREAS

1.2.1 Early National Parks

Yellowstone in America was the first national park to be gazetted, in the world, in 1872, but Yosemite was effectively managed as the first national park. The 1864 Yosemite Act and the establishment of national parks was driven by monumentalism and the American nation's awareness of its dearth of recognised cultural achievements rather than environmentalism. "*The nation's short history, weak traditions, and minor literary and artistic achievements seemed negligible compared to those of Europe. But at least in one respect Americans sensed that their country was different: wilderness had no counterpart in the Old World*" (Nash 1973). The desire for national recognition through natural wonders was intensified following the defacement of Niagara Falls (Runte 1979; Schullery 1997). Attitudes prioritising preservation

for scientific study, and the desire to control development and benefits from tourism also contributed to the establishment of Yellowstone National Park Early (1984).

Only land with no commercial value other than from tourism was incorporated into America's national parks. Utilitarian conservation rather than preservation was practised, and commercial resources were excluded from national parks, or exploited regardless of their location. In 1905, a large portion of commercially valuable forest land, grassland and mineral rich land was deproclaimed from Yosemite National Park, and in a nearby wilderness reserve, construction of a dam in the Hetch Hetchy Valley was approved in 1908 in order to provide water to San Francisco (Nash 1973; Runte 1979). "*Americans regarded wilderness as a moral and physical wasteland fit only for conquest and fructification in the name of progress, civilization and Christianity*" (Nash 1973). It was not until the 1930s, with the proclamation of the Everglades National Park in 1934, that wilderness preservation was considered enough justification for establishing a national park. However, the onus was on preservation of scenic areas as opposed to wildlife, as illustrated by a predator control programme, which continued well into the 1930s (Runte 1979). This new appreciation for wilderness resulted partly from championship by John Muir, and also the Romantic Movement, which was increasingly popular amongst literary city dwellers for whom, unlike the pioneers, wilderness posed no personal threat (Nash 1973; Early 1984).

The prevailing view was that protected areas should be set aside for human enjoyment and fulfilment, and that humans and 'wilderness' areas were not compatible. Some felt that "*a national park must remain a primordial wilderness to be effective. No men, not even native ones, should live inside its borders*" (Grzimek and Grzimek 1960). During the establishment of Yellowstone National Park, Crow and Shoshone natives were driven out by the army, which then managed the park until 1916 (Schullery 1997; Morrison 1993). Such approaches were by no means unique to Europe and America, and in the following 100 years, most global conservation efforts followed these exclusionist principles (IIED 1994; Pimbert and Pretty 1995). Colonial administrators adopted centralised approaches to wildlife management throughout the world, and in many cases the state management of wildlife continues to this day (Roe et al. 2000). Pimbert and Pretty (1995) estimate that there are now about 8,500 protected areas in the world, of which over 1,500 are national parks based on the American model of human displacement and exclusion, enforcement through wildlife legislation and the assumption of ownership of wildlife resources by the state.

1.2.2 Approaches to Conservation

Most early conservationists valued nature for its own sake and emphasised the importance of guarding of wildlife from exploitation and preserving it for the future (Rudge et al. 1997; Makombe 1993). Such approaches were unsympathetic to the needs of local people who were frequently excluded from areas which they had previously inhabited (Makombe 1993; IIED 1994; Apte and Kothari 2000). Some conservationists suggested that a large proportion of the

globe should immediately be cordoned off from humans (Foreman 1987). Access to wildlife and traditional subsistence resources was made impossible without breaking the law (IIED 1994; Apte and Kothari 2000). Trade in animals and animal products was opposed and it was thought that realising the economic value of wildlife was unnecessary (Makombe 1993) and would lead to its extinction (Rudge et al. 1997). Local people were excluded from protected area planning and implementation (Makombe 1993).

Table 1: A typology of participation.

Typology	Characteristics of each type
Passive participation	People participate only to the extent that they are told what will happen or what has already happened. Their responses are not listened to.
Participation in information giving	People participate by answering questions posed by extractive researchers.
Participation by consultation	People participate by being consulted. Such a consultative process does not concede any share in the decision-making, and professionals are under no obligation to take on peoples views.
Participation for material incentives	People participate by providing resources, for example labour, in return for cash or material incentives.
Functional participation	People participate by forming groups to meet predetermined objectives related to the project. Such involvement tends to be after major project decisions have been made, and groups tend to be dependent on external initiators and facilitators.
Interactive participation	People participate in joint analysis which leads to action plans and the formation of new local institutions. These institutions take control over local decisions and so people have a stake in maintaining the institutions.
Self-mobilisation	People participate by taking initiatives independent of external institutions to change systems. They develop contacts with external institutions for resources and technical advice, but retain control over how resources are used.

Source: adapted from Pretty et al. (1995).

This approach still has its proponents (for example Spinage 1998; Oates 1999; Bruner et al. 2001; Terborgh 1999), and may be the only effective way of safeguarding the future of some of the world's most important areas of biodiversity (Hanekom 1996). It has, however, been largely outdated by more inclusive approaches to conservation, and many stress that returning to old approaches will not solve the problems facing protected areas today (Brechtin et al. 2001; Wilshusen et al. 2001). The term 'conservation' originated in the field of natural resource management rather than biological preservation with which it has often been equated. It was a term used to describe a philosophy of sustainable utilisation rather than prohibition of use

(Makombe 1993). J. Passmore stated that preservation was the saving of natural resources *from* use, and that conservation was the saving of natural resources *for* later consumption (Makombe 1993; IIED 1994). Many modern conservationists accept that human habitation and controlled resource use by local people does not inhibit effective conservation (Carruthers 1993), and that income generation and biodiversity protection need not be incompatible (Brown 1996).

Since the 1970s there has been a growing belief in the importance of understanding the perspectives and needs of local people, and this has led to the emergence of participatory approaches (Table 1). More active types of participation have increasingly typified such approaches. They seek to devolve power and responsibility for resource management to the community, and actively involve them in benefit generation and distribution (IIED 1994; Adams 2001). The roles of sociologists have been emphasised, and conservation biologists have been encouraged to become 'civil scientists' who use their skills to benefit local people (Getz et al. 1999). "*At the 1982 World Congress on National Parks in Bali, professional conservationists adopted the idea that their work should be community-friendly and promote development*" (Fabricius et al. 2001). In 1985, WWF launched its Wildlife and Human Needs Programme, and the World Bank's 1986 policy on wild lands recognised that the protection of natural areas should be integrated into regional economic planning. The Earth Summit in 1992 resulted in the Convention on Biological Diversity, which advocated equitable benefit sharing and sustainable use as two of its three principles. Many modern conservationists now see interactive participation and self-mobilisation as the only morally acceptable, and scientifically effective way to conserve natural resources.

1.2.2.1 The Roots of Modern Approaches to Conservation

Political Roots

Protected area establishment is frequently accompanied by social injustice (Adams and Hulme 1998; Apte and Kothari 2000). When Keoladeo National Park, India, was gazetted, local people were not compensated for the loss of grazing land, and seven of those who tried to graze their livestock in the park were shot (Kothari et al. 1996). When Lake Mburo National Park, Uganda, was established in 1983, many residents were evicted (Mugisha and Infield 1996). In 1985 and 1986 they slaughtered wildlife in an effort to eliminate the area's conservation value, and have it returned to them for use as agricultural or grazing land (Hulme 1997b). The authorities de-gazetted 60% of the park, but relocation efforts continue in the remaining 40% (Mugisha and Infield 1996).

Local people bear most of the costs of conservation. Leopards and tigers in Chitwan National Park, Nepal, kill many domestic livestock. In one area, domestic cattle constituted nearly 30% of tiger kills. From 60-90% of the crops adjacent to the park are damaged by wild herbivores, and attacks on humans by tigers, rhinos and elephants have increased over the years as wildlife numbers have increased (Mishra et al. 1989).

Local resistance to such infringements has often been strong, particularly in India, where there are many historical examples of collective action against destructive 'development' projects imposed by the state or private corporations. For example, there was much resistance to deforestation by the British colonial government in the Himalayan foothills. This resistance was a precursor to India's famous Chipko movement. More recently, mass movements against commercial and industrial projects, such as big dams, coupled with a powerful drive towards decentralised government structures has resulted in significant legal and policy shifts in favour of more inclusive approaches (Roe et al. 2000; Borrini-Feyerabend 2003).

These social injustices have been subject to increasing condemnation and have fuelled a growing demand for more democratic methods of natural resource management typified by more modern approaches to conservation (Adams and Hulme 2001a). The relative weakness of African governments and their dependence on foreign assistance has often meant that they have limited power to object to the adoption of such western views (Adams and Hulme 1998). "*An international consensus is emerging that requires governments to develop institutions and implement processes that involve people at a local level*" (de Villiers 1999c). International statutory requirements for involvement of indigenous communities in matters affecting the environment occur in, for example, the 1994 United Nations Draft Declaration on the Rights of Indigenous Peoples, and the World Heritage Convention (de Villiers 1999c). Protected area network expansion in Australia has coincided with both the recognition of indigenous land rights and an awareness that many protected areas were established at cost to these rights (Davies et al. 1999).

Recognition of Utilitarianism, and the Wilderness Myth

Humans have relied upon natural resources for subsistence and for commercial gain for generations. Indigenous biota can provide important dietary supplements, and is often more resistant to drought than cultivated crops or livestock. For example, in one area of the Northern Territory of Australia, it was estimated that bush food provided 46% of energy intake and 82% of protein (Altman 1987). Other uses include fibres, fuel, building materials, and medicine such as aloe from wild aloe trees. Tourism and sale of animal products such as ivory can also provide income (Makombe 1993).

It is likely that few if any areas of the world are truly undisturbed habitats. Many protected areas contain large human populations. In the late 1980s, 69% of Indian and 86% of South American national parks were inhabited (Kothari et al. 1996; Peres and Terborgh 1995). Many proclaimed 'wilderness areas' also have a history of human occupation. The Amazon rainforest contained large towns, canals, irrigation schemes and few areas untouched by shifting cultivation (Pearce 1997). Likewise, the Peten region of Guatemala was once the centre of a Mayan empire supporting 2,000,000 people (Wood 1993).

Conservationists have increasingly recognised the importance of natural resource utilisation to local communities, notably in the People's Democratic Republic of Lao where donors and

government adopted more inclusive approaches to protected area management for this reason (Roe et al. 2000). It was also recognised that this very utilisation may have helped create what is today considered to have biodiversity value (Pimbert and Pretty 1995).

Economic Roots

As populations grow, pressure to realise the economic value of natural resources increases (Adams and Hulme 1998; 2001a). Conflicts between local people and authorities can escalate, rendering law enforcement impractical and costly (IIED 1994). Protected area maintenance is expensive, and can be low on the agenda of developing country governments, especially if the immediate economic benefits are low and other land uses could be more profitable. For example, Lake Mburo National Park, Uganda currently generates US\$250,000 per annum from tourism and illegal uses such as poaching, but the land could potentially generate US\$43-104 million per annum from agriculture (Hulme 1997b). A state-dependent non-economic approach may therefore be inappropriate in the developing world (Child 1996; de Villiers 1999c). Democratisation and an increasing acceptance of neo-liberal macroeconomic policies by ruling elites in some countries has put pressure on national parks to earn their survival (de Villiers 1999c). In 1989, the government of Zimbabwe declared that wildlife was a resource which had to compete with other land uses (Murphree 1997). This ethos applies to wildlife both inside and outside protected areas, which in Tanzania earn relatively equal amounts of revenue (Department of Wildlife 1996).

Adopting an economic approach with regards to endangered species is contentious, but advocates state that trade has not caused any species extinctions. Numbers of Nile crocodile have increased since the realisation of the value of their skins. Demand for rhino horn is US\$22,000 per kilogram, and resuming legal trade in horn may assist long-term conservation efforts ('t Sas-Rolfes 1995). Elephants have been downlisted from CITES Appendix I to Appendix II in Botswana, Zimbabwe and Namibia, thus allowing the sale of stockpiled ivory between one seller and one buyer in order to ensure accountability (CITES 1973).

Effective Conservation

Many early colonial policies regarding land and wildlife management led to the depletion of wildlife populations when applied in developing countries (Carruthers 1993). The largest losses of African game were caused by whites erecting fencing to control what they saw as vectors of disease, changing land use to agriculture, and hunting (Lewis and Carter 1993; Carruthers 1993). This hunting led to the extinction of the bloubok and quagga.

Ensuing Eurocentric policies also failed to ensure effective conservation as they ignored the socio-economic dependence of rural populations on wildlife. "*The greatest single threat to the survival of the wild animals in Africa (is) the fact that rural blacks...have been alienated from the continent's wildlife by Eurocentric legislation forced on them during the colonial era*" (Lewis and Carter 1993). The successes of Tanzanian conservation policies, which protected wildlife using rangers, guns, vehicles and aircraft, were short-lived due to the exclusion of local

communities from decision-making processes, benefits from wildlife and compensation for injury or damage (Neumann 1998; ole Parkipuny 1996). Management of Mount Kenya Forest in the 1980s failed because of commercial and illegal timber extraction by local people. Forest degradation could not be prevented due to limited finances and staff capacity (Emerton 1998b). Tribal groups who fished sustainably using traditional methods in what is now Kanger Ghati National Park, India, no longer have access to resources. Since park authorities banned fishing, tribals fish quickly and unsustainably using DDT to kill as many fish as they can before the authorities catch them (Apte and Kothari 2000). The dependence of local communities on forest products was recognised in the 1990s, and a shift towards community conservation followed (Emerton 1998b). Antagonism from local people can be particularly acute where they bear the costs of increasing wildlife populations (Munthali 1996). In Ruaha National Park, Tanzania, 64% of poachers came from villages surrounding the park, and 80% of the people questioned reported crop damage on their land from park wildlife (Hartley 1996). Establishing Amboseli National Park, Kenya, led to considerable resentment from the Maasai. They speared wildlife and hunted rhinos nearly to extinction, not for their horns or meat (Maasai do not eat game meat), but because they felt that it was white tourist's desire to see wildlife which had taken their land (Koch 1994).

Colonial communal land use policies also proved to be a conservation disaster. Changes in land tenure systems mean that *"today, most land in the world belongs (officially) either to an individual or corporation, or to a government"* (Borrini-Feyerabend 2003). Sentimental ideas of communities living in harmony with nature were invalidated (Adams and Hulme 1998), particularly where high population pressures combined with open access to land provided few incentives for sustainable wildlife management (Munthali 1996; Hardin 1968). Poor people were no longer regarded as the principle agents of destruction. Or if they were, more attention was given to the social conditions or open access land policies which encouraged unsustainable resource use (IIED 1994; Jeanrenaud 2002; Wilshusen et al. 2001). Many felt that it was only where communal or private landowners managed natural resources with a minimum of external interference, that ecological and economic sustainability could be attained (Martin 1999).

Effective conservation requires wildlife management both inside and outside protected areas (Brown 1996; Western 2001). Genetically viable populations of Africa's more mobile species cannot be sustained in small areas (Adams and Hulme 1998). Most wildlife in east and southern Africa is found outside protected areas on private or communal land. For example, 65-80% of Kenya's wildlife exists outside protected areas, and less than 10% of Namibia's wildlife is in protected areas (Emerton 1998a). Reserve design criteria had influenced national park establishment little (Kremen et al. 1999) and parks rarely contained full ecosystems or representative parts of all habitats (Cumming 1990).

Effective conservation, both inside and outside protected areas, means that wildlife must be a competitive form of land use (Child 1996). It costs approximately US\$200/km² per year to

manage wildlife estates in southern Africa, many of which receive less than US\$10/km² per year (Dalal-Clayton 1997). The increasing democratisation of Africa has reduced state spending on conservation, and many protected areas now exist only as 'paper parks' (Pimbert and Pretty 1995). States can reduce their costs by adopting more inclusive approaches to conservation and devolving responsibilities for wildlife management (Kiss 1990). The Kenya Wildlife Service admits that it does not have the capacity to manage wildlife outside its protected areas, and seeks to devolve this responsibility to communities or NGOs (Lusiola 1996). More inclusive conservation strategies have met with some success. Kenya has lost 44% of its wildlife from 1978 to 1996, 48% of which was from within, and 31% from outside protected areas. Financial incentives for conservation in the districts of Kajiado and Laikipia, meant that wildlife numbers varied little during this period (Pearce 1996). Although conservation of all key areas of biodiversity will be difficult to achieve through economic means, the more wildlife that can be conserved economically, the more resources will be available to conserve non-financially viable natural systems (Child 1996). Lastly, conservationists also realised that adopting community-friendly approaches to conservation would allow them access to funding from development grants as well as conservation grants (Adams and Hulme 1998).

Human Disturbance may be Necessary to Maintain Biodiversity

Human disturbance is an integral part of many ecosystems and is often necessary to maintain biodiversity (Budiansky 1995; Ghimire and Pimbert 1997; Pearce 1997). For example, the Serengeti was partially maintained by Maasai cattle, and cattle exclusion is thought by some to have caused scrub encroachment on the plains (see Pimbert and Pretty 1995). Forcible removal of livestock from Keoladeo National Park, India changed the park ecosystem by allowing encroachment of grasses (Kothari et al. 1996) which park authorities now rely on hired tractors and diggers to remove. Likewise, cattle in Lake Mburo National Park, Uganda, may help control the encroaching acacia (Hulme 1997b). Human activity may also increase biodiversity. For example, soils of the semi-arid Machakos (latterly known as Makueni) District in Kenya in the 1930s were degraded and supported no trees and little biota. From 1930 to 1990 the human population increased fivefold, soil erosion slowed due to terracing, and tree numbers increased along with biological richness (Tiffen et al. 1993). Community initiatives in Uttar Pradesh, India, have ensured that what was once a degraded forest is now several 100 ha of dense mixed forest inhabited by a diversity of wildlife (Suryanarayanan et al. 1999).

Local People's Capacity to Manage Natural Resources

Colonial conservationists assumed that local people lacked the capacity to manage natural resources. They blamed local people for unsustainable natural resource use rather than open access land policies and the high pressures that faced local people in fulfilling their basic living requirements (IIED 1994; Fourie 1994). This myth was perpetuated in documentation, such as South African school text books (Fourie 1994). However, some cultures are expert conservationists. *"The practice of 'setting aside', delimiting' and 'protecting' a place or a species is universal, basically found in all world cultures (from the herms of pastoral*

communities in Asia to the tapus of fishing communities in the Pacific, from the Kaya forests of Kenya to the heronries of India)” (Borrini-Feyerabend 2003). Customary management in the Marovo lagoon, the Solomon Islands involves complex unwritten rules on fishing methods, periods and offtake quantities, all within a framework flexible enough to allow for expansion by commercialisation (Hviding and Baines 1992 quoted in Pimbert and Pretty 1995). The Indian state of Maharashtra has over 400 sacred groves which are honoured and preserved by local people (Western and Wright 1994). The Chapoto Ward Wildlife Committee, Zimbabwe, manages wildlife by taking trophy measurements (horn or tusk length) which then determine next season’s hunting quotas (Murphree et al. 1998). The local community of Jardhargaon in Uttar Pradesh, India, has regenerated forest cover for over 20 years despite a doubling of its population (Suryanarayanan et al. 1999).

Although there is a growing body of evidence illustrating how local communities have successfully and sustainably (if not scientifically) managed natural resources (Lewis and Carter 1993), many case studies come from times when population pressures were low, levels of natural resources high and weapons primitive (Spinage 1998). Many traditional management regimes also now no longer exist due to colonial politics and land tenure policies.

1.2.3 Current Protected Area Categorisation

In recognition of the different levels of protection that an area can receive, different aims of protected areas and varying degrees of involvement of local communities, IUCN - The World Conservation Union, produced an evolving series of protected area management categories (Appendix 2). Several categories recognise that the natural environment is usually a product of interactions between people and nature, and that landscapes have cultural as well as natural value. Many embrace more inclusive approaches to conservation, and the IUCN Commission on National Parks and Protected Areas now states that management regimes in all but Category I protected areas must take into account the needs of indigenous people, including subsistence resource use, with the qualification that this will not adversely affect other management objectives (Lawrence 1999).

The term ‘national park’ is currently applied to protected areas achieving varying levels of protection, that have different aims depending on which country they are in. National parks are often state-owned, but not always. National designations do not necessarily adhere to IUCN’s classification system (IIED 1994). This defines national parks as Category II (Appendix 2).¹ To be considered as IUCN Category II, a national park should be managed primarily for ecosystem protection and recreation. British national parks, however, are actually classified in Category IV of IUCN’s system.

Buffer zones soften the edges of the core conservation areas they surround, and were among the first attempts to promote land use for conservation and development. The UNESCO Man and Biosphere Programme promoted them in the 1970s in order to meet the needs and aspirations of local people (IIED 1994), for example by allowing selective extraction of renewable resources.

However, buffer zones suffer from various theoretical and practical problems. The term implies that protected areas should be buffered from human influences, but this is unnecessary if conservation objectives are not compromised by human habitation or use. There is also no clarity regarding what a buffer zone and its functions should be. For example, whether it is a physically delineated area, and whether certain land uses within it are legally restricted (IIED 1994). The Serengeti Regional Conservation Strategy, Tanzania, has identified and implemented three types of buffer zones (Maige 1996), and the Department of Wildlife (1996) believes that choosing wildlife as the land use option around small core conservation areas would meet conservation and development objectives. However, effective community management needs legal rights (Maige 1996), and there is no Tanzanian legislation that would allow Tanzania National Parks to establish or control buffer zones (Bergin 1996).

Biosphere Reserves were launched in 1971 by UNESCO's Man and Biosphere Programme. They comprise of core zones with no human influence, buffer zones and transition zones, and can include land and marine ecosystems (Batisse 1993). Conservation and ecotourism as well as utilisation and economic activities such as agriculture, industry and urban growth occur in different zones. Reserves do not necessarily depend on an existing protected area, but owners of privately or communally owned land can often choose to incorporate their land into the buffer or transition zones around state or privately owned core areas (UNESCO 2001).

Transfrontier conservation areas (TFCAs) or peace parks also accommodate multiple land uses (Hanks 2001). They aim to enhance conservation, for example by re-opening animal migration routes across borders, for financial sustainability, with revenue from ecotourism, and for community benefits from ecotourism. The Peace Parks Foundation, set up in 1997, aims to fund and facilitate the development of TFCAs. Its funding comes primarily from member countries and the World Bank's Global Environment Facility (GEF). TFCAs have been initiated in seven areas linking South African protected areas with those in neighbouring countries. The Kgalagadi Transfrontier Park between South Africa and Botswana is the most advanced. The Kruger/Banhine-Zinave/Gonarezhou TFCA between South Africa, Mozambique and Zimbabwe will at 95,712km² be one of the biggest conservation areas in the world (Peace Parks Foundation 2001). However, its success is inhibited by differences in management capacity, and problems regarding equitable sharing of income between Mozambique and South Africa (Ledger 1996).

1.2.4 Initiatives Linking Communities with Conservation

Many initiatives linking communities with conservation activities have not been formally designated in any of the above categories, and in practice a wide range of models have been used to try and marry conservation and community needs. Protected area outreach involves the provision of education and other benefits to communities, and aims to enhance the role of the protected area in local planning (Roe et al. 2000). For example, staff from the Amacayacu National Park, Colombia, undertook activities to inform and benefit local Ticuna people

(Borrini-Feyerabend 1996). In Malaysia, Vietnam, Laos, Cambodia, Burkina Faso, Niger and Benin, protected area agencies have recently begun to accept that communities need to be involved in protected area management, although only in non-core areas such as buffer zones at present (Borrini-Feyerabend 2003). Integrated Conservation and Development Projects (ICDPs) also aimed to provide alternative forms of livelihoods to people living next to protected areas to reduce pressure on protected area resources (Barrett and Arcese 1995).

Collaborative management seeks to create agreements between local communities and conservation authorities or government officials for negotiated access to natural resources (Roe et al. 2000). For example, Canadian wildlife has no owner until captured or killed, and is managed by the Crown on behalf of all Canadian citizens. However, in some places Canadian Indian and Inuit people have special rights to wildlife derived from historical agreements. These rights do not imply ownership but they do provide for traditional use (Treseder et al. 1999). Communities can obtain wildlife use rights in Namibian conservancies provided they meet certain institutional requirements (Fabricius et al. 2001). The Ostional community in the canton of Santa Cruz, Costa Rica, is the only group worldwide, which is legally allowed to exploit sea turtle eggs (Imbach and Gutierrez 2000). The management of vicuñas (valued for their fine fleeces) in Peru has provided communities with progressively more control, starting with use rights and stewardship and then moving on to property rights. However, the vicuña is listed in CITES Appendix I and the sale of vicuñas on the open market is prohibited (Lichtenstein et al. 1999).

Co-management or joint management implies equitable decision-making regarding the management of natural resources. Borrini-Feyerabend et al. (2000) define it as *“a situation in which two or more social actors negotiate, define and guarantee amongst themselves a fair sharing of the management functions, entitlements and responsibilities for a given territory, area or set of natural resources.”* For example, the Beverly-Qamanirjuaq Caribou Management Board in Canada has eight Aboriginal members and five members representing the governments of Canada, Northwest Territories, Manitoba and Saskatchewan, and is arguably the most successful case of co-management in Canada (Treseder et al. 1999). The Galapagos Marine Reserve is co-managed by a committee consisting of local stakeholders and representatives of Ministers (Heylings and Bravo 2001), and co-management is being developed for the Pulmarí Protected Indigenous Territory in Argentina (Borrini-Feyerabend 2003). In Cameroon, 14 of the 22-member Advisory/Management Committee for the Park of Waza and its Periphery are members of communities which were relocated during national park establishment (but do not own national park land). Women on this committee have negotiated community rights to manage a restaurant in the Waza National Park, and are negotiating natural resource harvesting rights (Borrini-Feyerabend et al. 2000). Likewise, ‘joint protected area management’ in India does not necessarily require community ownership of land, but occurs on land which is traditionally used by communities, and which both the community and government officials have joint responsibility for managing (Apte and Kothari 2000).

Community-based natural resource management (CBNRM) implies a more prominent role for the community in managing natural resources. The Kuna Yala Indigenous Reserve in Panama was established in 1994 and is managed and controlled by the local Kuna people, with the help of some external funding and expertise (Archibold 1993; Solis et al. 2003). Such initiatives may be community-driven. For example, two communities in the Alwar District of Rajasthan, India, have declared a public wildlife sanctuary over 1,000 ha of forest (Shresth and Devidas 1999). Other protected areas are actually owned and managed by communities themselves, such as certain fish reserves in Samoa (King and Faasili 1998). The Alto Fragua-Indiwasi National Park, Colombia, was created in 2002 and is owned by Ingano communities who have voluntarily established a CBNRM regime with state backing (Borrini-Feyerabend 2003). Indigenous Protected Areas in Australia are owned by Aboriginal people who receive government funding and assistance in return for protecting their land. These are also fully integrated into the national system of protected areas, and the first was proclaimed in 1998 over an Aboriginal property named Nantawarrina in south Australia (Smyth 2001). However most initiatives linking communities with conservation activities do not involve community ownership.

1.2.5 Contractual National Parks

CNPs are defined as follows for the purpose of this research: they involve co-management or joint management of natural resources, but specifically on privately or communally owned land, with management decisions made jointly by the owners and the conservation authority or other specified officials. CNPs are characterised by contracts or joint management agreements identifying boundaries and ownership, and laying out the rights and responsibilities of landowners and land managers (the conservation authority). They are therefore different from privately owned and managed protected areas such as Mkhaya Game Reserve in Swaziland. Agreement terms are dictated by a joint management committee/board consisting of landowner representatives and conservation authority or government representatives, or other specified individuals. Formalising dual responsibility for decision-making and management puts the landowners in a position of considerable power, which will in theory facilitate genuine participatory co-management rather than the coercion and consultation typifying weaker community conservation projects.

With the growing international acceptance of aboriginal land rights, many CNPs are emerging from highly political land claim processes that result in land reform and changes in land ownership. CNPs have their longest history in Australia (section 1.4.4) where the Aboriginal Land Rights (Northern Territory) Act of 1976 granted title to certain areas in the Northern Territory to traditional Aboriginal owners. The lease for Kakadu National Park (KaNP), the first CNP on Aboriginal land, was signed in 1978 (Hill and Press 1994).

CNPs are also common in Canada, where they arose as part of a wider shift in North American wildlife policy, which was moving away from conservationist approaches and sought to

reconcile government and community needs (Treseder et al. 1999; Osherenko 1988). The Federal Government has settled 10 claims since the Comprehensive Land Claims Policy was introduced in 1973. The James Bay and Northern Quebec Agreement of 1975 was the first of these, and provided for Cree and Inuit ownership of lands, monetary compensation, exclusive hunting and trapping rights and an equal share in resource management decision-making (Treseder et al. 1999). Wildlife co-management regimes with co-management boards often resulted from these claims, and the Nunavut Land Claims Agreement, settled in 1993, provides a time frame for the establishment of national parks, territorial parks and conservation areas in the Eastern Arctic. Actual legal cases have been uncommon and the emphasis has instead been upon seeking comprehensive settlements between the Canadian government and the Indian and Inuit peoples (SPP 1995; Treseder et al. 1999).

CNPs exist in South America, for example the Isiboro-Secure National Park in Bolivia is owned and jointly managed by indigenous communities (Oviedo undated; Borrini-Feyerabend 2003). Kaa-Iya del Gran Chaco National Park and Integrated Management Natural Area, Bolivia, is owned by the indigenous organisation Capitanía del Alto y Bajo Izozog, and jointly managed with the Ministry of Sustainable Development and Planning. Its management committee, established in 1996, must help define management policies and participate in the execution, management and evaluation of management and operational plans (Beltrán 2000). The Ministry of Environment in Nicaragua is responsible for administering the System of Protected Areas of Nicaragua, but can, in some cases delegate this responsibility to third parties through a co-management agreement. Cayos Miskitos and Franja Costera Marine Biological Reserve was established in 1991 by means of a co-operative agreement between the Ministry and the Miskito indigenous people, and debate over roles and responsibilities of the co-managing institutions continues (Beltrán 2000). Many French and British national parks are also on privately owned land (Finger-Stich and Ghimire 1997). For example, the majority of the North York Moors is privately owned (Borrini-Feyerabend 1996).

Protected areas now cover about 10% of world territory (Borrini-Feyerabend 2003), but CNPs probably contribute to a small percentage of this. For example Gutiérrez et al. (2000) state that in Central America, *“most people involved in community wildlife management do not own the land they live on. They usually live on government lands under various protected and unprotected regimes”* and in Africa as a whole, probably only 1% of forest estates are community or jointly-managed (Borrini-Feyerabend 2003). However, CNPs are becoming increasingly popular in some parts of the world. For example, co-management resulting from comprehensive land claims is now the dominant regime for wildlife in Canada’s northern territories and continues to expand. It is the norm for the Inuit, and although it remains uncommon for most Indian and Metis people, interest and involvement in the Canadian southern provinces (outside of the comprehensive land claims process) is probably increasing (Treseder et al. 1999). About 50% of the 2,000 official protected areas established in the last 200 years are on land customarily occupied by indigenous people (86% in Latin America) (Amend and Amend 1995), and as community rights become

recognised, and the need to find solutions meeting both conservation and development objectives increases. Legal claims to land expropriated in defiance of pre-existing rights are being processed in countries such as Guatemala, Panama, Honduras and El Salvador. For example, the Guarani of south-eastern Brazil are now asking for the return of their land, much of which is currently occupied by protected areas such as the Superagüi National Park. Several countries (e.g. Brazil, Bolivia and Colombia) have legal provisions which recognise their indigenous peoples' right to manage their land, and "*soon, a vast proportion of existing protected areas of the region may be community-managed, totally or partially*" (Borrini-Feyerabend 2003). Restitutions have already occurred in Australia, New Zealand, America and South Africa. As a means of meeting conservation and development objectives, the CNP model has also been widely adopted in Australia and South Africa, and it is these two countries which are the focus of this research.

1.3 THE SOUTH AFRICAN CONTEXT

1.3.1 African Marginalisation

Before apartheid ended, black Africans were marginalized in many ways. The Native Land Act of 1913 designated 8% of farmland as native reserves which were the only areas where black Africans, who made up 72% of South Africa's population, could legally farm. These homelands were communal lands held in trust for the state rather than communities. Their administration by tribal authorities was often politically motivated, and overcrowding caused customary land management systems to collapse (REDDA/NESDA 1995) resulting in overgrazing and the hunting out of game. Strong tenure rights were only available for white South Africans. Blacks could have residential permits and permits to occupy, but tenure was state-controlled, short-term and conditional (Cousins 1997). Whites also received subsidies, grants, free advice, credit and tax relief for their farms (Carnegie et al. 1998).

1.3.2 Biodiversity and Conservation Activities

South Africa is the third most biodiverse country in the world (DEAT 2001). It covers only 1% of the global land surface but contains 10% of the world's plant species (Low and Rebelo 1996). It contains seven biomes: fynbos, grassland, thicket, nama karoo, succulent karoo, forest and savannah, and about 70 distinct vegetation types (DEAT 2001). It is the only country to contain all of one of the world's six floral kingdoms, the Cape Floral Kingdom (Low and Rebelo 1996). However, its biodiversity is at risk. From 14-37% of plant, bird, amphibian, reptile, mammal and butterfly species are listed as threatened in the South African Red Data books. Seven animal and 40 plant species are listed in CITES Appendix I, and 165 animal and 983 plant species in Appendix II. Over 50 species are invasive aliens (DEAT 2001).

The origins of many of South Africa's conservation policies can be traced to western values brought over by colonists. In the 1850s, the Cape Government established what were effectively the first African state game reserves in the Knysna and Tsitsikamma forests. Lobbyists

promoting aesthetic and amenity enthusiasms, and scientific interests in botany sanctioned the application of European conservation values. Applying such values alleviated the anxieties of a white farming community and government concerns regarding the agrarian economy (Grove 1987). Africa was seen as a kind of 'Eden', which needed protection from desertification and the ravages of human misuse (Anderson and Grove 1987; Bell 1987; Adams and Hulme 2001a). Literature in the 1960s often expressed nature in spiritual or religious terms, and conservationists frequently saw themselves as preservers of nature for all mankind (Jeanrenaud 2002). Much pastoral rangeland was expropriated for wildlife conservation on the premise that pastoralists overgrazed and damaged the land (Homewood and Rodgers 1987). Overgrazing in fact more often resulted from colonial policies, for example regarding land tenure (Little and Broshenka 1987).

By the end of the 19th century, game was becoming scarcer due to hunting (Carruthers 1995; Beinart 1987). Europeans hunted to reap commercial benefits from ivory and skins, to subsidise the second level of European advance, and to enact the ideology and ritual of the hunt. Africans, however, were consistently blamed for decreasing game populations (Mackenzie 1987). The first adequate game conservation legislation in southern Africa was the 1886 Cape Act for the Preservation of Game (Mackenzie 1987).

Transvaal game reserves were established to protect the commercial value of game. They were managed according to preservationist principles and access was restricted to those with political and economic power. Protectionist legislation did not apply to commercially valuable species, however, and species such as elephant later needed total protection due to their rarity (Carruthers 1995). The word 'park' in fact comes from a term designating a well stocked area of land used for hunting (Mackenzie 1987). The Sabie Game Reserve opened in 1898 with the aim of increasing the size of state herds. It later combined with the Singwitsi Game Reserve. Proclamation as Kruger, South Africa's first national park, in 1926, reflected a growing aesthetic awareness of wildlife by whites, a growing Afrikaner nationalism, and a means of fostering a white South African national identity. Transvaal game reserves were established or abolished merely by proclamation, and national park status also provided more security for state herds (Fuggle and Rabie 1992; Carruthers 1993; 1995). Carruthers (1995) states that proclamation came about through "*ineffectual legislation, elitism, capitalism, and the exploitation of blacks*" rather than any consideration of ecological worth.

Sabie's first Game Warden was a Scot called James Stevenson-Hamilton. He introduced exclusionist principles and advocated the removal of Africans from game reserves. This was soon abandoned so that Africans could provide rent and compulsory labour for protectionist endeavours (Carruthers 1993). Kepe and Wynberg (1998) describe the approach to national park establishment as follows: "*the dominant approach prevailing during this period was that protected areas ought to be 'pristine', fenced-off areas. Once created, these areas serviced the recreational needs of the whites, with restrictions being placed on their use by other racial*

groups. This history has...created an extremely negative perception towards conservation and its adherents.” This ‘fences and fines’ approach reduced opportunities to involve communities in wildlife management, but reduced human/animal conflict and ensured both the survival of many species and high earnings from tourism (Dalal-Clayton 1997). In 1995, South Africa was the top African tourist destination with 4,676,000 visitors (Blaza 1996), but most benefits accrued to an elite minority. A 1993 economic analysis of Kruger National Park (KNP) showed that no other land use would be nearly as profitable (Engelbrecht and van der Walt 1993). However, in 2001, KNP was in debt² and despite its size, some herbivore populations may be in decline due to the lack of suitable habitat. Fencing may lead to inbreeding, and precludes the application of more appropriate metapopulation approaches (Nicholls et al. 1996).

South Africa’s recent history of racist minority rule has isolated it from international debates (Hanekom 1996) and ensured that South Africa has lagged behind the rest of southern Africa in implementing community-based conservation strategies. One 1995 workshop concluded that South Africa lacked CBNRM policies, that most community initiatives were ‘owned’ by national park managers and had failed, that costs outweighed benefits for rural people, and that compensatory approaches were more common than genuine co-management (REDDA/NESDA 1995). Additional problems included the large size of communities surrounding protected areas making it difficult to benefit all households (Robinson 1994), and the lack of community capacity to influence development even when the community owned land following successful land claims (REDDA/NESDA 1995).

Like many countries under colonial rule, South Africa has a history of conflict regarding its natural resources. Forced removals in particular led to suspicion and hatred of conservation authorities. When the Dwesa and Cwebe coastal nature reserves were established in the Transkei in the 1970s, community access to ancestral graves, trees, shellfish, ritual seawater, sand and seagrass was cut off. Protest action culminating in a meeting where controlled access, resource harvesting and shared decision-making was negotiated (GEM 1995a). However, promises came to little, and in 1994, communities destroyed reserve fences, cut down trees, and over-harvested shellfish. In 1995, natural resources collection was still not allowed, and trust levels between locals and conservation officials were low (GEM 1995b).

“The current protected area network in South Africa is not the result of a rational and systematic plan. To a large extent it is the product of opportunism, where land not required for other uses was acquired for conservation” (DEAT 2001). Personal opinions have also influenced national park establishment. For example, the then Executive Director of the National Parks Board (NPB) advocated a national park in the Richtersveld.³ Political factors have influenced national park establishment. For example, South African National Parks (SANP) did not oppose the Makuleke land claim in order to improve its social inclusion credentials under the new government.⁴ South Africa had no national biodiversity strategy in 1995 (Lombard 1995a; 1995b; Preston et al. 1995), and people felt that a more co-ordinated and comprehensive approach to conservation was

needed (Wynberg et al. 1996). The situation has since improved with a white paper on biological diversity, and a policy process to include a chapter on biodiversity in the revised National Environmental Management Act of 1998.⁵ Although conservation has generally benefited, the existence of national and provincial conservation agencies (Wynberg et al. 1996), and duplication between provinces has been problematic.⁶ Before 1994 at least 17 government departments were responsible for conservation (Ledger 1998; Robinson 1998).

In the mid 1990s, the Department of Environmental Affairs and Tourism (DEAT) convened the Lorimer Commission to investigate the issue of jurisdiction over conservation. The commission recommended further centralisation and rationalisation of conservation functions, but recommendations were not adopted (Lorimer Commission 1995). South Africa's 403 protected areas are now controlled by 13 agencies, 11 pieces of national legislation and nine pieces of provincial legislation (DEAT 2001). DEAT has traditionally been a weak department in terms of biodiversity conservation, since SANP takes on this role at the national level. SANP is autonomous from DEAT but answerable to its own board and to parliament. DEAT retains some policy functions and coordinates dialogue between the numerous conservation agencies.⁷

Conservation planning is now more systematic, defensible and transparent.⁸ Computer programmes map and prioritise areas using criteria such as vegetation irreplaceability or vulnerability.⁹ This approach has revealed that South Africa's protected area system conserves only 2% of the Succulent Karoo biome (Lombard et al. 1999). It has also been used to identify and plan two of South Africa's newest protected areas, Namaqua and Agulhas National Parks.¹⁰ However, some SANP officials said that algorithm use in protected area planning often re-enforced their gut feelings.¹¹ Choice of conservation value indicators also remains somewhat subjective.¹² Hotspots of richness, endemism and rarity are not always congruent (Lombard 1995a), and key areas for animals and plants may differ (Lombard et al. 1999). South African vegetation types have been mapped (see Low and Rebelo 1996), but extensive data on all of South Africa's biodiversity, rather than just the charismatic species, is lacking (Wynberg et al. 1996). Studies also suffer from collector's bias, for example, more species are collected from accessible areas.¹³

1.3.3 Support for Previously Disadvantaged Africans

Following the change to majority rule in April 1994, the new government has instigated some dramatic policy changes regarding black South Africans' rights and empowerment, many of which affect protected areas (Kepe 1997; Carnegie et al. 1998). Democratisation has resulted in increasing adherence to international norms, as illustrated by land restitution policies (de Villiers 1999c).

In February 1996, the Department of Land Affairs (DLA) published a green paper, which noted that *"current land ownership and land development patterns strongly reflect the political and economic conditions of the apartheid era. Racially-based land policies were a cause of insecurity, landlessness and poverty amongst black people, and a cause of inefficient land*

administration and use." Land reform through the Restitution of Land Rights Act 1994 and the Reform Laws Amendment Bill 1999 is central to the new government's aims of returning land to black Africans and correcting the balance of power between communities and conservation authorities (Marcus et al. 1996; Carnegie et al. 1998). The Land Commission and the Land Claims Court aim to facilitate land restitution, redistribution and tenure reform through negotiation and mediation (Marcus et al. 1996). Land claims in protected areas can lead to provision of alternative land, monetary compensation or restitution. The process has not been without problems. Regional land claim commissions investigating claim legitimacy have sometimes conducted weak research, for example at Dwesa National Park. The Land Claims Court can also only address the rights of those dispossessed after the cut-off date of 1913, the date of the Native Land Act (SPP 1995).

The Communal Property Association Act of 1996 allows previously dispossessed communities to establish a legal institution through which they can acquire, hold and manage property communally. The Act requires that proposed beneficiaries use participatory processes to develop a non-discriminatory, equitable, and democratic communal property association (CPA) accountable to its neighbours (Carnegie et al. 1998). Democratic principles are particularly important in previously autocratic communities where apartheid has caused the breakdown of traditional management structures (Kariuki 2001; REDDA/NESDA 1995).

Pressure on South African national parks to be more community-friendly has grown. Before 1994, the NPB was constituted by privileged whites to serve their own interests, but the Constitution as "*the supreme law of the Republic*," now obliges SANP to "*heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights*." SANP therefore has a constitutional obligation to promote economic and social development, as well as to protect the environment (Pienaar 1998). SANP recognises the need to ensure that national parks benefit the majority of South Africans (Fourie 1991; Wells 1996b; Robinson 1998), and that unless national parks are seen to contribute to local socio-economic development, mounting pressure on government for land could put them at risk. The population of rural blacks is likely to double in the next 20 years, with most remaining at subsistence level. Neighbours of Wilderness National Park are affluent whites who support the park, in other cases park neighbours are disadvantaged communities who see national parks as reservoirs of exploitable resources from which they are excluded (Ledger 1998). SANP took steps to deal with these issues, and in 1994 established a Social Ecology unit to improve neighbour relations and promote socio-economic empowerment (DANCED 2000a). In 1994 it proposed a national park neighbour relations policy to address issues such as tiered admission prices, park shops purchasing local goods, community wildlife education programmes, training and capacity-building for communities owning park land or park businesses, compensation for crop and property damage by park wildlife, controlled harvesting of park natural resources, and community employment (Robinson 1994).

Many of these proposals have not materialised, the Social Ecology unit is no longer an SANP directorate and organisational focus is instead on budgets. Park Wardens have been on business courses and renamed Park Managers, and many non-profitable camps and restaurants have been outsourced to commercial operators with the associated risk of increasing prices. The environment is low on the political agenda and government departments responsible for environmental issues lack capacity and funding (Dalal-Clayton 1997). Government subsidisation of SANP has been cut, and one recent government paper states that "*financing of conservation management in South Africa will be restructured to be increasingly self-supporting,*" and that commercialisation will be promoted (DEAT 2001). DLA policy papers in 2000 focus more on the rights of black farmers than the environment or land reform, funding for universities to research land claims has been withdrawn and Land Claims Commissioners have been replaced.¹⁴

SANP has, however, made some progress towards redressing past inequalities. Valid land claims and land restitution are no longer necessarily viewed as a threat to biodiversity conservation (DANCED 2000a). Where Mozambicans were once employed due to the ease with which they could be deported and their inability to reject low salaries, communities surrounding national parks are now preferentially employed. However, little preferential use of black entrepreneurs, consultants, manufacturers and suppliers has accompanied this. Social Ecology projects focus on environmental education and cultural resources and heritage management. Organisational racism and sexism has been reduced, and in 1999, 50% of the SANP Directorate were black South Africans (Cock and Fig 2000).

1.3.4 Contractual National Parks

On visiting French and British national parks on privately owned land, the then NPB Chief Executive recognised the potential for applying such practices in South Africa. Support was needed from South African departments responsible for mining in order to establish what was known as a 'Schedule One National Park' providing the highest national level of protection possible under the National Parks Act of 1976. However, this support was not forthcoming due to conflict between mining companies and the NPB. CNPs provided a way to establish national parks without obtaining mining rights. The National Parks Act was also one of the few government acts permitting land expropriation. Fearing this, many landowners next to national parks were keen to enter into contracts,¹⁵ the terms of which ensured the NPB would not expropriate their land (Transvaal Provincial Administration 1991; Robinson 1998). A 1983 National Parks Act amendment allowed for "*the establishment of national parks also in respect of land the mineral rights of which have not been acquired and land which remains the property of a private person.*" CNPs are now declared under section 2B(1)(b) of the Act which was inserted in a 1986 amendment. Prior to these amendments, national parks had to be on state-owned land with no farming, prospecting, mining or military manoeuvres permitted. Protecting certain key areas of biodiversity was therefore virtually impossible, and Grassland, Succulent Karoo, Nama Karoo and thicket biomes were underrepresented in South Africa's protected area

network (Lombard 1995a; DEAT 2001). CNPs helped rectify this. For example, one has been negotiated for the privately owned Agulhas Plain, which falls within the world's 'hottest' hot-spots of plant diversity and endemism (Lombard et al. 1997).

In South Africa, a CNP is defined as *"any land that is either privately owned or state-owned that is managed by an agreement reached between the owner (state or private) and the National Parks Board and legally specified in a contract"* (Robinson 1985). It was envisaged that CNPs would surround and protect state-owned, SANP-managed core conservation areas protecting key biodiversity¹⁶ (Hanekom 1996). The Richtersveld National Park (RNP) is unusual in this respect as it is entirely contractual. Agreements were to be long-term to allow time for returns on investment to accrue.¹⁷ Some SANP officials feel that CNPs should only protect land of high biodiversity value (Magome undated), which SANP cannot purchase.¹⁸ Thus, CNPs would differ from buffer areas, which just increase national park size rather than protecting key biodiversity¹⁹ (Magome undated). However, one SANP official said CNPs should prioritise community involvement and sustainable land use, whilst national parks should prioritise biodiversity conservation and ecosystem functioning with minimal interference and no consumptive use.²⁰ Certainly, CNPs were originally based on the premise that controlled levels of tourism, culling and access for local people to areas of spiritual importance would not necessarily compromise conservation objectives (Robinson 1985). They provided a framework through which conservation objectives could be met without heavy investment in land purchase or alienation of local people, and through which social, developmental and economic objectives could also be met (de Villiers 1999a; Robinson 1994). In practice, CNP objectives, conservation value and tourism income vary, and recently, CNPs have commanded less support from SANP due to their high economic costs.

1.3.5 National Conservation Priorities

"The mission of SANP is to acquire and manage a system of national parks that represents the indigenous wildlife, vegetation, landscapes and associated cultural assets of South Africa, for the joy and benefit of the nation." This includes the acquisition of *"new national parks and the expansion of existing national parks in order to achieve ecological and/or economic viability"* (SANP 1998). The National Parks Act of 1976 states that *"the object of the constitution of a park is the establishment, preservation and study therein of wild animal, marine and plant life and objects of geological, archaeological, historical, ethnological, oceanographic, educational and other scientific interest and...the park shall, as far as may be and for the benefit and enjoyment of visitors, be retained in its natural state."* South Africa's Environmental Conservation Act of 1989 states that environmental conservation policy must be applied with a view to *"the protection of ecological processes, natural systems and the natural beauty as well as the preservation of biotic diversity in the natural environment,"* but also with a view to *"the promotion of sustainable utilisation of species and ecosystems,"* the provision of *"acceptable living environments in accordance with the environmental values and environmental needs of communities,"* and *"the promotion of environmental education in order to establish an*

environmentally literate community." The 1998 white paper on environmental management stated that sustainable development was the "overarching goal" of environmental policy. The National Environmental Management Act of 1998 also focuses on the importance of sustainability and states that "sustainable development requires the integration of social, economic and environmental factors in the planning, implementation and evaluation of decisions."

Conservation objectives include a degree of cultural conservation. The Environmental Conservation Act of 1989 states that policy for environmental conservation must be applied with a view to "the promotion of the effective management of cultural resources" and the 1998 white paper on environmental policy aims "to ensure that the needs and values of affected communities are considered when assessing the impacts of developments and activities on cultural landscapes and sites." The National Environmental Management Act of 1998 states that "the disturbance of landscapes and sites that constitute the nation's cultural heritage [must be] avoided or, where it cannot be altogether avoided... minimised and remedied." SANP's Social Ecology unit also aims to "take full account of local cultural values and resources in park development and management" (SANP 1998).

SANP officials use several criteria for planning new national parks, the most important of which is how well certain vegetation types are protected elsewhere.²¹ Irreplaceability is important, for example, the proposed Greater Addo Initiative (GAI), which will greatly expand Addo Elephant National Park (AENP), will protect valley bushveld which once removed does not return.²² The location of rare or endangered species was used, for example, when establishing the RNP.²³ Species richness and vulnerability is important. For example, the rate of loss of grassland makes it a higher conservation priority.²⁴ Vegetation in Agulhas and Namaqua National Parks and GAI is also very vulnerable.²⁵ Vegetation types deemed irreplaceable but not threatened will be left by SANP until the situation changes.²⁶ Persistence of evolutionary and ecological processes is important. This often equates to a size requirement, although Agulhas National Park at 200km² is large enough to ensure persistence.²⁷ Large protected areas are more likely to sustain predator/prey relationships and be less at risk from external factors such as climate change²⁸ (Jürgens 1997). Heterogeneity may also foster persistence, for example, KNP's homogeneity may explain decreasing Roan antelope numbers.²⁹ Protection of whole water catchments may increase persistence, as such areas are less influenced by external factors.³⁰ Minimal human influence is important, and land without power lines, inhabitants and land claims is preferred.³¹

1.4 THE AUSTRALIAN CONTEXT

1.4.1 Aboriginal Marginalisation

The ancestors of Australia's Aboriginal people probably came from Asia on land bridges formed during ice ages between 60,000 and 20,000 years ago (Australian Nature Conservation Agency 1995). European settlers arrived in 1788 and declared the country *terra nullius*, or owned by no

one (Davies et al. 1999). Thus started decades of Aboriginal persecution (De Lacy and Lawson 1995). Many were forcibly resettled, particularly in reserves established by colonial administrators to protect them and prevent them from using land designated for stock farming and agriculture (Pearce et al. 1996). In the early 20th century virtual slavery existed. There was no real punishment for shooting Aboriginal people, and expeditions took place to wipe them out.³² The Australian constitution excluded Aboriginal people who could therefore not vote or qualify for social welfare benefits. Under the Aboriginal ordinance of 1918, mixed race children were taken from their parents to welfare homes, and by 1937 government policy was one of assimilation, regardless of Aboriginal people's wishes. Discriminatory clauses were removed from the constitution after 1967, but Aboriginal welfare was paid into community stores thus eroding self-respect and encouraging alcohol abuse (Lawrence 2000). Today only 16% of Aboriginal people have full-time non-community employment compared to 43% of other Australians, and unemployment levels are rising (Langton 1997). Education, power, water, housing and health in Aboriginal communities is poor (Langton 1997; Trudgen 2000) and Aboriginal people remain the most poor, sick, ill-educated, chronically unemployed, arrested and imprisoned people in Australia.³³

1.4.2 Biodiversity and Conservation Activities

Australia's long isolation from other land masses means that it has many unique species. Some 40% of its 720 native birds, 89% of its 750 reptiles, 93% of its 200 amphibians (Davies et al. 1999), 82% of its mammals and 85% of its flowering plants are endemic (Environment Australia 1997).

Australia has had less time to adapt to the effects of humans than Africa, but before Europeans arrived, land was probably managed sustainably due to traditional management techniques and small populations. Aboriginal spiritual affiliations to land include obligations to keep it healthy, keep species abundant, practise seasonal burning, control resource use, ensure that cultural obligations regarding hunting and food taboos are maintained and pass on traditional knowledge (Davies et al. 1999; De Lacy and Lawson 1995). European settlers saw Australia as a hostile environment rather than a managed ecosystem. They introduced many plants (De Lacy and Lawson 1995), at least 10 medium to large mammals, and cleared much vegetation for agriculture (Davies 1999). Despite this, biodiversity remains high (Davies et al. 1999). However, Aboriginal youth now have less interest in 'country', and the early death of many Aboriginal adults has disrupted knowledge transmission (Davies et al. 1999). Many Aboriginal people today also seek their livelihoods through the wider economy (Pearce et al. 1996).

National parks and conservation agencies were established in the 1960s and early 1970s. National park establishment was unpopular with Aboriginal people who lost access and use rights as management involved exclusion and regulation (Leaver and Fuller 1995; Hill 1993), much like early African conservation strategies (Davies et al. 1999).

Protected areas did not necessarily represent intact natural systems (Leaver and Fuller 1995) and were often proclaimed for reasons of opportunism and expedience (Hill 1993). *"Conservation efforts are under-resourced, in places uncoordinated, and sometimes inappropriate. There are still many ecosystems, species and communities that are important for biological diversity conservation but that are not represented in protected areas"* (Environment Australia 1997). Legislative and policy inconsistencies between states and territories, a lack of co-operation between agencies, and the fact that legislation regarding terrestrial and marine wildlife is separated makes co-ordination of conservation activities difficult (Davies et al. 1999).

A more systematic approach to conservation and the establishment of protected areas has recently been taken (Hill 1993). Strategies include the National Strategy for the Conservation of Australia's Biological Diversity, the National Strategy for Ecologically Sustainable Development, the National Forest Policy Statement, the National Reserve System, and the Wetlands Policy of the Commonwealth Government of Australia (Kakadu Plan of Management 1999).

Enlargement of Australia's protected area network requires co-operation with Aboriginal people (Hill 1993). Some 15% of Australia is Aboriginal-owned and this may increase following new legislation affecting Aboriginal land rights (Szabo 1996; Hill 1993). Much key Northern Territory biodiversity occurs only on Aboriginal land (Smyth and Sutherland 1996). Indigenous protected areas are one way of protecting it (Szabo 1996; Thackway and Brunckhorst 1998; Davies et al. 1999), as are CNPs.

1.4.3 Support for Aboriginal Australians

Legislative support for Aboriginal land rights is growing in Australia and the strongest examples are found in the Northern Territory (Davies et al. 1999). The Commonwealth Aboriginal Land Rights (Northern Territory) Act of 1976 grants title to certain areas to traditional Aboriginal owners and provides ways for them to claim other unalienated territory land. It provides for the establishment of land trusts to own the land, and land councils to manage the business of trusts, which are passive title holders (Hill and Press 1994; Haire 1995; Way 1999). The Act recognises traditional Aboriginal decision-making processes. It states that land councils must: ascertain and express Aboriginal views on land management; ensure they understand proposed changes; protect the interests of Aboriginal owners and other appropriate Aboriginals; help develop commercial activities; and help with land claims. They must accept money accruing to land trusts; nominate and record trust members; and map sites belonging to traditional owners. Land councils are funded from interests such as mining on Aboriginal land. This allows them more freedom to challenge government decisions (Way 1999). There are four Northern Territory land councils, of which the Central Land Council (CLC) and the Northern Land Council (NLC) are biggest (Smyth and Sutherland 1996).

Other Australian legislation also supports Aboriginal rights. Australia's 1992 High Court judgement in the case of Eddie Mabo and others versus the state of Queensland overturned *terra*

nullius and recognised native title thus enabling Aboriginal people to claim state land such as national parks (De Lacy and Lawson 1995). The Commonwealth Native Title Act of 1993 provides mechanisms to reclaim land or receive compensation, and also recognises indigenous hunting rights (Davies et al. 1999). However, its complexity has allowed resolution of few cases (De Lacy and Lawson 1995), and regional agreements are often used to avoid expensive litigation.³⁴ The 1996 High Court 'Wik' decision allowed the co-existence of pastoral leases, covering 40% of Australia, with native title (Davies et al. 1999), and other new cases provide continuing clarification about Aboriginal land rights.

Australian conservation legislation increasingly recognises Aboriginal issues. Uluru - Kata Tjuta National Park (UKTNP) and KaNP were established under the Commonwealth National Parks and Wildlife Conservation Act of 1975, which was particularly far-sighted in its authorisation of co-operation with Aboriginal people (Hill and Press 1994). The Environment Protection and Biodiversity Conservation (EPBC) Act of 1999 which replaced it states that national park management plans must account for the interests of "*the traditional owners of any indigenous people's land in the reserve*" and also states that the Minister can reject a draft management plan which does not represent land council views. The Act provides for the establishment of an Indigenous Advisory Committee, and states that Aboriginal interests must be considered when making conservation, recovery and threat abatement plans. The Federal Minister for the Environment declared in 1997 that the maintenance of Australia's biodiversity "*can only be achieved through the co-operation and involvement of all sectors of the community*" (de Villiers 1999b), and the current Minister of Environment and Heritage actively promotes Aboriginal values.³⁵

The government has, however, been accused of paying lip service to indigenous involvement in conservation. This is perhaps because, unlike in South Africa, indigenous people are a minority and therefore rely on majority support (de Villiers 1999a). Few government actions address commitments made in the National Strategy for the Conservation of Australia's Biological Diversity or a 1986 report from the Australian Law Reform Commission supporting traditional hunting. The current Conservative Federal Government would like to review the Aboriginal Land Rights Act and the Native Title Act³⁶ and supports indigenous rights less than the old Labor government.³⁷ Prime Minister John Howard will not apologise for historical discrimination.³⁸ The political climate has been characterised as a "*retreat from tolerance*" with more "*mainstreaming*" and inappropriate application of government policies to indigenous people (Davies et al. 1999).

1.4.4 Contractual National Parks

CNPs have existed longest in Australia where they were established to extend the protected area network in co-operation with Aboriginal people, and also to wield in constitutional power battles (Woenne-Green et al. 1993). Thirty CNPs are under negotiation, most of which are in the Northern Territory (Davies et al. 1999).

Australian legislation provides considerable support for joint management. The Land Rights Act allows Aboriginal land ownership through land trusts. It defines traditional Aboriginal owners as “a local descent group of Aboriginals who: (a) have common spiritual affiliations to a site on the land, being affiliations that place the group under a primary spiritual responsibility for that site and for the land; and (b) are entitled by Aboriginal tradition to forage as of right over that land.” It states that Aboriginal ownership in the Kakadu and Uluru areas involves a mandatory lease back to the Director of National Parks and Wildlife (the Director), but that contract termination will only affect land management and not ownership.

The Land Rights Act provides for occupation and resource use in Aboriginal-owned national parks (section 5.1.3), and other national legislation recognises and empowers boards of management, and details their powers and responsibilities³⁹ (section 7.1.3). Statutory empowerment of management plans allows such plans to overrule much other legislation. Actions damaging Ramsar wetlands, endangered communities, or vulnerable, threatened or migratory species are exempt from listed penalties if incorporated into a management plan that satisfies the Minister. The EPBC Act states that “*Commonwealth agencies must act so as not to contravene a management plan.*” It provides procedures for the public, land council, territory conservation agency and other parties to comment on the management plan. It also provides procedures for ministerial modification of plans, including opportunities for the Director to comment on modifications although the Minister has the final say.

The EPBC Act stipulates the Director’s powers and responsibilities. He must manage the protected area in accordance with the management plan, follow ministerial instruction and have regard for land council views. He may not sell use rights to a Commonwealth protected area, but may grant sub-leases in accordance with the management plan. He may not enter into contracts of more than AU\$250,000 without ministerial approval, and with this approval he may impose charges for entering and using a protected area.

The evolution of government legislation has allowed the joint management process to develop. Creating national parks on Aboriginal land, and accepting mining on non-national park Aboriginal land required major amendments to the National Parks and Wildlife Conservation Act, the Land Rights Act, and the Atomic Energy Act in 1978 (Lawrence 2000; Craig 1992). In 1985, the Land Rights Act was amended to include UKTNP, and the National Parks and the Wildlife Conservation Act was amended to establish plans of management and boards of management with Aboriginal majorities in Northern Territory Commonwealth reserves (Lawrence 2000; Altman and Allen 1992; Davies 1999). Further amendments of this latter Act in 1987 refined joint management arrangements (Hill and Press 1994). The EPBC Act replaced this Act and enforces change by stating that management plans are only effective for seven years.

The Commonwealth Government generally provides a supportive environment for joint management.⁴⁰ Pressure from political manipulation and other political parties⁴¹ can sometimes test joint management, but the Commonwealth Government plays fewer political games than the Northern Territory government at Coburg National Park.⁴² However, it has a high staff turnover, which requires constant explanation of joint management.⁴³ For example, the Minister at first had little grasp of joint management.⁴⁴ The last Federal Labor Government strongly supported joint management,⁴⁵ but there are more clashes over national parks with the current Federal Conservative Government.⁴⁶ For example, they want Northern Territory government representatives on boards of management.⁴⁷ They used to be more right wing,⁴⁸ but now understand that Aboriginal landowners cannot be coerced.⁴⁹ They are gaining respect for joint management and the Minister is learning.⁵⁰ The Northern Territory government, by contrast, still claims that executive authority regarding protected area is vested in them, and that Aboriginal land rights should not be within the legislative province of Canberra (Woenne-Green et al. 1993).

1.4.5 National Conservation Priorities

The National Strategy for Ecologically Sustainable Development aims to “*protect biological diversity and maintain essential ecological processes and life support systems*” (Environment Australia 1997). Legislative focus is on sustainable development, threatened species and community protection and alien species control. For example, the EPBC Act details requirements for inventories, and for protection and recovery plans for threatened species, threatened ecological communities, migratory species and marine species. It details Environmental Impact Assessment (EIA) processes and empowers the Minister to make specific conservation orders. One objective of the National Strategy for the Conservation of Australia’s Biological Diversity is to “*establish and manage a comprehensive, adequate and representative system of protected areas covering Australia’s biological diversity*” (Environment Australia 1997).

Much government legislation supports World Heritage Site conservation. The Commonwealth Government must plan, implement, resource and monitor, in perpetuity, the protection of natural and cultural heritage of listed sites (Lawrence 2000; Uluru Plan of Management 2000). Listing limits permissible activities (Davies 1999) but “*there is no impediment to existing land uses unless they threaten the outstanding universal natural and cultural values of the property*” (Environment Australia 1999a). Limitations are thus somewhat subjective. The World Heritage Properties Conservation Act of 1983 is the only such act of its kind in the world (Lawrence 2000). It prohibits activities such as mining, construction and tree removal unless carried out under a plan of management. UKTNP and KaNP Plans of Management are subject to independent technical audits to monitor World Heritage value status (Kakadu Plan of Management 1999). The EPBC Act states that “*a person must not take an action that has or will have a significant impact on the World Heritage values of a declared World Heritage property*,” lists penalties for violation and requires EIAs for actions in listed properties. However, it states

that World Heritage properties must have management plans that account for World Heritage value protection, and that actions in such plans are exempt from this. The Act also gives the Minister of Environment and Heritage control over actions in listed properties, and the Minister and both Houses of Parliament can reject a management plan that is inconsistent with World Heritage values.

The EPBC Act allows mining in national parks under specific conditions. It states that all rights except mineral rights in a Commonwealth protected area are vested in the Director, and that mining can occur when *"the Governor-General has approved the operations; and the person carries them out in accordance with a management plan in operation for the reserve."*

However, it states that although prior reserve use rights persist, this does not apply to mining in KaNP, and more explicitly that *"a person must not carry out mining operations in Kakadu National Park."* On Aboriginal land outside a national park, like the Ranger or Jabiluka mining leases in KaNP, the Land Rights Act stipulates that mining leases granted before 1976 are still valid even if a land trust has been established, and that new exploration and mining rights can be granted as long as the land council consults with traditional owners and agrees, and the Minister consents or the Governor-General pronounces it in the national interest.

The Northern Territory has some of the strongest Australian legislation for Aboriginal heritage protection. Aboriginal sacred and significant sites are protected under the Aboriginal Sacred Sites Act (Northern Territory) of 1989 and the Aboriginal Land Rights Act. These Acts provide mechanisms to prevent and punish site entry by non-Aboriginal people, and to compensate for damage (McWilliam 1998). Several KaNP sites are registered under the latter Act (Kakadu Plan of Management 1999). The Aboriginal and Torres Strait Islander Heritage Protection Act (1984), and Australian World Heritage legislation also help protect sacred sites and cultural values. For example, the proposed mine at Jabiluka in KaNP threatens the sacred site of Boiwek, and a World Heritage 'In Danger' listing could prevent mining from going ahead (Environment Australia 1999b).

The Commonwealth Government generally provides a supportive environment for conservation. Australia's political stability and relatively strong economy lowers the risk to biodiversity. Indigenous pressure to utilise protected area resources is lower than in less developed countries, and protected area populations are small and have little negative impact on conservation (Davies et al. 1999).

1.5 RESEARCH AIMS

Community conservation has replaced fortress conservation as the more fashionable conservation narrative. Adams and Hulme (1998) argue that a plausible narrative will persist despite evidence against it, and that an equally plausible and parsimonious narrative is needed to change attitudes. On this basis, community conservation is so evidently the 'right' approach, that debate and analysis about the conditions under which it has proved effective or ineffective

and its merits and demerits has been limited. Literature optimistically describing 'success' often early in a project's life provided bottom-up approaches with a quasi-orthodoxy on which aid was allocated in the 1980s (Adams and Hulme 1998; Murphree 1996b). However, in the 1990s scepticism about community-based approaches grew (Murphree 1996b). Barrett and Arcese (1995) studied ICDPs and argued that development projects should de-couple human needs from wild animal harvesting. Kothari et al. (1996) questioned the wide applicability of participatory management, and ICDP failures as well as successes were documented. Many realised that despite the rhetoric, community conservation was not a panacea for all wildlife conservation concerns (Adams and Hulme 1998; Murphree 1996b). Effective wildlife management involving community participation can be expensive, complex, time-consuming, slow to bear fruit and compromise conservation goals, especially in the initial stages (Adams and Hulme 1998; 2001a; Grimble and Laidlaw 2002; Hanekom 1996).

"History should not be examined to 'find the culprits' or paint unrealistic pictures of communities as champions of conservation...It is just as arrogant and naïve to assume that 'modern' conservation practices can ignore historical phenomena and the role of communities in shaping the current local patterns of biodiversity" (Borrini-Feyerabend 2003). It is clear that research and monitoring is needed to feed knowledge and not narratives back into policy (Adams and Hulme 1998). This study of CNPs aims to do precisely that, particularly in view of the current resurgence in preservationist approaches to conservation. It assesses how effectively CNPs meet national and CNP specific conservation objectives, whether they can provide economic and social benefits to their owners, and whether are managed at a profit to the conservation authority. A CNP which meets conservation objectives and is socially and economically sustainable (Kiss 1990; Davies et al. 1999) is considered a 'success.' Sustainability at all three levels is important. For example, if a CNP is ecologically sustainable but communities are marginalized, its long-term persistence will be at risk. It is hoped that the assessment and documentation of factors affecting sustainability at these three levels will benefit managers of existing CNPs and those responsible for formulating policy regarding the successful application of CNPs in the future. Lessons that South Africa can learn from Australia's much longer experience with joint management are emphasised.

1.6 THESIS ORGANISATION

The first chapter of this thesis provides an overview of protected areas and ways in which their roles have changed over time to be more inclusive of development issues as well as those of biodiversity conservation. The role of CNPs in this light is discussed, and the context in which they operate in South Africa and Australia introduced. Research aims are given. Chapter 2 describes the research methodology and each case study. Successive chapters examine the extent to which Australian and South African CNPs meet conservation objectives and achieve economic and social sustainability. Comparisons are also drawn with AENP, a South African non-CNP. Combined case study results are summarised at the start of each results section, and these are followed by the details of each case study. Discussion sections look at issues such as

what lessons South Africa can learn from Australia's longer experience with joint management. Chapter 3 discusses conservation objectives, and Chapter 4 discusses economic sustainability for both the landowners and the conservation authority. Chapter 5 discusses social issues, the most complicated of the three objectives. Social sustainability is assessed by examining ownership, intangible benefits and costs, natural resource use and stakeholder rights, and equity in benefit distribution. Chapters 6 and 7 discuss other internal issues affecting CNP success. Chapter 6 examines management issues including the clarity of stakeholder responsibilities, the proximity of management, production and benefit levels, the proximity of responsibility, authority and capacity levels, and relations between the landowners and the conservation authority. Chapter 7 examines institutional issues including joint management board legitimacy, board member representativeness, board capacity, landowner capacity and conflict resolution mechanisms. Chapter 8 discusses external policies and support agencies affecting the success of CNPs by examining government, non-government and donor agency involvement and the national macroeconomic environment. Chapter 9 summarises discussion sections so far, and draws conclusions regarding CNPs in the context of current conservation debates. A checklist of key factors to be considered by CNP stakeholders and assesses whether or not CNPs are successful in terms of meeting conservation and development objectives is provided.

CHAPTER 2: METHODS AND LOCATIONS

2.1 METHODOLOGY

2.1.1 General Methodology

The 'success' of a CNP needs to be measured in terms of whether it meets conservation objectives and whether it is economically and socially sustainable (Kiss 1990; Davies et al. 1999). It is not possible to manipulate experiments, control research factors and therefore identify any one factor as the cause of CNP 'success' or 'failure'. Internal validity cannot be ascertained as case studies differ in history, maturation, effects of testing, biases and other factors, any one or combination of which could affect the process. External validity cannot be proven due to the interactive effects of research or of case study selection biases (Campbell and Stanley 1991). Obtaining accurate quantitative data, for example regarding opportunity costs or a national park's biodiversity value, was sometimes difficult. External influences may have affected outcomes, for example, political restrictions on land use may have prevented realisation of opportunity costs. A natural science approach is therefore of limited value when analysing CNPs. Social science approaches allow a deeper understanding of issues despite the dangers of subjectivity. A case study approach was therefore chosen for this research (Yin 2002). Robson (1993) defines this as follows: *'case study is a strategy for doing research which involves an empirical investigation of a particular contemporary phenomenon within its real life context using multiple sources of evidence.'* He adds that these multiple sources of evidence produce both quantitative and qualitative data. Case studies chosen, and reasons for these choices are given in section 2.2. By using the data collection techniques described below, it is hoped that a balance between quantifiable comparable data and qualitative information has led to an understanding of the key factors affecting the 'success' of CNPs (Chambers 1981).

2.1.2 Standardised Interviews

Standardised interviews combine a structured quantifiable approach with an unstructured qualitative approach (Oppenheim 1992; Robson 1993; Powney and Watts 1987). Questions were simple (Appendix 1) but elaboration was encouraged. This allowed interviewees to respond to the extent that they felt comfortable with. Many answered questions in detail, which increased the depth of qualitative data obtained by the researcher, but others preferred to answer questions concisely. Open-ended questions therefore encouraged, but did not demand, cooperation and rapport, and also allowed for unexpected and unanticipated answers suggesting hitherto unthought of explanations (Cohen and Manion 1989). Questions evolved from a review of community-based conservation initiatives assessing what factors affected initiative success. Questions focused on both facts, and beliefs and attitudes about the CNP. By asking identical questions (with limited probes), a degree of comparison between case studies was made possible (Robson 1993).

Interviewees were joint management board members as they had a good understanding of each CNP, and subjectivity or bias resulting from interviewee choice was avoided (Table 2) (Miller 1991). Interviewees are referred to as such in results sections but comments are not attributed to named persons as interviews were conducted in confidence. Interviews lasted about two hours, and research assistants helped where interviewees had poor spoken English. Conservation official and landowner numbers were fairly equal for each CNP. All Richtersveld and Postberg joint management board members were interviewed, as were all Makuleke Joint Management Board (JMB) members who at the time were a small but varied interim group. At UKTNP, seven of the 10 Board of Management members were interviewed, only two of whom were non-Aboriginal. Aboriginal Board of Management members were not interviewed at KaNP, and interviews did not occur at Kempiana, the Kalahari Gemsbok National Park (KGNP), Melkbosrand and AENP as there were no formal joint management boards.

Table 2: Standardised interview interviewees.

	Interviewees	
Joint management board location	SANP/Parks Australia/other board members	Landowner board members
The Postberg Section of WCNP	Nic Geldenhuys, Otto von Kaschke (WCNP Manager), Jan Nel and Sarel Yssel.	Pieter Haumann, Tobie Lochner (Syndicate Director), Kosie Loubser and Kerige Siebrits.
The RNP	Howard Hendricks, Dick Parris, Lynn van Rooyen and Johan Taljaard (RNP Manager).	Matthys Carstens, Statman Diergaardt, Agab Fredericks, Willem Joseph and Saul de Wet.
The Makuleke Region of KNP	Dr W. Gertenbach, Elizabeth Mhlongo, Phin Nobella and Danie Pienaar.	Mavis Hatlani, Gibson Maluleke, Lamson Maluleke, Livingstone Maluleke and Dennis Skalela.
UKTNP	Peter Cochrane (Director, Parks Australia) and Dr Graham Griffin (drylands ecologist).	Ngoingoi Donald, Malya Teamay, Tony Tjamiwa, Johnny Tjango and Joanne Willmot.

This methodology is open to subjectivity and error (Miller 1991; Robson 1993). When asked for sensitive information interviewees may have lied, avoided the question or been economical with the truth. Western researchers can be unaware of cultural and social sensitivities. Trudgen (2000) studied Aboriginal people in East Arnhem Land, Australia, and noted that *“information and knowledge are ‘owned’ by particular groups of people, such as clans. Anyone who comes by that knowledge without being invited by the owners is seen as breaking the law.”* He adds that *“in oral societies, in order to keep information accurate it is made very valuable. So information is rendered sacred and in this way kept scarce.”* Culturally inappropriate questions may induce evasive answers but most non-Aboriginal people are assertive questioners and may not realise they are on ‘holy ground’ (Trudgen 2000). Some interview questions may have implicitly suggested answers, particularly when they needed elucidation. Rephrasing and

translation may have introduced bias and phrased questions in a leading way. Interviewees' divergent knowledge and cultural bases may have led to different interpretations of identical questions. Questions found too technical by community interviewees may have been too vague for conservation officials. For example, Aboriginal people do not easily understand contemporary concepts of distance, numbers, percentages or time. Questioning in a person's second language can also cause problems. Trudgen (2000) notes that non-Aboriginal people accept the simple English words used by Aboriginal people in East Arnhem Land as their deep and complete thoughts. Commercial, legal, economic and scientific terms are not easy to translate, and are referred to by Aboriginal people as 'secret' or 'big' English. A long history of poor communication has led to bad habits, and Aboriginal people often say 'yes' to all questions. Aboriginal people in East Arnhem Land use indirect methods of communication for sensitive subjects, they rarely interrupt, actively listen and are happier with silences than non-Aboriginal people. They take longer to think through responses and respond, which is often interpreted as a lack of understanding (Trudgen 2000). Some interview questions requested opinions that could not necessarily be substantiated. For example, opportunity costs can only be assessed with a detailed cost/benefit analysis so interviewees' views on this issue were usually subjective. Dictaphones were only used with conservation officials who were used to such equipment and often had tight schedules allowing little time to write down responses. Enormous cultural diversity between interviewees meant that a certain degree of misinterpretation and bias inevitably occurred, but every effort was made to ensure that cultural sensitivities were adhered to and questions were understood as they were intended.

2.1.3 Semi-Structured Interviews

Semi-structured interviews sought to describe and explore respondents' thoughts about the CNP and provide a fuller understanding of key issues that might have been glossed over during standardised interviews. The researcher had a 'shopping list' of topics, but applied greater flexibility in question sequencing, focus, wording and the amount of time and attention given to different topics than in standardised interviews (Miller 1991; Robson 1993; Fowler and Mangione 1990; Powney and Watts 1987). Questions were open ended and revolved around key problems and successes. They were often from the standardised interview questions (Appendix 1). This approach allowed the researcher to obtain information on interviewees' various areas of expertise. For example, detailed historical, ecological or budgetary information was often obtained.

Interviewees included local government officials, journalists, consultants, lawyers, community members, NGO and donor representatives, conservation officials and ecologists, many of who had had long involvement with the area (Table 3). Interviewees are named in the text, except when they requested otherwise. Interviews lasted for one to two hours. Semi-structured interviews alone were conducted at KaNP where standardised interviews with Board of Management members were not granted, and at Kempiana, KGNP, Melkbosrand and AENP where formal joint management boards did not exist.

Table 3: Semi-structured interview interviewees.

	Individuals interviewed (and their position)
SANP officials	Yvonne Dladla, Peter Fearnhead, Paddy Gordon (former RNP Manager), Dr Anthony Hall-Martin, Gert Links (RNP), J. J. Links (RNP), Temba Mangcaka (AENP Social Ecologist), Johan van der Merwe, Hector Magome, Kevin Moore (WCNP Social Ecologist), Mathew Norval (former WCNP Ecologist), Errol Pietersen (Kempiana Section Ranger), Andrew Spies, Sandra Taljaard (RNP Social Ecologist) and Willem de Wet (RNP).
Others in South Africa	Miena Adams (Richtersveld TLC), Maura Andrews (Rhodes University), Fiona Archer (SASI), Susanne Berzborn (researcher), Eugene Brill (Global Diamond Resources, Inc.), Les Carlisle (ConsCorp), Sam Chauke (Makuleke resident), Roger Chennels (San lawyer), Willem Cloete (Richtersveld TLC), Professor Richard Cowling (UCT), Nigel Crawhall (UCT), Professor Christo Fabricius (Rhodes University), Kolie Farmer (former BPK member), Mike Fender (ConsCorp), Dr David Fig (University of the Witwatersrand), Bev Geach (University of Port Elizabeth), Dr David Grossman (FoM), Richard Hill (UCT), Professor Phil Hockey (ecologist), Dr Timm Hoffman (ecologist), Phillipa Holden (consultant), Professor Graham Kerley (University of Port Elizabeth), Eddie Koch (FoM), Abe Koopman (SPP), Pierre Kriel (Postberg Syndicate member), Jerry Lose (Nomathamsanqa resident), Willem Louw (Richtersveld TLC), Harry May (SPP), Bernice Mclean (Eco-Africa Environmental Consultants), Professor Eugene Moll (SAWC), Francois Odendaal (Eco-Africa Environmental Consultants), Professor Norman Owen-Smith (University of the Witwatersrand), Kobus Pienaar (LRC Cape Town), Sue Powers (SPP), Rod Rendall (ecologist), Dr G. A. Robinson (former Executive Director of SANP), Dr Arno Skeyde (GTZ), Henk Smith (LRC Cape Town), Robert Smith (Richtersvelder), Jens Sondergaard (DANCED), Chris Spies (facilitator), Conrad Steenkamp (FoM), Floors Strauss (GTZ TRANSFORM), Frikkie Strauss (Richtersvelder), Frans Stroebe (WWF-SA representative, Hans Hoheisen's legal representative and trustee of SANPT), Stephen Turner (consultant), Dirkie Uys (Richtersvelder), Marie-Tinka Uys (SAWC), Andrew Venter (SAWC), Paul de Wet (Richtersvelder) and Klaas van Zyl (ecologist).
Parks Australia officials	Terry Bailey, Fred Baird, Kathy Bannister, Mary Blyth, John Bonney, Manfred Haala (KaNP Manager), Ian Irvine, Zig Madycki, Greg Miles, Jo-Ann Mitchell, Gabrielle O'Loughlin, Sam Rando, Fraser Vickery (UKTNP Manager) and Peter Wellings.
Others in Australia	Lizzie Ellis (translator), David Hampton (Department of Conservation and Land Management, Western Australia), Paul Josif (OJM, Muṭitjulu), David Lawrence (consultant), Andrea Martin (Anangu Tours), Adam Miller (OJM, Muṭitjulu), Sean Moran (CLC), Ian Morris (ex-KaNP official), Peter Sharp (Department of Conservation and Land Management, Western Australia), Keith Taylor (NLC) and Dr Bertus de Villiers.

This technique is not without problems (Miller 1991; Robson 1993). Interviewees may have misunderstood questions, lied or felt pressured to respond. Research assistants were used to conduct interviews in different languages potentially causing errors or bias. Interviewees were chosen on recommendations from others, which may also have caused bias from non-random sampling. Persistence generally paid off, but some individuals remained inaccessible. For example, no Aboriginal Board of Management members were willing to be interviewed at KaNP and the only Aboriginal people interviewed were Parks Australia employees. Every effort was made to ensure that the above error sources were not major contributing factors to the research, but the technique remains vulnerable to subjectivity.

2.1.4 Literature Studies

Government acts, statutes and policy documents were studied to ascertain CNP conservation objectives. Biodiversity inventories and results of long-term monitoring projects were studied to ascertain whether these objectives were met. Published and unpublished literature was studied to ascertain the area's conservation value. Some of this was written by conservation officials and may therefore have been subjective as despite their conservation expertise, many reasons to establish national parks are political or personal.

Contracts and joint management plans were studied to ascertain information on levels and equitability of benefits and to whom they accrue, management responsibilities and whether they are clear, conflict resolution mechanisms, and clarity about landowner identity and who can use natural resources. The most recently revised contracts and management plans were studied at UKTNP, KaNP and Postberg. Richtersveld and Kempiana management plans had not yet been found acceptable to all parties, so only drafts were studied. Contracts and joint management plans did not yet exist in KGNP and Melkbosrand.

Joint management board meeting minutes were analysed to deepen understanding of relations between the conservation authority and landowners (Table 4). The researcher developed meeting minute analysis methods, but such methods have been used elsewhere (see Paulson 1998). For Makuleke meetings, each new sentence was generally regarded as a new issue from a new speaker unless speakers were named and several sentences in a row could be attributed to them. Richtersveld minutes were more detailed, and each paragraph was assumed to represent a new issue from a new speaker unless another speaker had contributed a brief question or comment during that paragraph. Postberg minutes, like Makuleke minutes, did not always name speakers. When they did not each paragraph was treated as a new issue, and when they did analysis was as with the Richtersveld minutes. Where possible it was always recorded who was speaking and to which party each discussion issue was of primary relevance. This was determined by assessing whether the issue fell under the broad category of conservation or landowner benefits. Issues were sometimes relevant to both parties. This methodology contains possible sources of bias and error. There may have been a community bias in the Richtersveld as community RNP employees were classified as community members rather than SANP officials. Translation of Richtersveld

and Postberg minutes from Afrikaans may have led to error, and minuting bias may have occurred. For example, SANP officials minuted most early Postberg meetings, and Syndicate board members minuted later ones. Those minuting meetings may have detailed their party's contribution more favourably. Not all minutes were obtained, for example no Postberg meeting minutes were obtained between 1989 and 1994.

Table 4: Minutes analysis of joint management board meetings.

Contractual national park	Number of meeting minutes analysed
The Postberg Section of WCNP	13 (from 1988 to 1998)
The RNP	21 (from 1991 to 1999)
The Makuleke Region of KNP	12 (from 1998 to 2000)
The Southern Section of the KGNP	None (no formal joint management board)
Kempiana, adjacent to KNP	None (no formal joint management board)
Melkbosrand, AFNP	None (no formal joint management board)
UKTNP	None (minutes unavailable)
KaNP	None (minutes unavailable)

The records of conservation authorities were studied to assess whether CNPs were able to cover their management costs with ecotourism revenue, to ascertain levels and equitability of benefits, to whom they accrue, and whether they outweigh the costs for the conservation authority.

Literature studies are open to subjectivity and error, particularly where those who lack rigour and honesty collect data. Translation, transcription or copying errors may also have occurred.

2.1.5 Meeting Analysis

Meeting analysis aimed to deepen understanding of relations between the conservation authority, landowners and other stakeholders, for example, by assessing whether certain individuals or parties dominated decision-making. The researcher developed meeting analysis methods. However, such methods have been used elsewhere (see Romano and Nunamaker 2001; Cook et al. 1987). Six Makuleke Joint Management Committee meetings and one UKTNP Board of Management meeting were attended. Meetings about proposed CNPs in KGNP and at Melkbosrand were also attended. One Makuleke and one Richtersveld joint management meeting were recorded for detailed linguistic analyses. Who spoke, for how long, and to which party the issue was of primary relevance to was noted. Such measures were thought to provide an indication of how powerful individuals or parties were in decision-making processes.

2.1.6 Triangulation

Triangulation refers to the use of more than one investigative approach to enhance confidence in research findings. Much social research is founded on the use of a single research method and may thus suffer from limitations associated with that method, but triangulation helps deal with this problem (Webb et al. 1966). Triangulation using different sources, methods, investigators or

theories can help verify more qualitative data (Chambers 1981; Denzin 1970). Correspondences to some extent cross-validate each other, and investigation of discrepancies can help explain the phenomenon of interest (Robson 1993). However, convergent findings should not be assumed to provide evidence of unquestionable findings, as both sets of data could be flawed.

Table 5: CNPs, their landowners and date established.

Contractual national park	Landowner	Date established
The Postberg Section of WCNP	The Postberg Syndicate (49 members)	1987
The RNP	The Richtersveld community (5,000-7,000 people in four villages)	1991
The Makuleke Region of KNP	The Makuleke community (more than 5,000 people represented by the Makuleke CPA)	1998
The Southern Section of the KGNP	The Mier TLC (about 5,500 people) and the San CPA (about 600 out of a possible 1,500 who can register)	Under negotiation
Kempiana, adjacent to KNP	WWF-SA (previously known as SANF)	1992
Melkbosrand, AFNP	The Riemvasmaak community (less than 1,500 people, represented by the Riemvasmaak Community Development Trust)	CNP with community is under negotiation
UKTNP	Anangu traditional owners (about 850 people represented by the Uluru - Kata Tjuta Land Trust)	1985
KaNP	Bininj/Mungguy traditional owners (about 200-300 people represented by three Aboriginal land trusts)	Stage I in 1979. Stage II in 1991. Stage III in 1987, 1989 and 1991

Triangulation was often used in this research. Information regarding the form, quantity and equality in distribution of benefits and to whom they accrued was obtained from interviews with conservation officials and landowners and checked with conservation authority records. Information from conservation officials and landowners on how effective conflict resolution mechanisms were, landowner identity, stakeholder responsibilities and who could use natural resources was cross-validated with contracts and management plans. To ascertain whether conservation objectives were met, interviews with local ecologists and conservation officials were compared with parliamentary acts and NGO, donor, government and conservation authority documentation. Where minutes were obtained for a Makuleke meeting attended, comparing minutes with meeting notes helped identify minuting biases. Meeting attendance and minute analysis also cross-validated interviewees' comments on relations between the parties.

2.2 LOCATIONS

Case studies selected were six proposed or existing South African CNPs (Figure 1; Table 5). These were the most significant CNPs in terms of conservation, economic or social outcomes. All other existing South African CNPs were less significant agreements with one or more persons, for example agreements between SANP and farmers owning small pieces of land bordering Tsitsikama National Park.¹ Two Australian CNPs were studied to determine what lessons South Africa could learn from Australia's much longer experience with joint management (Figure 9). Case study choice was more subjective than in South Africa, as many more CNPs have been established or are under negotiation. However, the two were chosen on the basis that they are amongst the oldest and best documented CNPs in Australia. One South African non-CNP was also studied for comparative purposes (Figure 8). This was chosen because it has made significant efforts with surrounding communities.

2.2.1 The Postberg Section of West Coast National Park

West Coast National Park (WCNP) is 100km north-west of Cape Town. It was proclaimed to protect the 56km² Langebaan Lagoon and the four bird breeding islands of Marcus, Jutten, Schaapen and Malgas in the lagoon and Saldanha Bay. However, it now protects 320km² of land (Moore and Smith 2000). The Postberg section of WCNP is on the peninsula bordering the lagoon and is only 25km² (Figure 2).²

Temperatures range from a minimum average of 11°C to a maximum average of 23.2°C, with the hottest months being December to March and the coldest June to August (SANP 1999b). The mean annual precipitation is 250mm falling mainly in winter (Moll 1985). There are three major substrates in the area: limestone, granite and stabilised sand dunes. Soils at the peninsula's end are derived from old Cape granite, and contain more clay thereby increasing their fertility (Moll 1985).

WCNP contains many important habitats, notably tidal mudflats and sandflats, brackish marshes and salt marshes. At spring tide, two thirds of the lagoon water changes bringing in nutrient-rich water from the bay.³ This and enrichment from the guano of tens of thousands of seabirds explains the area's biological richness (Hockey 1985). Over 500 invertebrate species inhabit the lagoon, which is more than twice any other similar system in southern Africa.⁴ The saltmarsh constitutes one third of all southern African saltmarsh,⁵ and its invertebrate richness supports a large bird population (SANP 1999b). In 1988 the lagoon and four islands were designated as a wetland of international importance through Ramsar (Moore and Smith 2000). The lagoon ecosystem is intact and healthy despite problems from military disturbance, unapproved construction and introduced species such as rabbits onto the islands, and the mussel, *Mytilus galloprovincialis*, into the lagoon wilderness zone. South of Postberg is the sandy and relatively undisturbed 16 mile beach, a rocky beach,⁶ and sand dunes formed about 20,000 years ago (SANP 1999b). A Biosphere Reserve has been proposed for the whole area (Social Ecology and SANP 2000).

WCNP also protects part of the Cape Floristic Kingdom. This is the smallest of the world's six floristic kingdoms, but the richest in terms of plant species, and also the most threatened with over 66% of original vegetation cleared for agriculture (Moll 1985). Most plant communities in WCNP are 'strandveld', one of the four major communities of the Cape Floristic Kingdom (Moll 1985). WCNP aims to expand eastwards to encompass more strandveld,⁷ but already protects more than 486 plant species (SANP 1999b). Postberg itself protects dune thicket (Low and Rebelo 1996), most of which can more specifically be categorised as strandveld fynbos.⁸ This is adapted to 250-300mm of rain per year, harsh winds, salty mists, poor soils and long dry summers.⁹ It is threatened by farming and projects combating desertification which plant alien grass species.¹⁰ Postberg's granite outcrops were once bird islands when the sea level was higher, and guano has enriched their soils with phosphates. Taller shrubs and small trees occur here (Moll 1985) along with unusual species and bulbous plants such as the hottentot berry, a living fossil.¹¹ Stunning spring floral displays attract many visitors to Postberg when it is open to visitors between July and September (Moll 1985; SANP 1999b).

Several common ungulates are found in WCNP, including bontebok, springbok, common duiker, steenbok, Cape grysbok, Cape Mountain zebra and red hartebeest. Common carnivores include caracal, African wild cat, bat-eared fox, striped polecat, yellow mongoose and small grey mongoose. Common reptiles include the angulate tortoise, Cape girdled lizard, mole snake, boom slang, Cape cobra and puff adder. Schaapen Island contains a unique population of albino European rabbits (SANP 1999b).

Bird populations are more significant. A total of 256 species are found locally (SANP 1999b), which equates to 28% of southern African birds.¹² Between one quarter and one third of wading birds, which breed in the Arctic and migrate south during the northern winter, stop off at the lagoon.¹³ Thus, the Saldanha Bay and Langebaan shores are feeding grounds for about six months each year, for tens of thousands of waders such as turnstones (Hockey 1985; Social Ecology and SANP 2000). The area is particularly important as wetlands are disappearing increasingly fast throughout the world (Hockey 1985). WCNP is home to 25% of the world's Cape gannets, 50% of a swift tern subspecies, and 15% of breeding crowned cormorants (Social Ecology and SANP 2000). WCNP shores support 12% of the world's endangered African black oystercatchers and 400 of these 600 birds are on three small lagoon islands (Hockey 1985) where they are safe from predators, which have decimated mainland populations.¹⁴ Marcus Island at only 0.09km² is populated by 160,000 birds including swift terns when breeding and jackass penguins (SANP 1999b). Schaapen Island is populated by 250,000 birds (SANP 1999b) including the largest breeding colony of southern blackbacked gulls in the world.¹⁵ Malgas Island is populated by 160,000 birds (SANP 1999b) including 70,000 breeding pairs of Cape gannet, which are found on only six South African coastal islands.¹⁶ Jutten Island has Cape cormorants and a large jackass penguin population (SANP 1999b).

WCNP also provides historical and archaeological insights. The dunes contain many late tertiary fossils such as the short-necked giraffe and four-tusked elephant (SANP 1999b). 'Eve's' footprints at Kraalbaai were probably made 120,000 years ago and provide information about early hominid occupation of the area and the evolution of humans (Moore and Smith 2000). Archaeological surveys in the Geelbek dunes have provided information about early stone age human behaviour (Prindiville and Conrad 2000), and shell middens on the lagoon shore show utilisation by the KhoiSan (Moore and Smith 2000). Europeans first lived in the area in 1658 and traded with ships using Saldanha Bay as a harbour (du Bois 1985). Postberg contains the oldest South African colonial structure¹⁷ and excavations of Postberg sites first occupied in 1669 by the Dutch to ward off the French reveal many wild animals' remains. This challenges written historical records suggesting that the Postberg outpost traded meat from local pastoralists with passing ships. Settlers may instead have adopted Khoi hunter-gatherer strategies, which is perhaps why the Khoi were forced out of stock keeping and into bondage on white farms. Excavations revealed no evidence of the outpost burning and sacking which the Khoi were said to have enacted thus precipitating post abandonment while the Dutch revenged themselves through the second Khoi-Dutch war (Schrire 1988).

Postberg consists of three farms: Oude Post ('old post'), Nieuwland ('new land') and Kreeftebaai ('lobster bay'), bought in 1838 for grazing by a group of farmers (SANP 1999b) who later formed the Oudepost Syndicate Pty Ltd.¹⁸ In 1966 they ceased farming and stocked Postberg with game. In 1969 Postberg was proclaimed as the Cape's third private nature reserve and was opened to the public during the flower season (SANP 1999b). WCNP was proclaimed in 1985 (Moore and Smith 2000), and initially consisted only of the lagoon, the admiralty strip that went up to the high water mark, and the islands.¹⁹ However, the 1983 and 1986 amendments to the National Parks Act of 1976 allowed national park expansion through contractual agreements. One was suggested by the NPB, which felt the land needed more protection and knew that Postberg's owners would not sell.²⁰ Postberg was subsequently incorporated into WCNP and proclaimed as South Africa's first CNP in 1987 (SANP 1999b). The Postberg Syndicate currently has 49 members who are relatives of the original owners, or have newly bought in, and who maintain holiday homes in the area. SANP manages the land according to the terms of a 1994 Management Plan Contract drawn up between the two parties. This document replaces the original 1987 Contract and Management Plan.²¹

WCNP is a patchwork of land with different owners with whom SANP has had to negotiate to ensure biodiversity protection. The Department of Defence owns the peninsula tip, which although not officially incorporated into WCNP still supports conservation activities. Just south of Postberg on the peninsula is a 2km² area containing about 60 stands²² and 27 individual homeowners²³ called Stofbergsfontein (Figure 2). Some Stofbergsfontein inhabitants arrived on early trading ships and most have occupied the area for many years.²⁴ Before the road was built in the 1960s, the community suffered severe isolation and relied on the lagoon for transport.²⁵ Unlike Postberg, the community lives permanently on the land and many still practice

subsistence living.²⁶ They have formed a homeowners' association but as stands are individually owned, all owners must agree to proposed changes, unlike at Postberg where the company's majority decisions apply.²⁷ SANP wanted control over Stofbergfontein to prevent development and subsequent island or wetland damage, and a contract with the community was signed in 1999.²⁸ SANP now manage the roads and may have to build a jetty, which could be costly.²⁹ There are other private landowners on the peninsula,³⁰ and SANP would like to establish a homeowners' association for the whole WCNP to avoid too many separate discussions.³¹

2.2.2 The Richtersveld National Park

The 1,624.45km² RNP is in Namaqualand in the Northern Cape Province, just south of the Orange River bordering Namibia (Figure 3). Its mountainous desert landscape has deep valleys and dry east winds, which can kill young plants. Temperatures can be 50°C in summer, and below 0°C in winter, but rainfall, at 15-300mm per year, has the greatest botanical and social impact (Kröhne and Steyn 1991). It varies between areas, seasons and years (Archer et al. 1994; Smith 1991). This unpredictability means that pastoralists need large areas and flexibility to cope with drought (Kröhne and Steyn 1991; Smith 1991). The region's environmental sensitivity means that activities like overgrazing and mining are major problems (Robinson 1998).

The Richtersveld's climatic extremes have created such rich botanical diversity that 50% of species are probably endemic (Williamson 1990; van der Walt 1991). The region is the only world arid-land zone to qualify as a hot-spot of international significance due to its endemic species richness (Eco-Africa 1999a). RNP lies across an important floristic discontinuity (Jürgens 1997), with Succulent Karoo (Acocks 1953) in its south-western part and the Namaland domain of the Nama Karoo Region in its north-eastern part (Jürgens 1991). Steep ecological gradients (rainfall and altitude) also help explain RNP floristic diversity. The Succulent Karoo contains 1,954 endemic plant species. With only 2% protected, it is one of the least conserved South African biomes (Lombard et al. 1999). It's rich biodiversity arose from a combination of a new temperate rainfall regime about five million years ago and a varied topography, which led to intense speciation in, for example, the Mesembryanthemaceae (Jürgens 1997). Of the Succulent Karoo's 12 bioregions, the Gariep centre, which contains RNP, is most in need of conservation due to high vulnerability (from mining, grazing, agriculture and collection) and endemism (Lombard et al. 1999). In one 1.3km² of the Gariep centre 331 species have been recorded (Cowling et al. 1999). The Nama Karoo's rich biodiversity is partly due to the survival of old species, especially in rocky habitats, which provide habitat diversity and can retain arid conditions in humid periods (Jürgens 1997). RNP protects many endemic and Red Data book species. The most famous Red Data Book plant is the 'half-human', but the endemic bastard quiver tree, is also rare, and has probably not germinated since 1961 (van der Walt 1991). *Notechidnopsis columnaris* occurs only in the RNP (Anon 1996a). The many endemic insect species, such as the rare weevil, *Tanystethus spongiosus*, and the localised roseate emperor moth, which co-evolved with the regional flora are also worthy of conservation (Oberprieler et al.

1993). Large mammals are scarce but eight of the 56 species, such as the aardwolf and brown hyaena are Red Data listed. The area has great herpetological diversity with 47% of species endemic to southern Africa and 10 Red Data listed (Robinson 1998; van der Walt 1991). The Orange River also attracts many seasonal bird species to this otherwise arid area (Eco-Africa 1999a).

About 1,500 years ago, invading Khoi tribes displaced the Richtersveld San bushmen (Robinson 1998). The Nama descended from the Khoi and most now live in the villages of Kuboes and Sanddrif in the northern Richtersveld, and Eksteenfontein and Lekkersing in the south. The Richtersveld's population did not exceed 1,000 for most of the 19th and early 20th century (Webley undated) but the four villages now have a total population of 5,000-7,000 (Eco-Africa 1999a; Winderlich 1996). The Richtersveld has many divisions, one of which is between the Namas who live mostly in the northern villages, and the Basters of European-Khoi ancestry who live mostly in the south (Robins 1997), where they were placed by government after their epic exodus and four week trek north from Bushmanland in 1949. White farmers known as 'trekboere' later took parts of Namaqualand used by Nama herders (Fig 1991; SPP 1995), thus restricting communal land use practices to a number of coloured reserves such as the Richtersveld. Reserves were started as mission stations in the 17th century and administered by missionaries from 1856 to 1913 (Archer et al. 1994; Eco-Africa 1999a; Robins 1997). Inhabitants' grazing rights were protected from 'trekboere' encroachment, but they had no mineral or mining rights and sacrificed their autonomous power to missionaries (Archer 1993).

The Coloured Rural Areas Act of 1963 stated that reserves should be inhabited only by those apartheid classified as 'coloured' (Eco-Africa 1999a; SPP 1995). This included people with European, African, KhoiSan and Asian origins. Their vote was abolished, further racial mixing was outlawed, and a Department of Coloured Affairs administered their separate schooling and local government. Those to whom it was applied resisted the term 'coloured'. Reserve size decreased as mining companies gained control over land, especially after 1926 when diamonds were found (Fig 1991). The 1984 tricameral government neglected reserves, which were administered by the 'Coloured' House of Representatives and left to manage themselves under the control of management boards (Fig 1991; Archer et al. 1994). Boards lacked credibility (Fig 1991, Boonzaier 1991; SPP 1995), tended to collaborate with apartheid governance structures and attracted low polling turnouts and little membership competition (Kröhne and Steyn 1991). The 'Coloured' House of Representatives viewed communal farming as rooted in tradition and the cause of overgrazing so tried to replace it with 'economic units' through boards (Kröhne and Steyn 1991; Boonzaier 1987; Fig 1991). Units were not implemented in the northern Richtersveld where people opposed the decreases in communal grazing land and the reduction in permissible stock numbers that would result (Boonzaier 1987).

The Cape Town Supreme Court eventually set aside the units in the southern Richtersveld on a technicality rather than the acceptance that the units were not economic (Kröhne and Steyn

1991; Fig 1991; Archer et al. 1989). Local government has been more democratic since 1994. A Transitional Regional Council replaced the Northern and Southern Management Boards. Structural reorganisation led to the establishment of Transitional Local Councils (TLCs), several of which made up the Namaqualand District Council. The Richtersveld TLC in Lekkering comprised of two councillors from each of Kuboes, Sanddrif and Lekkering, and one from Eksteenfontein (Eco-Africa 1999a). Further reorganisation followed the 2000 elections. The Richtersveld TLC, the Port Nolloth Municipality and the Diamond Fields Representative Council at Alexander Bay combined to form the Richtersveld Municipality based in Port Nolloth. Kuboes, Sanddrif, Lekkering and Eksteenfontein also formed a CPA to claim land rights in the Alexkor mining area and negotiate community benefits from the mining company Trans Hex.³²

The Northern Cape Province has the lowest gross domestic product of all South African provinces (Robins 1997). Namaqualand's mines produce 86% of the region's gross geographical product and employ 46% of the economically active population (Kröhne and Steyn 1991). Richtersveld quartzite and lime deposits are economically viable (Eco-Africa 1999a), but only diamonds are exploited, and reserves are running out (Kröhne and Steyn 1991). The mining industry has always been volatile due to fluctuations in mineral prices on the international market. A world drop in copper prices causing mine closures in the 1970s devastated many Namaqualanders (Fig 1991). Brownlie (1992) estimated that De Beers Namaqualand Mines' turnover was about one third of the region's gross geographic product, that 16% - 40% of turnover in Namaqualand towns was due to business with these mines, and that their closure in 2003 would cause 3,100 job losses. Alexkor Ltd is a state-owned mining corporation, although it has shown interest in privatisation. It is one of Namaqualand's biggest employers but diamond reserves are depleted and the life-span of Alexander Bay Mining is between two and 4½ years. There is no regional post-mining development strategy, but Alexkor Ltd and other parties are trying to develop sustainable industries to meet community post-mining needs (Eco-Africa 1999a). Nomadic pastoralism remains the traditional mainstay of most Richtersvelders. Some survive on stock farming alone (Kröhne and Steyn 1991) and stock provides a form of social security for others, especially labourers whose work in the mines is insecure (Kröhne and Steyn 1991; Boonzaier 1987; Smith 1991; Fig 1991), and those who are retired (Kröhne and Steyn 1991; Robins 1997). Over 50% of northern Richtersveld households possess 5-300 stock (Kröhne and Steyn 1991), and small stock (goats and sheep) are the backbone of the agricultural economy (Robins 1997).

With growing awareness of the Richtersveld's ecological importance, a national park was first suggested in the early 1970s (Fourie 1994; Boonzaier 1991). The area represented a major ecological gap in South Africa's national parks system (Lombard 1995a; Robinson 1998; DEAT 1998), and the NPB had concerns about overgrazing which was then considered a world-wide problem. Symptoms of overgrazing occur in the Richtersveld where annuals replace perennials, where more undesirable and poisonous plants such as kraalbos occur, and where the flower

displays attract visitors (Kröhne and Steyn 1991). Some 4,500km² more of Richtersveld land is needed to support existing stock numbers without overgrazing, and areas near settlements are certainly overgrazed (Kröhne and Steyn 1991). However, overgrazing is often exaggerated (Homewood and Rodgers 1987), and experts believe that the Richtersveld's unique ecology is partially due to at least 2,000 years of pastoralism.³³ During negotiations to establish a national park, the botanist Dr Norbert Jürgens said that "*the Nama-speaking inhabitants with their careful way of field management over long periods of time are not a problem for the park but should be seen very much as its natural preservers in the past.*" Another scientist suggested that "*a certain grazing pressure...is necessary to stabilise the richness of this unique vegetation*" and retain its important species (SPP 1989).

The land in question was used by pastoralists and had no history of formal protection. The NPB therefore recognised the need to involve the community, and commenced negotiations with the Northern Richtersveld Management Board to establish a CNP. The community felt misrepresented by the board and did not oppose the RNP but wanted to be included in the planning of what they saw as more land dispossession (Fig 1991; Boonzaier 1991). They formed the 'Gemeenskapskomitee' (the community committee) which opposed the board, claimed Richtersveld land rights from Queen Victoria's reign, and sent a delegation to the Cape Town Supreme Court, assisted by the Legal Resources Centre (LRC) and other activists, to try and stop RNP establishment without their involvement.³⁴ The judge granted an interdict restraining the NPB from imposing the contract just before it was signed in 1989.³⁵ The NPB recognised the need to involve the whole community in RNP negotiations, and a new RNP agreement was drawn up and ready for signing in 1990. Minister Andrew Julies from the Coloured House of Representatives sabotaged the signing ceremony by claiming that the Holy Ghost had warned him not to go ahead with the RNP.³⁶ Only after Minister David Curry replaced him was the agreement finally signed in July 1991, 19 years after a national park was first suggested (Fig 1991; Boonzaier 1991).

RNP is unusual for South Africa in that it is entirely contractual, with mining and traditional land uses integrated into its management (van der Merwe 1991; Robinson 1998). Three groups currently mine, the largest of which, Trans Hex, exploits at least 70km² of RNP. NPB concerns about overgrazing resulted in the agreement limiting RNP stock numbers to 6,600 (4,700 on a permanent basis, and 1,900 on a seasonal basis) and stating that grazing should be phased out, as alternative land is made available. This recognised the economic, social and cultural value of stock to Richtersvelders (Kröhne and Steyn 1991). The lease term was agreed as 24 years, instead of the 99 originally suggested, and the NPB agreed to pay a sum of R50/km²/year to the Richtersveld Trust (rather than the management board as in the original agreement) for the benefit of northern Richtersvelders. The community appointed external trustees to manage this trust. The agreement provided for the establishment of a joint management committee to plan and manage the RNP, and preferential employment opportunities for Richtersvelders (Fig

1991). The NPB also agreed to establish a nursery, benefits from which would be paid into the trust (Robinson 1998).

Management decisions in RNP are made by the Management Plan Committee or Bestuursplankomitee (BPK) consisting of one community representative from each of the four Richtersveld villages, one nomadic shepherd representative and four SANP representatives. It was envisaged that joint management would be the vehicle through which local landowners would benefit from the RNP. In reality SANP is the dominant partner in the relationship, and few communities' hopes or aspirations have been met (Reid 2000; Reid and Turner 2003).

2.2.3 The Makuleke Region of Kruger National Park

The 200km² Makuleke region lies between the Limpopo and Luvuvhu Rivers in the north of KNP (Figure 4). The Limpopo River borders Zimbabwe, and there is also a boundary with Mozambique where the two rivers join in KNP's north-eastern tip. Rainfall peaks between November and April and averages 4,982mm per annum, and temperatures vary between average daily minimums and maximums of 1°C and 49°C. Spectacular scenery includes the vast Luvuvhu and Limpopo River floodplains, and high ridges and dramatic gorges dissected by the Luvuvhu River. The underlying geology is primarily granitic, with deep sandy deposits found in the floodplains (JMB 2000).

Most of KNP covers land well protected elsewhere in southern Africa.³⁷ However, the Makuleke region protects one of South Africa's major biodiversity 'hotspots', and many endemic species (Pienaar 1996). The region's diverse landscapes and soils support high vegetation diversity and a rich range of habitats and wildlife. More than 256 plant taxa have been recorded, nine of which are threatened, and one of which occurs nowhere else in the country (Pienaar 1996). Many animal species also occur nowhere else in South Africa. Out of over 450 birds recorded in the region, 34 do not occur in the rest of KNP, and others such as the black, yellow-billed and open-billed storks do not nest elsewhere in South Africa (de Villiers 1999a; Pienaar 1996). The locally scarce black eagle breeds in the region, and many scarce nocturnal Pel's fishing owls occur here. The floodplains are important for migratory and local waterbirds and are under consideration for Ramsar status. The area is not rich in large herbivores, but it supports many nyala as well as the rare samango monkey (de Villiers 1999a; Pienaar 1996). It is an important migration route for large herbivores such as eland and sable which visit Zimbabwe, a key factor when considering the TFCA linking KNP to protected areas in Mozambique and Zimbabwe (Steenkamp 1998b; Pienaar 1996). The region is rich in small mammals, and many rodent and bat species occur nowhere else in South Africa. Five of the region's 80 reptile species have Red Data Book status, and one of the region's 25 frog species, *Afrixalus aureus*, has IUCN Red Data Book status (Pienaar 1996).

Archaeologists, anthropologists and historians generally agree that the Makuleke region contains one of the richest and most representative chronologies in Africa. Sites such as Makahane could

claim national monument status, while Thulamela was granted national monument status in 1999 (de Villiers 1999a).

The Makuleke community lodged a land claim for the region, known then as the Pafuri triangle, in 1995 (de Villiers 1999a). They had occupied the Pafuri triangle until August 1969 when the then Department of Bantu Affairs moved them to a 60km² area called Ntlaveni, 60km to the south (Steenkamp 1999). Some 50km² of the ecologically important Madimbo Corridor outside KNP was also included in the claim (Steenkamp 1998a). The Pafuri triangle at the time was state-owned and managed by SANP. A government appointed researcher ascertained that the Makuleke community's land claim was valid as it satisfied the four terms of the Restitution of Land Rights Act: they had occupied the land for at least 10 years prior to dispossession, they were removed under discriminatory practices, they were not adequately compensated, and land restoration was feasible (de Villiers 1999a).

It is fortuitous that the community wished to use their land for conservation purposes, as it is unclear if restitution would have occurred had the community insisted on residential, mining or agricultural land uses (Steenkamp 1999). The DLA rejected monetary or state land compensation for the region, which was reinstated to the community in 1996 with the following conditions: no mining, prospecting, residence or agriculture could occur, the land must be used for conservation purposes for 99 years, development required positive results from an EIA, and SANP had the right of first refusal should the land be sold (de Villiers 1999a). The Makuleke then offered to lease the land to SANP for 50 years, provided that the agreement could be cancelled after 25 years (the land would still have to be used for conservation purposes even if it was no longer a national park). A JMB comprising of six SANP and six community representatives was set up to oversee the region's day-to-day management. The agreement between the Makuleke and SANP was publicised as a win-win situation: the Makuleke had regained land ownership and had commercial rights in the region, and SANP had retained protection of land which contained most of KNP's biodiversity and was central to the proposed TFCA (Reid 2000; 2001; Reid and Turner 2003).

2.2.4 The Southern Section of the Kalahari Gemsbok National Park

KGNP is in the Gordonias District of the Northern Cape Province, bordered by Namibia on its west, and Botswana on its east (Figure 5). It is 9,510km² (SANP 1999), but in 1999 a bilateral agreement was signed by South Africa and Botswana to manage the KGNP and Botswana's Gemsbok National Park as a single ecological unit known as the Kgalagadi Transfrontier Park (Social Ecology and SANP 2000). This is 38,000km². Although free wildlife movement already occurred, the agreement precipitated establishment of a joint management committee to manage the wildlife with members from each country (DANCED 2000a). The KGNP's rainfall averages only 150mm per annum. This increases to the north-east and falls mainly between January and April (SANP 1999; Engelbrecht and Engelbrecht 2000). Temperatures average 20°C but vary

between -10°C and 45°C. The KGNP has deep aeolian sandy soils underlain by calcrete (Low and Rebelo 1996).

Nama Karoo dominates vegetation, especially in the south³⁸ (Engelbrecht and Engelbrecht 2000). Low and Rebelo (1996) classify the vegetation as shrubby Kalahari dune bushveld, 55% of which has been lost in South Africa. Local ecology is fragile due to low rainfall and very low nitrate and phosphate levels.³⁹ However, the vegetation type is considered well protected, largely because 19% of it is in protected areas like KGNP. Its prime economic use is ecotourism in KGNP, followed by livestock and game farming next to KGNP (Low and Rebelo 1996). KGNP has high predator populations, particularly cheetahs, leopards, lions, and brown and spotted hyaenas. It is a closed ecosystem needing little game management or culling.⁴⁰

San Bushmen have a long history of regional occupation. San hunting and gathering culture emerged throughout southern Africa 25,000-15,000 years ago, long before Khoikhoi pastoralists came to South Africa 2,500 years ago, or Bantu-speaking pastoralists 1,000 years ago. From the arrival of European colonists in South Africa in 1652 until the start of the 19th century, a holocaust of the Khoi and San people occurred. In the 19th century, spreading trekking Baster and colonial populations drove San groups such as the =Khomani into arid areas such as the Kalahari. From the mid 19th century to the early 20th century the =Khomani were trapped between three violent settler groups: the Germans from Namibia, who invaded in 1908, and the British and Afrikaans from the Cape colony. Murder, warfare and diseases like smallpox decimated San populations (Crawhall 1998). At the turn of the 20th century the southern Kalahari San occupied a huge area including about half of the KGNP and the northern section of what is today the Mier Reserve (Chennels 1999). However, white settlers arriving in the 1920s were encouraged to take land belonging to southern San bordering Namibia and Botswana (Crawhall 1998; 2000). The settlers hunted out Kalahari game thus causing a famine amongst the =Khomani. From over 200,000 in the 17th century, San and Khoi populations were reduced to little over 6,000 in the 1990s (Crawhall 1998). The South African San probably descended from the =Khomani group numbering about 100,000 a century ago (Chennels 1999) but now about 1,500.⁴¹ In the early 1930s the then Minister of Home Affairs, concerned that surviving =Khomani would be destroyed by settlers, urged government to create a park where they could live traditionally (Crawhall 1998).

When the KGNP was proclaimed in 1931, the then Minister of Land Affairs announced that its primary aim was to protect the San (Chennels 1999; Carruthers 2000). However, lobbying by farmers and politicians arguing that the San were no longer 'pure' dissuaded the Prime Minister, Jan Smuts, from this aim (Crawhall 2000). Most =Khomani were driven out of KGNP, but those that stayed had their hunting and movement rights curtailed and dogs shot (Crawhall 1998; Carruthers 2000). In 1937 they were deemed destructive to conservation and were asked to leave KGNP. They stayed but were soon removed, classified as 'coloured' and dispersed throughout the Mier farming area. The Mier community was already overcrowded and offered

the new arrivals little (DANCED 2000a). Some found menial farm work but many Mier farmers disliked the =Khomani and their traditions. The police and courts supported victimisation of San who were driven further from their ancestral lands (Crawhall 1998). They were considered untouchables (Chennels 1998; Carruthers 2000). Many =Khomani women realised that their identity was despised and could destroy their children, so married non-San men (Crawhall 1998) or told their children they were Nama or Xhosa.⁴² By the 1950s most =Khomani had lost touch with their traditional world (Crawhall 1998). They are bottom of most Northern Cape towns' ethnic hierarchy and remain one of the most oppressed South African peoples (Koch 1999). One =Khomani leader states that *"the apartheid regime left wounds, and there is pain in the hearts of the Bushmen people. Their identity has been destroyed, their language has been taken away from them, their tradition and culture has vanished, and we live in sadness and in dishonour. We have nowhere to go. We live in poverty"* (Vaalbooi 1998). The =Khomani now live throughout the Northern Cape. Most live on wage labour, and many work for Mier farmers or sell crafts or parts of their culture to film-makers and writers (Social Ecology and SANP 2000). This situation may improve when royalties from the sale of the patented *Hoodia douglasii*, accrue to the San, who have long known about its hunger suppression qualities. Phytofarm (UK) and Pfizer (USA) already have licenses to commercialise this product, aimed at combating obesity.⁴³ However, government support fluctuates, and parliament has deemed the word 'Bushman' derogatory despite San preference for this nomenclature.⁴⁴

The Mier people also inhabited part of what is now KGNP and have a history of dispossession. Ownership of farms allocated to them was declared provisional in 1894 by the Cape Colony Concession Court (DANCED 2000a). Many farms were then incorporated into the Mier Reserve, a 'coloured' area declared in 1930 under the Gordonia Land Settlement Act. Some remaining farms reverted to the state, and others formed part of KGNP. The Mier could remain in certain KGNP areas, but could not hunt or keep stock. Under the 1930s settlement schemes, they were then forcibly removed to state land elsewhere (Steyn and Wildschut 1990). Proclamation of KGNP lost them about 900km² of occupied land and 2,000km² of land for hunting and traditional use (DANCED 2000a). In the mid 20th century they were encouraged to move from land earmarked for 'poor white support schemes' to the Mier Reserve. Racially orientated legislation in the 1960s fragmented the community due to the prosecution of 'illegal' occupiers (Steyn and Wildschut 1990). Ownership of 28 farms, a fraction of the land once used, was eventually granted in 1987 (DANCED 2000a). In 1990, the government tried to introduce economic units into the remaining Mier Reserve under the Mier Rural Areas Act (House of Representatives) of 1990. The Mier community resisted with NGO support from the Surplus People Project (SPP) (Boonzaier 1991). The Act was replaced by the Transformation of Certain Rural Areas Act of 1998 under which land ownership passes to the Mier municipality as long as management is democratic, transparent and accountable. The Mier community of about 5,500 now lives in six settlements below the KGNP in the former 'coloured' area. They have no electricity, poor water supplies, limited education and job opportunities, and literacy of about

10% (Social Ecology and SANP 2000). Many rely on farming, but the 150 farms they have access to cannot meet their economic needs (Chennels 1999).

In August 1995 the South African San launched a claim for land including the south of KGNP and the north of the Mier Reserve (Chennels 1999). At this time, the estimated number of indigenous South African =Khomani San was 250. Many have emerged from the diaspora and estimates are now nearer 1,500.⁴⁵ A CPA has been formed with about 1,000 registered members.⁴⁶ Since the claim, the San have undergone a cultural and linguistic revival symbolised by the 'discovery' of 23 people who speak the =Khomani language, 'N/u' which was declared dead over 25 years ago⁴⁷ (Chennels 1999). This is culturally significant as San languages have the most complex click systems and the largest inventory of phonetic segments of all language groups (Crawhall 1998). Only three KhoiSan languages, such as Nama, are spoken daily by South African communities, and three, including N/u, are spoken by less than 20 people and are not in daily use (Crawhall 1998). N/u was spoken for up to 25,000 years before it fell into disuse (Koch 1999).

In December 1998, the Mier TLC lodged a claim for land inside and outside KGNP based on years of human habitation, traditional use and management under a system of indigenous law (Chennels 1999; DANCED 2000a). The area claimed overlapped with that claimed by the =Khomani San. Urgent discussions to resolve all the complex issues and negotiate a creative solution enhancing benefits for the San, the Mier and SANP followed (Chennels 1999).

The land claims were resolved at the 11th hour on 21 March 1999, the eve of a ceremony attended by the then Deputy President, Thabo Mbeki, and the then Minister of Land Affairs, Derek Hanekom (Chennels 1999; Yeld 2000). SANP's official stance was that the claims did not necessarily jeopardise biodiversity conservation (Social Ecology and SANP 2000). They therefore released 500km² of KGNP 10km south of the Auob River (Massyn et al. 2000; Chennels 1999; Yeld 2000). A settlement agreement was drawn up with the following conditions: the DLA and the =Khomani San and Mier communities would negotiate official land transfer, and parliamentary approval was needed for deproclamation of land as a Schedule One National Park, and reproclamation as a CNP (Massyn et al. 2000). The settlement stated that human habitation or farming was not permitted, and that the land would be managed in line with a contract, to be finalised by the three parties, which would include symbolic and commercial rights in the rest of KGNP. It also mentioned community plans to extend KGNP (Massyn et al. 2000; Chennels 1999). It was agreed that the 500km² would be equally divided between the =Khomani San and Mier, but contract terms are yet to be negotiated. The Mier TLC was granted an additional 400km² of farmland outside KGNP, some of which they stated intentions to include in the proposed CNP (Chennels 1999). They were also granted further financial compensation if funds were used to acquire land or develop previously acquired land (DANCED 2000a). The =Khomani San CPA was granted ownership of six farms outside the KGNP totalling 369km². As a gesture conciliation the Mier TLC also offered them 70km² of

land to extend the KGNP (Chennels 1999; Yeld 2000). In addition to this, the San were given money to buy two farms of about 50km² with which they intend to extend the CNP (Chennels 1999). Despite the intentions regarding the CNP stated in the settlement agreement and voiced by the San and Mier, it is unclear what contractual arrangements will emerge as these intentions are not necessarily legally binding.⁴⁸

2.2.5 Kempiana, Adjacent to Kruger National Park

Kempiana is the collective name for four farms donated by Mr Hans Hoheisen to the Southern African Nature Foundation (SANF), which has since become the World Wide Fund for Nature, South Africa (WWF-SA). Kempiana lies on KNP's eastern border, west of Orpen Gate, and shares borders with the Timbavati Private Nature Reserve to its north and west, and the Welverdiend community of about 8,000 people⁴⁹ to its south (Figure 6). Kempiana is 138.34km², but the 8.64km² portion of the farm Vlakgezicht bordering Kempiana in its north-east also forms part of the CNP. Granite underlies most of the property, and most soils are shallow. The seasonal Timbavati River traverses Kempiana but may not run at all in a dry year. Kempiana has six dams and several borrow pits, excavated to construct the Orpen road, which retain water. Summers are hot and humid and winters are cool to mild with occasional frost. Kempiana's annual rainfall is 568mm (Pietersen 1999).

Kempiana's flora, which is classified as lowveld savannah (Acocks 1953), or lowveld bushveld in the savannah biome, is well conserved in South Africa by KNP and other private protected areas (Low and Rebelo 1996). Elephants and buffalo frequently use it. Impala, hippo and crocodiles are found along with predators such as wild dog, lion, hyaena and cheetah (Pietersen 1999).

The Hoheisen family bought the four farms in 1933. Alfred Hoheisen incorporated them into the Timbavati Private Nature Reserve, which was established in 1948 and proclaimed in 1962. His son, Hans Hoheisen withdrew the farms from the reserve due to a financial dispute in 1968 and appointed his own manager (Pietersen 1999). In 1990 he chose to deed Kempiana to the SANF (Pietersen 1999) above the NPB and the Transvaal Department of Nature Conservation, due to its reputation for maintaining conservation activities on southern African land despite political change, and because the SANF had no resources to manage land so relied on contractual agreements with other parties. Kempiana could therefore join up with KNP and be managed by the NPB.⁵⁰ Conditions of the Deed of Donation included his and various individuals' lifelong access to the property, its incorporation into KNP and joint management by a committee consisting of himself (as chairperson), and SANF and NPB representatives (Pietersen 1999). This committee is still not operational.

Hans Hoheisen refuted claims of a 10-year traversing agreement on Kempiana by Vlakgezicht's owners, but the South African National Parks Trust (SANPT) bought Vlakgezicht and the lodge upon it to avoid litigation⁵¹ (Pietersen 1999). SANPT purchases land for use as national parks, and of its four trustees, two are from WWF-SA and two are from SANP.⁵² KNP's lodge

management attempts failed with occupancy levels averaging 5%.⁵³ SANPT therefore entered into an agreement in 1992 with Ngala Game Reserve leasing it Vlakgezicht and the lodge for 10 years with Conservation Corporation (ConsCorp) as guarantor. SANPT signed a management agreement for Vlakgezicht in 1992 with the NPB (Table 6).

Table 6: Summary of the relevant contracts at Kempiana.

Nature of contract	Year	Lessor/Donor	Lessee/Recipient
Deed of Donation for the Hoheisen properties (Kempiana)	1990	Hans Otto Hoheisen	SANF (now WWF-SA)
Management agreement for the Hoheisen properties (Kempiana)	1992	SANF (now WWF-SA)	NPB (now SANP)
Traversing Agreement for the Hoheisen properties (Kempiana)	1992	SANPT	Ngala Game Reserve
Lease agreement for Vlakgezicht	1992	SANPT	Ngala Game Reserve and ConsCorp
Management agreement for Vlakgezicht	1992	SANPT	NPB (now SANP)

Source: Pietersen (1999).

A 1992 agreement with SANPT allowed Ngala Game Reserve to traverse Kempiana for 10 years, and an agreement with the SANF allowed the NPB to manage Kempiana as part of KNP. WWF-SA incorporated Kempiana into the SANPT,⁵⁴ which it administers and which explains why the two organisations are sometimes interchangeable in official documents.⁵⁵ In 1994 the *Government Gazette* proclaimed Vlakgezicht and Kempiana as a CNP (Pietersen 1999).

The Southern African Wildlife College (SAWC) provides formal qualifications to protected area employees in southern Africa. Top SANP and WWF-SA personnel identified this need for which they hoped to use the Hans Hoheisen Research Station. However, provincial governments could not agree on which province the station was in so the College was built on Kempiana and officially launched by WWF-SA in 1997.⁵⁶

2.2.6 Melkbosrand, Augrabies Falls National Park

Augrabies Falls National Park (AFNP) is 120km west of Upington in South Africa's Northern Province. On its north-western corner is the 745.62km² Riemvasmaak communal area bordered by Namibia on its west and the Orange River on its south (Figure 7). Mean annual rainfall at Riemvasmaak is only 124mm and, although unpredictable, tends to peak between February and April. The mean annual temperature is 22°C but can exceed 40°C in summer. Old sedimentary volcanic rocks and more recent Nama sedimentary grey and red-brown quartzite and shale underlie Riemvasmaak. Sandy alluvial deposits occur along the river beds (Hoffman 1996). The flora of AFNP is Orange River Nama Karoo or Orange River broken veld. Only 1.5% of this vegetation type is protected in South Africa and it is threatened by crop irrigation for cotton, lucerne, and grapes, mining and stock farming (Schwartz et al. 2000; Low and Rebelo 1996).

Khoikhoi pastoralists and San hunter-gatherer-fishers first occupied the area by the Orange River. Wildlife occupied land away from the river but also utilised land close to the river with domestic stock. In the 1870s some families of Nama, Damara or Herero origin trekked here from Namibia and were joined by coloured pastoralists and Xhosa-speakers from the south. More pastoralists entered Riemvasmaak in the first half of the 20th century and numbers rose from 145 in 1920 to 1,540 in 1961 (Hoffman 1996). In 1973 and 1974 about 1,500 people were forcibly removed from Riemvasmaak so the South African Defence Force (SADF) could use the area for training troops and testing weapons (Hoffman 1996; Devereux 1996). Apartheid classified and divided Riemvasmakers along ethnic lines and re-located Xhosa-speakers to the Eastern Cape and Kakamas (Schwartz et al. 2000), and Damara-speakers to the uninhabited edge of the Namib Desert (Devereux 1996). Domestic stock were removed, and the NPB who helped SADF with land management, re-introduced some wild ungulates (Hoffman 1996). A contract was signed, but CNP status was in reality used to conceal the extent of SADF's activities, the proof of which can be seen by the many large craters from testing weapons,⁵⁷ and injuries to local people from unexploded shells (DANCED 2000b). Riemvasmakers removed to Namibia could not vote in Namibia's first elections in 1989 due to their unclear status. They were able to return South Africa in 1994, but many had by then applied for Namibian citizenship (Devereux 1996). In 1993 they submitted and won a land claim and in 1995 many returned from their diaspora to settle in the land of their birth (Hoffman 1996; Schwartz et al. 2000).

AFNP was proclaimed in 1966, and three Riemvasmaak farms were also incorporated in 1982 (Schwartz et al. 2000). Despite the Riemvasmakers' successful land claim, the three farms were not returned to the community with the rest of their land despite graves, and ruins of a school and church (destroyed by SANP)⁵⁸ proving their occupation (DANCED 2000b). A CNP has been proposed for the 41.37km² farm Melkbosrand (de Villiers 1999a; Smith 1999). This farm is valued by Riemvasmakers as it allows them access to river water and it used to be their home (DANCED 2000b). The other two farms, Omdraai and Waterval-Noord, are 58.03 and 30.02km² respectively. All three farms are under claim by the Riemvasmaak Community Development Trust (Smith 1999; Schwartz et al. 2000). However, by May 2000 the claim had not been settled and no CNP had been finalised.⁵⁹ The community is divided on the issue of a CNP, and in 1998, the board of SANP decided the issue should not be resolved without an overwhelming majority of Riemvasmakers.⁶⁰

2.2.7 Uluru - Kata Tjuta National Park

UKTNP is 1,325km² and located in central Australia 335km south west of Alice Springs. UKTNP and Yulara resort, which caters for visitors, are surrounded by Aboriginal freehold land (Figure 10). Uluru is a 340m high sandstone monolith 9.4km in circumference. UKTNP also contains 36 dome-like rock formations up to 546m high known as Kata Tjuta (Plan of Management 2000). Annual rainfall averages 250mm and mean monthly temperatures range from 39°C in January to 4°C in July (Griffin 2000).

UKTNP is the only protected area in the Northern Territory's Great Sandy Desert bioregion (Plan of Management 2000). It has Cainozoic red earth plains, and a desert ecosystem including dune-fields, sand-plains and salt lakes. Spinifex grasslands cover desert areas, acacia shrub-lands cover the red earth plains (Griffin 2000), and mulga plains cover runoff areas (De Lacy and Lawson 1995). UKTNP has 416 plant species (Australian Nature Conservation Agency 1995). Significant species include the sandhill mulga and a rare tussock grass, *Eriachne scleranthoides* (Plan of Management 2000). Deserts and uplands are unusually diverse, especially in reptile fauna of high conservation value (Griffin 2000). The 73 reptile species include the vulnerable great desert skink. UKTNP has 21 native and six introduced mammal species, and a representative arid zone bird population with 178 recorded species including the rare scarlet-chested parrot (Plan of Management 2000).

UKTNP's 34 alien plant species are a challenge to conservation. The most threatening is buffel grass (Plan of Management 2000), introduced in the 1960s to stabilise water holes.⁶¹ Alien mammal species are also a problem. Fox, cat, rabbit, house mouse, camel and dog live in UKTNP (Australian Nature Conservation Agency 1995). Twenty-one out of the original 46 native mammal species exist in UKTNP⁶² (Plan of Management 2000) and 60% of 5-500 gram marsupials such as the rufous hare wallaby have been lost.⁶³ Losses may be due to changes in burning regimes (Davies 1999) and the large 1950 and 1976 fires,⁶⁴ severe drought (Baker et al. 1992), and pressures from introduced predators and herbivores⁶⁵ (Plan of Management 2000; Baker et al. 1992). Rabbits arrived in 1950, shortly followed by foxes.⁶⁶ Rabbits ate the native animals' food and displaced them from burrows. Native species persisted until 1935, but a drought in 1937 caused crashes in rabbit and native mammal populations.⁶⁷ Fox predation and pressure from cattle then finished off native mammal populations.⁶⁸ The rabbit control programme has helped mitigate vegetation damage (Plan of Management 2000), but rabbits and predation by foxes and cats remain problematic.⁶⁹ Increasing camel numbers also damage the vegetation. Such non-native mammals cause particular damage to the important transitional sandplain habitat fauna (Plan of Management 2000).

The local Western Desert Aboriginal people speak Pitjantjatjara and Yankunytjatjara, and are known as Anangu. Anangu believe they descended from ancestral beings that created the landscape when time began. They must protect and manage the land using knowledge passed on through Tjukurpa (Plan of Management 2000). Tjukurpa is the creation period but also shapes Anangu society, and refers to a moral system, religion, law and history. It is not written down and is often passed on to the appropriate people through ceremony. Non-Aboriginal people cannot know most of Tjukurpa. Traditional forms of land ownership and individual responsibility for knowledge and environmental maintenance demonstrate the strong physical and spiritual links between Anangu and their land (Griffin 2000). Western science suggests that central Australia has been occupied for 30,000 years, that Anangu have lived around Uluru for 22,000 years (Australian Nature Conservation Agency 1995) and that contemporary Anangu culture began about 5,000 years ago. Historically Anangu did not live at Uluru as it was too

culturally important.⁷⁰ They were hunters and gatherers, and their use of fire dramatically altered ecosystems (Griffin 2000).

The first European explorer came to the region in 1872 (Australian Nature Conservation Agency 1995). A few missionaries, dingo scalp hunters and prospectors followed him, but once it was concluded that the area was unsuitable for pastoralism, Anangu had exclusive use of the area until the 1930s (Griffin 2000; Plan of Management 2000). In 1920 the region was included in a reserve to protect Aboriginal people who were being decimated by displacement and exotic diseases. Expansion of pastoralism in the 1920s and 1930s led to conflict between Aboriginal and non-Aboriginal people. Police patrols increased and in 1934, one Anangu was shot. Many others left due to fear and drought. The reserve was further reduced in 1940 to facilitate mineral exploration, and in 1958 to establish a National Park (Plan of Management 2000; Uluru National Park Lease 1985; Woenne-Green et al. 1993). The then Minister of Aboriginal Affairs justified this by stating "*Ayers Rock and Mount Olga now have little ceremonial significance for the natives. Water supplies in the area are not permanent, and hunting resources are sufficient for only a few scattered bands*" (Griffin 2000). Anangu were pressured to leave the area, aided by drought, police patrols and government resettlement policies. In 1962 about 60 lived around Uluru, but by the late 1960s most had gone. Some returned in the 1970s, and the population was 30 in 1981. When proclaimed, UKTNP was home to about 100 people (Griffin 2000), but Mutitjulu's population is now 385 and growing at 12% per year.⁷¹

Tourism began after the first road to Uluru was built in 1948. From the 1950s tourism infrastructure developed next to Uluru's base (Griffin 2000). Accommodation and camping facilities were established in 1967 and an airstrip followed. In 1984 these were closed and relocated to Yulara resort 27km away. Yulara is a closed town owned by General Property Trust and managed by Ayers Rock Resort Management. Housing is only available to people like resort staff (OJM 1999). Extensive accommodation meant that visitor numbers soared from 80,000 in 1983 (Griffin 2000) to 372,000 in 1999 (Plan of Management 2000). Uluru is now the most readily identifiable image of Australia (Griffin 2000).

In 1977, UKTNP was declared under the Commonwealth National Parks and Wildlife Conservation Act and vested in the Director of Australian National Parks and Wildlife Service (ANPWS), now known as Parks Australia (Woenne-Green et al. 1993). In 1979 the traditional owners, represented by the CLC, lodged a claim under the Land Rights Act for land including UKTNP (Plan of Management 2000). The Land Claims Commissioner, Justice Toohey, accepted that Uluru had 104 traditional owners and Kata Tjuta had 57, and granted them land around UKTNP. This excluded Uluru and Kata Tjuta, which were on Crown land alienated as a national park (Woenne-Green et al. 1993). Anangu persisted in their claim and the Northern Territory government offered them title to Uluru and Kata Tjuta in 1982 (Griffin 2000). This was rejected as it would have disadvantaged other Aboriginal people claiming land, and stronger title was possible under the Land Rights Act. Despite territory government opposition, a new

Commonwealth Government granted the Uluru - Kata Tjuta Land Trust title in 1985 as long as the land was leased back to the Director for 99 years (Uluru National Park Lease 1985). In 1986 Parks Australia replaced the Conservation Commission of the Northern Territory as UKTNP manager (Plan of Management 2000), and the UKTNP Board of Management was established with six out of 19 Aboriginal members (de Villiers 1999a).

UKTNP was listed as a Biosphere Reserve in 1977 and has been assigned IUCN Category II status (Appendix 2). It was listed as a World Heritage site for its natural values in 1987, which represented "*ongoing geological processes, biological evolution...unique, rare or superlative natural phenomena*" and "*exceptional combinations of natural or cultural elements*" (Plan of Management 2000). UKTNP was also listed for its cultural values in 1994, which were "*directly and tangibly associated with events or living traditions, or with beliefs of outstanding universal significance*" (Plan of Management 2000). Only 22 World Heritage Sites are listed for both their natural and cultural heritage (Plan of Management 2000). UKTNP is ranked as one of the world's most significant arid land ecosystems (Australian Nature Conservation Agency 1995). In 1995 it won UNESCO's Picasso Gold Medal for its efforts to preserve landscape and Aboriginal culture (Plan of Management 2000). However, one board member suggests that whilst UKTNP is in the correct place, it contains no crucial species and World Heritage and Biosphere Reserve listing was for historical, political and social reasons. He adds that its borders were drawn according to scenic criteria, and that it is too small to conserve all ecological processes and merit World Heritage status today.⁷²

2.2.8 Kakadu National Park

KaNP is 19,804km² and is 120km east of Darwin in Australia's Northern Territory (Figure 11). It is in the wet-dry tropics and has a wet season with localised depressions bringing heavy rain and cyclones between December and March. Mean annual rainfall is 13cm in the south, and temperatures are high all year, with daily means varying from 22.4°C to 34.0°C (Press et al. 1995). The most prominent feature of KaNP is the sandstone Arnhem Land plateau, which formed a 500km escarpment 2,000 million years ago. Soils on the escarpment, plateau and rocky outliers are leached and infertile (Plan of Management 1999). Riverine and coastal floodplains are only 1,000 years old. They have shallow, acidic, infertile soils supporting extensive wetlands (Plan of Management 1999; Press et al. 1995). The ancient and new landscape formations have produced spectacular vistas and features of great beauty (Environment Australia 1999a).

KaNP contains samples of all the major Australian 'top end' habitats (Plan of Management 1999). The plateau contains rainforest vegetation, spinifex grasslands and wooded savannahs. The lowland plains contain grasslands, wooded savannahs, eucalypt forests, rivers, billabongs and fringing vegetation. Four major river systems and the coast have produced extensive freshwater floodplains and swamps as well as estuarine mudflats and mangroves (Press et al. 1995). KaNP contains 6,830km² of wetlands (Davies 1999; Lawrence 1999), 500km² of coastal and estuarine areas and two islands (Environment Australia 1998).

KaNP is a flagship national park in an inadequate national protected area system.⁷³ It contains a series of interacting ecosystems evolving in their natural setting (Environment Australia 1999a), and its large size provides stability and resilience and protects most of the South Alligator River's catchment area (Lawrence 2000; Plan of Management 1999). KaNP is a refuge for declining populations and contains high diversity and endemism.⁷⁴ Unlike the rest of Australia, it has retained nearly all biodiversity thought to have existed there 200 years ago (Plan of Management 1999; Environment Australia 1998). Its integrity is apparent when compared to Arnhem Land to the east of KaNP which has a smaller population but is damaged by agriculture, and degraded due to a lack of burning and weed and feral animal control.⁷⁵

KaNP protects impressive biodiversity with many rare or highly localised species, and continual discovery of new species (Environment Australia 1998). It contains outstanding examples of north Australia's most important ecosystems, and more plant species than any similar sized area in north Australia (Press et al. 1995). Of the 1,700 KaNP plant species, 11% of those in the sandstone country, 8% of those in the open forest and 4% of those in the woodlands occur only in the region. KaNP protects 97 rare, vulnerable or poorly known plant species (Plan of Management 1999), and 18 species, such as the box, *Eucalyptus koolpinensis*, are recorded nowhere else (Press et al. 1995). The southern hills in particular have over 30 rare or endemic plant species. *Allosyncarpia* trees are found only along the Arnhem Land escarpment (Environment Australia 1999a), and the eucalypt forest is part of the last large expanse found in Australia. KaNP heath vegetation is also rare in northern Australia (Press et al. 1995). Some 22 mangrove species occur on the mudflats, and the mangrove swamps are important breeding grounds for birds, invertebrates and fish such as the barramundi (Environment Australia 1999a).

The 64 terrestrial mammal species in KaNP equate to over 25% of those in Australia (Plan of Management 1999). They include the white-striped sheath-tail-bat found nowhere else (Press et al. 1995), and the black wallaroo found only on the rock outliers (Environment Australia 1998). KaNP has 289 bird species, which is over a third of those in Australia and includes the endangered gouldian finch (Plan of Management 1999), and the chestnut-quilled rock pigeon and white-throated grasswren, which only occur locally (Environment Australia 1998). KaNP's wetlands are important for migratory birds and 35 species of waders have been recorded (Environment Australia 1998; 1999a). KaNP is also a stronghold for magpie geese, which were once common throughout Australia (Environment Australia 1998). It is the most species-rich region in freshwater fish in Australia with 55 species, all of which are native (Plan of Management 1999; Press et al. 1995). KaNP has 132 reptile species (Environment Australia 1999a) including two crocodile species, 11 turtle species, such as the endangered loggerhead turtle 76 lizard species and 39 snake species (Plan of Management 1999) including the Oenpelli python and giant cave gecko, which are restricted to the rock outliers. KaNP also has 25 frog species, and over 10,000 insect species (Environment Australia 1999a) including 100 termite species and 300 ant species (Press et al. 1995).

Invasive weeds are a major threat to KaNP's biodiversity (Plan of Management 1999; Wellings 1994). Ninety-six alien species occur in KaNP (Press et al. 1995) of which, mimosa, salvinia, and para grass cause most concern (Lawrence 2000). Mimosa was introduced to Australia as an ornamental or a cover crop and was first found in KaNP in 1981. Seeds are viable for 23 years and are spread by seasonal flooding. There are no large infestations⁷⁶ due to a dedicated mimosa eradication programme, which cost AU\$300,000 in 1993 (Press et al. 1995; Lawrence 2000). The 150 small infestations are all under control (Press et al. 1995). Salvinia is a free-floating aquatic South American fern brought over as an aquarium plant (Environment Australia 1998). It was introduced into KaNP in 1983 and has since spread through most of KaNP's permanent freshwater billabongs (Lawrence 2000). Para grass was introduced as a fodder grass. It spreads throughout flood plains choking native grasses, which provide food for native birds (Lawrence 2000).

Another major threat to KaNP's biodiversity is feral animals (Wellings 1994). Mammals include water buffalo, cattle, horses, donkeys, pigs, cats, black rats, house mice and dogs. European honeybees are cause for concern (Press et al. 1995). Buffalo cause localised damage to KaNP rainforest patches⁷⁷ and levees which when damaged can cause swamp drainage or allow salt-water intrusion (Lawrence 2000; Plan of Management 1999; Letch et al. 1994). Buffalo forage on and trample native grasses (Lawrence 2000), and their grazing alters the fuel load and behaviour of fire.⁷⁸ They break up the soil surface thus increasing erosion (Plan of Management 1999) and encouraging weed infestations (Press et al. 1995; Christian and Aldrick 1977). They also damage rock art and archaeological sites (Christian and Aldrick 1977; Plan of Management 1999). Some 20,000 buffalo lived in KaNP lowlands in 1988, but the national Brucellosis and Tuberculosis Eradication Campaign (BTEC) reduced numbers to about 250 by 1996 (Plan of Management 1999). Thousands of horses and pigs live in forest areas where they cause considerable soil damage and seriously degrade the environment⁷⁹ (Plan of Management 1999; Letch et al. 1994). Pigs and their poachers encourage weed growth by disturbing soils, digging up floodplains and spreading seeds⁸⁰ (Plan of Management 1999). However, most impact is localised⁸¹ and pigs have little effect on native animals or plants.⁸² Cats threaten sandstone fauna and about 100 are shot each year (Plan of Management 1999). Cane toads are a possible future threat⁸³ (Plan of Management 1999; Letch et al. 1994).

Aboriginal people have occupied the area for more than 50,000 years, and Kakadu has had one of the longest periods of occupation in Australia (Roberts et al. 1990), as well as the highest density of people.⁸⁴ They believe that the landscape and its biodiversity and people were shaped by spiritual ancestors traversing the land in creation time (Environment Australia 1998). Sacred sites are usually the resting sites of these first people⁸⁵ who brought laws, ceremony, language, kinship, ecological knowledge and knowledge of how to live with and look after country (Environment Australia 1998). Today they are known as Bininj or Mungguy and KaNP covers

the land of several clan groups (Environment Australia 1998). Many still maintain strong spiritual links with the land (Blyth et al. 1992).

KaNP is a rock art region of global importance with 5,000 recorded sites but probably more than 15,000 (Plan of Management 1999; Press et al. 1995). The art records human interaction with the environment continuously since the Pleistocene (Plan of Management 1999; Weaver 1991). It proves Aboriginal people's long occupation of the area (Lawrence 2000; Press et al. 1995) as some sites may be 20,000 years old, but others are as recent as 1985 (Parks Australia 2000). Style changes are seen over time (Press et al. 1995) with early stick figures, moving onto X-ray style animal painting, and then contact art where European figures with guns and shoes are drawn (Parks Australia 2000). KaNP also has many archaeological and sacred sites (Blyth et al. 1992; Lawrence 2000).

The first non-Aboriginal people Bininj/Mungguy met were probably Macassan fishermen in the 17th century. In 1818 the British navigator, Phillip King named the South and East Alligator Rivers, in 1838 Port Essington was established on the Coburg Peninsula, and in 1845 the explorer, Leichhardt passed through (Plan of Management 1999; Christian and Aldrick 1977). The 1870s Pine Creek gold rush employed many Aboriginal people who were paid with opium, alcohol, and other goods (Lawrence 2000). In the 1820s water buffalo were introduced and spread causing environmental damage but providing Aboriginal people with food. Buffalo hunting by Europeans began in the 1880s (Plan of Management 1999; Christian and Aldrick 1977) and in the mid 20th century the industry employed many Aboriginal people.⁸⁶ Aboriginal skill, knowledge and manpower were also relied upon for European enterprises such as cattle farming, crocodile hunting, and sawmills. Mission work began in 1900 (Press et al. 1995) and tourism began in the mid 20th century with small visitor camps⁸⁷ and then a hunting lodge at Nourlangie in 1953 (Lawrence 2000). When Europeans first settled in the area in the early 19th century, Kakadu's population was about 2,000. Despite in-migration numbers fell to about 80 in the 1980s due to Europeans diseases for which Aboriginal people had no defence (Press et al. 1995), in particular sexually transmitted diseases, which affected fertility.⁸⁸ Employment led to social dislocation (Hill and Press 1995) and Europeans introduced opium, alcohol, tobacco and policies such as the removal of mixed race children. The Commonwealth Government responded to this problem by proclaiming a large Aboriginal reserve in what is now the north of KaNP (Lawrence 2000). By 1992, Kakadu's population had increased to 300 (Press et al. 1995). About 450 Aboriginal people now live in Jabiru and KaNP outstations.⁸⁹

A national park in the Alligator River region was first proposed in 1965 by the Northern Territory Reserves Board (Christian and Aldrick 1977; Hill and Press 1994; Anon 1996b; Davies 1999). In 1970 the national park pre-planning committee noted evidence of Aboriginal activity but denied park-centred Aboriginal use (Lawrence 2000). In 1973 the Commonwealth Government established an inquiry headed by Justice Woodward into Aboriginal rights in the Northern Territory. He suggested that Aboriginal title, national park status and joint management

would satisfy all interests and identified some principles to ensure that Aboriginal interests were not subjugated to those of conservation. These included Aboriginal majorities on boards of management (Hill and Press 1994; Anon 1996b).

Gold was found in the Northern Territory in 1865, tin in the 1930s and silver and galena in 1947 (Lawrence 2000). Uranium was found in 1953 at Coronation Hill, and in the early 1970s at Koongarra, Jabiluka and Ranger (Davies 1999; Plan of Management 1999; Hill and Press 1994). National park and mining interests were incompatible (Lawrence 2000) so when development of the Ranger deposit was proposed in 1975 the government established the Ranger Uranium Environmental Inquiry focusing on the impact of mining on Aboriginal people. The Land Rights Act, born out of Justice Woodward's work, was passed at about this time. It provided for the Ranger Inquiry, which it stated should determine the merit of an Aboriginal land claim in the Alligator River region (Hill and Press 1994; Anon 1996b; Davies 1999; Plan of Management 1999). The Inquiry therefore heard the first Northern Territory Aboriginal land claim (Lawrence 2000).

In 1977 the Inquiry recommended granting title to Aboriginal claimants, establishing a national park, resuming two pastoral leases (which Aboriginal people could then claim), establishing a plan of management strongly representing Aboriginal views, employment of a park community liaison officer, and Aboriginal employment in KaNP and participation in KaNP planning and management. It also recommended that in the nation's economic interests mining should proceed on leases excluded from, but surrounded by KaNP, and that a regional centre (Jabiru) should be incorporated to service the industry (Christian and Aldrick 1977). The Commonwealth Government accepted virtually all Inquiry recommendations, and said that KaNP would be managed as if it were all Aboriginal land (Anon 1996b).

Negotiations between the Commonwealth Government and the NLC concerning Ranger were conducted simultaneously with those for the lease of land to the Director of what is now Parks Australia. KaNP was seen as a buffer zone to protect Aboriginal interests and support tourism (Woenne-Green et al. 1993). National park establishment on Aboriginal land was untried in Australia (Anon 1996b) and required amendments to the National Parks and Wildlife Conservation Act. In 1978 the Kakadu Aboriginal Land Trust was granted title to land, which they then leased back to Parks Australia to form Stage I of KaNP, which was declared in 1979. Its 6,114km² included Jabiru (Plan of Management 1999; Anon 1996b; Lawrence 2000). In 1978 Aboriginal people claimed land proposed for Stage II of KaNP (Plan of Management 1999; Davies 1999). Stage II was proclaimed in 1984, and a lease between the Jabiluka Aboriginal Land Trust and the Director was signed in 1991 (Plan of Management 1999; Davies 1999). Other parts of Stage II are not Aboriginal land as their claim was not entirely successful (Blowes 1992). The 1978 lease with the Kakadu Aboriginal Land Trust was also revised and signed in 1991 (Plan of Management 1999). Land proposed for Stage III of KaNP was claimed in 1987. Stage III was declared in successive stages in 1987, 1989 and 1991 due to debates over

mining at Coronation Hill which is in a culturally significant area known as Sickness Country (Plan of Management 1999). The Prime Minister overruled the cabinet,⁹⁰ and in 1991 the Commonwealth Government prohibited mining (Lawrence 2000; Plan of Management 1999). Jawoyn traditional owners were granted title in 1996, and the Gunlom Aboriginal Land Trust leased the land to the Director (Lawrence 2000; Davies 1999; Plan of Management 1999). In all cases, a non-park option was unavailable to Aboriginal people and title would not have been granted had they not agreed to KaNP (Woenne-Green et al. 1993).

The first KaNP lease perpetuated an advisory role for traditional owners. The Plan of Management and lease committed Parks Australia to Aboriginal employment, training and use of traditional skills, but no formal policies for this were established (Woenne-Green et al. 1993). Traditional owners became more formally involved in KaNP management in 1989 when a Board of Management with an Aboriginal majority was established following the lead of UKTNP (Weaver 1991; Craig 1992; Woenne-Green et al. 1993; Hill and Press 1994).

KaNP's ecological and cultural significance is recognised by many international and regional listings.⁹¹ World Heritage listing occurred in three stages; stage I in 1981, stage II in 1987 and stage III in 1993. Reasons for its natural listing include "*significant ongoing ecological and biological processes...superlative natural phenomena*" and "*significant habitats for in situ conservation*" (Environment Australia 1999a). Reasons for its cultural listing include a "*unique artistic achievement*" and direct association "*with living traditions of outstanding universal significance*" (Environment Australia 1999a). KaNP's wetlands and waterfowl habitats were Ramsar listed in 1980 and 1989 (Press et al. 1995). The Commonwealth Government has also agreed to an East Asian/Australasian Flyway for migratory shorebirds of which KaNP's wetlands are an important part (Davies 1999). KaNP has IUCN Category II status (Appendix 2), and is also on the Register of the National Estate, which offers it some protection under the Australian Heritage Commission Act of 1975 (Plan of Management 1999).

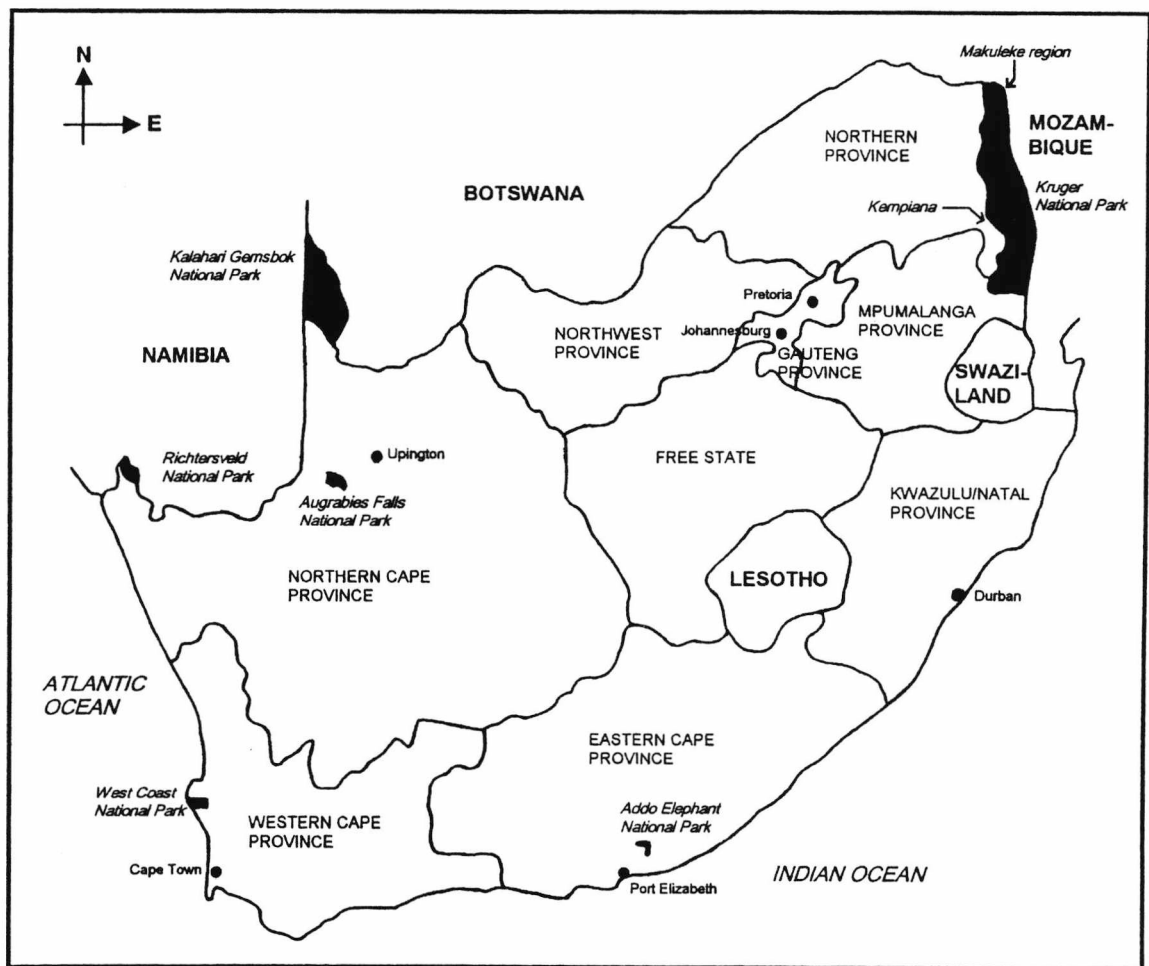


Figure 1: The location of South African national parks included in this study

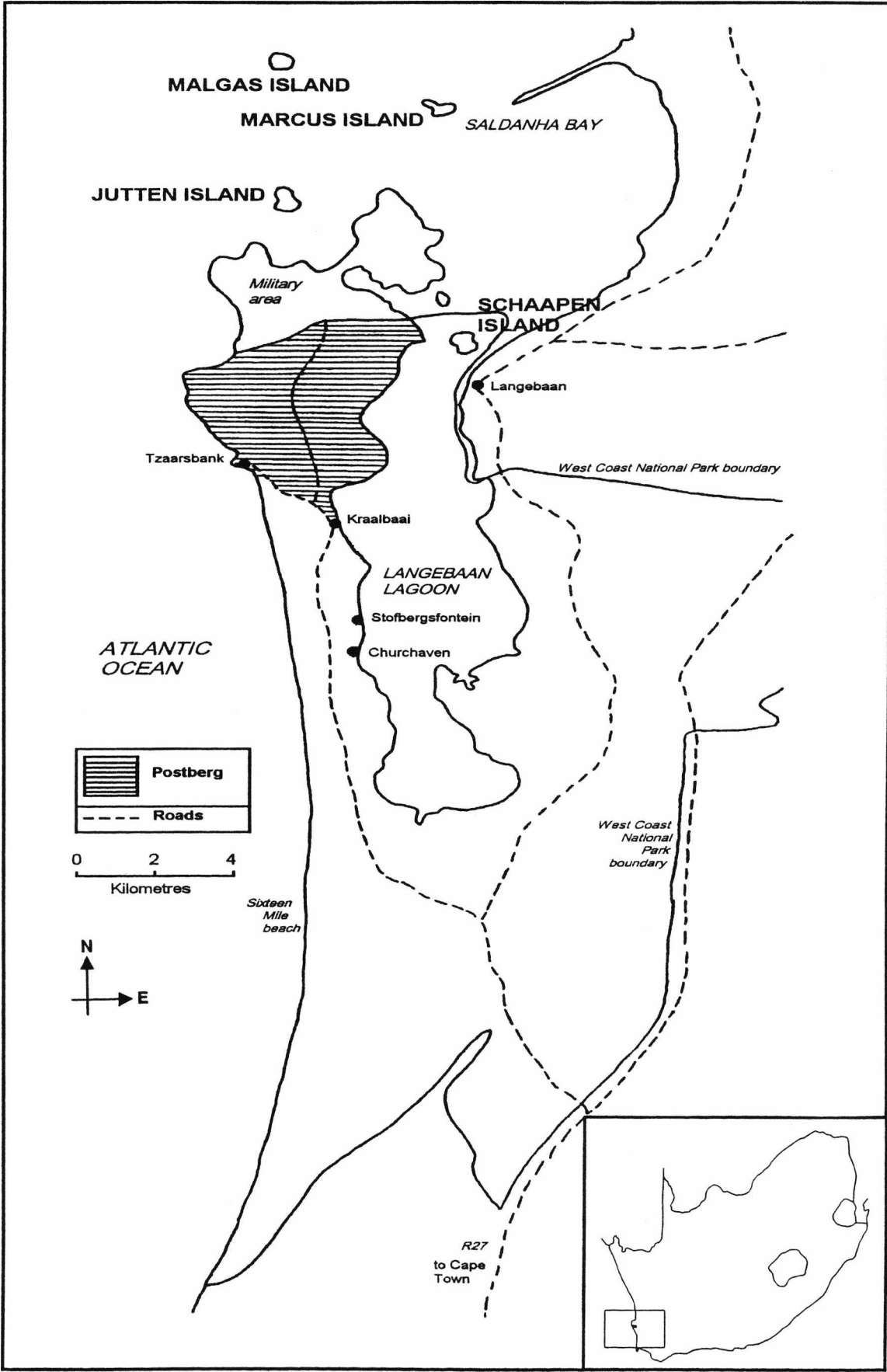


Figure 2: The Postberg section of West Coast National Park and surrounding areas

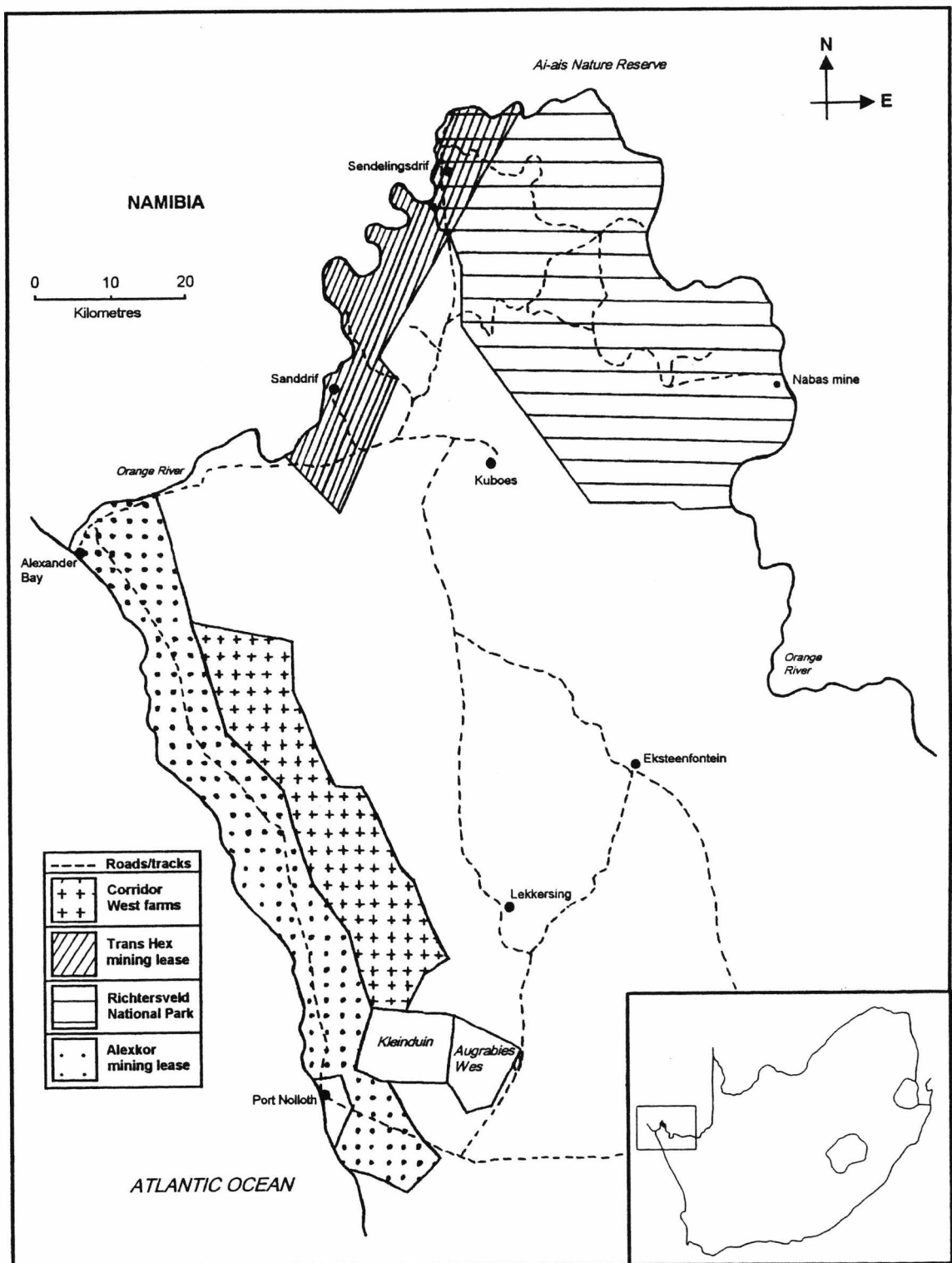


Figure 3: The Richtersveld National Park and surrounding areas

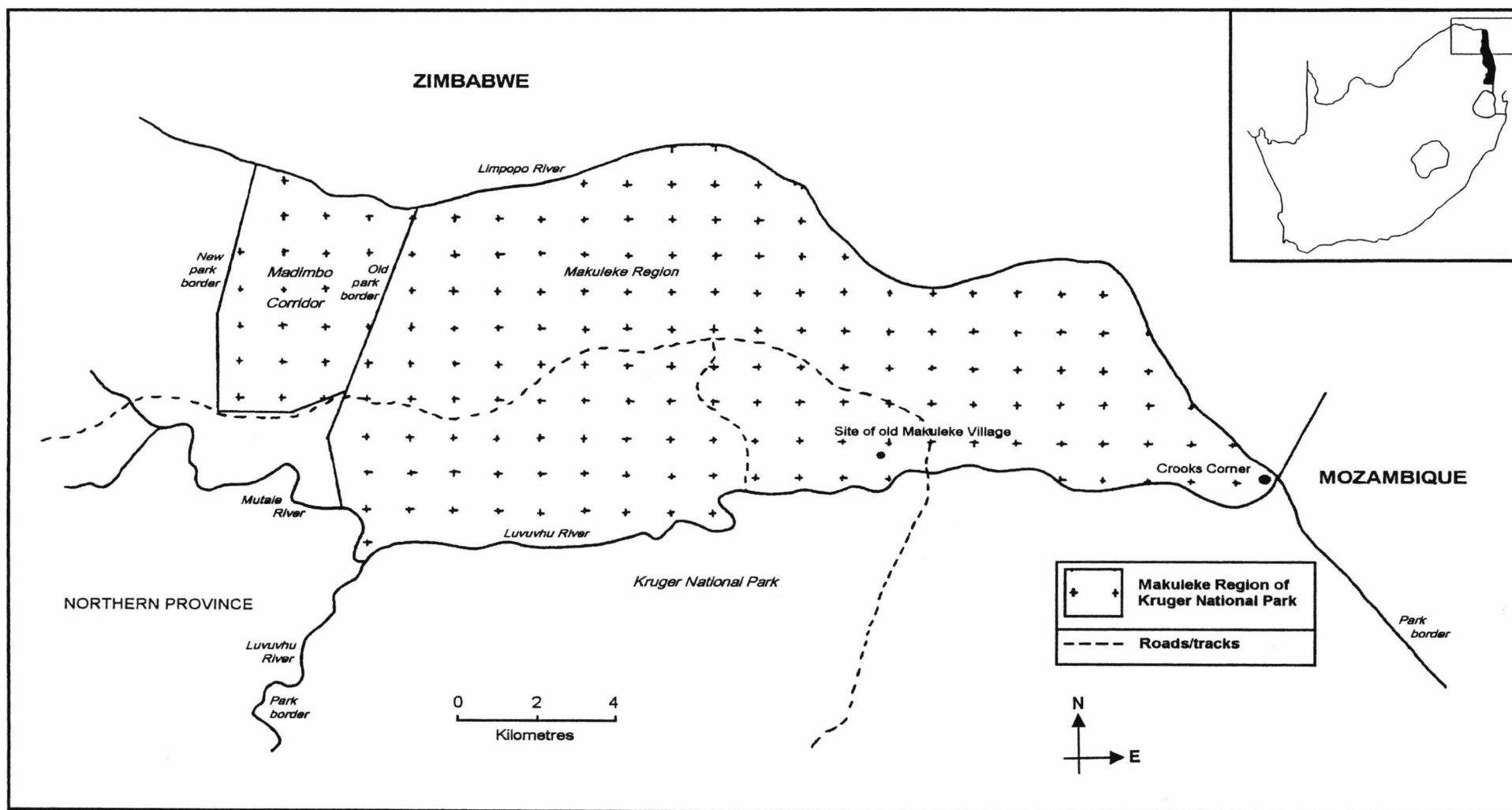


Figure 4: The Makuleke Region of Kruger National Park

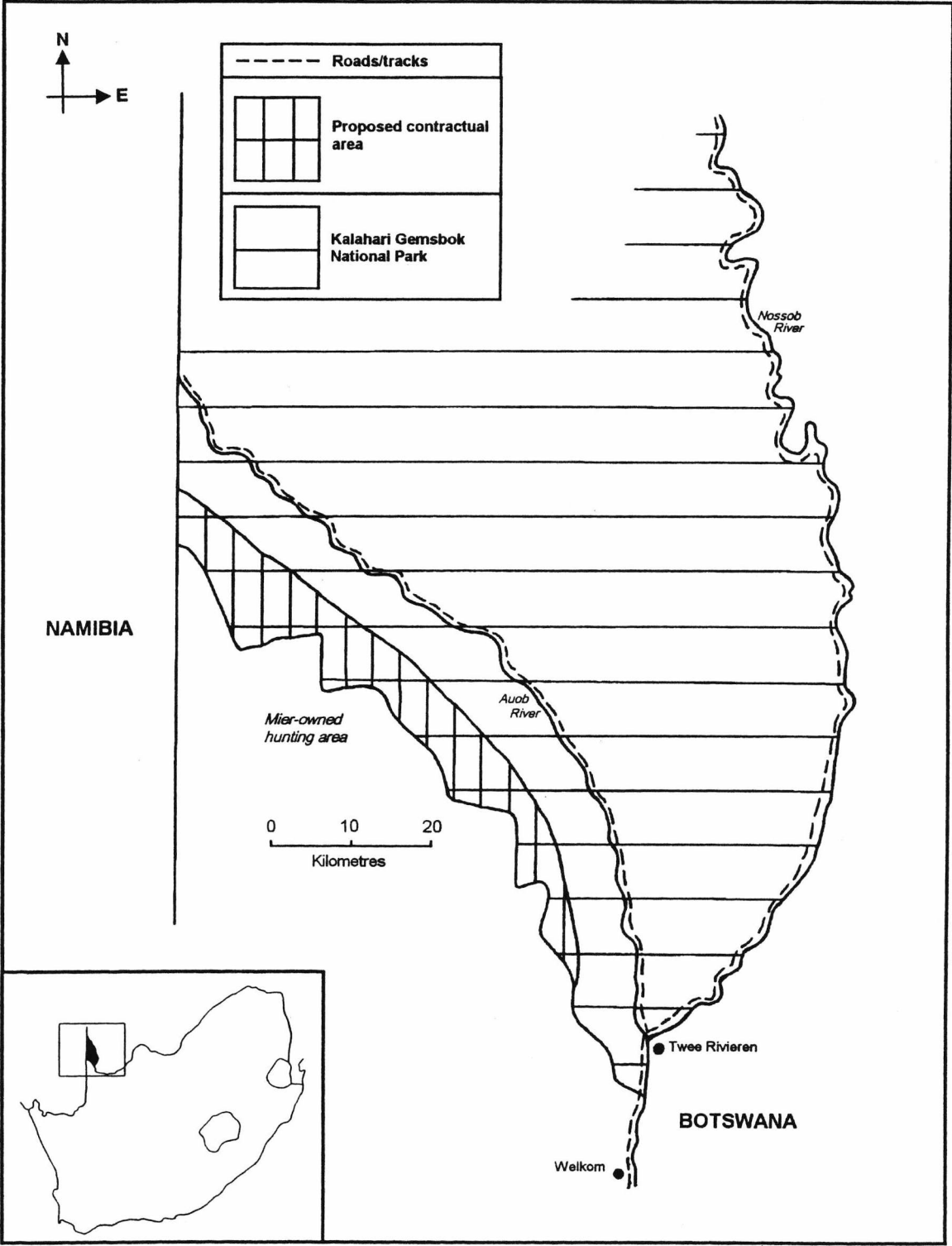


Figure 5: The Kalahari Gemsbok National Park

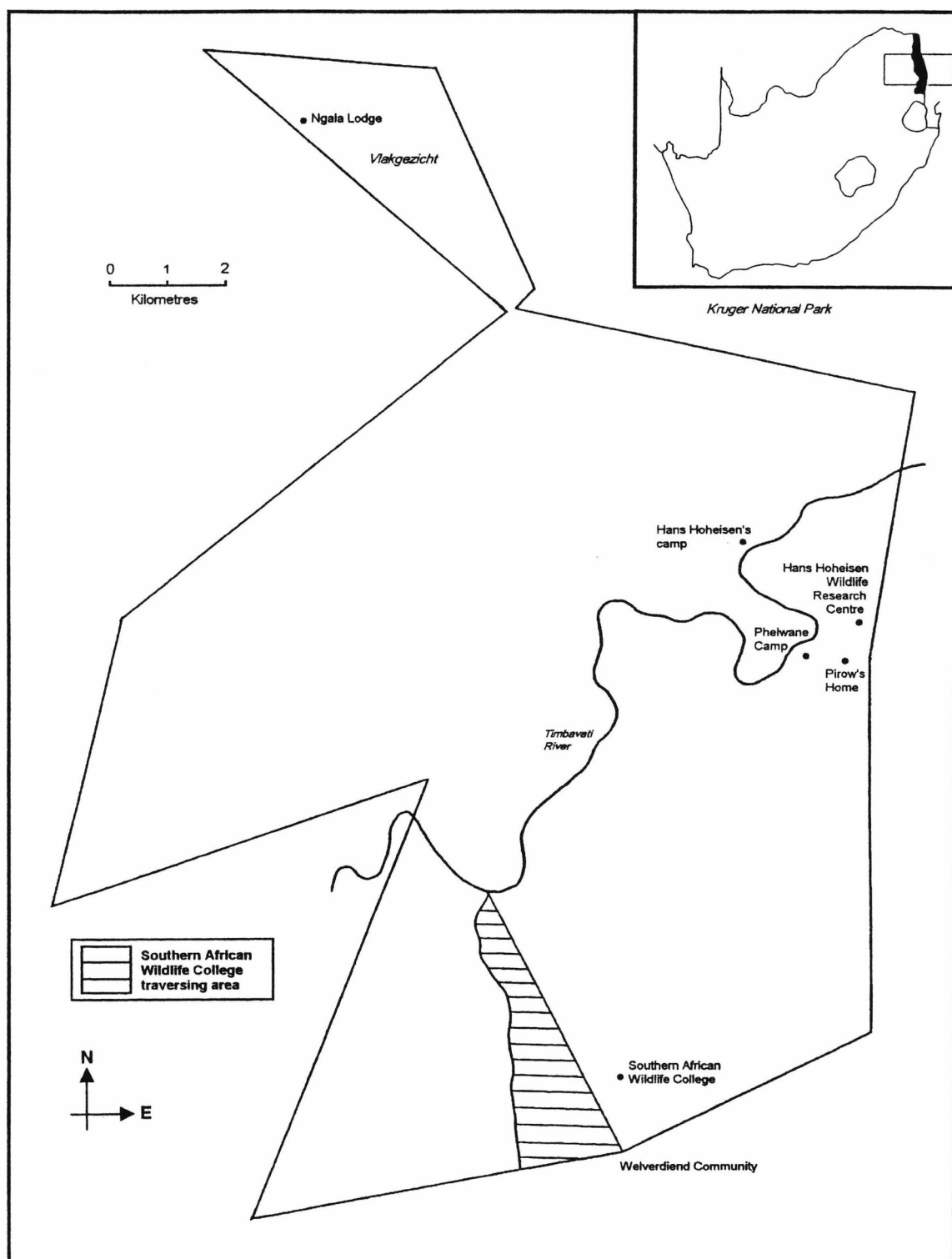


Figure 6: Kempiana, adjacent to Kruger National Park

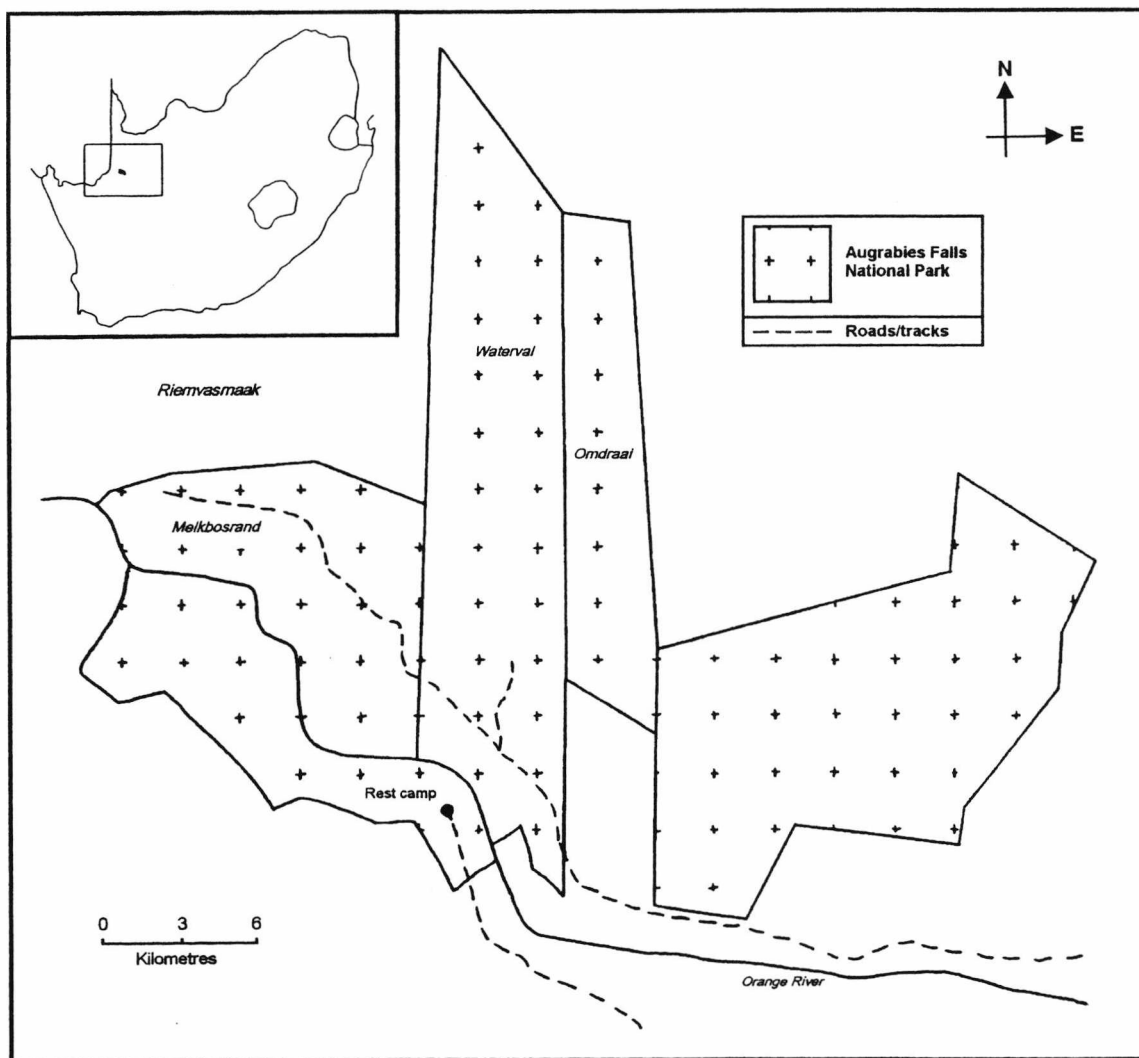


Figure 7: Augrabies Falls National Park

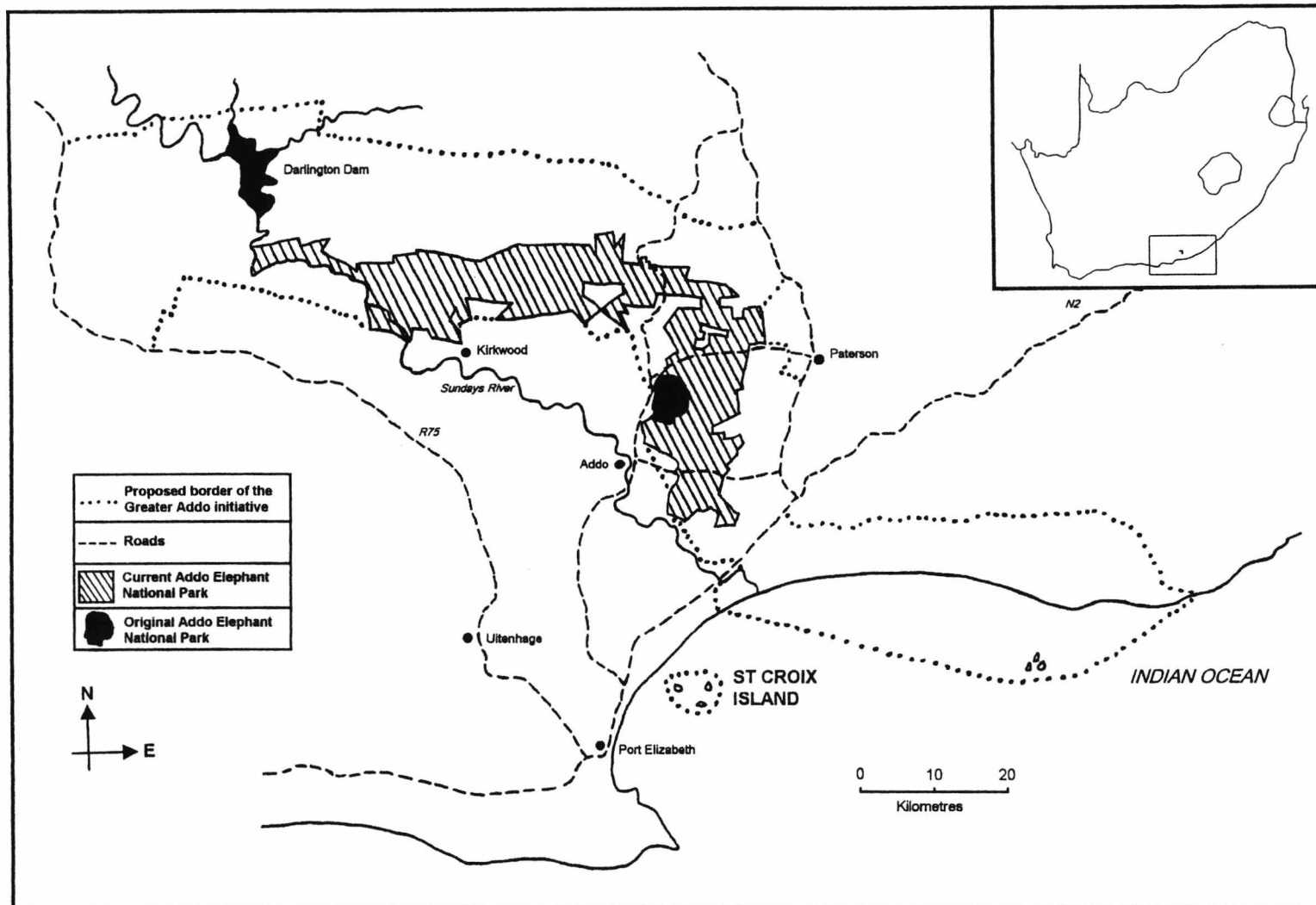


Figure 8: Addo Elephant National Park and surrounding areas

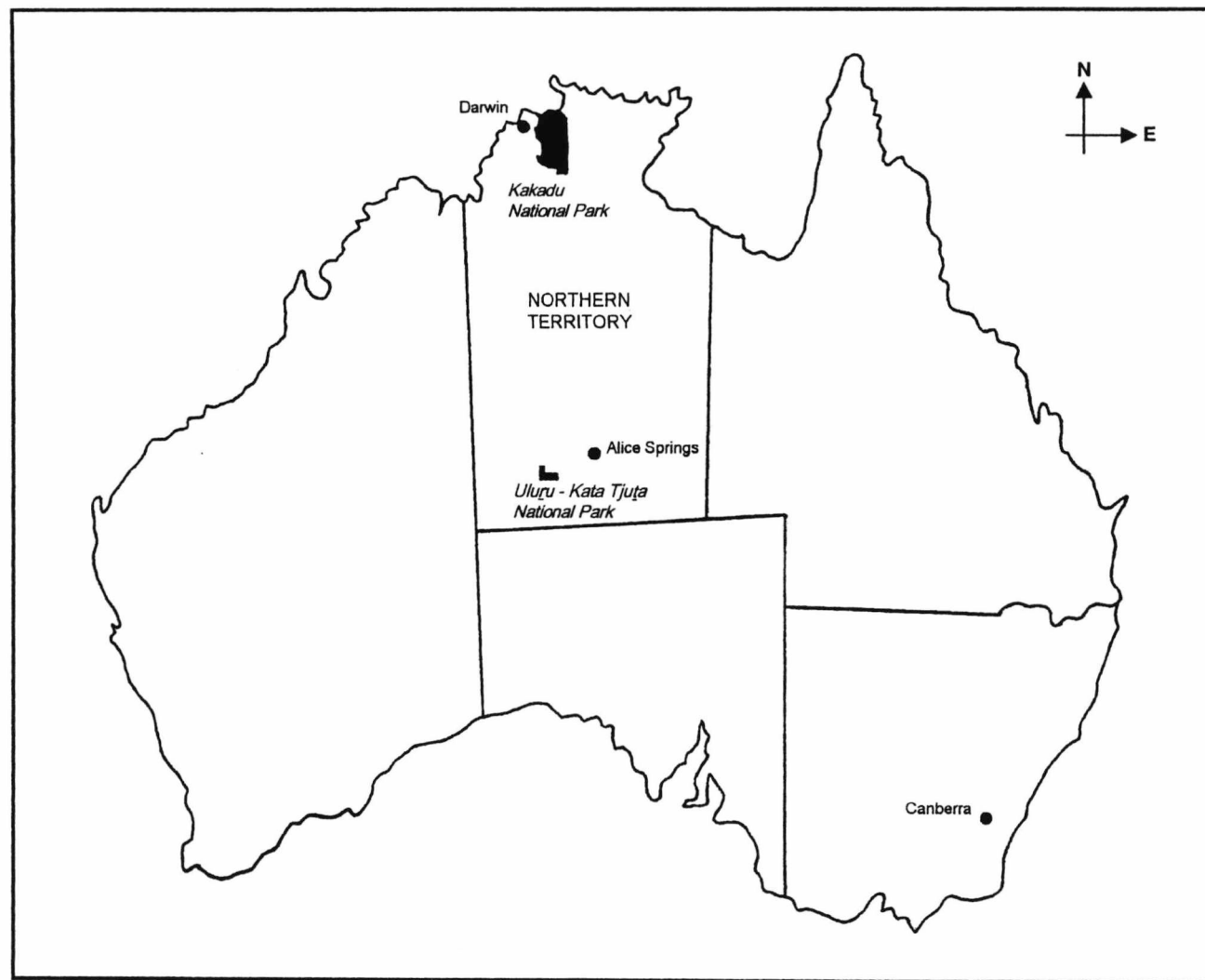


Figure 9: Contractual national parks studied in the Northern Territory, Australia

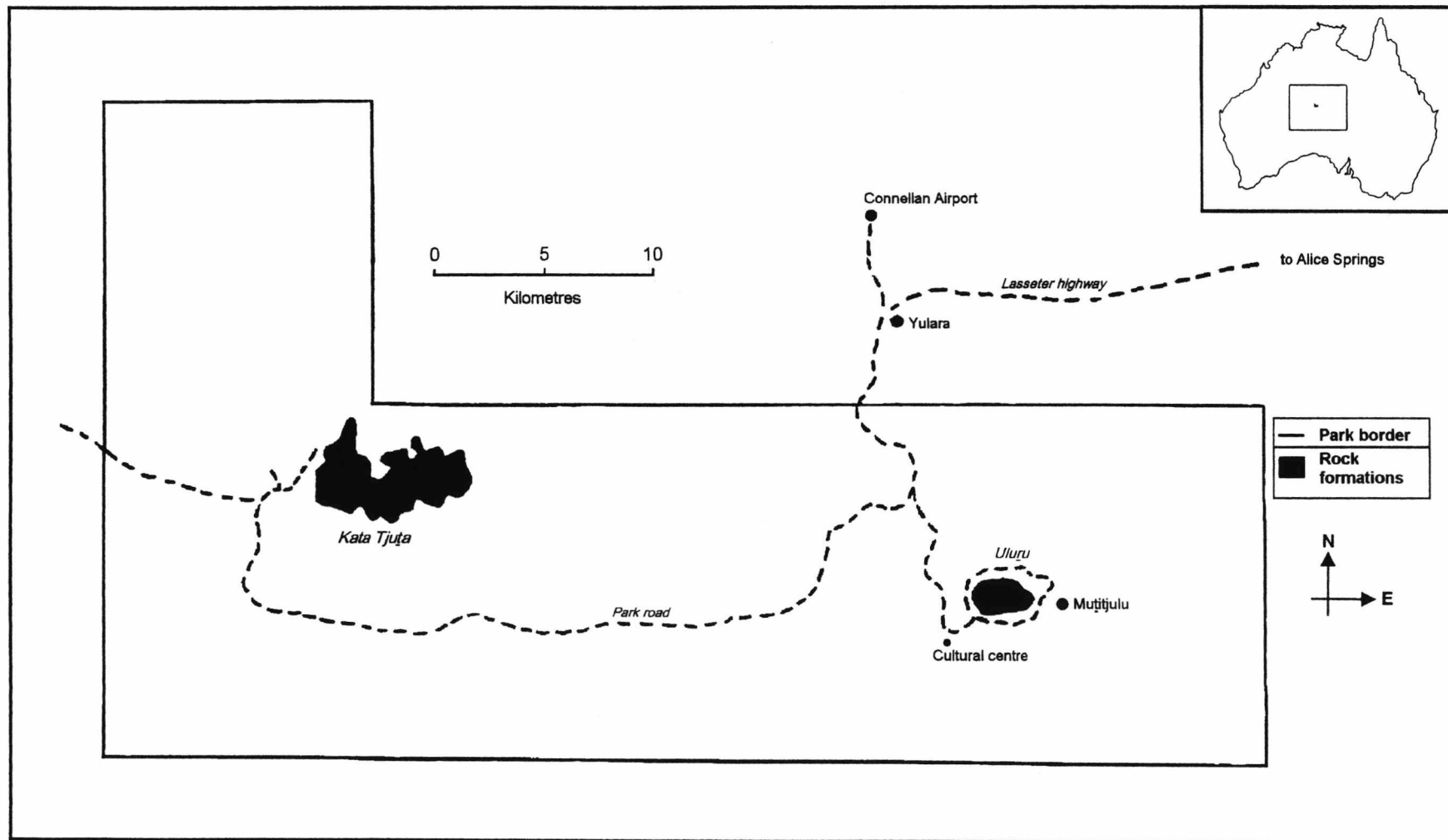


Figure 10: Uluru - Kata Tjuta National Park

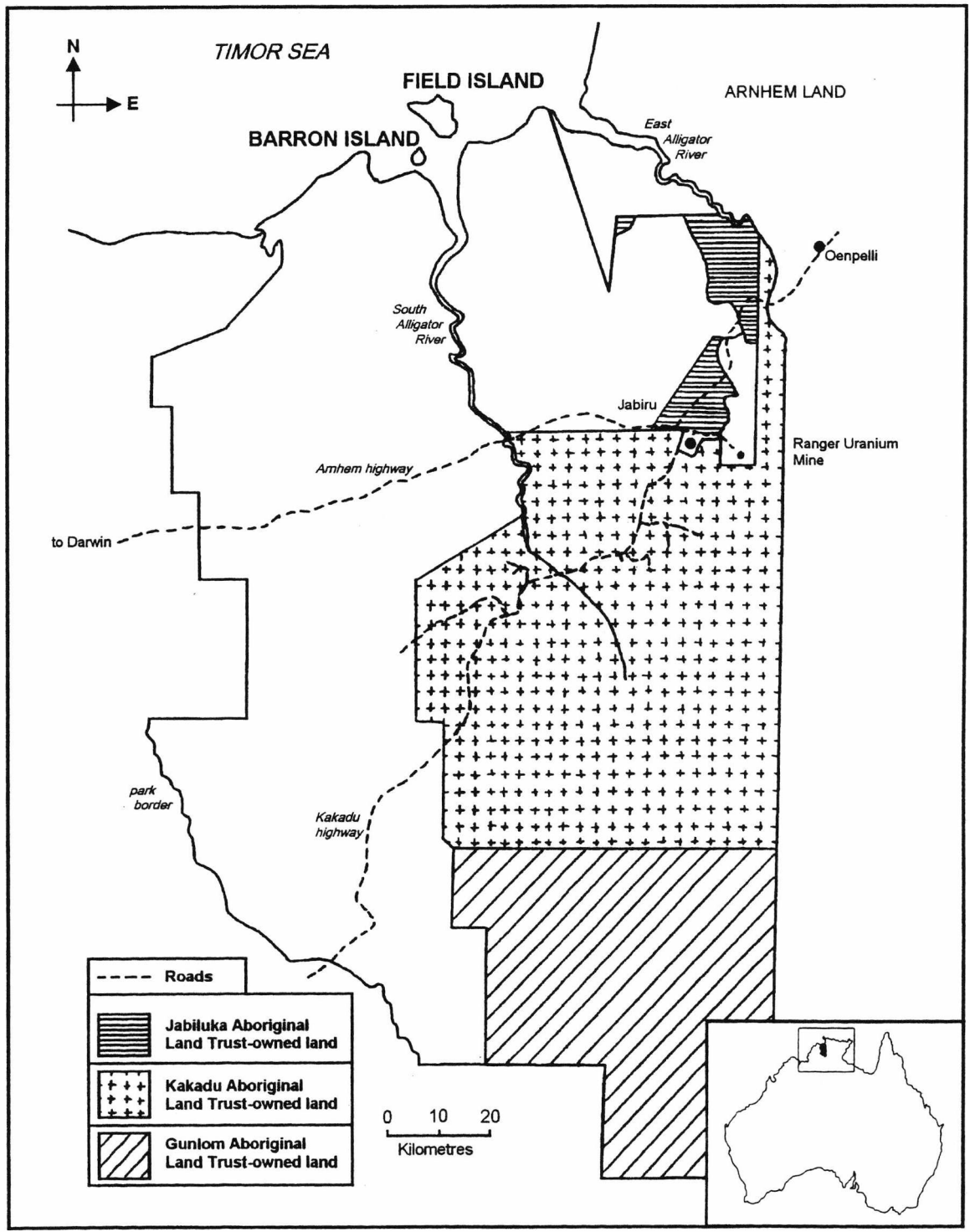


Figure 11: Kakadu National Park

CHAPTER 3: CONSERVATION OBJECTIVES

3.1 INTRODUCTION

To be sustainable, CNPs should meet conservation objectives and also achieve economic and social sustainability. Conservation objectives can generally be met by ensuring sustainability, but this can be at the level of the gene, species, community or ecosystem. Protected area managers are likely to have a localised view of conservation objectives, and will need to consider some of the possible challenges listed below relating to the sustainability of populations of national park species. However, national and international policy and decision-makers need to determine conservation strategies, which ensure gene, species, community and ecological sustainability at national and international levels. Protected areas should also contribute to these broader objectives.

At the CNP level, meeting conservation objectives requires a good understanding of technical issues relating to the ecology of national park natural resources (Shackleton et al. 1998). Information on the reproduction and productivity of certain species may be necessary for their conservation (Gottdenker and Bodmer 1998). Fencing might separate wildlife inside and outside the CNP thus interfering with migration routes, encouraging inbreeding and preventing the maintenance of viable populations. Edge-effects increase in fragmented landscapes and may be important for wide ranging species such as wild dogs which can have a home range of more than 10,000km² (Woodroffe 1997). Understanding species dispersal behaviour may be essential if national park populations are to be maintained (Novaro et al. 2000). Fence removal in Amboseli National Park, Kenya, prevented park wildlife populations from crashing by allowing the surrounding group ranches to act as dispersal areas (Lusiola 1996). On the other hand KNP, South Africa, perhaps agreed too hastily to the removal of fences between the park and the neighbouring private protected areas of Sabi Sands and Londolozi where considerable bush clearing had occurred, water holes had been installed and the environment was more managed.¹

Successful CBNRM requires sustainable natural resource use (Crook 1996). The maximum sustainable yield concept may therefore be important for maintaining wildlife populations, minimising social disruption, maintaining trophy quality, and ensuring sustainable fuelwood or medicinal plant use (Shackleton et al. 1998). Carrying capacities may also need to be understood. For example, poor comprehension of rangeland carrying capacity in Kwazulu-Natal, South Africa, led to confusion over permissible herd sizes thus leading to infringements of the arbitrary limit of seven head of cattle per household (Hornby 1996). For less common species, factors constraining the population size need to be understood.

Some CNPs may support activities which are incompatible with conservation objectives. Agriculture may pollute water entering the core national park area and surround it with hard edges (see for example Mugisha and Infield 1996). Livestock herding is less incompatible with conservation objectives (Leader-Williams et al. 1996) although often falsely blamed for

desertification and erosion² (Cousins 1995). Tourism activities such as off road vehicle safaris may cause environmental damage (Hanekom 1996), and some feel hunting is also incompatible with national park objectives.

Technical assistance or education may be required to ensure that the above concepts are understood by owners of a co-managed area (Shackleton et al. 1998). For example, introducing sustainable management techniques for harder fish in the Olifants River, South Africa, required involvement of the entire community to ensure that all fishermen understood the project's motivations (REDDA/NESDA 1995). Education may be important for displaced communities. For example, a CBNRM project on communally-owned land in the Kaokoveld region of Namibia began with high local environmental awareness. This shrank as urban centres grew and children lost contact with nature, and the importance of teaching environmental issues in schools and universities and to traditional headmen and local nurses thus grew (Owen-Smith 1996).

Assessing whether conservation objectives for each CNP are met requires defining objectives, then determining what factors threaten meeting them and whether or not they have been met (Kiss 1990). Many of these objectives will be CNP specific, for example protecting the natural beauty of Ayers Rock, but others will relate to broader objectives, such as ensuring the sustainability of particular species or ecosystems. Conservation legislation and mission statements for national parks in South Africa and Australia reveal that in practice, objectives range from sustainable management to protecting specific ecological processes, habitats and communities (sections 1.3.5 and 1.4.5). Cultural conservation is also important. Objectives for each CNP are more specifically defined in management plans or informally by conservation officials. Case studies were assessed to determine whether they met nationally defined and CNP specific conservation objectives. Each case study was also assessed regarding its contribution to increasingly systematic national conservation strategies, and the extent to which it met the specific challenges relating to CNPs listed above.

3.2 RESULTS

3.2.1 Results: Conservation Objectives

The broad conservation objectives of South Africa and Australia's CNPs are: sustainable use, protecting a key or representative portion of national biodiversity, protecting CNP biodiversity, protected area persistence, CNP natural beauty and cultural heritage conservation (Table 7). Sustainable resource use has been evident in most CNPs, except possibly RNP. However, sustainable grazing levels were unclear in the Richtersveld at the time of contract signing. South Africa allowed no human habitation in CNPs, but many Australian traditional owners lived in CNPs. Whilst there were concerns about CNP population growth, there was no serious unsustainable resource use, and concerns about unsustainable resource use at KaNP had not been realised. In contrast to CNPs, AENP had little resource use and no sustainability problems.

One Australian and two South African CNPs protected key biodiversity by significantly contributing to national centres of endemism or protecting other land of high conservation value. Thus CNP contribution to species and ecological sustainability at the national and international level was surprisingly low. One Australian and four South African CNPs protected unexceptional but representative biodiversity. AENP showed it was possible to expand national parks to protect more biodiversity without contractual arrangements, although some CNPs may be required to realise GIA.

Table 7: Meeting conservation objectives in CNPs.

	Sustainable use	Protecting a key or representative portion of national biodiversity	Protecting CNP biodiversity	Protected area persistence	Natural beauty conservation	Cultural heritage conservation
The Postberg Section of WCNP	Yes	Representative	Yes and no	No	Yes	No
The RNP	Uncertain	Key	Yes and no	No	Not always	Yes
The Makuleke Region of KNP	Yes	Key	Yes	No	Yes	Yes
The Southern Section of the KGNP	Yes	Representative	Yes	No	Yes	Yes
Kempiana, adjacent to KNP	Yes	Representative	Yes and no	No	Yes	No
Melkbosrand, AFNP	Yes	Representative	Uncertain	No	Yes	Uncertain
UKTNP	Yes	Representative	Yes and no	No	Yes	Yes
KaNP	Yes	Key	Mostly yes	Possibly	Not always	Yes

Contractual status can increase effective biodiversity conservation but it can also exacerbate conservation problems. Joint management rarely leads to a fundamental failure to protect biodiversity, but conservation authorities must be aware that conservation objectives will sometimes be compromised. This is in direct comparison to a non-CNP such as AENP where interaction with local communities was on the conservation authority's terms. Thus, biodiversity conservation has not been compromised in AENP, but rather enhanced through Social Ecology outreach programmes.

In practice, Australian and South African CNPs have not guaranteed the persistence of the biodiversity they protect, although many South African CNPs are key components of larger existing or proposed conservation initiatives. South African CNPs contribute little to the total size of the protected area estate and nearly all are signed for a fixed time period, thus potentially limiting persistence (Table 8). Some CNPs may even have effectively reduced the persistence of the protected area to which they contributed by erecting fencing and thus limiting their size. Schedule One National Parks such as AENP do not have these problems. Because additional

land is purchased, fences are unlikely to inhibit size, and land availability will not be constrained by time limits. For example, AENP has expanded to provide long-term protection to mosaic vegetation patterns found to the north of AENP in Zuurborg. GAI will also include a variety of biomes and wildlife, a marine component, a considerable portion of a river catchment, and a range of altitudes and latitudes, all of which will contribute to its persistence.

Table 8: Summary of CNP areas and contract durations.

Contractual national park	Area (km²)	Contract duration (years)
The Postberg Section of WCNP	25.00	100
The RNP	1,624.45	24
The Makuleke Region of KNP	200.00	50
The Southern Section of the KGNP	500.00 (maybe more)	Undetermined
Kempiana, adjacent to KNP	146.98	Indefinite
Melkbosrand, AFNP	41.37	Undetermined
UKTNP	1,325.00	99
KaNP	19,804.00 (whole park)	100

Protection of natural beauty was not necessarily ensured in CNPs, but all showed some degree of community involvement, and many contributed to cultural heritage protection. However, community involvement at AENP and Kempiana illustrated that cultural conservation and community involvement were not unique to CNPs. In Australia, cultural heritage conservation was more important than in South Africa, and was at least as important as biodiversity conservation. CNPs were viewed as living cultural landscapes and conservation authority goals differed less from those of the landowners.

If UKTNP and KaNP had not been proclaimed as CNPs, the ecological consequences would have been significant. The ecological benefits of proclaiming several South African CNPs were less significant. This was sometimes due to land use constraints existing with or without CNP proclamation, but was also because CNPs have been established for reasons other than biodiversity conservation. Given that no CNPs met all their conservation objectives, it was surprising that interviewees felt so positive about their conservation success.

3.2.2 The Postberg Section of West Coast National Park

The contract states that Postberg will form part of the WCNP with which it should be managed and developed as one unit. SANP initially wanted protection for Postberg due to its landscape value, the importance of the wetlands for birds, and the unique strandveld vegetation.³ SANP now aims to manage Postberg's biodiversity, retain its various species, and keep large mammals within their carrying capacities.⁴ The region's scenic value and proximity to Cape Town means that development is a major threat. Much of WCNP is not state-owned (Robinson 1985), and CNPs help prevent development. Part of Langebaan has also been declared a National Protected Area, which also controls development.⁵ The importance of the wider area to which Postberg

contributes was noted by a former Minister of Environment Affairs and Tourism who stated that "*Langebaan is a national asset which emphasises the need to conserve the basic environmental components such as land, air, water and biotic entities*" (Wiley 1985).

Postberg's conservation objectives were described as non-specific⁶ and broad.⁷ Many interviewees felt that Postberg was important because it was part of a larger system. The WCNP Social Ecologist said that WCNP contained a variety of fragile co-existing ecosystems, which it was important to manage as a whole.⁸ Many interviewees mentioned the advantages of controlling the area, for example by preventing development or natural resource use. Postberg's position is strategic because although it fronts the lagoon in one of its less sensitive zones, development there would annihilate the area's value.⁹ Postberg itself is not unique, but its history, archaeology, position and conservation value make it an important addition to WCNP.¹⁰

Conservation advantages of Postberg's contractual status also include linking WCNP and the military area at the peninsula tip,¹¹ more coastline protection, and an increase in WCNP size. One interviewee mentioned that the CNP model has since been used elsewhere in WCNP, and another that Postberg's contractual status catalysed funding from WWF and SANPT to buy more land. The contract is in force until 2085 when it can be extended further, but it can also be cancelled with five years notice.¹² One interviewee mentioned the ecological advantage of such a long-term agreement.

Postberg protects dune thicket, of which 25% has been lost in South Africa. However, it is relatively well conserved with 14% in protected areas such as the WCNP (Low and Rebelo 1996). Likewise, 30% of unspoilt strandveld fynbos (such as that in Postberg) is found in WCNP.¹³ Postberg contains considerable plant richness, and a road development survey revealed enough rare species to prevent road construction.¹⁴

Postberg is not pristine as it contains cleared and farmed areas.¹⁵ Its soils are better for farming, and past clearance has caused the current abundance in succulent-leaved bushes and grass (Moll 1985). Up to 40% of the area was once cultivated. This was 60 years ago but old farm areas contain no strandveld fynbos.¹⁶ The extensive floral displays may be a result of overgrazing, and Moll (1995) comments that "*floral displays are particularly extensive where the soil has been most disturbed, as the more spectacular flowers belong to annuals that are really indigenous weeds*". The floral displays may, however, be a result of Postberg's different soil.¹⁷ Postberg does not appear overgrazed as there are no signs of erosion and no significant differences between plant communities in grazed and ungrazed areas.¹⁸

The value of Postberg's wildlife is also controversial. Postberg is interesting but not critical from an ornithological perspective.¹⁹ It contains many greywing francolin, and the grazing lawns constitute a locally uncommon (and arguably artificial) habitat supporting some locally sparse birds.²⁰ Postberg's coastline has no breeding seabirds and is not important for foraging waders.²¹ Antarctic terns roost and a few oystercatchers roost and perhaps breed in the south of

Postberg, but 16 mile beach and the lagoon mudflats are much more important from an ornithological perspective.²²

The contract states that SANP may re-establish locally extinct species and replace unsuitable species. To this end, SANP has removed black wildebeest, which were not present historically, and replaced Burchell's zebra with Cape Mountain zebra.²³ There are plans to introduce klipspringer and more red hartebeest and grey rhebok.²⁴ Rhino and buffalo, which were historically present in the area, may also be re-introduced. Other changes have resulted in improved wildlife management. Caracal hunting by the Syndicate has ceased.²⁵ Internal fences within Postberg have come down²⁶ and the contract states that Postberg will be managed as one property with game moving freely across it. However, as a small property it requires considerable management effort. For example, the 1997/1998 Postberg annual report shows that 28 eland, 32 blue wildebeest and 100 ostrich eggs were removed, and five red hartebeest, five bontebok and nine springbok were introduced. It also noted that gemsbok, springbok and bontebok numbers were growing and may need controlling (von Kaschke 1998). There are, however, problems with effective game management. Postberg contains eland, gemsbok, blue wildebeest and kudu, which are not found in the rest of WCNP (SANP 1999b). Two subspecies of eland may have interbred, and blue wildebeest and kudu were not historically found in the area.²⁷ Springbok were introduced in their hundreds by the Syndicate for hunting and may be inappropriate.²⁸ SANP would like to remove them, but the Syndicate oppose this. One interviewee felt that sometimes SANP's game management was worse than when the Syndicate did it themselves, but others felt that Postberg was managed scientifically and professionally.

Appropriate stocking rates for Postberg are also controversial. The contract states that SANP will make agreements with the Syndicate before thinning out the game by shooting or capture. The Syndicate likes high stocking rates despite SANP's preference for maintaining stock levels below carrying capacities.²⁹ However, several interviewees felt that stock levels were too high, and wanted fewer eland on the property. One interviewee stated that SANP was content with the current game levels and that Postberg was not over-grazed. The 1997/1998 Postberg annual report stated that removal of the eland and wildebeest had resulted in good veld condition (von Kaschke 1998), and a local ecological expert stated that Postberg was no longer over-stocked.³⁰ However, one WCNP ranger explained that Postberg was heavily overgrazed, that game had been dying and needed food supplements. He added that visiting veterinarians recommended removal of all stock from the area for five years, and had stated that overgrazing and signs of anthrax in animals such as the blue wildebeest compounded the poor health of Postberg large mammals.³¹

Overstocking could be solved by allowing game through Postberg's southern fence, once the fence around the WCNP is completed.³² Three interviewees said that this would occur, but it may not because the Syndicate, to whom game probably belongs, may not allow it.³³

All SANP interviewees felt that Postberg's conservation objectives were met. Several interviewees said that the two parties' goals were similar as the Syndicate also prioritises conservation management, and is willing and organised enough to assist SANP to this end. One added that holiday homes do not significantly conflict with effective conservation management.

3.2.3 The Richtersveld National Park

Conservation objectives, as defined in the currently unaccepted RNP Management Plan (1995) are: to maintain the beautiful desert landscape in an unspoilt condition; to maintain the diversity of indigenous organisms, especially Red Data species and those endemic to the Richtersveld; and to promote sustainable natural resource use. In reconciling the interests of pastoralism and nature conservation, *"grazing should not place the survival of any indigenous organisms at risk [and] the grazing resource must not be utilised beyond the point of sustainability"* (RNP Management Plan 1995). *"The remoteness and wilderness atmosphere of the Richtersveld must be protected, and this must be taken into consideration in all development planning. To this end the Richtersveld National Park will be zoned."* Zones identified include: wilderness areas, special protection areas, the natural environment, development areas, and mine security areas (RNP Management Plan 1995).

Interviewees commonly mentioned the value of protecting and managing nationally significant biological and geological diversity and scenery. RNP is on communal land, which could not be bought, and could have been reclaimed by now if expropriated. The contract states that the land will be proclaimed as a national park for 24 years *"after which the Agreement shall continue subject to six years' written notice of termination by any of the parties."* Thus, RNP provides protection for sensitive flora with long regeneration periods (Gotzmann and Jürgens 1999). Interviews also mentioned the value of lessons learnt from co-management for application elsewhere, and the help provided by park farmers, for example reporting broken wind pumps and plant thieves.

Biodiversity conservation is a key RNP aim, but although the value of regional biodiversity is well known, little is known about the local ecology (Hill 1992; van der Walt 1991). Lombard et al. (1999) showed that RNP protects squares ranked in importance as 28, 35 and 66 out of 127. Protection of squares ranked from 1-11 would protect 46% of local red data book species. One square to the south-west of RNP is ranked seven and is therefore of higher conservation value than the squares in RNP suggesting that RNP is situated too far east. Large protected areas in the Succulent Karoo biome, such as RNP, only conserve 9% of the biome's 851 Red Data Book species, and high levels of local endemism mean numerous smaller conservation areas could be more effective (Cowling et al. 1999). However, RNP protects a diversity of edaphic and climatic variation so is likely to contribute better to long-term persistence, including resistance to climate change, than smaller more homogenous protected areas (Cowling et al. 1999). Unlawful plant collection has fallen,³⁴ and there is a specific project looking at the conservation of the bastard quiver tree.³⁵ Interviewees said that conservation management was minimal and

that this was perhaps because many local SANP employees originally opposed RNP establishment. This could also be because SANP headquarters does not prioritise RNP and provides few resources and little management support, or because the first two Park Wardens were not ecologists.³⁶ One interviewee felt more communication would improve conservation.

Little zoning occurs,³⁷ but RNP may be integrated into larger regional conservation proposals. A 6,222km² TFCA linking RNP with the Fish River Canyon and Ai-Ais nature reserves in Namibia has nearly been finalised, and other proposals include proclamation as a World Heritage Site, and linking RNP with conservancies such as that proposed at Rooiberg.

Interviewees had doubts about whether mining helped meet conservation objectives, but some said the mines helped with conservation activities, and that the impact of mining was localised and accepted. One said that the mines allowed SANP officials into mining areas to remove plants before mining began. The 180km² of mining concessions in RNP are on geologically ancient terraces with little biodiversity value.³⁸ The Nabas mine area has few plants except 'seven-day grass', which appears briefly, during rains.³⁹ Trans Hex is the largest mining operation covering 70km² of RNP, but less than 5km² of this will be affected by mining. In terms of the Minerals Act of 1991, Trans Hex established its Rehabilitation Trust Fund in 1997 to rehabilitate land after mine closure (Trans Hex 1998). When the land is returned to the community under the Transformation of Certain Rural Areas Act of 1998, mining may occur provided that rehabilitation occurs. Many concessions exist in RNP, but few are exploited due to the huge initial capital required⁴⁰ and the difficulty of making it viable.

Mining activities are exempt from EIAs and are instead subject to Environmental Management Programme Reports (EMPRs) as required by the Minerals Act of 1993.⁴¹ However, EMPRs are ineffective and little rehabilitation has occurred in Namaqualand.⁴² Environmental damage prior to 1980 is also exempt from rehabilitation (Trans Hex 1998). Mining concessions occupy 80% of the unique riverine frontage and the disorganised mining strategy leaves dumps, builds roads with no concern for biodiversity and inadequately rehabilitates land.⁴³ One interviewee said that mining near tourist roads was a problem, and another said that mine roads and equipment caused damage. Applications continue and RNP mining will probably continue for at least 10 years. Flora occurring in mining areas such as many half-humans and all of the endangered endemic, *Lithops hereei*, will therefore not receive protection for years (Eco-Africa 1999a). One interviewee said it was uncertain how many species had already been lost. Nabas mine's lifespan will probably be 20 years and include a large expansion phase.⁴⁴ Several groups with mining rights have financial backing and are awaiting permits⁴⁵ and mining is increasingly likely as Rand devaluation makes diamonds, which are traded globally in dollars, increasingly profitable (Trans Hex 1998).

The communal property regime traditionally operating in the Richtersveld differed from the open access regime described by Hardin (1968). Stock numbers were limited, for example by the number that a herder could manage, and a system of 'good manners' where herders would not

impose on each other's space (Smith 1991). Government interventions such as economic units disrupted traditional communal management (Archer 1993) so more farmers herded individually and made decisions without consulting the community (Hill 1992). SANP may have caused further disruption with grazing restrictions, and road construction for diamond mines allowed greater access for herders (Anon 1996a). One interviewee said that grazing has increased since RNP establishment, that the stocking rate was 2,505 before 1952, that only three farmers used RNP land at one stage and no more than five used it before RNP was declared. Numbers increased to 26 when RNP was established because farmers saw benefits in being a 'park farmer' (Archer et al. 1994). SANP services RNP water points, and the availability of jobs with SANP has also kept people in the area, indirectly increasing grazing.⁴⁶

SANP has long been concerned about overgrazing. Some view overgrazing as Namaqualand's biggest conservation problem⁴⁷ (Kröhne and Steyn 1991). However, most accept that grazing maintains diversity and that stock removal will have a negative effect⁴⁸ (Archer 1995). A letter from the botanist Dr Jürgens used in the court interdict states that vegetation degradation has many causes and that "*a complete exclusion of the indigenous pastoralists from the RNP cannot be justified with ecological considerations.*" He added that natural desert areas, and vegetation changes due to climate change are often misinterpreted as overgrazing (SPP 1989).

Archaeological evidence suggests a long history of pastoralist use. Sheep bones found south of RNP probably date back to 64AD and the 14th and 16th centuries. Large herds of sheep probably grazed along the Orange River by 600-700 AD (Webley undated).

Many interviewees commented on the uncertainty of the impact of grazing on biodiversity. Ecological and economic carrying capacities are still debated. The Department of Agriculture states that a maximum of 6,600 small stock units should be allowed in RNP, but the Management Plan (1995) admits that these "*rates were not designed specifically to protect biodiversity.*" The carrying capacity may vary between years⁴⁹ or may not be viable at all in such an unpredictable environment (Ellis and Swift 1988). Recent research suggests that carrying capacity for both conservation and the economic benefit of farmers is 3,300 small stock units. RNP stock counts vary but have generally remained under 6,600 except for the 1998 count of 7,231 small stock units. This fell to 4,501 in July 1999.⁵⁰ The limit may have been exceeded after lambing in some years, and is regularly exceeded when large stock is taken into account. The Management Plan (1995) states that "*donkeys, horses and cattle, irrespective of age, are each taken to be equal to seven small stock units*" but this is open for debate. Nevertheless, in 1999 there were 400-500 feral donkeys in RNP.⁵¹ Three interviewees felt that the stock ceiling was adhered to but one said that the seasonal clause in the contract was not kept. Another said that park farmers help by counting stock. However, making accurate counts is difficult as few farmers can count (Hill 1992), and censuses by land and air often provide different figures. The Management Plan (1995) states that "*farmers have also agreed to a maximum number of stock that each individual may keep,*" but they have not adhered to this agreement. Recent research suggests that the minimum goat herd size a farmer can survive on is 300. Larger herd sizes are unlikely

to cause more veld damage but there is no economic benefit to the farmer in keeping herds larger than 500, which can provide enough income to sustain a household. Halving the number of park farmers to 13 would therefore be best for conservation and the farmers.⁵² However, a 1998 stock count showed five herds of less than 300, five of 300-500, and six of more than 500.

An SANP researcher works with pastoralists to manage grazing (Robinson 1998), and negotiations between SANP and park farmers reduced the high stock numbers of 1998.⁵³ The 200 stock posts in RNP need limiting as each one affects 3.14km² of veld around it.⁵⁴ No park farmers have moved to the proposed compensatory grazing land in the Corridor West farms. This may be because the farms have lower quality grazing and more diseases (Kröhne and Steyn 1991; SPP 1989), because park farmers have used RNP land for three generations,⁵⁵ because servicing the corridor farms with water and fences took years (Archer et al. 1994), or because park farmers were scared of the stringent contract stipulations.⁵⁶ The farms have therefore been returned to the whole community⁵⁷ thereby limiting options for stock reduction in RNP.⁵⁸ Two interviewees felt that SANP had little power to control overstocking. To rectify this, one suggested local government involvement and the other suggested giving the BPK more power.

The Management Plan (1995) states that species originally present "*may be introduced into the park provided that they would not present a danger to humans or their livestock.*" Such species include Hartmann's zebra, springbok, gemsbok, hippo and ostrich (van der Walt 1991). Springbok used to occur in large numbers in the Succulent Karoo but their seasonal migrations no longer occur, and the effect of this on ecosystem processes is unknown. RNP livestock prevents game reintroduction into one of the few conservation areas in the Succulent Karoo able to support populations of large mammals and their movements (Cowling et al. 1999). One interviewee felt that donkeys needed removing, and that wild game should replace stock.

SANP also aims to conserve the area's cultural heritage. The continuation of traditional pastoralism in RNP contributes to this.⁵⁹ Petroglyphs hammered into the rock by Khoi people 3,000 years ago are found in RNP,⁶⁰ and an excavation in the east of RNP has produced evidence of hunter-gatherer occupation 3,800-3,100 years ago. This is important as most other archaeological evidence of occupation only dates back 2,000 years. It also contains blesbok remains and pieces of charcoal suggesting grasslands and woody vegetation used to be more prevalent (Webley et. al. 1993).

3.2.4 The Makuleke Region of Kruger National Park

The Master Plan (2000) states that Makuleke's management objectives are "*to maintain those ecological processes which characterise the area; and to protect the integrity of ecosystem structure and function,*" to protect depleted, threatened or rare species and populations, and to maintain populations of indigenous KNP species. The General Manager of Nature Conservation in KNP stated that CNPs attached to KNP aimed primarily at community involvement and sustainable land use, and secondarily at biodiversity conservation and ecosystem functioning.⁶¹ KNP's criteria for deciding which areas adjacent to KNP had contractual potential are as

follows. The area must add to KNP's biodiversity. It must be large and have a compatible land use to that of KNP. Areas with cultural or historic sites have more potential, as do areas where inclusion would benefit local communities or provide KNP with more revenue.⁶²

The Makuleke Region meets or can meet all of the above criteria. It also increases KNP's size by incorporating part of the ecologically important Madimbo Corridor into KNP, and being central to the proposed TFCA (Steenkamp 1998a). The contract is for 50 years, and interviewees gave the following conservation benefits: the area is crucial for the proposed TFCA which may even be more viable on community-owned land; it will encourage other communities to enter into conservation ventures; KNP's size is maintained; the land use is compatible with that of KNP; effective biodiversity conservation and management continues; development is limited; the floodplains could receive Ramsar status; poaching will decrease and will no longer be the sole responsibility of SANP; research can continue.

The contract states that the region is restored to the community *"provided that it is assured that the ecological integrity of the land shall be maintained and that those commercial activities implemented in respect of the land do not degrade the land or impact overtly on the conservation of this land."* Development must be according to the region's Master Plan, the National Parks Act, and EIAs. The Master Plan states that while tourism and consumptive natural resource use will be encouraged, these will be at sustainable levels which *"do not jeopardise the attainment of objectives for conservation of natural processes, biodiversity conservation and protection of environmental quality."* It describes a zoning system including *"special areas"* of high sensitivity allowing minimal interference and no vehicular access or construction.

All SANP interviewees felt that conservation objectives were met, and could improve further if TFCA plans go ahead. Central to this is continuing biodiversity protection and a lack of settlement, mining, agriculture and livestock. Research and tourism can also continue. The community supports conservation, and has an incentive to manage biodiversity sustainably since their income will derive from ecotourism. SANP's presence on the JMB increases the chances that conservation objectives will continue to be met, and EIAs by external assessors will verify whether development proposals will damage the conservation status. However, SANP interviewees felt that conservation objectives were met as land management was in line with that in KNP. Some were concerned that this would not continue if the CPA drew up a new management plan.

In August 1999, over a year after most of the original interviews, SANP interviewees all felt that the prestige hunt that had occurred and the plans for lodge development did not threaten the region's biodiversity. Only small concerns such as tourist overuse of roads, and fire management around lodges were raised. SANP interviewees were content with the Master Plan which had been passed, although they wanted more clarification about sustainable use of the region's natural resources. At a JMB meeting in 2000, SANP officials expressed concern over another proposed hunt and the removal of three trees to construct the Makuleke cultural centre. However,

all commercial activities in the region have been sustainable,⁶³ and at one stage the Makuleke community even refused the offer of R60,000 to hunt an extra buffalo, despite the fact that it was ecologically sustainable, to demonstrate their commitment to conservation objectives.

3.2.5 The Southern Section of the Kalahari Gemsbok National Park

The settlement agreement precludes land uses which are incompatible with conservation activities. The stated aim is to proclaim the 500km² released from KGNP as a CNP, the size of which could be increased by the addition of 120km² of San land and some Mier land south of KGNP if the intentions voiced in 1999 materialise (Chennels 1999). The current southern fence would move south thereby increasing the size of KGNP, and ensuring lions would have to move further to continue using the fence to trap prey.⁶⁴ KGNP could be extended even further south, as SANP may provide the San with R0.5 million to buy 60km² of land south of their portion of the proposed CNP to create a community park.⁶⁵ Involvement with the San may also assist conservation activities, in that the Kgalagadi Transfrontier Park would probably not receive World Heritage status without the incorporation of San heritage (Chennels 1999). However, the fence between the Mier area and the proposed CNP may not be removed, as the Mier use their land for hunting and have concerns that fence removal may encourage game to leave the area to find water in winter, the best time for hunting⁶⁶ (Massyn et al. 2000). Fence removal depends on the land use option chosen by the San and Mier for the released KGNP land (Massyn et al. 2000). The San favour a CNP, but the Mier may fence off their section of the CNP and incorporate it into their hunting reserve thus reducing KGNP size.⁶⁷ Lion social groups could also be disrupted if the San or Mier communities opt for trophy hunting in the CNP, as hunters prefer adult males with dark manes.⁶⁸

3.2.6 Kempiana, Adjacent to Kruger National Park

Kempiana's conservation objectives are unclear, and official documentation on this issue is conflicting and open to interpretation. The Deed of Donation says that "*the Property will for management purposes be incorporated and integrated into the Kruger National Park and at all times be used and managed in the same way as the said park by the National Parks Board.*" The 1992 Vlakgezicht management agreement also states that "*management of the farm [be] in accordance with the Master Plan for the management of Kruger.*" However, this agreement states that Vlakgezicht is a CNP accounting for lease arrangements with Ngala and managed by a Conservation Committee. Vlakgezicht's lease agreement and Kempiana's traversing agreement also recognise the contractual status of the land by stating that a Conservation Committee will direct ecotourism activities. The Deed of Donation even names Joint Management Committee members. Even if it is accepted that Kempiana be managed differently from KNP, official documentation is ambiguous about the nature of the Management Committee or Committees, and the Management Plan or Plans, none of which currently function.

The management contracts for Vlakgezicht and Kempiana continue indefinitely, which is unusual and ideal for SANP, as the land is protected in perpetuity, and investments will not be lost.⁶⁹ The Deed of Donation states that Kempiana is donated "*in full and free ownership*" to SANP and that the recipient "*will ensure that conservation ethics be observed and maintained in perpetuity.*" Vlakgezicht and Kempiana management agreements are also in perpetuity. Only the traversing agreement and lease of Vlakgezicht to Ngala are limited to 10 years (although they have recently been renewed). The fence came down between Kempiana and KNP in 1994 thereby increasing KNP's size,⁷⁰ and allowing more east-west herbivore migrations,⁷¹ perhaps reducing the need to cull elephants.⁷² Kempiana also makes a small contribution to the 10,000km² Kruger to Canyons Biosphere Reserve which will also allow for more herbivore migration west of Kempiana (SAWC undated). However, Kempiana has little biodiversity value.⁷³ It contains some different ecosystems to KNP but generally contains lowveld, which is well-protected elsewhere.⁷⁴

KNP wants to see Kempiana managed under the Park Management Plan as part of KNP.⁷⁵ However, in practice, Kempiana is managed differently to KNP, as reflected by the two different Management Plans.⁷⁶ The SANP Section Ranger feels that all stakeholders misuse Kempiana, that land use is money-orientated but conducted under the guise of conservation, and that SANP is narrow minded in its management and sees the property as a cumbersome appendage to KNP.⁷⁷ He sees Kempiana as a separated from KNP with more community involvement. What he would like is not in line with Hans Hoheisen's original wishes or with what KNP wants, but he has Hans Hoheisen's approval.⁷⁸

KNP aims to reduce artificial watering places for wildlife, but Kempiana contains six earthen dams and six large borrow pits, which retain water all year round (Pietersen 1999). The 1992 traversing agreement for Kempiana states that Ngala may also "*construct water holes or dams.*" The dams are of value to Ngala for game viewing (although Ngala has tried to reduce their numbers by not repairing them when damaged)⁷⁹ and also have sentimental value to Hans Hoheisen. However, they attract game such as rhino, and are well known by poachers (Pietersen 1999). They also cause high herbivore stocking rates and over-utilisation perhaps explaining the increasing vegetation density seen on Kempiana over the last 50 years (Pietersen 1999). Kempiana is over-stocked due to the numerous water points.⁸⁰ The Management Plan states that herbivore population manipulation is essential to improve ground cover, moisture conservation and provide higher fuel loads to increase the efficiency of fire at controlling woody plant invasion. The Management Plan also says that sustainable use is acceptable (Pietersen 1999). Hans Hoheisen and SANPT concur with this but none occurs.

Bush clearing occurs in KNP but in Kempiana, tourism rather than conservation management motivates it.⁸¹ KNP is unhappy with this as it directly opposes its Management Plan⁸² (Pietersen 1999). The 4km², which Ngala and WWF-SA have pushed SANP into clearing to date, have been chosen randomly and were not clear in 1944 photographs. Cleared areas attract more

herbivores, which could cause over-utilisation (Pietersen 1999). Bulldozers implemented clearing rather than the local community.⁸³ The Management Plan says that manual removal of woody plants in areas clear in 1944 photographs is acceptable (Pietersen 1999), and SANP agrees that locals could benefit from jobs and the wood resulting from this.⁸⁴ Others feel that bush clearing aids conservation activities as well as tourism, as it reverses the bush encroachment seen since the removal of the Hoheisen family's cattle.⁸⁵

The increasing density of vegetation on Kempiana could also be explained by the absence of fire for 20 years. Before the mid 1950s Kempiana was regularly burnt, and the Management Plan states that "*it is imperative that fire be reintroduced as a management tool.*" However, a natural fire regime such as that in KNP would be inappropriate as large burnt areas would be unacceptable to Ngala (Pietersen 1999).

Various monitoring activities occur on Kempiana. SANP conducts aerial herbivore censuses and has veld condition assessment plots, which help determine culling quotas. SAWC and Ngala help to monitor predator populations and water levels. Kempiana's many alien species also need monitoring (Pietersen 1999).

Kempiana's species composition has changed over the last 60 years. Scarce species such as sable, roan and tsessebe used to be common, but now only the occasional tsessebe bull is seen. Reedbuck were plentiful but few are found now. Zebra and wildebeest also used to be present in huge herds. A 1995 committee meeting determined that management of Kempiana should aim to retain "*biodiversity through ecologically sound management practices*" and restore suitable habitat for reintroduction of such species (Pietersen 1999).

Approaches to ecotourism differ between KNP and Kempiana. A 1995 committee meeting discussing management objectives decided that ecotourism should not impact negatively on the natural environment (Pietersen 1999). The 1992 agreements in which SANPT leases Vlakgezicht to Ngala Game Reserve and the traversing agreement for Kempiana state that ecotourism activities shall be undertaken "*with due regard for the sensitivities of the environment.*" The 1992 management agreement for Kempiana states that the NPB shall "*develop, control, manage and use the property as an integral part of the Kruger National Park*" but that it shall also "*acknowledge the rights of the lessee in terms of a lease agreement entered into by and between the SANPT*" and Ngala. In practice Kempiana is managed 90% the same as KNP but the differing 10% is key to running a successful lodge.⁸⁶ For example, off-road driving and de-bushing occur as tourists pay high prices and expect to see the 'big five' (lion, leopard, buffalo, elephant and rhino).⁸⁷ Unlike most KNP camps, Ngala can conduct night drives, bush walks and have bush braais to provide guests with the best game viewing possible (Pietersen 1999).

Roads are a major source of contention on Kempiana. They were initially established by Hans Hoheisen, who used them infrequently and insisted on strict traversing rules.⁸⁸ For example, they were closed during the wet season to prevent erosion. Now up to 14 fully loaded vehicles use the

roads each day, and off road driving and night drives occur.⁸⁹ Impact is mediated by preventing off-roading after rains on certain fragile soils,⁹⁰ driving slowly and carefully, using four-wheel drive on wet roads, crossing rivers in approved places, not driving in river beds or up embankments and only going off road for the 'big five'.⁹¹ Despite this, roads cause large gullies and erosion, particularly in the wet season.⁹² The placing of Kempiana's 250km of tracks has not always been appropriate, as some cut through major seeps. They were also not designed to handle current traffic levels. Ngala pays a lot for traversing rights, and needs to provide its guests with the best game viewing possible, so forbidding driving on wet roads is impossible. Investment is needed to drain and stabilise the roads, close or re-direct them where necessary and gravel them where possible (Pietersen 1999).

The Management Plan states that all new development must be approved by the Management Committee and be subject to EIAs. Hans Hoheisen wants no development on Kempiana, but SAWC has been built, a new lodge on Pirow's land is proposed, and plans to move camps housing SANP staff have been approved (Pietersen 1999). Such development may compromise conservation goals. For example, SAWC does not always carry out EIAs.⁹³

3.2.7 Melkbosrand, Augrabies Falls National Park

AFNP was proclaimed to protect the scenic Augrabies Falls and a representative sample of associated vegetation (Schwartz et al. 2000). Melkbosrand has no great conservation value but SANP wants a CNP to safeguard the ambience of its lodge which overlooks the land and to avoid potential gorge damage from mining or farming⁹⁴ (DANCED 2000b).

3.2.8 Uluru - Kata Tjuta National Park

The Plan of Management states that "*decision-making in the park has been based on the principle that Anangu responsibility to care for country always takes precedence over other management considerations.*" National legislation also attributes more significance to maintaining Tjukurpa and Anangu culture than maintaining the ecological integrity of UKTNP. Despite this, there are safeguards to ensure that the ecological integrity of UKTNP is not compromised. The Plan of Management states that the second most important value, after Tjukurpa, is that "*any use of the park should be ecologically sustainable and should not adversely affect biodiversity conservation.*" Lease terms may be negotiated, but the 99-year term is fixed unless the land trust and the Director agree in writing to terminate the lease (Plan of Management 2000; Willis 1992). The lease says that "*the lessee covenants that the flora, fauna, cultural heritage, and natural environment of the park shall be preserved, managed and maintained according to the best comparable management practices*" in the world. An independent technical audit at the end of the life of the Plan of Management will assess whether UKTNP is managed according to World Heritage values (Plan of Management 2000). UKTNP declaration included the subsoil to a depth of 1,000 metres, and there is no mining in UKTNP other than for minor use of sand and gravel (Plan of Management 2000).

The growth of Mutitjulu concerns UKTNP management because Mutitjulu is in an environmentally sensitive area, which was why tourism infrastructure was originally removed.⁹⁵ Anangu's impact is localised,⁹⁶ but pressure on the biota is high (Griffin 2000) and litter now is less biodegradable.⁹⁷ The Mutitjulu community attempts, through the UKTNP Board of Management, to control resource use levels, but its means are limited (Griffin 2000). Parks Australia is examining alternative staff accommodation options, but about 100 non-Aboriginal UKTNP staff also live in 'Rangerville', next to Mutitjulu (Plan of Management 2000). There are essentially no controls on human habitation in UKTNP.⁹⁸

Generations of Anangu land management have contributed to the area's ecological integrity. More damage has been done since non-Aboriginal people arrived. Passive management causes a decline in the conservation value of national parks (Baker et al. 1992), and traditional Aboriginal perceptions of management have often been incorporated into UKTNP management (Woenne-Green et al. 1993). Active management at UKTNP includes using fire, weed and feral animal control, management, monitoring and reintroduction of rare species and tourism control (Baker et al. 1992). UKTNP benefits from the traditional ecological knowledge and land management techniques that have accumulated for generations,⁹⁹ for example, how to care for water holes.¹⁰⁰ Parks Australia stores this information in a database. Some feel this knowledge is invaluable,¹⁰¹ but others feel it has little impact on UKTNP management or ecological knowledge.

Fire has been an integral part of the central desert for thousands of years. "*Anangu typically burnt as they travelled the country*" to create a mosaic of different aged vegetation (Plan of Management 2000). Burning helped hunting and encouraged the growth of 'bush tucker' and green feed for animals¹⁰² (Plan of Management 2000). Small fires were lit to allow animals to escape, and the result was a patchy environment where animals could shelter in old growth and feed on the new growth in burnt areas.¹⁰³ About 18,000 years ago all megafauna was hunted out and smaller mammals were left in an environment characterised by natural fires and random rainfall. Regional biodiversity is therefore well adapted to environmental variability.¹⁰⁴ Humans began actively burning the landscape about 1,000 years ago thus controlling this variability and making it easier for them to catch food.¹⁰⁵ Burning is now needed to maintain Australia's unique fauna and much evidence suggests that patch burning increases biodiversity¹⁰⁶ (Davies 1999). It prevents large fires, which kill species such as the mulga tree,¹⁰⁷ and is required to conserve species such as the mulgara (Davies 1999). Traditional burning stopped when Anangu were driven from the area in the 1930s. Good rainfall in the 1940s provided a high fuel load and a 1950 fire wiped out one third of UKTNP vegetation. Two 1976 fires wiped out 76% of UKTNP and two species.¹⁰⁸

Anangu provide advice on fire management,¹⁰⁹ and the Plan of Management states that "*park staff involved in fire management will receive training in traditional fire management techniques from senior Anangu*" (2000). However, it is unclear how much Anangu actually contribute to current burning practices. Young Anangu have little skill or experience, so tend to be too timid,

and only two very old Anangu men have the necessary experience and knowledge.¹¹⁰ Anangu may ride in the ranger's vehicle, but it is essentially the non-Aboriginal UKTNP staff who manage even the timing of burning.¹¹¹ Only 5% of UKTNP is burnt each year. Patch burning was proven a success in 1990 when two large fires threatened UKTNP but were easily controlled. UKTNP fire management follows traditional Anangu patterns and Commonwealth Scientific and Industrial Research Organisation (CSIRO) studies (Australian Nature Conservation Agency 1995), but mimicking past fire regimes is difficult as vehicle use has replaced walking,¹¹² UKTNP staff are scared of burning too much,¹¹³ and UKTNP ecology is poorly understood.¹¹⁴ The current burning strategy is probably too piecemeal¹¹⁵ but Parks Australia is still trying to work out the most appropriate fire management techniques.¹¹⁶

A major UKTNP conservation challenge is that of erosion from the placement of roads, tracks and other infrastructure.¹¹⁷ Degradation of UKTNP has been reversed in the last 50 years since the acknowledgement of Anangu knowledge (Australian Nature Conservation Agency 1995), but vehicle tracks occur throughout UKTNP. Anangu cause erosion by driving through thickets to reach water holes¹¹⁸ and over the landscape to collect firewood¹¹⁹ (Griffin 2000). This problem is localised, as Anangu are increasingly sedentary.¹²⁰ Trees trap moisture and stabilise the earth and their removal for firewood collection also increases erosion.¹²¹ Tourists cause erosion especially around Uluru and Kata Tjuta where soils are very prone to erosion (Plan of Management 2000). Soil disturbance in visitor areas also leads to an increased number of weeds.¹²²

Community and UKTNP objectives regarding weeds are probably aligned.¹²³ Traditional ecological knowledge has helped collect and sort material to establish a seed bank and document vegetation changes over time (Plan of Management 2000; Davies 1999). However, Anangu driving over the landscape disturbs the ground facilitating buffel grass growth,¹²⁴ and many Anangu see buffel grass as a natural part of the landscape rather than a weed. Mutitjulu harbours 'sleeper weeds' with the potential to cause infestations (Plan of Management 2000).

Anangu are often against alien mammal removal programmes. For example they say that camels should not be killed as they brought the three wise men.¹²⁵ Cats are not allowed in UKTNP but Mutitjulu has many dogs, which hybridise with dingos¹²⁶ (Plan of Management 2000) and may have contributed to local extinctions.¹²⁷ Mutitjulu's dog management programme is not very effective. A re-introduction programme of certain locally extinct mammals is under consideration (Plan of Management 2000), but such programmes require ongoing commitment as UKTNP is not fenced and contains introduced predators.¹²⁸ Anangu traditional ecological knowledge and tracking skills are important management resources and will help with re-introductions.¹²⁹ Anangu provided a range and depth of otherwise unavailable information in the fauna survey from 1987 to 1990 (Baker et al. 1992), and their traditional ecological knowledge has helped with research on species such as the great desert skink (Davies 1999). Traditional hunting by Anangu is still allowed in UKTNP. Whether guns and vehicles are traditional is questioned, but access to alternative income sources such as tourism has probably caused

hunting levels to fall (Davies et al. 1999; Altman and Allen 1992). Only common species are hunted so hunting does not threaten endangered species (Australian Nature Conservation Agency 1995) and feral animal populations are in fact reduced.¹³⁰ *"Anangu and park staff will continue to ensure that the Anangu right to engage in traditional hunting and gathering does not pose a threat to rare species, habitats and ecological processes in the park"* (Plan of Management 2000) and hunting is governed by Tjukurpa so Anangu feel that it does not compromise UKTNP objectives.¹³¹

Anangu firewood collection has a serious effect.¹³² Tree removal, and removal techniques encourage erosion and weed establishment.¹³³ Anangu's preferred fuel is wood and the community requires a lot to meet its needs (Griffin 2000). *"The environmental consequences of firewood use and timber artefact manufacture must be addressed as a priority"* (Plan of Management 2000).

Visitor management is expensive, and both Anangu and Parks Australia staff consider UKTNP natural resource management work to be under-funded as a result (OJM 1999). There are no environmental strategies to control Yulara's large consumption of UKTNP water reserves, the impact of which is unknown.¹³⁴ Mutitjulu uses less water, but wastage occurs when people leave taps running.¹³⁵

3.2.9 Kakadu National Park

Various legislative safeguards ensure effective ecological conservation in KaNP, of which the EPBC Act is the most important. The leases state that the lessee will preserve, manage and maintain KaNP's species and natural environment according *"to the best comparable management practices established for national parks anywhere in the world."* They also state that *"the land council and the lessee shall meet from time to time to formulate written policy in respect of environmental evaluation or proposed developments in the park"* and that development in KaNP will be in accordance with such policies. The leases expire in 2078 although provisions are made for their renewal five years before they expire. Most terms can be re-negotiated at any time, except for the 99 year term (Plan of Management 1999).

Despite these safeguards, considerable emphasis is placed on cultural and social issues (Weaver 1991). Leases can be terminated if both parties agree or if any action occurs which is substantially detrimental to relevant Aboriginal people (Plan of Management 1999). The Plan of Management's vision is to *"conserve the natural and cultural heritage of the park, which is of regional, national and international significance"* but this comes second to traditional owners' interests. The plan states that commercial harvesting of native plants and animals may occur in the future subject to external comment and board approval. Concern was expressed about the board's secretive nature as decisions are protected from public pressure and can have low accountability. In practice there are few workable controls over developments such as buffalo farms or outstations, and such developments could challenge the security of conservation in KaNP.

It is generally agreed that the presence of Aboriginal people in KaNP benefits conservation (Wellings 1994). Long occupation by Biniinj/Mungguy has resulted in a landscape shaped by humans¹³⁶ and KaNP has benefited from traditional Aboriginal management practices and knowledge about ecological processes and species¹³⁷ (Wellings 1994; Craig 1992: Plan of Management 1999). Aboriginal commitment to their land is often deeper than that of non-Aboriginal people (Wellings 1994). The Park Manager and Director consider conservation and social objectives to be closely aligned,¹³⁸ and the Park Manager feels that joint management does not seriously compromise conservation objectives.¹³⁹ This is supported by a 1992 IUCN technical evaluation, which noted that KaNP was a model of effective management, but expressed concerns regarding weeds, tourism expansion and mining waste disposal (Lawrence 2000). None of these concerns are exacerbated by Aboriginal influences. However, much traditional knowledge is being lost as it rests with elderly Aboriginal people (Plan of Management 1999). Young Aboriginal people have little environmental knowledge and a poor attitude towards conservation because of an increasing reliance on food shops, sedentary community living and vehicle use. In 1979, nearly all Aboriginal people opposed mining, but now at least one group actively campaigns for it. Many Aboriginal people would like vegetable gardens or new buffalo farms in KaNP, and it is unclear what legislative control exists to stop such developments. Under Aboriginal law, people had no right to voice opinions about what should be done on someone else's land, so if one Aboriginal group wanted such a development, other Aboriginal Board of Management members would not oppose it. This could threaten meeting conservation objectives.

In 1981, the Director leased 13km² of KaNP to the Jabiru Town Development Authority (Plan of Management 1999). Jabiru was planned as a closed mining town (Press et al. 1995) with a population not exceeding 3,500 (Plan of Management 1999) but controlled development of tourism accommodation has occurred and Jabiru is now a small regional centre for tourism, the mining industry and Arnhem Land communities to the east (Press et al. 1995). In 1998 the population was 1,480. This increased when the Ranger mine was most active, but if mining at Jabiluka goes ahead, it is estimated that the population will still not exceed 1,700 (Environment Australia 1999b). Most Jabiru water comes from boreholes in KaNP, and after treatment, effluent water is disposed of onto the Jabiru golf course or into the Barilil Creek catchment. Disposal is monitored (Press et al. 1995; Plan of Management 1999). Further development of Jabiru is limited by the EPBC Act, the Plan of Management, the town lease and the Jabiru town plan which cannot be altered without the Director's approval (Plan of Management 1999; Press et al. 1995).

Joint management has facilitated a return of Aboriginal people with traditional affiliations to the land (Lawrence 2000). This concerns some conservationists. Problems arising from outstations include rubbish, cats, dogs and erosion from vehicles¹⁴⁰ (Press et al. 1995). There are about 10 permanent living areas in KaNP (Hill and Press 1994; Press et al. 1995). The Gunlom Lease

requires the lessee to “*facilitate development of outstations by relevant Aboriginals*” and the Plan of Management states that Parks Australia should support the development of such living areas. New outstation development is subject to the Plan of Management’s provisions (Press et al. 1995) and the board’s decisions,¹⁴¹ but is easier than developing new tourist accommodation.¹⁴² The board considers the environmental impact of such a development but it would be unlikely to disapprove.¹⁴³ For example, Aboriginal people with traditional rights in the Munmarlary area would like to develop a living area here, and approval is likely although development would not normally be allowed in this zone (Plan of Management 1999). New buildings require a permit from the Director who acts on the advice of the board and traditional owners¹⁴⁴ (Plan of Management 1999). Building construction also requires an environmental and cultural impact assessment.¹⁴⁵

Inappropriate fire regimes are a major threat to KaNP’s biodiversity (Wellings 1994). Fires started by lightning or humans have occurred for millions of years, so most plant species are adapted to burning (Press et al. 1995). Aboriginal people used fire to make travelling easier, for hunting, signalling, cooking, defence, to clear areas of pests and protect foods such as yams (Press et al. 1995; Environment Australia 1998; Plan of Management 1999). Fire was also used to express ownership of country and for spiritual and cultural reasons such as purification of the country before it was entered (Davies 1999). Patch burning by Bininj/Mungguy as they travelled the land prevented destructive late season wildfires from burning large areas, and enhanced habitat and species diversity¹⁴⁶ (Lawrence 2000; Environment Australia 1998; Press et al. 1995; Weaver 1991; Wellings 1994). Traditional regimented Aboriginal fire regimes were disrupted¹⁴⁷ when Aboriginal numbers and clan mobility fell, people were redistributed, vehicle use replaced walking, and pastoralism and buffalo hunting was reduced¹⁴⁸ (Press et al. 1995; Plan of Management 1999). The current fire management programme incorporates traditional burning practices¹⁴⁹ (Plan of Management 2000; Press et al. 1995) but uses modern techniques such as helicopters to simulate people burning as they traversed the area.¹⁵⁰ Burning used to occur all year round but now most occurs in the early dry season¹⁵¹ when fires are less intense so less risky for animals (Environment Australia 1998), and more ground cover is left to counteract wet season erosion (Plan of Management 1999). This also restricts intense late dry season wildfires, which damage fire sensitive communities such as sandstone rainforest (Plan of Management 1999; Press et al. 1995). Burning is at lower levels for ease of control,¹⁵² and 40-45% of KaNP is burnt each year (Press et al. 1995). Tourism has also necessitated and caused an altered fire regime.¹⁵³ For example, areas around campsites are burnt early to maintain low fuel loads, in case tourists inadvertently light fires¹⁵⁴ (Press et al. 1995; Plan of Management 1999). However, the regime’s success is only partial.¹⁵⁵ Burning at different times of year affects species differently (Press et al. 1995), perhaps explaining the decline in small mammal numbers.¹⁵⁶ There are also problems with the fine-scale fire management of lowland and woodland floodplain habitats (Plan of Management 1999).

Opinions vary about whether Aboriginal involvement in fire management has helped conservation. Since the 1980s, Bininj/Mungguy have helped reduce the amount of flammable spear grass and hence the number of hot end of season fires (Environment Australia 1998). Not all Bininj/Mungguy knowledge has been documented or absorbed into management policy,¹⁵⁷ but some KaNP staff overlook this fact as consulting with younger Bininj/Mungguy whose English is better is easier.¹⁵⁸ Some Bininj/Mungguy feel that some areas, such as floodplains, are not burnt traditionally (Plan of Management 1999) and others object to helicopter use.¹⁵⁹ Some still burn independently from KaNP management¹⁶⁰ particularly around outstations and hunting areas (Plan of Management 1999), and some are strict about the way KaNP staff burn their land.¹⁶¹ The Director felt that Bininj/Mungguy fire management capacity was strong and growing,¹⁶² but most interviewees felt that younger Bininj/Mungguy lacked the knowledge of the elders,¹⁶³ and that traditional fire knowledge was decreasing.¹⁶⁴ Disagreements amongst traditional owners also occur. For example young Aboriginal and non-Aboriginal rangers advocate wet season burning to remove spear grass, but elders disagree.¹⁶⁵ Past burning by Bininj/Mungguy has caused some quite dangerous fires, some of which were started out of spite or to gain attention.¹⁶⁶ Davies (1999) states the current management regime is removed from traditional customs and culture, and some feel that KaNP staff provide as much knowledge as they receive on fire management.¹⁶⁷

Mining leases are on Aboriginal-owned land enclosed by, but not part of KaNP, as boundaries were designed to exclude the Ranger, Jabiluka and Koongarra leases (Press et al. 1995). However, mining still affects conservation in KaNP. Coronation Hill was mined until 1964 (Lawrence 2000; Press et al. 1995), and Parks Australia is required to rehabilitate these old sites (Plan of Management 1999). Mining began at Ranger in 1980 and there are concerns about water pollution despite permanent on-site supervision and research by a dedicated Environment Protection Agency office (Press et al. 1995). Mine water is released into KaNP despite traditional owner opposition (Plan of Management 1999). Commonwealth Government policy restricting the number of operational uranium mines has inhibited mining at Koongarra and Jabiluka in the past (Press et al. 1995), but mining at Jabiluka has recently been approved. Therefore the World Heritage Committee is assessing whether KaNP deserves World Heritage 'In Danger' listing, which would have considerable political and public relations implications (Environment Australia 1999b; Lawrence 2000). Traditional owners believe the EIA was flawed, and that mining would ruin World Heritage values. A 1998 World Heritage fact-finding committee verified this.¹⁶⁸ However, Commonwealth Government opposition is strenuous.¹⁶⁹ It argues that the mine is not within KaNP, cultural heritage will be unaffected, and urban infrastructure expansion and risk from mine design or waste water disposal will be minimal. It adds that Ranger has operated for nearly 20 years without damaging World Heritage values, mine sites will be rehabilitated, and the area disturbed will be small (Environment Australia 1999b).

Weeds threaten KaNP biodiversity but also concern Aboriginal people as they impede hunting and gathering, and salvinia makes it hard to see crocodiles (Plan of Management 1999; Wellings 1994). Thus, Aboriginal and conservation objectives are in line on this issue,¹⁷⁰ and Bininj/Mungguy have provided much assistance to KaNP weed management programmes (Plan of Management 1999). The leases even require the lessee to “*use his best endeavours to control and eradicate infestations of mimosa...[and] salvinia.*” Bininj/Mungguy visit some areas more than KaNP staff whom they then alert about new infestations¹⁷¹ (Wellings 1994; Plan of Management 1999). Lobbying, particularly by the Gagudju Association, for mimosa control has helped persuade political decision-makers to support control programmes (Hill and Press 1994; Wellings 1994).

Aboriginal and conservation objectives are less in line with each other on the issue of feral animals. Such animals provide food, employment and economic opportunities¹⁷² (Plan of Management 1999; Wellings 1994) and some are subject to a quasi protection regime due to the wishes of the traditional owners. However, many Bininj/Mungguy support the removal of feral animals where they pose an unacceptable threat to other wildlife values.¹⁷³ The Park Manager feels that feral animals are only problematic in large numbers,¹⁷⁴ and others feel Aboriginal interest in maintaining feral animals may not lead to significant conservation problems.¹⁷⁵ The forthcoming feral animal control programme is likely to be clan based, as different clans have different views on animals, and agreements will have to be made with each clan regarding removal.¹⁷⁶

Bininj/Mungguy are concerned about buffalo damage and many support rehabilitation activities.¹⁷⁷ However, many were unhappy about BTEC as they relied on buffalo for employment and food¹⁷⁸ (Lawrence 2000). Parks Australia therefore agreed to establish a domesticated buffalo herd in KaNP. The Gagudju Association maintains this herd, which numbers about 1,000 (Davies 1999; Wellings 1994), and causes considerable localised ecological damage. Increasing buffalo numbers pleases some traditional owners, a few of whom also want their own domesticated herds (Hill and Press 1994; Plan of Management 1999).

Cattle occur in KaNP and one Aboriginal-owned herd is found in a particularly scenic and heavily visited area.¹⁷⁹ Horses would probably not be present if it were not for joint management.¹⁸⁰ Aboriginal people keep them as pets,¹⁸¹ and many oppose control programmes.¹⁸² Thus, rangers may only shoot horses under particular conditions, for example near roads where they cause hazards.¹⁸³ Some Aboriginal people want pigs removed,¹⁸⁴ but others see them as a source of food,¹⁸⁵ or income from commercial harvesting.¹⁸⁶ It is therefore forbidden for rangers to shoot pigs.¹⁸⁷ No cats are allowed in Jabiru, and those in Aboriginal living areas are removed or sterilised and registered (Plan of Management 1999). Aboriginal people own dogs,¹⁸⁸ which can interbreed with dingos (Plan of Management 1999; Press et al. 1995). This is problematic because although men brought dingos to Australia 5,000-6,000 years ago, they are not considered feral (Press et al. 1995). Aboriginal people are concerned about cane

toads, and the Gunlom Lease requires the lessee to “*use his best endeavours to control and eradicate infestations of cane toads ... in the park.*”

Aboriginal people harvest native and feral animals in KaNP. Parks Australia supports the latter, which occurs in abundance¹⁸⁹ (PAN 1997). Reductions in feral species have led to more exploitation of indigenous species such as estuarine crocodiles (Altman and Allen 1992), and some view native animal harvesting as excessively compromising conservation principles (PAN 1997). However, Bininj/Mungguy recognise that endangered species need to be protected (Plan of Management 1999), and hunting helps monitor animal populations.¹⁹⁰ For example, visiting scientists had concerns about low numbers of pig-nosed turtles in the north of KaNP.¹⁹¹ Had they questioned Aboriginal people for whom the turtle is a food source they would have realised the turtle is common.¹⁹² Some scientists would like more population monitoring, for example of barramundi whose numbers are affected by angling (Plan of Management 1999; Press et al. 1995). The Plan of Management (1999) states that “*any use of natural resources in the park should not adversely affect biodiversity conservation in Kakadu*” and that the board will consult with traditional owners and the NLC to work out management strategies where it feels that resource use is having an adverse effect. However, there may not be a shared understanding about what is an adverse effect. For example, whether traditional owners can harvest native wildlife for commercial gain has yet to be determined (PAN 1997). Guns require permits and a ban on the use of lead shot has been proposed (Plan of Management 1999). Aboriginal car ownership means that areas near roads are hunted more than others.¹⁹³ Many non-Aboriginal people object to the use of such modern hunting techniques (Davies et al. 1999). However, in practice bush food is only a small part of Aboriginal people’s diet, as buffalo meat is supplied weekly to several KaNP areas (Altman and Allen 1992), and supermarket use has increased.¹⁹⁴

Unlike most national parks, KaNP prioritises tourism last after Aboriginal culture and nature conservation.¹⁹⁵ KaNP operates a zoning system which limits development and use in some areas (Plan of Management 1999), and retains others in a state which is essentially unmodified by non-Aboriginal activity and is managed for traditional owner use (Pizzey and Robinson 1999). The Plan of Management provides for area plans with detailed descriptions about the management of specific areas.¹⁹⁶ Joint management ensures that tourism is tightly controlled¹⁹⁷ and the Kakadu Tourism Consultative Committee ensures Bininj/Mungguy feelings on site visitor limits are adhered to.¹⁹⁸ However, there are concerns that tourism management takes up too many resources compared to natural resource management (Hill and Press 1994; Davies 1999). Roads, tracks, gravel pits, visitor facilities and waves from recreational boating increase erosion and the need for rehabilitation. Increasing visitor numbers put pressure on the environment, particularly at sites such as Yellow Water, which has more than 120,000 visitors per year (Plan of Management 1999). Tourism will probably increase in the future as Aboriginal associations run more KaNP businesses. In the past, Aboriginal people sought to restrict tourism, but they are now more interested in its economic benefits (PAN 1997).

3.3 DISCUSSION

Specific conservation objectives vary for each CNP. Drawing from each one's stated aims, national statutes and conservation authority management objectives, broad conservation objectives can be divided into persistence, protection of a key or representative portion of international or national biodiversity, protection of existing CNP biodiversity, natural beauty conservation, sustainable use and cultural heritage conservation. Following discussion on what would have happened to each area's conservation value without CNP proclamation, these are discussed with particular reference to joint management.

Regional conservation value would probably have deteriorated without CNP proclamation at UKTNP and KaNP, particularly in view of modern pressures from tourism and mining. In both CNPs, safeguards exist to protect key species, and effective conservation management plays an important role in alien species removal and fire management. These benefits are apparent in KaNP when it is compared to the degradation seen in neighbouring Arnhem Land. Such comparative advantages are less apparent in South Africa suggesting that SANP should clarify its policy regarding CNP objectives and application. It is uncertain whether the Richtersveld suffers less from overgrazing due to the CNP. RNP has little power to control mining, but it has raised conservation awareness and contributed to regional conservation strategies. Land at Makuleke and in KGNP must be used for conservation with or without a CNP. At Makuleke, development could be less carefully managed without a CNP, and part of the Madimbo Corridor would probably not have been incorporated into KNP. In KGNP, the CNP could increase or reduce conservation benefits depending on the land use chosen and whether or not fences are erected. Kempiana has few improved conservation benefits as a CNP, as the land would have been managed for similar purposes in the absence of SANP. Postberg has the most comparative advantages, as CNP status prevents development, which could damage other key WCNP conservation areas. CNPs at Melkbosrand and on land owned by residents of the Enon and Bersheba communities surrounding AENP could also prevent potentially damaging land uses.

Size and time-protected-for indicate the likely persistence of a CNP (Table 8). Except for the Richtersveld, most South African CNPs are relatively small at 500km² or less. UKTNP is 1,325km², and KaNP is 19,804km². South African CNPs studied protect only about 0.2% of the country and make up 3.5% of the nation's protected areas. Therefore, they contribute little to government aims to increase the national protected area estate from 6% to 8% (DEAT 2001), or IUCN's recommended 15%. However, some feel any extra land protected is good,¹⁹⁹ and many South African CNPs contribute to larger conservation initiatives. The Richtersveld hopes to link up with a local conservancy, and with Namibian protected areas to form a TFCA. The Makuleke contract has increased KNP's size and the same may occur in KGNP. Both these contracts increase the likelihood of TFCA proclamation. CNPs also contribute to the persistence of protected areas. Postberg forms part of a larger system protecting key habitats, which would be threatened without Postberg's contractual status. The Richtersveld protects a range of habitats and ecological gradients, and Makuleke contains a Ramsar site. The fence has been removed

between Kempiana and KNP, but it remains between Postberg and the rest of WCNP, and it may remain in the proposed Kalahari CNP. UKTNP and KaNP contracts are for 99 and 100 years, but both CNPs prioritise Aboriginal culture, and KaNP contracts can end early if activities detrimental to Aboriginal wishes occur. Kempiana's contract continues indefinitely and Postberg's is for 100 years, but Makuleke's is for 50 years and the Richtersveld's is only for 24 years. All contracts can be renewed, but time limits could threaten persistence in a way that a Schedule One National Park such as AENP might avoid. One possible exception to this borders AENP. There it is proposed that SANP manages the CNP and owns it after 99 years, and the current landowners have exclusive tourism rights.²⁰⁰

Some South African CNPs protect key or representative portions of South Africa's biodiversity. CNPs contribute to three out of eight national centres of endemism, notably the Cape centre, which includes CNPs in Agulhas, Cape Peninsula National Park and WCNP, and the Gariep centre, which includes the RNP (DEAT 2001). However, the RNP may be too far east, and Postberg protects vegetation which is no longer pristine and which, like its wildlife, is of little significant biodiversity value. Kempiana and proposed CNPs at Melkbosrand and KGNP also have little significant biodiversity value. UKTNP protects a representative sample of arid land flora and fauna, but does not have particularly high conservation value. Only three CNPs protect land of high conservation value. RNP falls within the Gariep centre of endemism and protects many Red Data book species and some important Succulent Karoo biome. Makuleke and KaNP protect important biodiversity, but in both cases, land ownership was transferred on the condition that conservation activities continued. Protection of RNP biodiversity was only possible through a contractual agreement. This makes it the only South African CNP with significant biodiversity value, which could not have received protection any other way. SANP should therefore consider re-evaluating its policy regarding CNP application. It should clarify stated objectives and detail the conditions under which CNPs could be applied, as opposed to alternative models such as buffer zones. CNP application in South Africa is currently more opportunistic than systematic.

Joint management can assist the conservation of biodiversity in some CNPs. Postberg's vegetation is protected, game is managed and more appropriate species have been introduced. In RNP, illegal plant collection has decreased and grazing helps maintain biodiversity. However, the effect of grazing on RNP flora is uncertain. Mining only occurs in small areas, often of little conservation value, and mines can assist with conservation work and must rehabilitate old sites. The Makuleke Region's biodiversity is conserved, poaching could decrease, and as in KGNP, settlement and stock grazing is prohibited. Kempiana is managed similarly to KNP. Traditional owners of UKTNP and KaNP have aided conservation with their traditional management and ecological knowledge. However, the depth of this knowledge is questionable since much has been lost or lies with Aboriginal elders. Most hunting in these two CNPs is of feral animals, and in KaNP, traditional owners help monitor wildlife populations, and support weed removal.

Joint management can also inhibit conservation of biodiversity in some CNPs. Postberg may be overstocked and some game is inappropriate. Mining has damaged some Richtersveld rare species and could continue for years. Mines do not have effective environmental management programmes. Stock has prevented game re-introduction. On Kempiana, de-bushing, poor road management and use causing erosion, no fire management, artificial water holes causing overstocking and increasing the density of vegetation, and new infrastructure construction demonstrate that the land is managed more for education and tourism than for conservation. Numbers of several key mammal species have fallen. At UKTNP, Aboriginal perceptions and activities have encouraged weeds and increased erosion. Traditional owners often oppose culling non-native species, and as at KaNP, dogs hybridise with dingos. At KaNP, feral animal removal is also resisted. Lead shot is used, and the hunting of native animals, some of which are rare, concerns some conservationists. However, the challenges of conserving biodiversity are not unique to CNPs. AENP protects elephant, buffalo, dung beetles and valley bushveld, and community outreach work has reduced poaching and theft, and assisted with fence maintenance. AENP also has problems with elephant and other large mammal management, but these were not exacerbated by joint management. This suggests that areas identified as essential components of the conservation estate should be purchased to ensure long-term conservation objectives are met. Some feel that communities can be moved, but species extinction cannot be reversed.²⁰¹ However, Australia's long experience with joint management reveals that it has not fundamentally compromised conservation at either UKTNP or KaNP. This is despite the higher priority given to social rather than ecological issues. This is relevant to South Africa where ecological concerns have been raised about the consequences of land claims in protected areas. However, all claims to date have been settled with no loss to South Africa's conservation estate, and Australian joint management suggests that conservation objectives will not be fundamentally compromised in the future.

Conservation of a CNP's natural beauty is ensured by CNPs at Postberg, UKTNP, and potentially Melkbosrand. The KaNP leases ensure mined areas are rehabilitated. However, protection of natural beauty is not always ensured. For example mining by the river and tourist roads damages the Richtersveld scenery, and cattle are grazed in scenic parts of KaNP.

There is not always clarity in CNPs regarding what levels of resource use are sustainable. Resource use is not always sustainable, but is usually retained at the specified level. The carrying capacity of the RNP is uncertain, as is whether the concept is even applicable. Existing limits were set as a result of political compromise rather than accurate ecological data. Levels of sustainable grazing may vary over time, and there is no consensus regarding whether RNP is overgrazed. However, the stock ceiling is probably twice the optimum. SANP and the BPK have limited power to control stock levels, and plans to relocate park farmers failed. No stock post reduction has occurred, and SANP's servicing of water points encourages higher stock levels. RNP establishment may have disrupted old management regimes and increased grazing levels. However, the stock ceiling is generally adhered to and park farmers help count stock.

Postberg may also suffer from overgrazing. The question of what resource use levels are sustainable has been raised at Makuleke, but SANP officials have few concerns regarding the hunting and lodge proposals. Aboriginal involvement at KaNP has limited tourism and provided some opposition to mining. Aboriginal populations of UKTNP and KaNP are growing along with associated problems such as littering, pets and increased resource use. Future industry and outstation development is possible in KaNP and desired by some Aboriginal owners. Traditional decision-making methods and the secretive nature of the board may mean that such developments will not be curbed. The buffalo farm in KaNP is unsustainable but localised. Some Aboriginal owners support mining, which could lead to more urban infrastructure in Jabiru and pollution of KaNP water. Tourism may increase, and commercial harvesting of native fauna is possible. This research suggests that before signing a new contract it is important to ensure that as much relevant ecological knowledge as possible is available. The lack of serious unsustainable resource use, and unrealised concerns about unsustainable resource use at KaNP also suggests that SANP could be less cautious about community CNP natural resource use, and maybe allow controlled human habitation.

SANP's objectives focus less on conservation of cultural assets than in Australia, and it is unclear whether SANP aims to prioritise biodiversity conservation (section 1.3.4) or community involvement in its CNPs.²⁰² South African authorities should consider whether national conservation legislation should be as equally inclusive of cultural values as it is in Australia. However, all CNPs studied involved land-owning communities and several contributed to cultural conservation. RNP protects petroglyphs, archaeological sites and traditional grazing patterns, and protection of Aboriginal culture is a top priority at UKTNP and KaNP.

In summary, the CNPs studied in Australia and South Africa make important contributions to meeting local, national and international conservation objectives. However, few meet all these objectives. Many CNPs increase regional conservation value and persistence, particularly in Australia where CNPs studied were larger, and contract lengths were longer. CNPs in both countries contribute to the protection of key or representative portions of international or national biodiversity. Joint management both assists and inhibits biodiversity conservation, and some CNPs also contribute to the conservation of natural beauty and culture. CNP resource use may not always be sustainable, but is usually retained at the specified level. Having discussed conservation objectives, the next chapter moves on to assess whether CNPs meet their economic objectives.

CHAPTER 4: ECONOMIC SUSTAINABILITY

4.1 INTRODUCTION

Besides meeting conservation objectives, CNPs should demonstrate economic and social sustainability. Economic sustainability is important for both joint management partners. If landowners feel using the land for conservation activities would be more economically rewarding than alternative land uses, then, given the choice, this may become their preferred option. They are also less likely to put pressure on the national park, for example by hunting, if they feel they benefit from it. Landowner benefits should therefore outweigh costs and be delivered in an appropriate form. Economic sustainability is important for the conservation authority because state finances for conservation are being cut, and in the face of so many other demands on public money, national parks benefit from being seen to be earning their keep. Also, with more land conserved economically, more finances can be freed up for valuable yet costly conservation activities elsewhere. Economic sustainability should ideally be achieved at the CNP level, but also at the organisational and national level.

Table 9: Benefits from conservation.

Use Values	Direct values	Live sales, meat, hides, skins, trophies, education, genetic material, tourism and research.
	Indirect values	Ecological and environmental for example carbon sequestration, storm protection, ecosystem functioning, watershed protection, microclimatic control and waste assimilation functions.
	Option Values	For future use of direct or indirect value, for example, tourism, pharmaceuticals, industrial and agricultural applications.
Non-use values	Existence values	Intrinsic or spiritual value, cultural aesthetic and bequest significance.

Source: adapted from Emerton (1998) and IIED (1994).

This chapter focuses on benefits which can be quantified economically, particularly at the park level. However, it is important to note that benefits from conservation come in different forms (Table 9). Protected areas often provide national economic benefits even if they or the conservation agency are not profitable. Such benefits include foreign exchange, improved ecosystem functioning, and more sustainable income than from other land uses. These are not easy to quantify, but broader economic analyses including these factors often provide easy justification for the spending of government funds on conservation activities. Non-economic benefits are also important, but are discussed in Chapter 5.

4.1.1 Landowner Costs and Benefits

To be successful, CBNRM must be economically sustainable and meet local needs (Crook 1996). Effective common property resource institutions require perceived benefits to exceed perceived costs, and “it is important that subsidies cover the opportunity costs” (Shackleton et

al. 1998). Zimbabwe's Communal Areas Management Programme for Integrated Resources (CAMPFIRE) will not promote wildlife use unless it is competitive (Murphree 1996a). For example, in the Nyaminyami District, 1,000 problem animal reports were filed from January to December 1989, 70% of which were elephant-related. However, only eight elephants were shot per year from 1983 to 1992 because trophy hunting income meant they were worth more economically alive than dead (Taylor 1995). Wildlife is also competitive in Zimbabwe's Guruve District where the Masoka community has built a school and clinic with CAMPFIRE revenue (Murphree 1996b).

South African legislation recognises that economic benefits are linked to sustainable environmental management. The DEAT (1998) aims *"to ensure that local communities, particularly previously disadvantaged communities, benefit through active participation in tourism associated with protected areas."* SANP's Corporate Plan states that Social Ecology must ensure communities receive economic benefits from national parks. This involves *"identifying opportunities for commercial operations through franchising, sub-contracting, community-driven enterprises, joint ventures, apprenticeships and employment."* A key indicator measuring Social Ecology's success is *"the level of economic benefits flowing to local communities as a result of park operations"* (SANP 1998). In 1996 the then Minister of Land Affairs, Derek Hanekom, stated that communities around protected areas needed funds to alleviate poverty when the local economic benefits were low (Hanekom 1996).

In Australia, the EPBC Act and the principles of the National Strategy for the Conservation of Australia's Biological Diversity support economic benefits accruing to Aboriginal people. Likewise, a core objective of the National Strategy for Ecologically Sustainable Development is *"to enhance individual and community well-being and welfare"* (Environment Australia 1997).

Costs associated with conservation may be direct, such as the costs of fencing land, or indirect, such as the costs of wildlife damage. There may also be opportunity costs, defined as the value of benefits from land forgone by choosing conservation activities (IIED 1994). Opportunity costs for local people can be high when most benefits from wildlife management go to tour operators, safari firms or even pharmaceutical companies. For example, in 1988 less than 1% of benefits from tourism in Kenya's Masai Mara reached local communities (Emerton 1998a). Likewise, the economic benefits from Mount Kenya forests are high for Kenya but low for local communities, despite the fact that visitors are willing to pay an entrance fee, some of which could be returned to local communities (Emerton 1998a). In 1993, KNP was said to have no opportunity costs, but was under threat as none of the benefits generated reached surrounding communities (Engelbrecht and Van Der Walt 1993). In 1991 the Zimbabwean Minister of Local Government stated that 50% of benefits from community-based conservation projects should go to local communities, 15% to district councils, and 35% should be allocated to cover management costs. However, district councils were corrupt and distributed less than 50% of revenue to communities (Murphree 1996a; Thomas 1995b). Forty percent of income from

Zambia's Administrative Management Design (ADMADE) projects covers management costs, 35% is distributed to communities, and 25% goes to the National Parks and Wildlife Service (Mwima 1996).

One reason for the failure of community-based conservation initiatives is that communities see no link between their participation and economic benefit. Indirect benefit sharing or development schemes provide fewer direct incentives for effective conservation management, and benefits are often best delivered in the form of income (Emerton 1998a; Murphree 1995; IIED 1994; Burgess et al. 2001). Zimbabwe's 'Wildlife Industries New Development for All' programme failed because benefits from meat and revenue were seen as handouts, and not directly linked to conservation efforts (Murphree 1997). The Kenya Wildlife Service distributes about 25% of gate fees to communities around national parks. However, it admits that revenue distribution can be seen as an automatic right with no links to wildlife (Lusiola 1996). Asking local communities how they would like to benefit prevents them from being passive beneficiaries (IIED 1994). For example, in Lake Mburo National Park, Uganda, the community requested training for traditional birth attendants which the park then provided (Hulme 1997b).

4.1.2 Conservation Authority Costs and Benefits

Economic sustainability at the protected area level is optimal. In South Africa SANP is implementing institutional changes to manage each national park as a business unit to this end. However, in 1999 only KNP, Tsitsikama and Cape Peninsula National Parks met their own operational costs (Cock and Fig 2000), and these costs excluded those of central management, for example of SANP's Cape Town office (which has since closed) covered nine national parks cost R9 million to run in 1999.¹

Most South African national parks require subsidisation from high-earning national parks and the state. In 1998/99, SANP generated 85% of its R325 million budget from ecotourism and the remainder from state subsidies (Ledger 1998). This is relatively good for a national conservation authority.² However, government funding is being cut and SANP's Corporate Plan states that SANP aims *"to improve the long-term financial security of the organisation" by "reducing SANP's financial dependency on government subsidy and directing the attention of the business sector and the international investor community on SANP projects"* (SANP 1998). After biodiversity conservation, economic value is the second most important criteria when purchasing land for national parks. For example, during the establishment of Namaqua and Agulhas National Parks, areas of tourism value were purchased before areas of biodiversity value.³

In Australia, funding cuts have squeezed some conservation agencies (Hill 1993), but funding still compares favourably with poorer countries. There is less legislative and policy emphasis on the financial aspects of national park management, but the National Strategy for the Conservation of Australia's Biological Diversity recognises that *"cost effective and flexible*

policy instruments should be adopted, such as improved valuation, pricing and incentive mechanisms" (Environment Australia 1997).

This chapter assesses what economic costs and benefits accrue to both the landowners and managers of each CNP in turn in order to assess whether or not they are economically sustainable. Landowner benefits include employment and income, and costs include both direct costs and opportunity costs. Conservation authority benefits include benefits at the CNP level, but benefits at the organisational and national level are also assessed where possible, as are the additional costs of managing each protected area as a CNP.

4.2 RESULTS

4.2.1 Landowner Costs and Benefits

Unlike South African CNPs, UKTNP and KaNP paid both lease money and a percentage of CNP income to their owners (Table 10). However, most South African CNP owners received some income from lease arrangements unlike Schedule One National Parks such as AENP where local communities received no direct payments. Most South African interviewees felt CNPs economically benefited their owners. All CNP owners in South Africa and Australia benefited from CNP tourism operations, particularly in South African CNPs where SANP did not involve itself in tourism. Parks Australia's involvement in tourism at UKTNP and KaNP was facilitative rather than controlling. CNPs themselves can employ several community members, but can potentially provide much more employment through initiatives involving the private sector. Innovative strategies occurring in Australia include job pairing and work experience schemes, appropriate training, preferential contract or day labour work, and broadening job specifications to incorporate traditional skills. The costs of CNPs to owners were minimal, and no CNPs conclusively demonstrated significant opportunity costs. Some interviewees at RNP showed confusion regarding where project funding came from.

Communities bordering AENP and Kempiana benefited from conservation activities, particularly through long-term employment opportunities. However, they suffered more costs and had less tenure security than CNP owners, and most of SANP's community outreach or Social Ecology projects had failed or been short-lived. This may have been because there was no fixed framework within which projects operated so accountability was minimal. Community involvement was not a core function like it was in CNPs and weak management meant it was unclear whether Social Ecologists were development facilitators, educators or fund-raisers. Project success depended on SANP, the capacity of its individual officials, and often had minimal link to the resource base.

4.2.1.1 The Postberg Section of West Coast National Park

The Postberg contract states that SANP must pay the Syndicate R15,000 per year to compensate for their costs and the income it no longer receives from visitors. This amount increases by 10% each year but the Syndicate can ask for this escalation rate to be revised after five years (Table



11). Most interviewees mentioned the benefits of this lease money, but one said it was a relatively small sum. However, several said the Syndicate prioritised conservation rather than monetary gain.

Table 10: Landowner benefits from CNPs.

Contractual national park	Annual lease payments	Employment in park	Other financial benefits
The Postberg Section of WCNP	R42,000	None	House price increases. No management costs.
The RNP	R92,000	16	Benefits from tourism
The Makuleke Region of KNP	None	5 or 6	Full benefits from tourism and hunting
The Southern Section of the KGNP	Unlikely	None to date	Benefits from tourism
Kempiana, adjacent to KNP	None	None	Massive tourism revenue
Melkbosrand, AFNP	R30,000	None to date	Benefits from tourism
UKTNP	AU\$150,000	1/3 staff	25% of income. Benefits from tourism
KaNP	AU\$273,701	1/3/ staff	39% of income. Benefits from tourism

In addition, the Syndicate no longer covers management costs such as paying for a ranger or tractor rental.⁴ One interviewee said the private reserve was expensive to run but another said these costs were small. The WCNP Social Ecologist said the Syndicate could not have covered management costs with visitor income.⁵ He added that most meetings are held in Cape Town, which is convenient for most Syndicate members and reduces their transport costs.⁶ Interviewees also said that some Syndicate members incurred costs though provision of free legal or architectural advice.

Table 11: Postberg Syndicate annual income from SANP.

Year	1996/7	1997/8	1998/9
Annual lease payment to the Syndicate (R)	35,500	38,500	42,000

Source: Otto von Kaschke pers. com. 1999.

The dramatically increased value of the land and Syndicate properties since Postberg was proclaimed a CNP were noted by several interviewees and the WCNP Social Ecologist. One interviewee said that more money could be obtained by leasing the land to farmers or for commercial use, but another said the Syndicate does not want this, and recently voted against allowing a developer to buy shares.

4.2.1.2 The Richtersveld National Park

The economic objectives for the Richtersveld community listed in the Management Plan are to: create employment; support existing businesses and promote new ones; provide finances through rent and nursery profits; build an effective Richtersveld Community Trust. In the 1999/2000 financial year, direct community payments included R78,888 for northern Richtersveld social services, more than R400,000 to transport school children, R92,000 to the trust, employee salaries and more from Social Ecology projects (Taljaard 2000). The Richtersveld contract states that *"the Parks Board undertakes: to pay yearly, within 60 days after 1 April each year, an amount of R0.50 (50 cents) per hectare as compensation for the right to use the land as a national park, to the Richtersveld Community Trust."* It adds that this will increase every five years, in line with inflation.

All interviewees felt there were community benefits from the RNP. Benefits mentioned included the trust money, which funds teachers' salaries and a crèche. One community interviewee incorrectly thought that the trust also paid for school children transport, and for textile and field guide training. Tourism has increased in Richtersveld villages and may increase further with the TFCA. Two SANP interviewees noted what was effectively free village marketing by SANP, which employs 16 full-time community members and provides opportunities for secondary employment, for example, through the textile project. Social Ecology runs various projects such as the textile project, village accommodation, business courses, and tourism and field guide training.

One Richtersvelder felt that R0.5/km² should be increased in line with what mining companies pay, but most people were satisfied with the trust and supported the appointment of three independent trustees rather than community members. The Trust Act says that trust assets may be used for educational or training bursaries, community centres, schools, crèches, old age homes or clinics *"to the advantage and the general development of residents of northern Richtersveld, southern Richtersveld and Namaqualand."* A 1993 community workshop determined that money should be spent on education, community development, sport and charity in that order, and that funding should benefit as many Richtersvelders as possible (Table 12).

Table 12: Richtersveld Trust fund allocation 1993-1997.

Year	1993	1994	1995	1996	1997
Total (R)	52,577	82,477	141,547	97,440	88,168

Source: Participatory Research and Planning (1999).

Tourism has much potential but SANP has done little to facilitate this. RNP is involved in the Northern Namaqualand Tourism Task Group aiming to promote community-based tourism (Eco-Africa undated). The German Agency for Technical Co-operation (GTZ)'s Training and Support for Resources Management (TRANSFORM) programme has run community trips to

successful guesthouses to help establish the Rooiberg guesthouse.⁷ Government grants have provided additional funding for an arts and crafts centre.⁸

The contract states that SANP would undertake to establish and manage a nursery *"and to pay the net profits, gained from the running of the nursery, to the trust yearly."* The nursery was established but collapsed, as plants needed temperature extremes absent from the river location⁹ (Robinson 1994). Training did not occur as promised, and although some local people were employed, jobs were not always fairly advertised. For example, the position of Social Ecologist went to the then Park Warden's wife.¹⁰

Mining can continue in RNP thus creating jobs and providing the local government with land rental income. All mines contribute to the Diamond Trust Fund, which benefits Richtersvelders by funding projects such as village halls. The Management Plan states that *"mining should benefit Richtersvelders and that it should not unnecessarily damage the environment."* It adds that when assessing applications the BPK must consider *"the long-term implications for local and national interests. The benefits of mining should be compared with those resulting from alternative forms of land use, pastoralism, tourism and nature conservation."*

The Management Plan states that *"there is a need for increased agricultural extension to improve both livestock quality and management."* Stock quality is lower than desired due to the costs of good stock and limited knowledge of farming methods (Kröhne and Steyn 1991). However, little agricultural extension work occurs. SANP could contribute more to maintaining the optimum economic herd size of 600 by helping with stock counts and transport, and increasing the number of marketing days.¹¹

Grazing land loss may be a cost for non-park farmers, but grazing has actually increased inside RNP since its declaration.¹² Eksteenfontein farmers had no rights in RNP and had enough land in the south, but when they had previously used RNP, stock losses were high.¹³ However, land is communal, and although local grazing patterns occur, Richtersveld farmers covered large distances in and out of RNP land, especially during drought years when vital emergency grazing was needed (Kröhne and Steyn 1991; Archer et al. 1994; Boonzaier 1987). Rigid management systems are inappropriate in the variable Richtersveld environment, and controls imposed in RNP could be seen as additional dispossession within the northern Richtersveld's history of state expropriation and redistribution, diamond mining and immigration (Kröhne and Steyn 1991).

Most interviewees felt the costs of a CNP for the community were minimal and were outweighed by the benefits. No alternative land uses could be more profitable, particularly as grazing still occurs and needs to be regulated anyway. However, one said there was less flexibility regarding land use changes, and most said that costs outweighed benefits for BPK members.

4.2.1.3 The Makuleke Region of Kruger National Park

The Makuleke contract is clear about the nature but not the quantity of community benefits. Its states that the *“CPA retains full authority in respect of all commercial activities undertaken within the Makuleke Region.”* This includes visitor accommodation and services provision. It states that income from these activities, excluding gate fees, will accrue to the CPA, and that the community retains rights of access and controlled resource use. The Management Plan states that the region aims *“to realise economic returns from tourism and associated activities within the park, in an environmentally responsible, pragmatic manner.”* It identifies four lodge development sites and provides brief details on how the CPA will join with private sector partners. This includes stipulations such as the reversion of private sector infrastructure to the community following termination of the agreement. The contract states that *“the Makuleke Region shall in time be staffed predominantly or entirely by members of the community. Accordingly, the JMB shall take reasonable steps to facilitate the transfer of skills to members of the community.”* However, no guidelines on job numbers are given, and many SANP interviewees suspect they will be low.

SANP interviewees felt that ecotourism ventures may be less lucrative than desired. The region is inaccessible and gets very hot in summer, malaria is prevalent, game numbers are low, the ‘big five’ are not all present, and northern KNP camps have fewer visitors and are often unprofitable (de Villiers 1999a). While South African foreign tourism has grown by 17.5% per annum over the last decade, visits to KNP camps dropped in 1998, especially in the north. However, the community is working with development experts to maximise benefits. Private lodges offering exclusive high-value experiences attract many foreign tourists, and Makuleke lodge proposals are based on this trend. Tender documents were released for the sites identified, and 28 private sector investors showed interest. A shortlist was made, and agreements are close to being finalised. Wildlife, culture and archaeological sites will attract tourists. These include Thulamela, a royal village built in 1460,¹⁴ and Crooks Corner where poached ivory was traded and illegal migrant labour entered South Africa to find mine work. The proposed TFCA has huge ecotourism potential (de Villiers 1999a), and the Makuleke Region is a key component of this, as it borders Zimbabwe and Mozambique.

The CPA has opportunities to benefit from support for community tourism provided by the South African Tourism Board, DEAT and DLA. Support is under-developed but will hopefully provide opportunities for training, marketing and assessing capital for joint ventures. Only five or six Makulekes are currently employed. SANP agreed to train community members but cannot pay trainees’ salaries (de Villiers, 1999). By May 2000, SANP had provided no additional skills transfer or jobs.¹⁵ The private sector offers more employment potential, and lodge development proposals were chosen according to criteria such as how many jobs and other opportunities would reach Makuleke community members.¹⁶

Buffalo breeding has been proposed but may not be viable, as tuberculosis has recently reached the region. A tuberculosis-free buffalo is worth R125,000, compared to R5,000 for a diseased animal.¹⁷ Big game hunting could generate income, particularly in the short-term until lodges generate money. Two elephant and two buffalo were hunted in 2000, raising R500,000 for the community.¹⁸

All Makuleke interviewees felt the quantitative benefits of joint management would outweigh the costs for the community. Some felt current costs were higher than benefits, but others said that NGO and donor help meant costs were minimal. Some SANP interviewees thought future benefits may not outweigh community costs, and many said that despite high qualitative benefits, high economic expectations could lead to disappointment. Community benefits given by interviewees included: revenue from ecotourism for community development; jobs such as game guards; revenue from goods sale to tourists; natural resource use; NGO and donor support and funding for Makuleke students; management, business and marketing skills for the community.

Opportunity costs are uncertain and assessing them is arbitrary, as the land claims court stipulated that the region must be used for conservation purposes. In 1993, no other land uses would have been as profitable as ecotourism for KNP as a whole (Engelbrecht and Van Der Walt 1993), but this may no longer be true.¹⁹ Many interviewees felt conservation was the most sustainable and economic long-term land use. Cattle farming and agriculture were not considered viable due to the initial scale of investments, aridity and anthrax (Pienaar 1996). Mining was not considered viable due to the small and scattered nature of diamond deposits. However, one local expert stated that coking coal may be present, irrigation could provide more income than ecotourism, and stock farming was viable.²⁰ Even selling the land could provide R16 million interest per annum for the community, or allow them to purchase land three times the size elsewhere.²¹

4.2.1.4 The Southern Section of the Kalahari Gemsbok National Park

At this early stage in the negotiations economic benefits for the San and Mier communities are hypothetical. A 1998 draft agreement between the San and SANP reveals what commercial rights the San would like: Tourist activities would include four-wheel drive trips and guided walking tours, perhaps with basic amenities and overnight facilities. A San cultural village would be jointly planned, built and managed with SANP, and located near Twee Rivieren. A permanent rest camp would be planned, built and managed by the San. A gate levy of R10 per tourist would be paid into a San development fund. However, the agreement states that all San rights would be subject to the National Parks Act, determined by a "*Management Council*" and that "*the Park Warden would bear the ultimate veto over, and responsibility to the SANP in respect of every activity taking place within the park*" (Chennels 1999).

A 10 bed CNP lodge could provide communities with R718,000 and a 20 bed lodge R1,066,000 per year from income and salaries (Massyn et al. 2000). These estimates are based on a

conservative 70% occupancy level, although actual KGNP occupancy levels were 91% in 2000.²² The San could attract many tourists.²³ They are aware of the commercial value of their identity, crafts and traditional knowledge (Chennels 1998), and have already used their culture as a political tool.²⁴ Kgalagadi Transfrontier Park declaration could enhance tourism (Social Ecology and SANP 2000). Some San, such as the traditional leader, want to keep the area as untouched as possible and use it for hunting and guiding tourists²⁵ (Yeld 2000). One recent proposal is for a tented camp with interpretations and guided walks.²⁶

Based on the land's carrying capacity, consumptive wildlife use could provide communities with R335,600 per year. However, stocking would initially cost R2,846,200 and fencing R840,000 (Massyn et al. 2000). Trophy hunting of three lions and two leopards per year could provide R337,200 and hunting other trophy species could increase this (Massyn et al. 2000). However, lions entering the proposed CNP are young males lacking the black manes preferred by hunters. The social disruption caused by lion hunting means that it could only occur about once every three years.²⁷

The above options are not mutually exclusive. Four wheel drive trails and hunting are compatible, as are controlled trophy hunting and a high value tourism lodge. This would maximise landowner income and jobs (Massyn et al. 2000). In addition, it does not preclude potential income from bioprospecting (section 2.2.4).

The 1999 settlement agreement prohibits farming, but this could only provide R169,000 per year. It is more labour intensive than other options and it requires high investment (Massyn et al. 2000). For every R1 invested, the return is R1.37 from sheep farming and R1.75 from livestock farming.²⁸ The final option is selling the land. KGNP land is worth about R16,000/km².²⁹ SANP will probably not provide lease payments to the San and Mier from the CNP as KGNP already runs at a loss.³⁰

The San want a CNP but the Mier are less keen.³¹ This is unsurprising given that the 400km² Mier hunting area south of the proposed CNP raises R300,000 per year from consumptive use and R50,000 from four-wheel drive tourism. For every R1 invested the return is R4.83. This provides the 1,203 Mier taxpayers with R480 per year and covers 82% of the Mier TLC budget.³²

SANP had planned a 30-bed KGNP lodge near the proposed CNP and 7km from Twee Rivieren before the San and Mier were granted KGNP land.³³ Following the claims, the San were concerned that a new SANP lodge would undermine their own. It was therefore agreed that the SANP lodge would be owned and managed equally by the San and SANP. Lease income and responsibilities for choosing a private sector partner would be divided, and tender documents would include benefits such as San employment.³⁴

The San may be granted priority commercial use rights above the proposed CNP but below the Auob River. SANP may also give the San R500,000 to buy farms below KGNP for a community protected area.³⁵ SANP's Social Ecologists have initiated several San and Mier community empowerment projects, which are independent from the proposed CNP. Eight Mier received field guide training, and six out of 19 San completed a tracker training course (Social Ecology and SANP 2000; DANCED 2000a). Trainees could be employed in the CNP (Engelbrecht and Engelbrecht 2000).

4.2.1.5 Kempiana, Adjacent to Kruger National Park

Kempiana contracts state that Ngala will pay SANPT R270,000 per annum (increasing at 10% each year) to traverse Kempiana, and R480,000 per annum (increasing at 7% each year) to lease Vlakgezicht. Early traversing and lease payments are less to allow for the costs of building refurbishment. Ngala also pays 10% of its total accommodation turnover to SANPT, excluding income from the sale of drinks and curios.³⁶ The Management Plan, which has not yet been accepted, states that "*management of the Hoheisen property undertakes to fully include local communities in the management of Kempiana as well as to afford them maximum benefit, be it as a result of management actions or in the form of job opportunities*" (Pietersen 1999). The 1995 committee meeting reiterated this and also suggested environmental education. The Management Plan states that the community will receive bush clearing work, water pumped from borrow pits, excess wood and culled impala products for a reasonable price. The Management Plan states that employment should be for a few people for long periods to make it more sustainable (Pietersen 1999).

SANPT and WWF-SA benefit much from the CNP. In practice, Ngala pays SANPT R2,000,000-3,000,000 per year.³⁷ In 1999 this figure was R3.2 million,³⁸ but the contracts were also re-negotiated.³⁹ Thus, SANPT receives 90% of its income from ConsCorp. This income has funded the recent expansion in national park land.⁴⁰ Phelwane camp is to be upgraded in December. This will be SANPT-owned and ConsCorp will pay no lease fee, but will pay for traversing rights and give 10% of its turnover to SANPT.⁴¹ Phelwane's projected income is R70 million per annum.⁴² SANPT and WWF-SA benefit from the buildings, which Ngala has upgraded and which will revert to SANPT if Ngala leave.⁴³ WWF-SA has been able to build SAWC which pays them a nominal R1,000 per annum lease fee for their 0.32km² and college buildings.⁴⁴ SANPT and WWF-SA also benefit from SANP's guarantee not to expropriate the land, and with the exception of trustees' salaries, their costs are minimal⁴⁵ because SANP conducts all land management.⁴⁶

Ngala's manager felt there were no opportunity costs for the CNP,⁴⁷ and ConsCorp's Strategic Development Manager felt hunting would not generate more funds than the current land use.⁴⁸ However, the SANP Section Ranger felt that trophy hunting could generate more funds and benefit the Welverdiend community more, but that this was not possible, as the Management Plan had not been accepted.⁴⁹

The Welverdiend community is not the land owner or manager, but also accrues CNP benefits and costs. SAWC employs about 30 community members and Ngala employs about 35.⁵⁰ However, few of the community benefits proposed in the Management Plan have materialised. Artefacts prove the community lived on and used the land, and some community members claim to have been born on Kempiana and removed.⁵¹ Escaped wildlife causes costly damage (Pietersen 1999), and in 1999, lions killed 17 cattle and one farmer lost four of his seven animals.⁵² KNP pays no compensation for such damage and the provincial conservation agency has no capacity to deal with problem animals.⁵³ The community gets money if the lions are trapped and sold, but this is marginal compared to the costs of stock loss.⁵⁴

4.2.1.6 Melkbosrand, Augrabies Falls National Park

No contract has been signed yet. However, SANP pays the Riemvasmaak Community Development Trust R30,000 per annum to use Melkbosrand (Schwartz et al. 2000; DANCED 2000b).

4.2.1.7 Uluru - Kata Tjuta National Park

The Uluru lease states that AU\$150,000, 25% of fines or fees in excess of AU\$30,000, and 25% of entrance fees must be paid to the CLC each year. Lease terms, except the 99-year term, can be renegotiated every five years, but review figures cannot be reduced. The lease states that Parks Australia will *"take all practical steps to promote Aboriginal administration, management and control of the park"* and establish a training programme to this end. It adds that Parks Australia must *"engage as many relevant Aboriginals as is practicable to provide services in and in relation to the park"* and *"adjust working hours and conditions to the needs and culture of Aboriginals employed."* It requires Parks Australia to fund two park liaison officers in the Mutitjulu community. The Plan of Management states that the Park Training Officer will develop an Anangu staff training strategy, a community ranger programme for on-the-job training, and a mentorship programme. It also aims to address gender imbalances and ensure all employees can pursue formal language and land management studies. Parks Australia aims to provide work experience opportunities for Mutitjulu's secondary school students, and to ensure that Anangu receive 50% of the wages and salary budget (Plan of Management 2000). Lastly, the lease requires Parks Australia to *"encourage Aboriginal business and commercial initiatives and enterprises within the park."*

A UKTNP entry ticket costs AU\$16.25, of which AU\$1.25 goes to government tax and AU\$3.75 goes to the community. Of this, 10% goes to administer the Royalty Distribution Association, and 90% goes to the Yankuntjatjara Kutu Aboriginal Corporation for distribution to Anangu by the CLC. Of this, 80% goes to traditional owners, comprising over 70 family heads, and 20% goes to the Mutitjulu Community to cover management costs (Davies 1999). In 1996, UKTNP entrance fees were AU\$4.4 million (Griffin 2000), and traditional owners each received about AU\$1,000-2,000 from royalties and gate money (OJM 1999; Davies 1999). In 1999 about AU\$15,000 reached each family head.⁵⁵ UKTNP also provides community services

and employment for Mutitjulu residents. This contributes a further AU\$1 million each year to the Mutitjulu community economy⁵⁶ (Griffin 2000; OJM 1999). Future renegotiation may involve Anangu receiving a greater proportion of gate fees to which they feel entitled (OJM 1999). One Anangu interviewee said this proportion should be 50%.⁵⁷

In 2000, only 11 of the 33 staff members were Anangu (Plan of Management 2000) and most UKTNP employees were not Aboriginal people.⁵⁸ Parks Australia is trying to change this,⁵⁹ and the Park Manager wants 50% of staff to be Anangu and all key managers to work alongside Anangu.⁶⁰ However, to fill quotas, many Aboriginal employees are non-locals,⁶¹ especially if their English skills are good.⁶² Such individuals can reach high positions and many have strong political agendas.⁶³ They can be pro-Aboriginal people and demand changes which actually alienate traditional owners.⁶⁴

Many Anangu are employed as contract workers,⁶⁵ and this raises the percentage of Anangu UKTNP employees to 40%.⁶⁶ *"Anangu currently receive almost 40% of the wages and salary budget"* (OJM 1999). Traditional consultancy employs some Anangu as casual consultants and increasingly as permanent employees (Plan of Management 2000). Traditional consultants are paid more than AU\$20 per hour⁶⁷ to advise on cultural matters and traditional environmental knowledge. In addition to contract workers, about 40 labourers are employed most months, for example to build walking tracks (Australian Nature Conservation Agency 1995; Willis 1992), collect bush tucker, conduct fire management,⁶⁸ control weeds and reintroduce native species (de Villiers 1999a). An Aboriginal ranger training programme began in 1990 (Davies 1999) and Parks Australia claims to be committed to training Aboriginal people so they move up the ranks.⁶⁹ It aims to employ more senior traditional owners in high positions,⁷⁰ but *"the training and employment programs that have been in place over the past years have not succeeded in creating any significant employment outcomes for Anangu in terms of moving them up the [Parks Australia] hierarchy and assuming positions of influence"* (OJM 1999). One Anangu interviewee felt the high turnover of non-Aboriginal UKTNP staff merited more training for Anangu, who rarely leave to live or work elsewhere.⁷¹ Job sharing has been suggested to reduce stressful contact with English speakers and accommodate Anangu preferences for part-time work (Willis 1992). However, tighter budgets have restricted leave-taking making it harder for Anangu to attend ceremonies or funerals. Money for employment programmes also runs out quickly as it is sourced from external grants rather than Parks Australia's core funding (OJM 1999).

Parks Australia has been criticised for not supporting Anangu business initiatives enough in UKTNP (OJM 1999; de Villiers 1999b). However, such initiatives have increased, and several interviewees commented on benefits from tourism. These included access to Yulara facilities,⁷² and the four Aboriginal-owned cultural centre businesses.⁷³ Two of these sell Aboriginal arts and crafts,⁷⁴ which provides Anangu with up to AU\$3,000 per week (OJM 1999). Another Aboriginal-owned cultural centre business, Anangu Tours, has four shareholders, one of which

is Muṭitjulu. Anangu Tours provides Muṭitjulu with little income at this stage because it is relatively new, but it has about 35 guides on its books, and the 10 it regularly uses earn about AU\$10,000 per annum.⁷⁵ A strategy will be developed for private sector Anangu employment and training, and Parks Australia will provide preferences to businesses owned by or involving Anangu. It also supports a training and employment officer in the Muṭitjulu community (Plan of Management 2000).

There are no opportunity costs, except possibly camel farming, which is less sustainable than tourism.⁷⁶ Bioprospecting, cattle and horse farming were suggested, but no studies have been carried out, and environmental vulnerability due to aridity means other options have not been considered.⁷⁷ Interviewees said that UKTNP maximised potential benefits and that spiritual needs would not allow other land uses.

4.2.1.8 Kakadu National Park

The first lease provided AU\$7,500 per year to traditional owners (Blowes 1992). The Director also agreed to train and employ Aboriginal people and prepare a plan of management allowing traditional use. This was a good start but there was leeway regarding interpretation, and Aboriginal benefits were described using phrases such as *"as far as possible"* (Lawrence 2000). Joint management has since improved and traditional owners now benefit financially from lease payments and employment in KaNP and secondary industries.

The leases require Parks Australia to pay the NLC annual rents of AU\$175,701 for the Kakadu Aboriginal Land Trust, AU\$1 for the Jabiluka Aboriginal Land Trust, and AU\$98,000 for the Gunlom Aboriginal Land Trust. In addition, proportions of entrance and camping fees, respectively 25%, 0% and 13.8% for the same three land trusts, will go to the NLC. In addition, proportions of fees and fines, respectively 25%, 0% and 13.8% for the same three land trusts, will go to the NLC, but only if the amount taken exceeds the threshold of AU\$30,000. The Jabiluka Land Trust receives no proceeds, as many of its members are also Gunlom Aboriginal Land Trust members.⁷⁸ The annual rent and the threshold figure are reviewed every five years but cannot decrease (Plan of Management 1999). The leases require the lessee *"to promote relevant Aboriginal administration management and control of the park"* and the Plan of Management adds that *"so far as is practical, legal and consistent with the principle of selection on merit, Parks Australia will employ traditional owners and other relevant Aboriginals"* (1999). The leases require Parks Australia to implement an Aboriginal training programme to provide skills in KaNP management, literacy, numeracy and administration, and state that a training officer will be employed to this end. They state that a ranger training programme must be implemented, and require Parks Australia to try to find employment for those who attend it. They require the lessee to *"take all practicable steps to adjust working hours and conditions to the needs and culture of Aboriginals employed in the park...(and)...to encourage relevant Aboriginal businesses and commercial initiatives and enterprises within the park."*

KaNP income projections in 2000 were AU\$2,720,750 from visitors, and a total of AU\$3,052,075.⁷⁹ The NLC takes some of the money for the Kakadu Land Trust for its costs and distributes the rest.⁸⁰ It resolves payment conflicts.⁸¹ However, money for the Gunlom Land Trust goes straight to the Jawoyn Association and hence to traditional owners.⁸² In both cases, some money is paid into trust accounts which Biniŋ/Munguy children claim when they turn 18 years of age.⁸³ Each traditional owner receives about AU\$3,000 per annum.⁸⁴ However, declaring this means people cannot get a pension, which some feel is better as it is regular, thus accommodating Aboriginal people's lack of budgeting skills.⁸⁵

Some 34% of KaNP staff are Biniŋ/Munguy⁸⁶ and this figure has not changed for a decade (Plan of Management 1999; PAN 1997). Parks Australia wants to increase it,⁸⁷ for example through work experience and job pairing programmes (Plan of Management 1999; PAN 1997). Not all Aboriginal employees are traditional owners, but most have strong links to the area.⁸⁸ Aboriginal people receive no preference for permanent positions,⁸⁹ but their employment is ensured because job descriptions require local languages and regional knowledge⁹⁰ (Plan of Management 2000). It is therefore relatively easy for an interested Aboriginal person to obtain work.⁹¹ However, positions held remain low ranking. The highest position currently held by an Aboriginal person is the training officer who has four people above her in the KaNP hierarchy.⁹²

Senior traditional owners work as cultural advisors on a permanent or contractual basis (Plan of Management 1999; Craig 1992; Blyth et al. 1992). In 1992, four cultural advisors representing the major traditional owners groups were employed full-time to liaise with KaNP management (Woenne-Green et al. 1993). Two senior traditional owners are now cultural advisors (Davies 1999), but some query their efficacy.⁹³

Many Aboriginal people are employed through contract work such as weed and horse control, native species reintroduction, rubbish collection, road maintenance, rock art and fire management⁹⁴ (Press et al. 1995; de Villiers 1999a; Plan of Management 1999). Aboriginal associations carry out much contract work. For example, the Jabiluka Association runs the visitor centre information counter and the Minitja Association runs the west entry station.⁹⁵ In 1992, 40% of contract workers were Aboriginal (Blyth et al. 1992). Association choice depends on location and capacity.⁹⁶ Parks Australia sometimes formally assesses the latter.⁹⁷ Contracts last from three months to two years⁹⁸ and those given to Aboriginal associations in 1996/97 were worth AU\$325,100 (PAN 1997). Aboriginal associations receive preferential treatment for contracts if their quote is not more than 10% above non-Aboriginal group quotes.⁹⁹ Problems have arisen when Aboriginal groups won contracts but sub-contracted them to non-Aboriginal people.¹⁰⁰ KaNP can assist Aboriginal groups with business plan development and training (Plan of Management 1999). It also pays for about 750 person days of casual labour per year. The budget for this in 1996/7 when 50% of day labourers were Aboriginal was AU\$75,000 (PAN 1997). In 1999, 60% of casual employees were Aboriginal people (Davies 1999) and this has since increased to 95%.¹⁰¹

The training officer is an Aboriginal woman who has a budget of AU\$160,000 per annum, AU\$70,000 of which is spent on training.¹⁰² Trainers come in to coach on literacy, numeracy, coxswain work, chainsaw use, four-wheel drive vehicle recovery, small boat use and rock art maintenance. Cross-cultural courses are run for non-Aboriginal KaNP staff.¹⁰³ Training is available for possible future employees and KaNP staff wishing to develop their career¹⁰⁴ (Plan of Management 1999). Training programmes may not be thorough or effective enough as employment of Bininj/Mungguy has not risen (de Villiers 1999b; Weaver 1991; Plan of Management 1999; Lawrence 1999). Some Aboriginal staff have remained at the bottom of the staffing ladder for 10 years which has led to apathy and disenchantment (Lawrence 1999). Increasing high ranking Aboriginal employment is particularly difficult as these positions require skills learnt in formal education such as English literacy and financial management (PAN 1997). Under Aboriginal law a person cannot make decisions about someone else's country, and some feel Aboriginal people sometimes prefer non-Aboriginal people to hold high positions because they can be moved on by complaining.¹⁰⁵ Six ranger training programme have occurred since 1979 (Plan of Management 1999; Anon 1996b; Davies 1999). The first two were in KaNP, but the third was external. This provided trainees with recognised certification but required good literacy, numeracy and public presentation skills, and so had high drop out rates (Lawrence 2000). Jobs are ensured for current trainees as the non-Aboriginal people currently holding positions are employed on short contracts.¹⁰⁶

Learning kinship and culture takes years and many feel it is not compatible with full-time work.¹⁰⁷ The hierarchical western nature of KaNP bureaucracy conflicts with traditional owner rights and responsibilities, and to have a successful career requires Aboriginal people to sacrifice part of their culture (Lawrence 2000). Thus, Parks Australia is experimenting with flexible work times.¹⁰⁸ Aboriginal people get much paid leave and as most are junior, finding someone to cover for them is easy.¹⁰⁹ Those employed in liaison work or as cultural advisors are more free to dictate how their time is spent.¹¹⁰ Job sharing does not occur, and housing all staff would be problematic if it did¹¹¹ (PAN 1997). Special consideration of Aboriginal staff has caused resentment amongst non-Aboriginal staff (Lawrence 2000), but public service requirements have limited the levels of flexibility that Parks Australia can offer.¹¹² These were not developed with Aboriginal cultural requirements in mind (Hill and Press 1994). However, concessions have been made. For example, the Federal Government guaranteed the first trainees jobs if they finished their training, even though some were illiterate thus failing to meet public service requirements.¹¹³

Tourism does not provide traditional owners with substantial benefits,¹¹⁴ but it has the potential to do so, both directly and through multiplier effects¹¹⁵ (de Villiers 1999b). Currently, Aboriginal artefacts and art are sold in KaNP outlets and Aboriginal associations run the visitor centre café (de Villiers 1999a; Environment Australia 1998). The Gagudju Association owns three KaNP hotels and a store. The Director must approve KaNP commercial activities (Press et

al. 1995) and gives preference to companies owned by or committed to training and employing relevant Aboriginal people¹¹⁶ (Plan of Management 1999; Davies 1999). Prime commercial tour opportunities such as Yellow Water boat cruises, are reserved for enterprises benefiting Bininj/Mungguy, and such enterprises can also operate in KaNP areas normally closed to the public (Plan of Management 1999).

A non-national park option was not available to Aboriginal people¹¹⁷ so it is speculative to consider opportunity costs. However, there are large mineral deposits in KaNP¹¹⁸ (Christian and Aldrick 1977), which some traditional owners want to exploit.¹¹⁹ Gross Ranger uranium mine revenue totals about AU\$20 billion. Royalties from this are fixed at 4.25%, of which 30% goes to the NLC, 30% to a federal trust fund, and the rest to traditional owners. The Mirrar-Gundjehmi traditional owners on whose land Ranger exists receive AU\$200,000 per annum plus royalty equivalents (Environment Australia 1999b). Mining is more short-term than tourism and it affects a smaller area.¹²⁰ The full value of regional mineral deposits is unknown due to KaNP exploration restrictions (Press et al. 1995), but deposits such as those at Coronation Hill would no longer be economically viable due to a drop in mineral prices.¹²¹ Engineering problems would also make it hard to access some minerals.¹²² Past mining has given minimal benefit to traditional owners.¹²³ The Ranger mine promised many jobs but employed few Aboriginal people¹²⁴ (Davies 1999). Mining around Coronation Hill employed none (Press et al. 1995; Lawrence 2000). Aboriginal people working at Ranger were often non-local. The working environment was unionised, regimented and unsuited to Aboriginal traditions.¹²⁵ Mining reduced people's privacy,¹²⁶ provided less regular income than a pension,¹²⁷ damaged sacred sites¹²⁸ and increased contact with non-Aboriginal people and alcohol (Davies 1999). Thus, Aboriginal people feel KaNP is the lesser of the two evils.¹²⁹ There are more jobs and work is better suited to Aboriginal traditions.¹³⁰ Income from mining is larger but fewer Aboriginal people receive it. For example, Gunlom Land Trust members get no mining royalties.¹³¹

Soils are unattractive for agriculture, and forestry is unlikely to be economic (Christian and Aldrick 1977). Pastoralism is possible¹³² and in the late 19th century there were several pastoral leases in KaNP. Stock was grazed in stage III of KaNP in 1937. Pastoralism employed many Aboriginal people, but climate, large distances and disease made industries marginal (Lawrence 2000). It is unlikely that pastoralism could benefit Aboriginal people more than KaNP.¹³³ Buffalo hunting occurred in the late 19th century and employed many Aboriginal people (Lawrence 2000). However, it could not generate as much money as KaNP.¹³⁴ Crocodile hunting occurred in the 1940s (Lawrence 2000), and commercial harvesting of crocodile eggs could generate income, but the Plan of Management does not prevent this.¹³⁵ Bioprospecting could generate funds, but this is an unknown quantity.¹³⁶ Tourism could generate more income, but KaNP limits tourism.¹³⁷ Many tour operators want the road to Jim Jim Falls tarred, but this would cost AU\$25 million so is not economically viable.¹³⁸

Some feel Aboriginal elders were initially happy to have KaNP but might reject it today, as they have nothing to compare it with.¹³⁹ However, benefits do outweigh costs,¹⁴⁰ as demonstrated by neighbouring Arnhem Land, where the territory government is antagonistic and there is little employment or training.¹⁴¹

4.2.2 Conservation Authority Costs and Benefits

South African and Australian conservation authorities would like economic sustainability at the national park level, but all CNPs studied failed in this respect (Table 13), even UKTNP with an attraction as significant as Ayers Rock. CNP status lowers the probability of achieving economic sustainability at the national park level because the additional costs of joint management usually account for 25% to 50% of CNP budgets. CNPs are therefore an expensive option for the conservation authority.

Table 13: Conservation authority costs and benefits of CNP management.

Contractual national park	Annual park income	Annual management costs
The Postberg Section of WCNP	R100,000 to R400,000	R850,000
The RNP	R400,000	R2,540,000
The Makuleke Region of KNP	R150,000 (from gate)	Unknown
The Southern Section of the KGNP	R62,000 for whole park	R655,525 for whole park
Kempiana, adjacent to KNP	None for SANP	R640,000
Melkbosrand, AFNP	Unknown	Unknown
UKTNP	AU\$4,200,000	AU\$7,990,000
KaNP	AU\$3,592,569	AU\$13,394,881

4.2.2.1 The Postberg Section of West Coast National Park

The contract states that SANP receives income from Postberg visitors, but that Postberg may only be opened to the public for eight weeks a year, and that vehicle numbers during this time are limited. Thus, there is a ceiling on income accrued by SANP. However, interviewees said that Postberg is the main WCNP visitor destination and that SANP can choose when the eight weeks are.¹⁴² SANP receives income from game sales and transfer, and it did not have to buy the land.

Management costs far outweigh this income (Table 14). Until 1999 entrance to the rest of WCNP was free so assessing income from Postberg was straightforward. Some 60% of WCNP shop income was collected during the flower season so 60% of its annual income has been attributed to Postberg. Following deproclamation of the road through WCNP in 1999, visitors now pay to enter the whole of WCNP, so attributing income to Postberg is harder. Table 14 costs do not include central management costs and may not include the costs of maintaining the Postberg road.¹⁴³

Joint management of Postberg is more costly for SANP than independent management would be. Postberg covers less than 8% of WCNP, but about one third of rangers, including a head ranger, work there.¹⁴⁴ Two interviewees mentioned the additional costs of constant communication. Joint management limits income generation quite severely, and two interviewees said that SANP could have no overnight facilities in Postberg and develop little tourism infrastructure. Tzaarsbank used to be part of Postberg, but following a land swap, it is now state land. However, the contract states that Syndicate members retain rights here. SANP may provide facilities for day visitors, but not for overnight stays. It must ensure that public use of the area does not affect Syndicate privacy, and that fences between Postberg and Tzaarsbank are well maintained. Table 15 shows that from 1994 to 1998 no steady increase in visitor numbers occurred. The Syndicate limits hiking trail use, and despite trail popularity in 1997/1998, only 615 hikers used them (von Kaschke 1998). The contract states that the Syndicate must even approve Postberg game capture and sale.

Table 14: Economic costs and benefits for SANP from the management of Postberg.

Year	1996/7	1997/8	1998/9
Income (R)			
Curio trade	52,776	52,439	70,404
Entrance fees	108,000	109,000	312,000
Game sales	50,000	0	0
Costs (R)			
Conservation staff (direct costs)	366,500	453,600	446,200
Conservation staff (indirect costs)	43,200	102,200	104,700
Maintenance - buildings	0	3,500	1,000
Maintenance - equipment	6,500	3,000	3,000
Maintenance - veld	61,000	1,000	3,000
Maintenance - infrastructure	33,000	13,200	10,000
Office costs	204,393	144,600	120,800
Annual rent to the Syndicate	35,500	38,500	42,000
Marketing/promotions/advertising	10,000	12,500	14,600
Vehicle costs - fuel	25,667	35,433	33,866
Vehicle costs - other	58,400	82,767	81,367
Depreciation costs (vehicles + machinery)	2,000	3,600	4,000
Net Annual Costs (R)	635,384	732,461	482,129

Source: Otto von Kaschke pers. com. 1999.

SANP may not be maximising potential income generation. One Syndicate member said that SANP wastes money on excessive vehicle use, by allowing free WCNP entry (before 1999) and free lagoon use.¹⁴⁵ However, the latter two were not specific for Postberg.

Table 15: Visitor numbers to Postberg 1994-1998.

Year	1994	1995	1996	1997	1998
Number of cars	5,518	6,149	4,327	3,826	6,882
Number of busses	118	90	61	54	108
Number of people	22,953	26,687	16,028	14,248	25,172

Source: Otto von Kaschke pers. com. 1998.

4.2.2.2 The Richtersveld National Park

Objectives for tourism in the Management Plan are “to make the natural heritage of the Richtersveld accessible for appreciation by visitors.” The plan states that tourist facilities and services will be provided if they are compatible with community and conservation objectives. Proposed activities include guided tours by vehicle, on foot and in the air, specialist botanical, geological, ornithological, photographic, or art tours, camping and other overnight facilities, Orange River boating, animal safaris, mountain bike trails, picnic sites, a shop and information centre, angling, and visits by educational institutions.

Table 16: RNP budget 1995-1999 (Data missing for Apr 96/Mch 97).

	Apr 95/Mch 96	Apr 97/Mch 98	Apr 98/Mch 99	Apr 99/Dec 00
Total income (R)	160,000	240,272	257,326	400,000
Total expenditure (R)	1,200,000	1,194,644	1,629,599	2,540,000
Net expenditure (R)	1,040,000	954,372	1,372,273	2,140,000

Source: Johan Taljaard pers. com. 1999/2000.

Interviewees felt there were benefits for SANP from RNP. Tourist numbers are rising and may increase further if the international border opens. TFCA or World Heritage status may increase tourist numbers, which were only 2,868 in 1996/97, and 3,537 in 1997/98. Land rental costs are small compared to the costs of purchase. However, very few of the proposals in the Management Plan have materialised. Hiking with field guides is possible but is poorly operated (Eco-Africa 1999b). Accommodation is available outside RNP and rudimentary campsites occur in RNP. School educational tours use RNP but there is little effort made to attract tourists. Interviewees said RNP was not fenced allowing entry without paying, and its tourism potential has not been developed. Many said remoteness and inaccessibility were restrictive. Poor transport and services, and violence in South Africa discourage tourism and so prevent potential income realisation.¹⁴⁶ Education is also needed to make tourism work.¹⁴⁷ Table 16 shows that RNP is not economically viable. These figures do not include central management costs. With such losses it was surprising that so many Richtersvelders perceived RNP as profitable. Most interviewees understood that financial costs outweighed benefits for SANP, but at least two incorrectly said that SANP earned more from tourism than it spent on management.

The additional costs of joint management were hard to quantify. However, in 1999/2000, the costs of trust fund payments, transporting school children and community social services contributed to 23% of SANP's expenditure in RNP.

Table 17: Income and management costs of the KGNP.

Year	1998/1999	1999/2000	2000/2001
Income (R)			
Sales - trade	6,172,000	5,940,000	6,004,200
Cost of sales - trade	3,791,256	4,422,010	4,503,150
Accommodation	3,780,000	3,498,206	3,843,485
Entrance fees	235,000	560,000	914,013
Trails and walks	357,300	241,000	15,000
Drives	0	0	400,000
Sales publications	3,000	0	0
Rent received	4,800	7,800	8,000
Traffic fines	3,000	3,300	1,500
Sundry income	24,000	61,000	62,000
Costs (R)			
Direct human resources	2,844,774	3,729,069	3,843,557
Indirect human resources	844,671	902,068	656,283
Interest and finance charges	0	1,200	1,500
Levies	20,210	15,212	23,803
Operating costs	10,500	10,955	11,450
Office costs	250,700	132,738	112,225
Freightage	17,200	24,237	25,800
Specialist fees	2,000	0	5,100
Bank charges	2,000	120	0
Rent paid	8,000	3,609	2,500
Consumables	1,040,476	1,002,409	1,080,396
Marketing/promotions/advertising	30,500	10,500	15,350
Subsistence and travel costs	195,120	169,447	186,340
External services	2,163,300	293,746	355,570
Vehicle/aircraft cost	596,074	883,295	636,900
Inventory items	120,165	69,096	88,300
Depreciation	239,700	277,044	293,499
Net annual costs (R)	1,597,546	1,635,449	593,525

Source: Gert Scheepers pers. com. 2000.

4.2.2.3 The Makuleke Region of Kruger National Park

The contract states that “all gate fees charged for entrance to the Kruger National Park, via the Makuleke Region (*‘the Pafuri gate’*), shall accrue to SANP.” It states that SANP shall bear management costs, but five years after contract signing “the CPA shall be liable for 50% of the operational cost of the Makuleke Region: provided that the CPA’s contribution to the total operational management cost of the Makuleke Region shall not exceed 50% of its net profit.”

For many years KNP was an economic success (Engelbrecht and Van Der Walt 1993) and subsidised other unprofitable South African national parks.¹⁴⁸ However, each year the Pafuri gate earns only R150,000 and the Makuleke Region receives only 10,000 visitors. These fees do not come close to covering management costs. Interviewees said fees were small but that SANP would earn additional income from facility use, especially from tourists interested in national park/community ventures, from wildlife photographers and from tourists coming up from the rest of KNP. All interviewees anticipated and understood contract clauses regarding management costs, and hoped that five years after parliament had given the community the title deeds, the CPA would have the capacity to pay for or take over management responsibilities at levels determined by the board.

4.2.2.4 The Southern Section of the Kalahari Gemsbok National Park

The 1998 draft agreement between the San and SANP states that SANP will benefit from San commercial ventures in proportion to its input or venture profits (Chennels 1999). The proposed CNP could be an economic asset for SANP due to the added attractions of San culture (Social Ecology and SANP 2000). It is uncertain if SANP will pay the San and Mier lease money for the proposed CNP. The KGNP Economist could not estimate what proportion of KGNP management costs could be attributed to the proposed CNP, but as the area is about 5% of KGNP, 5% of management costs is not unreasonable (Table 17). He was also unable to provide information on funding for community development projects, but stated that in 1999/2000 the tracker training project cost SANP R20,721.¹⁴⁹

4.2.2.5 Kempiana, Adjacent to Kruger National Park

Official documents state that SANP must pay for management and return money invested in fixed assets by Ngala should it withdraw. However, the latter is negligible and the lease has just been renewed for 10 years anyway.¹⁵⁰ Thus, SANP accrue most CNP costs despite the lack of money from Ngala or SANPT and the land’s low conservation value.¹⁵¹

Table 18 shows the estimated costs of managing the CNP. The SANP Section Ranger’s salary is taken as 40% of his actual salary as he is supposed to spend 40% of his time in the CNP. However, he spends more time than this in the CNP due to the necessary dealings with people. The road budget is that which is allotted, rather than spent. For example, repairing road damage in 1999/2000 cost R300,000. Salary costs are calculated using assumed 15% annual increases, and figures do not include housing costs. The SANP Section Ranger feels it actually costs about R640,000 per annum to manage the CNP, excluding the costs of his salary.¹⁵²

Table 18: Management costs for Kempiana.

Financial year	1995/6	1996/7	1997/8	1998/9	1999/2000
Management costs excluding all salaries except labourers (R)	142,871	186,000	195,294	195,566	206,000
Salaries (including pensions et cetera) (R)	122,927	141,366	162,571	186,957	215,000
Section Ranger's salary (R)	17,724	20,383	23,440	26,957	31,000
Roads (R)	80,000	80,000	80,000	80,000	80,000
Total (R)	363,522	427,749	461,305	489,480	532,000

Source: Errol Pietersen pers. com. 2000.

4.2.2.6 Melkbosrand, Augrabies Falls National Park

No figures were obtained.

4.2.2.7 Uluru - Kata Tjuta National Park

There is little mention of economic sustainability in the Plan of Management and it is not a key UKTNP value. However, the plan states that UKTNP aims to achieve "*maximum efficiency in the use of available funds*" and that "*fees for park use are charged in line with the user-pays principle.*"

Uluru received 5,462 visitors in 1962, which increased to 167,000 in 1985 following UKTNP declaration, and to 371,939 in 1999 (Plan of Management 2000). The UKTNP entry fee rose from AU\$10 to AU\$15 in 1997, and then to AU\$16.25 in 2000, of which, AU\$11.25 goes to Parks Australia. Rising visitor numbers and entry costs have increased income over the years and more is expected. In 1996, entrance fees generated AU\$4.4 million (Griffin 2000) and running costs totalled AU\$6.1 million. In 2000, entrance fees generated AU\$6 million.¹⁵³ About AU\$4.2 million of this went to Parks Australia. The total operational budget was AU\$7.99 million in the 1998/99 financial year,¹⁵⁴ so government subsidisation was about AU\$4 million.¹⁵⁵ There has been a recent transition towards self-funding,¹⁵⁶ and entrance fees have met an increasing percentage of running costs. They covered about 40% in 1995/96 and about 70% in 1997/98 (Plan of Management 2000). However, the Federal Government still provides about 20% of the operational budget.¹⁵⁷

The additional costs of joint management are difficult to assess, but they are a minimum of 55% of Parks Australia's 1999/2000 budget (Table 19). Additional costs not in Table 19 include the cultural centre which cost AU\$300,000 in 2000,¹⁵⁸ moving the road round Uluru and the Kata-Tjuta carpark for cultural reasons,¹⁵⁹ and employing Aboriginal staff who some feel can be less productive due to absences. Joint management inhibits intensive tourism development.¹⁶⁰ For example, visitors could pay to climb the rock,¹⁶¹ and a lift up the rock, petrol station or casino could be built.¹⁶² World heritage listing and Aboriginal culture have increased tourist

visitation¹⁶³ (Environment Australia 1999a) (Griffin 2000), but UKTNP would probably not need government subsidisation without joint management.

Table 19: Estimated costs of joint management at UKTNP in 1999/2000.

Item	Cost (AU\$)	Source of information
Lease payments	2,581,000	Terry Bailey pers. com. 2000
Essential Mutitjulu services	1,000,000	Fraser Vickery pers. com. 2000
Office for Joint Management: operations	250,000	Paul Josif pers. com. 2000
Office for Joint Management: board costs	160,000	Paul Josif pers. com. 2000
Office for Joint Management: community employment contracts (including about half the salary of the employment co-ordinator officer)	405,000	Paul Josif pers. com. 2000
Total	4,396,000	

The costs of government subsidisation are, however, dramatically outweighed by the financial benefits of tourism.¹⁶⁴ The many visitors provide a huge economic boost to the region and country and government gets tax from each UKTNP entry ticket, tour operator licenses, tourist and fuel levies¹⁶⁵ (Willis 1992). In 1998/99, 637,000 people visited the central Northern Territory and 636,000 of these said they would visit UKTNP.¹⁶⁶ They spent about AU\$317.2 million in the region. This is considerable compared to UKTNP subsidies.¹⁶⁷

4.2.2.8 Kakadu National Park

There is little mention of economic sustainability in the Plan of Management and it is not a key KaNP objective. However, the plan states that KaNP aims to “conduct an efficient and effective fee collection system to contribute to the cost of managing the park.”

Table 20: Minimum costs of joint management at KaNP in 1999/2000.

Item	Cost (AU\$)
Board secretary costs	77,676
Other board costs	60,760
Training officer and trainee salaries	280,724
Cultural advisor salaries	148,870
Lease payment	1,445,441
Total	2,013,471

Source: Ian Irvine pers. com. 2000.

KaNP received 40,000 visitors in 1982 (Hill and Press 1994), which grew to 100,000 in 1985, about 15% of whom came on organised tours (Plan of Management 1999). In 1992 the 220,000 visitors stayed an average of 3.5 days (Hill and Press 1994). Some 70% came between May and October, and half were on organised tours (Plan of Management 1999). In 2000, about 250,000

visitors came to KaNP (Lawrence 2000). In 1989 each tourist paid AU\$5 (Plan of Management 1999), but KaNP entry now costs AU\$16.25 and allows visitors to stay for 14 days.¹⁶⁸ Permit sale provides Parks Australia with more revenue (Plan of Management 1999).

Table 20 shows that AU\$2,013,471 was spent in 1999/2000 on items directly attributable to the additional costs of joint management. This is 15% of the annual budget. However, the full additional costs are hard to assess as they accrue throughout KaNP management.¹⁶⁹ For example, Aboriginal-owned companies receive preferential treatment for contract work even if they cost more.¹⁷⁰ The Park Manager estimates that 43% of KaNP costs are extra joint management costs.¹⁷¹ Some of these may be offset by visitor attractions such as Aboriginal landscape interpretations,¹⁷² and cultural as well as natural World Heritage status (Plan of Management 1999; Environment Australia 1999a).

Table 21: KaNP budget 1993-2000.

	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99	1999/2000
Salaries	2,266,780	2,705,668	2,887,996	3,635,365	3,559,639	3,927,662	4,059,247
Operations	4,445,368	4,398,600	4,416,169	3,256,759	2,885,314	5,796,355	4,944,197
Maintenance	804,219	952,513	1,171,781	1,370,264	1,587,522		1,820,697
Medium and minor works	6,718,987	3,450,691	2,929,422	2,227,430	1,816,522		
Asset purchases						1,490,015	1,124,299
Lease payments	541,178	618,756	975,882	1,542,755	1,063,786	1,361,526	1,446,441
Total expenditure (AUS)	14,776,532	12,126,228	12,381,250	12,032,573	10,912,783	11,214,032	13,394,881
Total income (AUS)	2,543,318	2,422,423	3,458,447	3,361,334	3,470,011	3,293,822	3,592,569
Net expenditure (AUS)	12,233,214	9,703,805	8,922,803	8,671,239	7,442,772	7,920,210	9,802,312

Source: Ian Irvine pers. com. 2000.

Since 1993, government has covered an average of 74% of the KaNP budget (Table 21), but these costs are far outweighed by national and territory economic benefits¹⁷³ (Hill and Press 1994). Visitors to the Northern Territory's 'top end' spent over AU\$300 million in 2000¹⁷⁴ and four out of five say they would visit KaNP.¹⁷⁵ In 1990, money spent visiting KaNP accounted for more than 25% of all tourism money spent in the Northern Territory and tourist expenditure in KaNP alone was AU\$30 million¹⁷⁶ (Plan of Management 1999; Hill and Press 1994; Press et al. 1995). KaNP is indirectly responsible for 6% of Northern Territory employment (Hill and Press 1994). KaNP is a major overseas visitor attraction and numbers are expected to continue increasing (Plan of Management 1999). Thus, interest in KaNP sustains and supports tourism

elsewhere in Australia (Press et al. 1995). Tax from hotels and tourism operations is worth about AU\$100 million per year to the Commonwealth Government.¹⁷⁷

The Commonwealth Government may incur opportunity costs from KaNP. Gross Ranger uranium mine revenues are AU\$20 billion and Government receives 72.5% of this (Lawrence 2000). However, the value of KaNP mineral deposits is unclear, and KaNP does not even necessarily prevent mining from occurring.

4.3 DISCUSSION

4.3.1 Landowner Costs and Benefits

South African and Australian legislation and conservation authorities aim to ensure communities benefit economically from CNP tourism and employment. Ideally, benefits should outweigh costs, including opportunity costs, and benefits should have direct links to the natural resource base from which they are derived.

Direct cash payments to landowning communities occurred in most Australian and South African CNPs studied. Lease money was not paid at Makuleke and looked unlikely in KGNP although a gate levy was suggested. Postberg lease payments were only R42,000 in 1998/1999, but house prices had risen and no management costs were accrued. The Richtersveld Community Trust received R92,000 in 1999/2000. Kempiana landowners had no management costs and earned considerable tourism revenue. The Melkbosrand community received R30,000 per annum even without a contract. UKTNP and KaNP landowners received lease money and a percentage of profits. At UKTNP this was AU\$150,000 per annum and 25% of UKTNP income. In 1996 each traditional owner received AU\$1,000-2,000. At KaNP, lease money and 39% of KaNP income provided AU\$1,351,653 to owners in 2000. This was about AU\$3,000 per owner, but meant that owners may not have qualified for steadier income from pensions. In contrast, no lease payments or profit percentages were paid to communities around AENP (a Schedule One National Park) or Kempiana.

Benefits from CNP commercial operations varied but could be significant. Australian CNPs studied encourage community participation in tourism more than South African CNPs. Significantly more benefits could reach South African communities if SANP followed Parks Australia's example and was more committed to promoting community benefits from tourism, for example by providing landowners with concession preferences and training to facilitate benefit realisation. Richtersveld village tourism had increased, and SANP and donors had established several small projects generating income from tourism, such as an arts and crafts centre. Richtersvelders benefited from mining royalties, but the nursery and agricultural extension work promised by SANP had failed. The Makuleke community had full control over CNP commercial operations. Tourism potential may not be high, but government grants and the private sector have provided considerable capital. NGOs and donors had funded the process and built community capacity to help realise potential benefits. SANP had promised skills transfer

but little had occurred. Revenue from resource use and local product sale to visitors was anticipated, and hunting in 2000 raised R500,000. Most anticipated economic benefits for the San and Mier in KGNP came from tourism. Suggested activities were not mutually exclusive, but estimates showed that a 20-bed lodge alone could provide R1,066,000 per annum through lease payments and employment, particularly if the San capitalise on their culture. SANP had agreed to divide the benefits from one proposed camp with the San, and Social Ecology projects may facilitate further benefit accrual. Kempiana landowners received R3.2 million from tourism operations in 1999. Plans for a second lodge could provide an additional R7 million each year. Both UKTNP and KaNP contain successful Aboriginal businesses and promote Aboriginal art sale in CNP shops. Businesses owned by or benefiting Aboriginal people were preferred, and further Aboriginal involvement in the private sector was planned. KaNP employed a training officer with a large budget for Aboriginal capacity-building, although this was not always effective.

CNPs provided employment with the conservation authority and commercial operations, with the highest levels seen in Australia. SANP could facilitate more landowner employment with both SANP and secondary industries by providing innovative strategies such as those occurring in Australia. The RNP employed 16 locals, and RNP mines and businesses such as the textile project and village guesthouses employed more. SANP employed five or six Makulekes, but locals should eventually staff the whole region. By May 2000, no skills transfer from SANP had occurred. The private sector is likely to provide more employment opportunities. About one third of UKTNP and KaNP staff were Aboriginal and both CNPs aimed to increase this ratio. Both recognised the value of Aboriginal skills in management and employed cultural advisors and community liaison officers. Aboriginal employees were given flexible working conditions to accommodate their culture. However, public service requirements limited this. Both CNPs contracted work to Aboriginal groups, or groups benefiting Aboriginal people, sometimes preferentially despite extra costs. Ranger training programmes occurred at KaNP, and 95% of day labour was Aboriginal. At UKTNP, employment may not have provided enough training or flexibility and may have benefited too many non-local Aboriginal people. Aboriginal people, especially senior traditional owners, did not move up the UKTNP hierarchy, and youth employment was funded inconsistently. At KaNP, work still required western rather than Aboriginal competencies.

Owners accrued few financial costs from CNPs. Some individual Postberg landowners provided free expertise. Postberg could be more profitable, but landowners wanted no development. Richtersveld opportunity costs were not significant although non-park farmers may have had less grazing land, and land use flexibility was reduced. In Makuleke, many JMB members felt there were no opportunity costs, but the region may have potential for mining, livestock farming or irrigation. The contract does not allow the latter two options. The community could also benefit from the interest from land sale. The proposed Kalahari CNP probably has no opportunity costs. Predicted ecotourism benefits are higher than those from farming. Kempiana

could earn more from trophy hunting but this is unlikely, and UKTNP has no opportunity costs. Mining at KaNP could possibly provide more benefits than a national park, but these would be short-lived, benefit fewer people, and be less compatible with Aboriginal culture. Land use options such as pastoralism are not likely to provide more benefits. The Tanzanian Department of Wildlife (1996) feels that development and conservation objectives can only be met where wildlife is lucrative enough. They state that the overlap between potentially high-earning areas and areas where villages are obtaining land ownership are low. However, while CNPs do not provide all owners with high incomes, they can provide long-term benefits, which are usually more sustainable and often greater than those from other land uses.

Most landowner benefits from CNPs had clear links to the natural resource base. However, in the Richtersveld much money was spent on social services and schoolchildren transport. Social Ecology and donors funded projects with few links to RNP natural resources. The fact that some interviewees at RNP showed confusion regarding where project funding came from demonstrates the importance of ensuring that links between conservation and economic benefits are clear. Parks Australia funded Mutitjulu services at UKTNP but did not want this responsibility.

Economic benefits also reached communities around AENP (a Schedule One National Park) and Kempiana. SAWC, Ngala and SANP provided communities around Kempiana with about 70 jobs and small benefits such as a community development programme, resource centre, playgroup, bursaries and environmental education course. Communities also suffered costs. They were removed from the land they lived on and used. They lost stock to escaped wildlife without compensation. None of the many potential benefits in the Management Plan had materialised. AENP employed about 130 locals, and provided indirect employment for about 4,000 more. Local communities suffered few costs, as they did not use the land before AENP establishment. Fencing keeps wildlife from crops, and valley thicket has no more profitable land uses. GAI will displace 2,000 people, but they will be compensated and may get jobs. Some will suffer, but overall benefits should outweigh costs. Tenure security for those around AENP is weaker than for communities owning CNPs as SANP could expropriate their land. The Addo Liaison Committee and Mayibuye Ndlovu (two national park/community institutions established for mutual benefit in 1992 and 1996 respectively) provided minor benefits before collapse. Some of these, such as soccer jersey provision, had few links to AENP natural resources. Recent benefits included training, provision of materials from AENP expansion, and business outsourcing. The latter was only semi-successful. SANP rather than communities chose many projects. The success of future plans is questionable given past failures, and whilst contracts may not be appropriate, communities in such situations could benefit from structured agreements guaranteeing long-term conservation authority commitment to certain projects.

4.3.2 Conservation Authority Costs and Benefits

There is no winning formula to determine how conservation authorities should benefit economically from a CNP. Allowing landowners control over commercial rights in CNPs is popular, but means that conservation authorities forfeit the right to many potential economic benefits. Tourism potential varies in CNPs, and so decisions about economic benefit distribution for future CNPs should be determined according to local conditions.

In practice, CNPs benefited conservation authorities in different ways. In particular, their level of involvement with commercial operations varied. However, in all CNPs, the conservation authority did not have to purchase the land. SANP received all tourism income from Postberg, WCNP's main attraction, and income from game sales. SANP received tourism income from RNP, but few of its many income generating schemes had materialised. In Makuleke, SANP received gate fees, which may increase with future tourism development. SANP receives all income from KGNP tourism, and none in Kempiana. Parks Australia retains 75% and 61.2% of income at UKTNP and KaNP respectively.

No CNPs could cover management costs with tourism income. Postberg cost about R850,000 per annum to manage and income varied between R100,000-400,000. In 1999/2000 the Richtersveld cost over R2 million to manage and earned R400,000. SANP received only R150,000 per annum from Makuleke gate fees which contributed little to management costs. The whole KGNP loses R600,000-R1,600,000 per annum. SANP receives no income from Kempiana ecotourism, but pays R640,000 per annum in management. In 2000, UKTNP cost AU\$7.99 million to manage and earned AU\$4.2 million. KaNP costs about AU\$12,500,000 per annum to manage, 74% of which government covers. In contrast, AENP is profitable and GAI should also be economically sustainable. This perhaps reflects more on AENP's particular circumstances, such as location, rather than its non-CNP status.

The problems that CNPs have in achieving economic sustainability suggest that this should not necessarily be a prerequisite for establishment. It may be more realistic to ensure they are nested within a system of national or organisational economic sustainability. However, successful nesting either requires government to recognise the importance of protected areas to the national economy and the merits of expending public money for public good, and subsidise them accordingly, or the conservation authority to have fiscal control over high-earning protected areas to cross-subsidise those earning less.

The importance of protected areas to the national economy has often been demonstrated elsewhere. For example, in the Greater St Lucia Wetland Park, South Africa, permission to mine was refused because the multiplier effects of tourism contributed more to the national economy than mining could have (Hanekom 1996). The national economic benefits from tourists visiting Hluhluwe and Mkuzi National Parks in South Africa are over 2.5 times larger than money spent by tourists in the national parks (Emerton 1998a). Despite government

opinion that other land uses would be more profitable, it makes economic sense to retain Mount Kenya Forest, which also fulfils additional ecosystem functions and cultural benefits (Table 22) (Emerton 1998a).

Table 22: The costs and benefits of Mount Kenya Forest.

Costs of the forest (US\$ per annum)	Benefits of the forest (US\$ per annum)
1 million from crop raiding animals leaving the forest and moving onto adjacent land. 72 million opportunity costs for agriculture.	77 million from forest products to forest managers, government and external logging companies etc. 18 million to communities living around forest.
Total: 73 million per annum	Total: 95 million per annum

Source: Emerton (1998).

UKTNP and KaNP also contributed millions to Australia's economy. Australia is wealthier and has a smaller percentage of indigenous inhabitants and can therefore afford to be more generous to its previously disadvantaged population than South Africa. Despite this and CNP contributions to the national economy, government subsidies were being cut. Government subsidies to SANP were also being cut, and SANP could no longer provide cheap accommodation on the principle that the public had a right to enjoy national parks (Parris 1992). SANP has had to search for alternative income generating strategies, such as private sector partnerships, to support its less profitable national parks. For example, under SANP management Ngala ran at a huge loss, but Ngala now provides SANPT with millions under ConsCorp. Africa underprices its wildlife. For example tourists would pay much more to see Kenya's wildlife (Pearce 1996). However, price increases associated with concessions can disadvantage local visitors causing parks to cease being 'national' parks. Concessions also siphon off most tourism revenue to the private sector and can cause conflict between national park managers and concessionaires. However, total self-sufficiency is inappropriate for conservation authorities, as management will be skewed towards income generation and away from conservation (Parris 1992; Roe et al. 2000).

Most CNPs had larger management costs than if they were state-owned. Thus, some SANP officials would prefer not to enter into contractual agreements¹⁷⁸ (de Villiers 1999a). Postberg is only 8% of WCNP and yet one third of WCNP rangers work there. SANP could capitalise more on the area's income generating potential, but joint management significantly limits earnings. SANP cannot construct overnight facilities in and beside Postberg, visitor numbers and times are severely restricted and game sales are controlled. Some 23% of Richtersveld expenditure went on local social services, schoolchildren transport and community trust payments. Co-management costs were also high in Australia. Routine negotiation and consultation was expensive, and budgets for most state/territory parks were lower than at UKTNP and KaNP (Davies et al. 1999). Fifty-five percent of UKTNP's budget and 43% of KaNP's budget was

spent on additional joint management costs. Owners have limited CNP tourism development although this may change as Aboriginal people are increasingly interested in commercialisation. KaNP could perhaps provide government with more income from mining. However, UKTNP and KaNP cultural attractions increased tourism income. CNP status provided Kempiana with no additional management costs, and both Makuleke and the proposed Kalahari CNP may benefit SANP if their management costs are reduced or they receive a share of income. Makulekes will cover 50% of management costs in 2003 if the CPA can afford it. SANP could benefit from joint tourism initiatives with the San in the Kalahari, particularly if initiatives capitalise on San cultural attractions. However, SANP will have additional costs and it has agreed to give 50% of profits from a new KGNP lodge to the San. Conservation officials should note that in potentially high-earning areas, agreements where the community takes on a proportion of management costs should be considered, as should ways in which cultural attractions could increase tourism. This has been particularly successful in Australia and has great potential in KGNP.

Few CNPs are economically viable at the CNP level, a problem exacerbated by the additional costs of joint management, and in South Africa, by SANP's inertia regarding realising the full potential of CNPs.¹⁷⁹ Funding cuts have occurred in both Australia and South Africa, where it has been suggested that SANP should prioritise conservation and limit community involvement to "*mutually beneficial partnerships*" such as procurement from local industry (SANP 1998). Many feel that development is a government rather than conservation agency responsibility (GEM 1995c), and that conservation agencies should not implement development schemes due to their lack of development expertise and conflicting mandates. They should instead act as development catalysts and facilitators, forging partnerships with NGOs and private entrepreneurs (Wells 1996b). They should facilitate practices to safeguard conservation objectives, for example by trying to solve land claims without court intervention (Wynberg et al. 1996). However, Australian CNPs show that with enough funding conservation agencies can make important contributions to meeting development goals. SANP should also consider taking a broader view of what is mutually beneficial. If communities feel they benefit from CNPs, then the conservation authority will benefit from less poaching and increased local support for conservation. These will contribute to the stability of the national protected area system, thus making the relationship mutually beneficial, even if this is not immediately apparent in economic terms. Similarly to conservation authorities in Australia, it is also arguable that SANP has a moral obligation to engage itself in development activities due to its role in the marginalisation of black South Africans under apartheid.

In summary, Australian and South African CNPs provide landowners with cash, benefits from tourism, and employment both directly and indirectly through commercial activities. Owners accrue few financial costs, and most benefits have clear links to the natural resource base. Conservation authorities benefit in a variety of ways, but as no CNPs demonstrate economic sustainability at the CNP level, particularly in view of the additional costs of joint management,

most benefits accrue nationally. Having assessed whether CNPs meet conservation objectives and whether they are economically sustainable for the landowner and the conservation authority, the next chapter assesses whether CNPs are socially sustainable.

CHAPTER 5: SOCIAL SUSTAINABILITY

5.1 INTRODUCTION

As well as meeting conservation objectives and being economically sustainable for the landowners and the conservation authority, CNPs must be socially sustainable to persist. Social sustainability is the most complicated target. Literature reveals a variety of social factors affecting the success of community-based conservation initiatives. Clarity on ownership is vital as it determines who can benefit from the initiative. Intangible costs and benefits and to whom they accrue, and clarity regarding who can use natural resources and what rights stakeholders have are important, as are whether these benefits are distributed equitably. Other social factors are management or institution related, and will be discussed in Chapters 6 and 7.

5.1.1 Ownership

Open access regimes lead to unsustainable land and resource management (Hardin 1968). People will poach or add another cow to their herd, even if it leads to wildlife loss or overgrazing, because if they do not someone else will. Thus, open access regimes are like the stock market which crashes because of the actions of a greedy few, but then all sell shares and contribute to its slide (Versfeld 1998).

High poverty levels can mean the future is often discounted. This is a recipe for environmental degradation unless people can behave in a collectively rational manner through enforced state control, customary regulation, or private land ownership. In many sub-Saharan African countries, the state retains land ownership for the aims of directing development, and protecting land from destruction by local people (IIED 1994; Murphree 1996b). For example, 35% of Zambia is state land for public use, and 59% is customary land for public use under customary law but with no lease or occupancy rights (Mwima 1996). However, state ownership often fails to ensure sustainable land management due to a lack of resources. Customary regulation can lead to sustainable management if people feel sure that what they do not harvest today they can harvest tomorrow. Such regimes may be viable in South African livestock areas (Cousins 1995) or Namibian rangelands¹ where the environment varies too much for private ownership to be effective. However, in much of southern Africa, customary systems have broken down due to state interference. For example, South African apartheid policies caused social dislocation and the breakdown of many traditional land management systems.

Private ownership can help ensure sustainable management, but Tanzanian legislation and policies relinquish few land rights, and the private sector owns little land (Boshe 1996; Tenga 1996). Policies entrusting communities with land custodianship are needed (Leader-Williams et al. 1996). Attempts have been made and Tanzanian villages can now apply for the title deeds to their land (Murphree 1996a). In Australia and South Africa, private ownership is increasing as land is returned to the countries' previously disadvantaged communities. In Australia, Aboriginal people make up 1.6% of Australia's population of 18 million, but they own about 15% of the

land.² Some 13% of Aboriginal people live in the Northern Territory and 26% of the territory's population is indigenous, but Aboriginal people own 34% of territory land (Gillespie et al. 1998). In South Africa, 12.5% of land comes under some kind of communal tenure, and this will increase as communities acquire more land through land claims (Shackleton et al. 1998).

Ownership usually maximises security over access to land and its resources (Fourie 1994). However, recent government directed land reform in Zimbabwe has removed farms from their white owners. Thus, even when ownership is unchallenged, security of access to land and resources varies, and rights are not absolute. The strength of ownership can be measured by the extent to which landowner decisions are realised. In reality, many stakeholders have rights to privately owned land, these rights are ambiguous and overlapping, and numerous government departments are involved and sub-divide authority (Murphree 1996b).

Common property regime resources need clear boundaries. This is difficult in South African communal areas where boundaries may be recognised but ignored or not enforced (Shackleton et al. 1998). Boundaries can be topographically, biologically, politically or sociologically defined (Kiss 1990). Sociological definitions are most common but require the difficult task of defining 'community'. Simplistic and idealistic definitions of 'community' have been the downfall of many community conservation initiatives (Brechin et al. 2001; Jeanrenaud 2002).

"Members of the group with ownership and/or access rights to the common property resource must be clearly defined, and agreed conditions of eligibility should exist" (Shackleton et al. 1998). There are many ways to define a community (Hulme 1997b). The three most common are: spatial, according to where people live or utilise resources; economic, according to how people control resources; and social, according to links such as marriage and kinship (IIED 1994). Resource users co-operate better when spatial, economic and social definitions coincide and risk exposure is even. Furthermore, users should reside near the common property resource, as absenteeism causes owners to lose their sense of ownership and responsibility (Shackleton et al. 1998). However, communities are not homogenous undifferentiated units (IIED 1994; Hanekom 1996). Most are divided by structural differences such as income, distribution, gender, age, livelihood and religion, and non-structural differences such as views and aspirations (Hulme 1997b). These differences and rural people's use of multiple livelihood strategies may discourage collective action (Hulme 1997b; REDDA/NESDA 1995). In Lake Mburo National Park, Uganda the community is defined as *"true residents within the parishes sharing a common boundary with the national park."* This is about 80,000 people. Some work far from the park, not all are Ugandan citizens, some are Bahina (pastoralists) who are traditionally considered superior to the Beiru (cultivators), some live in temporary shacks and others live in large permanent houses and own four-wheel drives (Hulme 1997b). The communities of Zimbabwe's CAMPFIRE initiatives are defined according to Village Development Committees (VIDCOs) and Ward Development Committees (WADCOs) that fall under the jurisdiction of district councils. These preside over large, culturally heterogeneous

areas, and institutional boundaries often ignore communal boundaries and traditional leadership (Thomas 1995; Murphree 1997). This could be one of CAMPFIRE's biggest failings, although use of existing institutions allowed the project to become a reality (Murphree 1997).

Security of tenure requires that exclusivity can be enforced (Bird and Metcalfe 1995). This is problematic when the landowning community is expanding. Queen Elizabeth Park, Uganda, established in 1952, permitted a few small villages within its borders, but the villages have since grown and now adversely affect the park (Kiss 1990). Communities in the Hurungwe District of Zimbabwe received much revenue from managing their natural resources under the CAMPFIRE programme. However, squatters moved in and although they received no revenue, they were suspected of poaching (Bird and Metcalfe 1995). The Masoka community in Zimbabwe's Guruve District, by contrast, allowed some immigration by relatives, but outsiders could not enter the area. This exclusivity contributed to the CAMPFIRE project's success (Murphree 1996b). Zimbabwean parks authorities' 'shoot to kill' policy on poachers is an extreme example of the power to enforce exclusivity.

Long-term land ownership security and the probability of sustainable management can be affected by limitations on rights to bequeath land to children or relatives after death, and rights to sell, mortgage, rent, or give land away to whoever owners choose (Murphree 1996b).

5.1.2 Intangible Benefits and Costs

It is important that CNP landowners receive both economic and intangible benefits from the agreement. Respect and recognition for previously disadvantaged communities can renew self worth and pride. In Madikwe, South Africa, a sense of pride, belonging and ownership were important and in fact easier for management to supply than material upliftment (Magome et al. 1998). Other intangible benefits include prestige, experience and personal contacts (Borrini-Feyerabend et al. 2000). SANP recognises this and states that national park management plans should include "*strategies for addressing past dispossession and displacement of communities*" (SANP 1998). Much Australian legislation, including conservation legislation such as the EPBC Act, also supports Aboriginal interests and views, particularly with regards to land management (section 1.4.3). Intangible benefits can be more important for landowners who do not prioritise economic benefits, for example those who are already wealthy.

As with economic costs, intangible costs should be minimal. Such costs include loss of privacy, pride and culture, stress and misrepresentation. Intangible benefits and costs accrue primarily to the landowners, but can also accrue to the conservation authority.

5.1.3 Natural Resource Use and Stakeholder Rights

Landowning communities need full rights to use the land and its resources as they choose. It must be clear who has such rights and exactly what resources can be used. Exclusivity must then be enforced and any rules should be locally derived, simple, "*flexible enough to*

accommodate times of stress...(and)...fair and realistic to carry legitimacy" (Shackleton et al. 1998).

Rights to use natural resources do not always go with land ownership. Legislation can stop landowners implementing their choice of land use or using natural resources as they see fit. At Mkambati Nature Reserve, South Africa, a range of management structures and traditional mechanisms control grass collection and hunting (Kepe 1997). Wildlife is usually affected by many user groups and it is important to define the 'producer community' when considering benefit allocation (Thomas 1995b). Some countries devolve more authority to local communities to manage and use resources than others. Many natural resources are mobile and cross jurisdictional boundaries and international borders make management difficult and rights harder to define (Kiss 1990).

In Africa, wildlife is usually state owned even on private or communal land (Child 1989), although proprietorship may be devolved (Rudge et al. 1997). This originates from sport hunting regulations such as reserve establishment, and colonial notions of royal game. The lack of legislative recognition of the sociological, ecological and economic role of wildlife may explain why poaching is so rife (Child 1989). In Tanzania, 60% of wildlife is used illegally (Tibanyenda 1996), and national legislation could devolve rights for natural resource use to communities rather than the current license system (Leader-Williams et al. 1996). Kenya Wildlife Service faces major problems with the ambiguous legal status of wildlife ownership and use. It has introduced wildlife use rights in some areas, but with conditions such as no consumptive use of certain species around protected areas (Lusiola 1996).

In Zimbabwe's communal areas, government often retains rights to minerals or timber. In the Mukwiche area of Hurungwe, the district council granted a timber concession to an external operator without community consultation or benefits. Hardwood tree felling has removed economic assets and items of cultural importance (Bird et al. 1995). Wildlife is often held under a system of multiple jurisdictions, with ownership and control at different levels. The Wildlife Department retains custodianship but district councils may be granted 'appropriate authority' status to determine wildlife use. Local community rights are often unclear (Hassler 1995). However, in the CAMPFIRE project in the Guruve District, the Masoka community has developed by-laws for communal natural resource use, and poaching is seen as theft from the people, rather than entrepreneurial defiance of the state (Murphree 1996b).

In Namibia, wildlife ownership on private land has been possible since 1967, trophy hunting has become big business, and the amount of wildlife has increased (Owen-Smith 1996; Aribeb 1996). However, on communal land wildlife remains state-owned and poaching is problematic. The defence force, local communities, government officials and Portuguese refugees from Angola hunted illegally in the Kaokoveld communal area (Owen-Smith 1996). In 1993 the Namibian Minister of Wildlife, Conservation and Tourism proposed conservancies to devolve management and use rights to communities. These require local agreement on community

membership, clear boundaries, management by a democratic committee, and a conservation policy and constitution. Communities may enter into agreements with safari operators, but the Minister remains the legal custodian of wildlife and retains the final say on offtake quotas, protected species and the right to withdraw the conservancy (Aribeb 1996; Owen-Smith 1996). Unusually, conservancies allow wildlife use rights without strong tenure rights leading to problems enforcing exclusivity. The Communal Area Land Reform Policy addresses this problem and provides for collective land ownership. However, it does not extend to non-wildlife resources due to government administrative compartmentalisation. Namibian forestry and agriculture department programmes are aligning themselves with this approach (Aribeb 1996).

Canadian law allows indigenous Canadians access to wildlife throughout the country whoever owns the land (Rudge et al. 1997). In Australia, wildlife remains Crown owned, even on privately owned land (Davies et al. 1999). However, the Land Rights Act provides for occupation and resource use in Aboriginal-owned national parks in accordance with Aboriginal tradition. This it characterises as *"the body of traditions, observances, customs and beliefs of Aboriginals or of a community or group of Aboriginals."* The EPBC Act states that Aboriginal people may use Commonwealth reserves for *"hunting or food gathering (except for purposes of sale); or ceremonial or religious purposes"* unless indigenous use affects specific area conservation objectives. The Act only allows township development in Commonwealth reserves in the Kakadu or Uluru region and only in accordance with reserve management plans and town plans. It states that use rights existing before reserve establishment may persist, and that reserve regulations may control aircraft use.

5.1.4 Equitable Benefit Distribution

Equity is needed to maximise the number of people accruing economic and intangible benefits from resources. If more people value the resources they will be more likely to persist. The South African DEAT recognises this in the 1998 white paper on environmental management policy, which states *"there should be equitable access to environmental resources, benefits and services."* Principles of the National Strategy for the Conservation of Australia's Biological Diversity also refer to *"the desirability of sharing equitable benefits arising from the innovative use of traditional knowledge"* (Environment Australia 1997). However, equity amongst whom needs consideration.

Some feel that national parks belong to the nation, and that if taxpayers' money pays for national parks, benefits should be distributed as widely as possible. Communities next to national parks should not have resource use rights, as this discriminates against other citizens (de Villiers 1999c; Cock and Fig 2000). However, this would mean spreading benefits very thinly, while costs remain localised. It is also arguable that benefits should accrue to previously disadvantaged people. South Africa's National Environmental Management Act of 1998 states that benefits from environmental resources should be equitable but that *"special measures may be taken to ensure access thereto by categories of persons disadvantaged by unfair*

discrimination.” Some feel that local communities should benefit more from national parks because their support is a key success factor (de Villiers 1999c). However, ‘local’ could mean one or 10km from the protected area. The Kenyan Wildlife Service suffers from problems of benefit distribution around protected areas, especially where distribution mechanisms are not accountable. Animosity has been high where some villages have received revenue but not others (Lusiola 1996). Those benefiting could also be affected by conservation activities, such as suffering crop losses or property damage from wildlife. In the Zimbabwean CAMPFIRE districts of Bulilima Mangwe and Tsholotsho, hunting occurs less in Bulilima Mangwe due to humidity and mosquitoes. However, elephant damage occurs in both districts, and the proposed joint management plan was terminated because the districts could not reach agreement (Thomas 1995). Distributing benefits in direct proportion to costs is possible, but proved impractical in Zimbabwe’s Nyaminyami District. Individual claims escalated, funds ran out, the system was abused, and monitoring would have been too expensive (Thomas 1995).

CNPs are owned by groups of people to whom CNP benefits should accrue. Benefits should be *“equitably distributed between all (group) members with entitlement”* (Shackleton et al. 1998). CNP success requires all landowners to benefit³ and co-management requires that *“benefits and responsibilities of natural resource management are shared in the most efficient and equitable manner possible”* (Borrini-Feyerabend et al. 2000). Benefit distribution at the community level may be easy but it does not guarantee equity. Some community groups are marginalized, and benefits rarely reach more than a few people (IIED 1994), particularly where powerful people oppose equity (Murphree 1997). Benefit distribution at the household level may mean some household members benefit more than others. Rural women bear many of the costs of conservation but men are traditionally the decision-makers. For example, in South Africa, state tenure reforms often require household registration, and the titled name is usually the male household head (Rukuni undated). South African women make up 80% of the rural area working population, but it is hard for them to secure loans or own property (REDDA/NESDA 1995). In Zimbabwe, Masoka village men wanted to spend CAMPFIRE revenue on fence construction, which would provide employment and reduce animal attacks. The women were not consulted and after construction had to walk further every day to collect firewood and water. However, construction of a local school benefited girls more than boys as girls could not walk the long distances to the previous school and could not live away from home due to fear of teenage pregnancies (Nabane 1995). Initiatives should aim to benefit both sexes (IIED 1994), but care should be taken not to interfere with existing traditions (Aribebe 1996; Murphree et al. 1998).

This chapter assesses whether CNPs are socially sustainable by assessing whether ownership clear, what intangible costs and benefits accrue, primarily to the landowners, whether clarity on natural resource use and stakeholder rights exists, and whether benefits are distributed equitably.

5.2 RESULTS

5.2.1 Ownership

State-owned national parks such as AENP have clear boundaries, and ownership has no time or transfer limitations. The state is in a strong position to make and enforce decisions about its land. Most CNPs were also close to this ideal. Furthermore, all supported a very different framework to that of an open access regime, even where landowning communities exceeded 5,000 people. Most CNPs had clear owners, and all had clear boundaries, no time limitations on ownership and few transfer restrictions. Ownership was primarily self-determined, although always within a western legal and policy framework. Where landowners are communities with traditional values and management systems, conflict can occur with western systems and undermine these values. This was most apparent in Australia and KGNP where cultural disparities were largest. Ownership plays a key role in community empowerment, but cannot guarantee power alone. This was particularly apparent in Australia where traditional culture was strong, but was less problematic in CNPs owned by companies, charities or local governments, which were more accustomed to western approaches.

5.2.1.1 *The Postberg Section of West Coast National Park*

Rules on ownership existed before a CNP was established. Postberg is owned by the company Oudepost Syndicate (Properties) Limited, and the contract and all interviewees were clear about the ownership structure. All said 49 individuals owned company shares, and one mentioned that the 50th shareholder was the company itself. One said the shareholder's families were also owners, and another that shareholders consisted of the CNP founders' children and newcomers that bought shares. There is a list of shareholders and membership is determined by the company's constitution or house rules, the key parts of which are also in the contract. New shareholders can only enter by filling vacancies. Vacancies are advertised and filled after consultation with, and selection by shareholders. Current shareholders have the right of first refusal, and the company directors must approve sale to an external individual. Shares cannot be divided between children if a shareholder dies. Ownership of Postberg is therefore extremely clear.

5.2.1.2 *The Richtersveld National Park*

The contract states that the Minister of Local Government, Housing and Agriculture in the Coloured House of Representatives owns the Richtersveld rural area, and holds it "*in trust for the residents thereof*." Criteria for community membership have varied over the years depending on parliamentary acts controlling land ownership, occupancy and use rights (Archer 1993). Before 1994, a registered occupier was considered a Richtersveld member if (s)he had lived in the area for three years.⁴ After the 1994 government change the Minister of Land Affairs became the administrator. This was changed again by the 1998 Transformation of Certain Rural Areas Act,⁵ which caused concern over demarcation and proposals to include

Alexander Bay and Port Nolloth into the municipality.⁶ A CPA has since been formed and now officially owns Richtersveld land.⁷

Interviewees were clear that RNP belonged to the Richtersveld community and was on communal land administered by local government. However, they were less clear who the Richtersveld community was. Most thought it was northern and southern Richtersveld village inhabitants but were uncertain whether this included the Port Nolloth, Alexander Bay or a new black community in Sanddrif. Most felt that local government was responsible for determining and recording who Richtersveld community members were, but interviewees gave a diverse set of criteria for determining entitlement to community membership. Former TLC members said that Richtersveld community members were over 18, registered and able to vote, and that the TLC decides whom this will be.⁸ However, one added that it has not been determined whether people who arrived after 1991, when RNP agreement was signed, are RNP owners.⁹ Thus, ownership of RNP remains unclear.

5.2.1.3 The Makuleke Region of Kruger National Park

The contract states that “ownership of the land shall at all times vest in the CPA”, which is defined as those members of the Makuleke and Mutale communities who were dispossessed of their land rights in 1969, their direct descendants, and other people admitted to the CPA. The title deed to the land will be transferred to the CPA. In practice, the CPA consists of people on two original lists. People on list A, and their children were evicted from the Pafuri region in 1969, and now live at Makuleke or Mhinga village nearby. People on list B have not lived in the Pafuri region but now live with the Makuleke community and share their way of life. Lists have been integrated according to community wishes, and the list of more than 5,000 people has been submitted to the High Court for official CPA registration.

Contract and interviewee clarity is high regarding the precise identity of CNP owners, and this is unlikely to cause confusion in the future. However, some members entitled to be on list B declined as they thought they would only be secondary beneficiaries. Decisions about who can join the CPA are made by the whole CPA in group meetings. There has been no conflict and nobody who has applied has been refused. This situation may not persist when benefits materialise, and individuals who did not join the CPA (such as elderly people who did not understand the CPA, or Mhinga village residents) want a share. Follow-up interviews in 2000 revealed that 86% of those eligible to join the CPA had done so, and that most of those who had not lived in Makahlule village where tribal politics had discouraged them from joining.¹⁰ However, 64% of those at Makahlule had registered,¹¹ and those who had not, have until 2003 to do so.¹²

5.2.1.4 The Southern Section of the Kalahari Gemsbok National Park

Ownership of the proposed CNP remains confused. SANP has released 500km² of KGNP for the San and Mier, but the DLA has not yet fixed the borders and exact area of this land or handed it over.¹³ It is unclear how the land will be divided, but the intention is to divide it

vertically between the San and the Mier with the San receiving the eastern section.¹⁴ SANP accidentally released 880km² due to a mistake in the settlement agreement wording.¹⁵ Resolution of this error is under negotiation, and the San may return some of their share of the additional land they have been granted to SANP in return for money to purchase land elsewhere.¹⁶

The =Khomani San CPA has member registration problems. Over 600 of about 1,500 have registered, but many San must still be found.¹⁷ CPA rules regarding membership are inadequate. They rely on genealogical links, which have become obscured over time. Initially, many San rejected their ethnicity and chose not to register, but now many non-San want to register. The CPA structure does not help with these complexities.¹⁸

5.2.1.5 Kempiana, Adjacent to Kruger National Park

The Deed of Donation and all contracts are clear that SANPT owns Vlakgezicht and SANF owns Kempiana. Ownership includes buildings.¹⁹ Structures built by Ngala on Vlakgezicht will belong to SANPT after the lease expires. Close legislative and personal links between WWF-SA, SANPT and SANP meant that organisations given in the documentation and by interviewees were interchangeable. For example, the Deed of Donation donates Kempiana to SANF, but SANPT leases traversing rights on Kempiana to Ngala. Kempiana contains SAWC, which is owned by WWF-SA (SAWC 1998), the 0.39km² Hans Hoheisen Wildlife Research Station owned by the Department of Environmental Affairs, Northern Province, and 0.45km² of land jointly owned by SANPT and the Pirow family²⁰ (although the Pirow family's rights are disputed).²¹ Mr Pirow proposes sub-dividing this section of Kempiana (Pietersen 1999).

Clarity regarding land ownership was good, but there may have been confusion within the Welverdiend community.²² However, CNP declaration in the *Government Gazette* was probably illegal as it included Vlakgezicht and the property half owned by the Pirow family.²³

5.2.1.6 Melkbosrand, Augrabies Falls National Park

The Riemvasmaak community holds the title deeds (DANCED 2000b), and SANP recognises community ownership,²⁴ but the land claim is unresolved, and SANP manage Melkbosrand as part of AFNP.

5.2.1.7 Uluru - Kata Tjuta National Park

Legislation states that the Uluru - Kata Tjuta Aboriginal Land Trust represents UKTNP's traditional owners and owns UKTNP (Plan of Management 2000). The trust was set up under the Aboriginal Land Rights Act along with the CLC, which administers it.²⁵ After identification by anthropologists, Justice Toohey determined the original 104 trust members who met the Land Rights Act criteria. However, people no longer fit into anthropologist's kinship models, which are no longer useful.²⁶ As people have died and men have become initiated, the list has changed²⁷ and 850 Anangu are now identified as traditional owners, about 300 of whom live at Mutitjulu²⁸ (OJM 1999) under about 70 family heads.²⁹

To claim their land, Anangu had to conform to Australian rules of property law and land management (Barlow 1992). This has undermined traditional Aboriginal systems of ownership and management, which differ from western ones. All interviewees gave different but non-contradictory definitions of landowners in UKTNP. Those with a western education said UKTNP was owned by the land trust. However, Aboriginal interviewees defined the landowners in traditional ways. Most said traditional owners owned UKTNP. One said these were Aboriginal people living locally and elsewhere, one said they were people who fought to get the land and were owners from the start, and another said they were people of the western desert dialects whose parents were born locally. Thus, Aboriginal people are in a dilemma, because recognition of their rights and traditions requires their re-definition under dominant culture requirements, yet this system at least allows self-determination of traditional owners within Australian law.

Anangu currently determine who traditional owners are³⁰ by a process not fully understood by non-Aboriginal people.³¹ Disagreements occur,³² particularly when gate money is distributed.³³ A committee of 14 traditional owners, seven each from inside and outside the community, who are elected annually by about 2,000 people resolves these disputes.³⁴ Uncertainties regarding traditional owner status are resolved with help from Tjukurpa,³⁵ or by insistence or violence.³⁶ Many things define ownership and the right to care for country under Aboriginal law.³⁷ Site affiliations vary and include traditional owner and senior custodian status (Australian Nature Conservation Agency 1995), each with different obligations.³⁸ Responsibilities for different parts of country are complex,³⁹ and determined by factors such as inheritance from a parent or grandparent,⁴⁰ marriage⁴¹ (Australian Nature Conservation Agency 1995), age, water collection site, Tjukurpa, birthplace⁴² and sex. For example, Kata Tjuta is a sacred men's site where women must leave after they have collected their water.⁴³ Work on the Kata Tjuta car park required consultation with about 30 Anangu men.⁴⁴

5.2.1.8 Kakadu National Park

Land in the east of KaNP is owned by three Aboriginal land trusts. The remaining 52% is Commonwealth Government-owned and vested in the Director,⁴⁵ including Jabiru.⁴⁶ Most of this land is under claim⁴⁷ (Plan of Management 1999), for example by Jawoyn traditional owners. If title is granted it is expected that land will be leased to the Director (Press et al. 1995) who would be happy to see Aboriginal ownership of all KaNP.⁴⁸

The leases define 'Aboriginal' and 'traditional Aboriginal owners' like the Aboriginal Land Rights Act (section 1.4.4), and the NLC must determine and define traditional owner identity.⁴⁹ Anthropologists may help resolve conflict, but it is eventually traditional owners and their law that determines who traditional owners are.⁵⁰ Land ownership and rights have been granted under western rather than customary law (Craig 1992) and confusion amongst non-Aboriginal people about who owns land is common.⁵¹ Aboriginal people did not understand or assent to this western system, and had little direct control, for example, over land council formation.

Where western and customary law contradict each other, disempowerment may occur (Trudgen 2000). For example, western law prevented listing one Aboriginal woman as a traditional owner even though this was common knowledge.⁵² The European construct of Aboriginality is open to little reinterpretation and therefore disregards the realities of Aboriginal cultural change (Weaver 1991).

KaNP contains no single self-contained community. About 15 clan groups,⁵³ eight historical languages,⁵⁴ three language groups, and various economic and political associations exist in KaNP⁵⁵ (Lawrence 2000). Many Bininj/Mungguy can speak English and at least two other languages (Plan of Management 1999). Traditionally local descent groups have particular relationships with sites (Lawrence 2000). For example, the 27-member Mirrar-Gundjehmi clan group own the Jabiluka lease area and 2% of KaNP (Environment Australia 1999b). In 1975, over 25 local descent groups (clans or language groups) with about five people each could claim land in the Alligators River region. The Ranger Inquiry identified 107 traditional owners of Stage I from 18 clan territories. This was expanded to 242 after meetings with the NLC and Gagudju Association. In 1994, there were 230 adult traditional owners and 80 children (Lawrence 2000). Further additions may occur if the Gunlom Land Trust increases from 13 members to 70 as planned.⁵⁶ There are probably about 200-300 traditional owners, most of whom live in or close to KaNP.⁵⁷

The basic social organisation unit and land owning group is the patrilineal clan⁵⁸ (Lawrence 2000). If a female traditional owner dies her children will not inherit her lease money or rights.⁵⁹ Clan membership is determined by language, and a form known as 'gunmogurrurr' in the north of KaNP and 'mowurrurr' amongst the southern Jawoyn. Northern clan estates are relatively discrete and bounded, whereas mowurrurr estates are less easily defined (Press et al. 1995). Outstations contain a mixture of clans, but rules such as men not living with their mothers-in-law must be obeyed.⁶⁰ A person's mother's direct brother from another clan is generally responsible for their upbringing.⁶¹ Clans are held together by marriages, which can be pre-arranged to maintain clan alliances.⁶² West of the South Alligator River no clan links have been found, and ownership is probably with language groups of several lineages (Lawrence 2000). For example, the Minitja in the north-west have lost their clan structure.⁶³ Secondary degrees of attachment to land occur through a person's mother or maternal grandparents, or the land a person lives on or knows. Societal level groupings are also important (Lawrence 2000). Each person is Yirritja or Duwa, and Yirritja people can only marry Duwa people.⁶⁴ Beneath this are skin names determined by your mother-in-law's skin name.⁶⁵ Each sex has eight skin names,⁶⁶ which are important when determining marriage partners.

Estate-owning group members are generally known,⁶⁷ but there is not always agreement about traditional owner identity. Traditional owner status is important to people because of identity,⁶⁸ and lease money from Parks Australia and mines.⁶⁹ Disagreements occur when elders pass away and rights are inherited.⁷⁰ For example, Murumburr group membership is disputed.⁷¹ Matrilineal

land ownership inheritance occurs in Arnhem Land,⁷² but Murumburr inheritance is traditionally patriarchal. Problems have arisen where individuals have non-Aboriginal fathers,⁷³ children have grown up outside the community and people claim matrilineal inheritance.⁷⁴ Group disappearance can also complicate traditional land affiliations (Lawrence 2000), particularly when land is taken over by neighbouring clans.⁷⁵ Clans with few male children may adopt from neighbouring clans causing further ownership conflict.⁷⁶ Disputes arise over boundaries because Aboriginal people do not define estates using lines on maps⁷⁷ (Christian and Aldrick 1977). There may also be competing views within the Aboriginal community. The young prefer modern patterns of marriage and residence (Lawrence 2000) and can reject elders' knowledge if they feel it limits them.⁷⁸

5.2.2 Intangible Benefits and Costs

All CNP owners benefited from improved services such as education, capacity-building, better roads and the lack of land management responsibility. Benefits relating to identity, culture, self-esteem and pride were also important, particularly where landowning communities, such as those in Australia, retained strong traditions and culture, and were the victims of past racially oriented policies and behaviour. CNPs at Makuleke, KGNP, UKTNP and KaNP made important contributions to redressing historical injustices. Landowners may enter contracts for several non-economic reasons. For example, Postberg landowners wanted the benefits of exclusivity.

Communities around AENP and Kempiana accrued some intangible benefits from small projects, often focusing on education. However, these communities did not own national park land so SANP had less moral obligation to support them.

Landowners also accrue intangible costs. UKTNP and KaNP demonstrated cultural decline, damage to Aboriginal intellectual and cultural property and little demonstrable community development. Much of this was due to contact with non-Aboriginal people, which has increased since CNP establishment. However, these costs may have been incurred in the absence of CNPs, and Parks Australia may have mitigated the effects of what was inevitable. Australian legislation and governance is western rather than Aboriginal, and this is unlikely to change. Given this, CNPs could be one of the best ways to support Aboriginal culture and values despite the costs. However, Aboriginal people never had the choice, as they regained land ownership on the condition that it was leased back to Parks Australia. Conservation authorities also accrue intangible benefits from CNPs, primarily from the prestige accompanying such innovative attempts to meet conservation and development objectives.

5.2.2.1 The Postberg Section of West Coast National Park

The contract states that SANP will try to get the Postberg public road deproclaimed, but that it may recommend re-proclamation as a public road should the contract end. It states that the Syndicate has the first right of refusal if SANP sells game, and that if the contract ends, then SANP must ensure game levels are like those present at contract signing. The contract includes several clauses exempting Syndicate members from National Parks Act regulations. For

example, they may bring guns onto the property for their protection, and their vehicles may not be confiscated. Punishments for Syndicate members must be stipulated in the contract or agreed to by both parties in writing. Changes to the law, which do not favour the Syndicate, are not applicable unless accepted in writing.

All interviewees agreed that both parties benefit from the CNP and one described it as a win-win situation. All Syndicate interviewees felt that benefits from the agreement outweighed the costs for the Syndicate. But one said not everyone felt this way at the start, and another that a few members were against it when the WCNP road deproclamation took so long. All interviewees felt that management by SANP benefited the Syndicate, and one added that Syndicate members had more time to relax. SANP controls public access and law enforcement so fewer burglaries and less poaching occurs, and Postberg is protected from four-wheel drive motorists. Tourists are only allowed into Postberg for two months per year, and SANP controls visitor car numbers. The Syndicate was encouraged to enter into the contract because the public was becoming intrusive. This was particularly true following improvement of the road between Cape Town and WCNP.⁷⁹ Visitors are requested not to obstruct owners or follow them down private roads, and to let owners pass the entrance queue (SANP 1999b). The Postberg road was deproclaimed and SANP re-lined it. Deproclamation of the WCNP road occurred in 1999, thus further increasing privacy. Syndicate members need 100 shares to build a house in Postberg, and houses are in three areas exclusive to Syndicate members. Contractual status prevents further development, and the area's heritage is also protected. The Syndicate has no fear of land expropriation.⁸⁰

Costs for the Syndicate are few, but Postberg receives more visitors,⁸¹ and interviewees said the Syndicate could no longer walk where they want, and that electricity and water could be limited.

SANP also gains intangible benefits according to interviewees. SANP interviewees felt these benefits outweighed costs, although one incorrectly said this was also the case financially. Intangible benefits include the value of learning from joint management with a willing structured Syndicate, and a land swap between the Syndicate and SANP providing the public with more sea access. However, one SANP interviewee said that a similar contract would not be signed again, because such high landowner exclusivity at the general public's cost was unacceptable. For example, SANP would insist on public access for more than two months each year, and provide access to the archaeological site. Another SANP official felt that the Syndicate saw SANP as a glorified security service.

5.2.2.2 The Richtersveld National Park

The Management Plan lists the following cultural objectives for the Richtersveld community: to maintain Nama identity, language and culture, including natural resource use (pastoralism, plant use for food, fuel, construction and medicine); to maintain traditional land ownership; to provide Richtersvelders with training and education, especially in nature conservation; to support community services (transporting school children, social work, stock sale, distribution and

maintenance of water points, community health and veterinary services); to promote traditional art forms. Most of these have been met.

Most interviewees mentioned Social Ecology's projects. These include schoolbook provision, trips to learn about conservation and biodiversity, environmental education, community work to keep traditions alive and sourcing donor funding. SANP pays for a social worker and her needs, and for school children's transport. One interviewee incorrectly said this had ended. Access to and grazing in RNP can continue, community empowerment (particularly of BPK members) has occurred, the community enjoys its status as owner of RNP and benefits from the ensuing arrival of researchers, and the inevitable ripple effects of having SANP's qualified staff and resources in such a remote area.

Government, NGO and donor funding often follows community parks. For example, the Nama language project has obtained large government grants.⁸² GTZ/TRANSFORM has funded Nama teaching in schools, and recording oral history, which was so successful in Eksteenfontein that a compact disc was made and the Eksteenfontein festival was initiated.⁸³ TRANSFORM works with Cultural Economics International (Pty) Ltd to map and thus maintain Richtersveld culture (Eco-Africa 1999a). RNP has contributed to the re-discovery of Nama identity in two ways: Richtersvelders' descent from the original local inhabitants legitimated their claim, and traditional Nama culture has tourism market value (Boonzaier 1991). SANP visits schools to teach environmental education and runs trips into RNP.⁸⁴

Interviewees also mentioned intangible benefits for SANP. CNPs provide status and prestige and show that SANP can think laterally to achieve conservation objectives. SANP is also perceived as working with the community.

5.2.2.3 The Makuleke Region of Kruger National Park

The Management Plan states that tourism should "*promote knowledge about the historical and cultural aspects of Makuleke.*" This has occurred through tourism ventures and construction of a village cultural centre. Interviewees felt that qualitative CNP benefits outweighed the costs for the community and included: international recognition; JMB member capacity-building; community education; access for research, traditional healers, meetings and cultural purposes; support for Makuleke cultural heritage; a feeling of pride and ownership; and effective conservation. Redressing past injustices is also important. For example, one Makuleke elder in recalling the community's forced eviction described how stock was shot, houses burned, and he himself lost 300 cattle, a stove and many books.⁸⁵

Interviewees said that qualitative CNP benefits for SANP included: international approval and recognition; improved quality of life for staff exposed to the community; improvement of social and participative KNP staff skills; the Social Ecology unit of SANP is happy with the good relations and community empowerment; and improved cultural site conservation. Some SANP interviewees felt that the region was unlikely to provide SANP with large economic benefits, but

that qualitative and conservation benefits outweighed the high economic costs of managing the area.

5.2.2.4 The Southern Section of the Kalahari Gemsbok National Park

The 1998 draft agreement between SANP and the San provides for the negotiation of symbolic benefits such as a San access gate and a national park name change acknowledging San heritage (Chennels 1999). The symbolic value of the San's land claim is as significant as the potential economic benefits, and access to the whole of KGNP as well as CNP ownership will re-affirm San links to the land and support this objective. One of the original claim aims was to show that they really were San, a point disputed since the 1930s (Crawhall 2000). Since the claim's success, many San have felt proud to be able to publicly state their ethnicity (Chennels 1999), and San leaders have emphasised reconciliation and bringing San back together from their diaspora. Another of the San's primary objectives was support for their environmental knowledge (Vaalbooi 1998). One Bushman described the bond between the =Khomani and KGNP by saying, "*I know this land like I know my wife*" (Crawhall 1998). When San elders visited KGNP in 2001, SANP and NGO staff accompanying them realised the profound cultural and historical links between the =Khomani and KGNP. The elders wanted to be involved with KGNP management. Provision of two seats on the Park Management Board for Mier and San people was therefore suggested.⁸⁶ Tourism may help maintain San culture, for example, through guided walks with San trackers. However, a 'performance culture' may develop if the San lose sight of who they are⁸⁷ (DANCED 2000a). Those with less education and resources are already using their 'Bushmanness' as a tool to gain resources and power.⁸⁸

Another San objective is language maintenance (Vaalbooi 1998). N/u is a resource and a symbol. It retains a tremendous amount of knowledge, for example, of traditional medicines and information necessary to live and hunt in the unpredictable Kalahari environment. It provides insights into the San spiritual world, it reflects power relations between people, and it provides knowledge about who first lived in the Kalahari and their relations with other groups. National parks generally threaten the survival of Khoi and San languages as they cut people off from their everyday environment. Languages are also abandoned in favour of those spoken by more dominant groups. The removal, distortion or translation of original Khoi and San place names legitimised settler land occupation, and was a policy of successive South African governments until 1998. This damaged San and Khoi awareness of their history and self-respect. In 1998, eight N/u speakers returned to KGNP as guests of SANP to see their birthplaces, pilot methods for mapping community knowledge and revitalise the link between N/u and the environment. Many complained about how places had been mislabelled and their meanings obscured (Crawhall 1998). Revealing original place names will help reconstruct San history and identity.

5.2.2.5 Kempiana, Adjacent to Kruger National Park

Official documents contain little information on intangible benefits. SANPT and WWF-SA benefit from knowing that Hans Hoheisen's wishes are met, and SANP benefits from the innovative nature of the arrangement, which serves as a blueprint for other protected areas.⁸⁹

The Welverdiend community also receives intangible benefits from Kempiana. SAWC helps with local conservation programmes and runs a development programme providing training and skills to local people (SAWC 1998). It has also set up a playgroup.⁹⁰ ConsCorp facilitates rural development through the CCAfrica Foundation. This uses the administrative infrastructure and 22 southern African lodges run by ConsCorp, and is funded by guests and other donors. Around Ngala, the foundation has provided student bursaries and has built a resource centre housing a library and offering computer and adult literacy courses. Each year 150 students also attend a three-day environmental education course (CCAfrica Foundation 2000).

5.2.2.6 Melkbosrand, Augrabies Falls National Park

It is too early to assess what intangible benefits may accrue to the community.

5.2.2.7 Uluru - Kata Tjuta National Park

Legislation increasingly supports Anangu cultural recognition. The lease says that Parks Australia agrees "*to promote and protect the interests of relevant Aboriginals*" and "*to encourage the maintenance of the Aboriginal tradition.*" The Plan of Management is three times larger than the previous one due to increased Aboriginal law content.⁹¹ Plans of management increasingly integrate Tjukurpa into management guidelines (Woenne-Green et al. 1993), and the current plan lists values to guide UKTNP use and management and places Tjukurpa top on this list. The plan states that "*any use of the park should be culturally sustainable and should not adversely affect Anangu cultural aspirations.*" Cultural World Heritage listing supports the validity of Tjukurpa and Anangu culture in UKTNP management, and an independent technical audit at the end of the Plan of Management's life will assess whether UKTNP is managed according to World Heritage values (Plan of Management 2000).

The lease requires Parks Australia "*to use the traditional skills of Aboriginal individuals and groups in the management of the park*" and the Plan of Management states that Parks Australia will support senior Anangu to teach younger Anangu traditional knowledge through the Junior Ranger and secondary school programmes. Parks Australia must ensure that Anangu know about proposed research in UKTNP, and researchers must present their reports cross-culturally and may have to adhere to specific requirements (Plan of Management 2000). The lease requires Parks Australia to "*protect areas and things of significance to relevant Aboriginals.*" It also states that Parks Australia will implement a compulsory licensing and induction scheme for UKTNP tour operators, and that tender preferences will be given to commercial operations disseminating accurate cultural information. Commercial operations are only approved if they meet the board's policies on appropriate UKTNP use (Plan of Management 2000). This helps promote "*understanding of and respect for the traditions, languages, culture, customs and skills*

of relevant Aboriginals” amongst non-Aboriginal people as required by the lease. A strategy to protect Anangu cultural and intellectual property will be developed to ensure information remains with appropriate Aboriginal people (Plan of Management 2000). The programme’s guidelines will include unauthorised commercial photography prohibition (Griffin 2000). Parks Australia will also encourage photo libraries and publishers to withdraw inappropriate UKTNP imagery, and tour operators to explain Anangu views in their brochures (Plan of Management 2000).

Anangu cultural recognition has increased in all aspects of management, and joint management *“offers a high degree of deference to the Anangu perspective”* (OJM 1999). Interviewees commented on the benefits of increased respect for Aboriginal culture, maintenance of Tjukurpa and recognition of the centrality of Aboriginal law.⁹² In 1993, the name changed from Uluru (Ayers Rock - Mt Olga) National Park to UKTNP (Plan of Management 2000), and the 2000 Olympic torch visited Uluru in recognition of UKTNP’s cultural values.⁹³

Use of traditional management skills occurs, for example Anangu rangers are trained by their elders and by non-Aboriginal conservationists. Interviewees commented on the benefits of traditional owners having at least an equal say in how their land is managed. One felt the Anangu board majority and the Anangu-orientated Plan of Management ensured Anangu were not imposed on.⁹⁴ Aboriginal people are consulted *“on all major and most minor works in the park, to ensure that neither the nature nor the location of proposed developments conflicts with Tjukurpa,”* including location of the walking tracks, sunset car parks and Kata Tjuta access road (Plan of Management 2000). Interviewees mentioned the benefits of co-operation between Aboriginal and non-Aboriginal people, for example with the Cultural Centre construction.⁹⁵ Anangu worked with architects, designers and interpreters to design a building based on two Tjukurpa ancestors (Australian Nature Conservation Agency 1995). The Cultural Centre Steering Committee had an Anangu majority and the Centre’s displays inform UKTNP visitors about Tjukurpa, UKTNP values, and joint management.

Silicon drip lines protect rock art sites and Parks Australia intends to develop a rock art conservation programme and to survey UKTNP’s archaeology (Plan of Management 2000). It protects sacred sites by fencing and keeping roads away from them (Australian Nature Conservation Agency 1995). Sites are patrolled, and information leaflets inform visitors about access and photography. Continuing improvement of infrastructure near sacred sites (Plan of Management 2000) may include moving the Uluru ring road and Kata Tjuta car park.⁹⁶ Anangu prefer visitors not to climb Uluru and Parks Australia advertising has resulted in an increasing percentage of tourists choosing not to climb. Anangu are happy to share parts of their country with visitors⁹⁷ (Plan of Management 2000), and to teach them about Anangu culture.⁹⁸ However, they want to control their cultural and intellectual property rights, and to ensure correct and appropriate cultural information is disseminated. To this end, tour operators are taught to respect Anangu law.⁹⁹ Anangu privacy is respected by the occasional temporary closure of UKTNP or

specific areas for cultural activities (Plan of Management 2000). Many visitors want to experience Anangu culture, but Mutitjulu has chosen to close itself to visitors (Griffin 2000) and Parks Australia enforces this. Anangu dislike excessive contact with non-Aboriginal people, and benefit from Parks Australia's management of tourists on their behalf.¹⁰⁰ Some galleries present interpretative material, but restrictions on the information available about certain sites respect Anangu values (Plan of Management 2000). Unlike scientists, Anangu do not believe that information should be freely available (Davies et al. 1999). Parks Australia intends to develop a cultural heritage maintenance programme including collection and storage of oral history and tradition.¹⁰¹

Anangu benefit from UKTNP's high profile through improved access to funding for things like cultural site management, and technology.¹⁰² The lease states that relevant Aboriginals have the right of first refusal when UKTNP property or equipment is sold. Anangu benefit from knowing that they own UKTNP,¹⁰³ and following lease expiry in 2084 they can opt out of joint management.¹⁰⁴

Anangu also incur costs from joint management. The Aboriginal assistant Park Manager and most interviewees felt that benefits outweighed the costs. But one interviewee felt the opposite and others commented on the size of the costs. All gave at least one cost and some listed many. One said the benefits from employment and income were small, that community services were no better than those in other Aboriginal communities, and that Anangu often ask if it is all worth it.¹⁰⁵ However, he added that the community is growing so the benefits per capita are decreasing.

Costs are incurred through the increased contact with non-Aboriginal people. Anangu way of life is very non-western and contact with non-Aboriginal people is difficult. Joint management requires regular contact with non-Aboriginal people, nearly always on their terms forcing Anangu to compromise their traditions.¹⁰⁶ Interviewees said that joint management confuses Aboriginal people,¹⁰⁷ and is sometimes done inappropriately under Anangu law.¹⁰⁸ Procedures such as checking minutes, developing action plans, solving problems and conducting meetings are conducted in a European style, and external criticism of the board discourages its members.¹⁰⁹ One interviewee said Canberra pressurised Anangu, tried to change their words and blanket their voices.¹¹⁰ Working for Parks Australia disrupts traditional social structures as people have less family time.¹¹¹ Some Anangu are tired of repeating themselves to consultants when they feel they have made many clear statements on issues and been ignored (OJM 1999). One interviewee said that some officials listen to the Minister rather than Anangu and are only interested in money.¹¹² Well paid non-Aboriginal UKTNP staff living in smart 'Rangerville' houses evoke resentment amongst Mutitjulu inhabitants with their high employment rates and low living standards (OJM 1999). One interviewee said that the high turnover of non-Aboriginal UKTNP staff wastes money on accommodating and training new people.¹¹³ Parks Australia sometimes uses inappropriate employment procedures, for example, Aboriginal people do not always interview prospective employees.¹¹⁴ UKTNP management and tourism industry

professionalism has marginalized Anangu, as UKTNP staff and tour operators have taken over Anangu's role in climb rescues, waterhole care, burning and guiding. Anangu are marginal to the tourism industry (OJM 1999) and watch external operators generate millions (Griffin 2000). Available jobs are often menial and subservient, and out of Yulara's 660 jobs only one is held by an Aboriginal person.¹¹⁵ Tourism provides increased alcohol and drug access,¹¹⁶ and Anangu become anxious when tourists hurt themselves on Uluru.¹¹⁷ Visitors scare off wildlife and compromise Aboriginal relations with the country¹¹⁸ by making it hard to conduct Tjukurpa responsibilities.¹¹⁹ Western-style questions limit understanding of Anangu culture.¹²⁰ Dominant culture dependence is emerging and some Anangu now want money to conduct traditional ceremony and dance. This dependence decreases community self-determination and empowerment.

Costs are incurred through the loss of privacy and damage to Aboriginal culture, primarily from the many UKTNP visitors. Protection of some key cultural sites has not been fully effective and intrusions have led to site damage¹²¹ (Griffin 2000; Plan of Management 2000). Some developments are too close to sacred sites. Outside Australia, the names Uluru and Kata-Tjuta are less well known and the climb is advertised as a primary attraction. Encouraging tourists to visit the cultural centre before the rest of UKTNP (which may discourage them from climbing) is difficult, and the same number of people climb each year. Controlling air traffic to protect cultural values and the rights of Mutitjulu residents is difficult, as is ensuring privacy for traditional ceremonies (Plan of Management 2000). Rock painting no longer occurs.¹²² Parks Australia has been accused of focusing too much on tourism management (OJM 1999), and on natural rather than cultural World Heritage values due to the ecological expertise of its staff. There is no UKTNP archaeology survey (Plan of Management 2000), and some would like a full-time staff archaeologist.¹²³

Costs are incurred from Anangu's weak control over intellectual property rights, and many want more compensation for the use of their stories and management skills (OJM 1999). Traditional environmental knowledge is being appropriated for commercial interests, particularly by bio-prospectors (Griffin 2000). Groups with no local connections have trademarked terms such as 'Uluru' and 'Friend of Uluru' (OJM 1999). Anangu retain control over new commercial photography but not existing images (Griffin 2000). Inappropriate photos, such as postcards of deceased persons are still available (OJM 1999). Persuading photo libraries and publishers to withdraw offensive images, and ensuring tour operators explain Anangu views is hard. One interviewee said Parks Australia avoids its cultural responsibilities.¹²⁴ The community does not sanction UKTNP's cultural heritage protection unit, cultural impact assessments are sidelined and nobody checks if they adhere to appropriate cultural management techniques.¹²⁵ Senior Anangu rather than young Anangu rangers should conduct site protection. Many employees in UKTNP are council members rather than traditional owners and the council thus has an inappropriately large input into management.¹²⁶

Joint management provides intangible benefits for Parks Australia. It improves the Commonwealth Government's public image thus fulfilling a political agenda.¹²⁷ Political interest in UKTNP helps sustain Aboriginal culture, a primary objective.¹²⁸ Staff benefit from understanding Anangu culture,¹²⁹ and learn about bush medicine, hunting and food collection.¹³⁰ Most interviewees felt that the benefits outweighed the costs for Parks Australia, but several mentioned problems such as petrol sniffing in Mutitjulu¹³¹ and the government manipulation of Parks Australia.¹³² One interviewee said that Parks Australia has no alternative to joint management¹³³ and another felt that the costs outweighed the benefits and described the situation as putting a square peg in a round hole.

5.2.2.8 Kakadu National Park

Intangible benefits for traditional owners include cultural recognition and legislative support for this, support for traditional skills, consultation on management issues, rock art conservation and sacred site protection, dissemination of correct cultural information, protection of intellectual and cultural property rights, ownership of a well managed national park¹³⁴ in which Parks Australia provides resources and buffers the effects of tourists, and the spiritual benefits of living on and controlling their land (Hill and Press 1994). These are looked at in turn.

The leases require the lessee to "*promote and protect the interests of relevant Aboriginals*" and help maintain Aboriginal tradition. They state that if any new act, Plan of Management or sublease is "*substantially detrimental to the interests of the lessor or relevant Aboriginals,*" this will be a breach of contract and the lease may be terminated. The Plan of Management's vision states that "*the rights, interests, skills and knowledge of the traditional owners [will be] respected and integrated in all of the park's management programs*" (1999). It adds that the interests of visitors "*should not be allowed to override the interests of Bininj/Mungguy.*" The return of Aboriginal people to KaNP has reasserted Aboriginal culture (Craig 1992). Outstation life strengthens social ties, limits access to alcohol, and allows proximity to hunting and fishing areas (Lawrence 2000). Bark painters continue artistic traditions (Parks Australia 2000) encouraged by sale to tourists. Liaison with Aboriginal people regarding management occurs for the whole of KaNP and not just Aboriginal-owned land. For example, Jabiru is not Aboriginal land, but the Director will only approve changes consistent with Bininj/Mungguy wishes (Plan of Management 1999). Tourism is strictly controlled, and is less important than cultural issues.¹³⁵ For example, requests for an all-weather road to Jim Jim falls have repeatedly been refused and area management plans dictate site carrying capacities.¹³⁶ Tourists use some prime hunting areas like Yellow River,¹³⁷ but the KaNP zoning system sets other areas aside for Aboriginal use. Tracks to outstations are restricted to Bininj/Mungguy use (Plan of Management 1999).

Leases require the lessee to "*utilise the traditional skills of Aboriginal individuals and groups in the management of the park*" and to emphasise Aboriginal land management practices in the Aboriginal training programme. The Plan of Management re-affirms this. However, Aboriginal

knowledge is under-utilised and integrating it into management is not easy due to Aboriginal people's social problems.¹³⁸

The Plan of Management states that proposed developments will be evaluated according to their social and cultural impacts. Consultation occurs on key management issues and new infrastructure requires a Land Interest Reference (LIR) from the NLC to ensure appropriate Bininj/Mungguy are consulted.¹³⁹ The Director can sub-let land, for example for a radio mast, with traditional owner permission. Traditional owners and the Bininj Heritage Management Committee guide actions at key art or archaeological sites. Researchers need Bininj/Mungguy approval, and Parks Australia tries to ensure research results are appropriately disseminated to Bininj/Mungguy (Plan of Management 1999). Concerns over researcher access and research benefits have been raised¹⁴⁰ as the committee authorising research had a scientific bias, and communicated little with traditional owners.¹⁴¹ However, Parks Australia has changed its attitude, as illustrated by its support for board members' refusal to meet with this researcher.

The leases require the lessee to "*protect areas and things of significance to relevant Aboriginals*," to restrict public access to certain areas, and to "*protect known Aboriginal rock art sites from damage*." The Gunlom Lease requires the lessee to "*respect and observe all due solemnity and deference with respect to sacred sites*" and to establish a sacred site register and conduct protocol with traditional owners. It requires the lessee to protect sacred sites, for example by posting notices, erecting fences or closing roads. The lessee must pay compensation if this is breached (Plan of Management 1999). The leases require employment of a cultural advisor to advise on Sickness Country management (Plan of Management 1999). Sickness Country is a 2,000km² portion of southern KaNP (Environment Australia 1998) linked to the religious tradition of Bula. Jawoyn traditions and laws limit access to Sickness Country so as not to disturb Bula and prevent the disasters that Jawoyn believe follow any disturbance of Bula. Rock art protection includes placing silicone drip lines to protect them from water, erecting boardwalks, fences and signs (Press et al. 1995), removing insect tunnels, bird and wasp nests, vegetation and buffalo who create dust and rub the art (Parks Australia 2000). Only three sites allow public access. These have interpretive material on site and are staffed (Plan of Management 1999). Those damaging sites are fined AU\$5,000 (Parks Australia 2000). Parks Australia has a sacred site register, and a consultation programme to take into account Aboriginal site sensitivities in planning. Many sacred or ceremonial sites have restricted access (Environment Australia 1998) and the Plan of Management states that sacred sites will be patrolled and that bushwalkers and researchers may require accompaniment. It adds that archaeological sites will be protected and that Parks Australia will help Bininj/Mungguy retrieve Kakadu cultural artefacts which are in museums contrary to Aboriginal law, and that they will seek funding for a place to store such objects. At one archaeological site, artefacts were removed to prevent collection and damage at the traditional owners' request. Placement of the Ranger uranium mine border was a compromise between NLC and mining company needs (Press et al. 1995).

The leases require the lessee “to implement a licensing and induction scheme for tour operators carrying on commercial activities in the park.” The Plan of Management (1999) adds that “traditional owners are proud to share parts of their country with visitors, particularly those who are interested in learning about their culture and the land”, but that accurate cultural information should be disseminated. The visitors guide and other interpretative materials include traditional owner views and use Aboriginal place names in recognition of Aboriginal history and identity (Plan of Management 1999; Environment Australia 1998). The Warradjan Aboriginal Cultural Centre opened in 1995 with displays developed by Bininj/Mungguy (Davies 1999; Environment Australia 1998). The Bowali Visitors Centre displays names in local languages and uses traditional owners’ quotes to explain about different species and habitats. Signs at some rock art sites explain the art from an Aboriginal perspective, and visitors to Ubirr are asked not to drink alcohol to respect Aboriginal wishes (Environment Australia 1998).

To protect Aboriginal intellectual and cultural heritage property rights, the Gunlom Lease includes a “*Memorandum of Understanding regarding the control of Aboriginal Cultural Material in Kakadu*.” This establishes the Bininj Cultural Heritage Management Committee to register cultural material, develop access rules to this material and direct the cultural heritage management programme. It informs the public about Aboriginal sensitivities to photography, ensures cultural research is approved, and controls the transfer of cultural material to museums, staff and film crews. The Plan of Management states that traditional owners will be involved in collecting and managing cultural heritage material. Parks Australia will prepare guidelines on appropriate promotional material, and will encourage photo libraries and publishers to withdraw inappropriate imagery. Commercial filming, photography and audio recording require permits. The cultural heritage maintenance programme aims to address Aboriginal concerns over the loss of traditional knowledge. Parks Australia employs one Aboriginal woman to collect oral history (Press et al. 1995). This will allow Bininj/Mungguy to benefit from the documentation of traditional language, ecological knowledge, management methods, landscape perspectives and names, religious stories and local history. This is important as many people with this knowledge are old (Plan of Management 1999).

When the traditional owners submitted their land claim, they were concerned about their capacity to manage the land in the face of growing and competing interests. They believed a national park would safeguard their interests and proposed leasing the land to the Director (Hill and Press 1994; Lawrence 2000). Many find it difficult to interact with non-Aboriginal people and Parks Australia acts as a buffer between traditional owners and tourists through law enforcement¹⁴² and cultural information provision.¹⁴³ Aboriginal people want to be part of the process, for example they are concerned about weed control, but they do not want to run KaNP alone.¹⁴⁴ Most are happy with Parks Australia’s presence and would not change the situation.¹⁴⁵ Parks Australia brings resources to the area.¹⁴⁶ It provides support and advice on managing threats such as cane toads, salt-water intrusion and weeds,¹⁴⁷ good roads¹⁴⁸ (Press et al. 1995), a

school,¹⁴⁹ and telecommunications (Lawrence 2000). It can advocate Aboriginal views in government,¹⁵⁰ which may have contributed to the cessation of mining at Coronation Hill.¹⁵¹ Aboriginal people receive meat from culling operations¹⁵² and the right of first refusal to equipment (Plan of Management 1999).

After 99 years the leases expire and joint management will no longer be required.¹⁵³ However, traditional owners benefit from increased self-esteem and pride in their status.¹⁵⁴ They are treated as equals,¹⁵⁵ there is a sense of social justice,¹⁵⁶ and Aboriginal and non-Aboriginal people perceive each other more positively.¹⁵⁷

Joint management also has qualitative costs for Aboriginal people. Past proximity to Europeans has devastated traditional Aboriginal society, and exposure to alcohol, racism and tourism has caused intense stress. Parks Australia increased these stresses by building roads and developing Jabiru (Lawrence 2000). The Ranger Uranium Environmental Inquiry was concerned about the impact of a large town on Aboriginal people, thus Jabiru is a closed town with a limited population. However, many groups are pushing for development of Jabiru (Plan of Management 1999). The European joint management process is very demanding¹⁵⁸ (Hill and Press 1994; Davies 1999), and following recent government challenges on management issues, one Aboriginal elder said it was not worth it all, and that World Heritage status had in fact been used to threaten Aboriginal people.¹⁵⁹ Board members see non-Aboriginal KaNP staff benefiting from good jobs and income from tourism whilst they benefit little.¹⁶⁰ Constant consultation is exhausting and some Aboriginal people must attend many meetings¹⁶¹ (Hill and Press 1994; Davies 1999). Traditional owners dislike the style of consultation and meetings, and rigidity of public service requirements.¹⁶² Communication is made difficult by language and worldview differences. For example, amongst Aboriginal people in Arnhem Land, asking questions is inappropriate, but Europeans do not recognise the significance of an evasive answer (Trudgen 2000).

Establishment of KaNP has also contributed to a decline in Aboriginal culture. Buffalo culling has limited hunting.¹⁶³ Fishing is limited by competition with non-Aboriginal fishers (Davies 1999; Altman and Allen 1992). Much wildlife now gathers near campsites where predation is lower (Altman and Allen 1992). Aboriginal languages have died out and there is no new rock art¹⁶⁴ (Parks Australia 2000; Lawrence 2000; Christian and Aldrick 1977). Fewer traditional ceremonies occur than in Arnhem Land,¹⁶⁵ and access to jobs and television mean that less time is spent with family, and children are taught less about their culture.¹⁶⁶ Aboriginal involvement in European management processes has led to a reliance on the dominant culture (Lawrence 2000).

Visitor invasiveness can lead to a loss of privacy amongst Aboriginal people (Lawrence 2000) who avoid tourist areas¹⁶⁷ (Hill and Press 1994). Thus, access to some beautiful waterfalls and hunting or fishing areas is effectively restricted¹⁶⁸ (Altman and Allen 1992). Successful marketing has increased visitor numbers and demand for access to restricted areas and for

improved all-weather roads (Lawrence 2000). Many visitors see KaNP as public property,¹⁶⁹ and some researchers and bushwalkers visit restricted sites (Plan of Management 1999). Visitors damage rock art by touching it, creating dust (Christian and Aldrick 1977) or vandalism such as at Ubirr (Plan of Management 1999). Management focuses increasingly on tourism rather than cultural maintenance.¹⁷⁰ Staff have less time to form the strong relationships with Bininj/Mungguy needed to ensure their effective participation in management (Plan of Management 1999).

Bininj/Mungguy intellectual and cultural property rights are sometimes violated. Bininj/Mungguy struggle to control commercial use of KaNP imagery, and inappropriate marketing can provide visitors with incorrect information and encourage disrespect for Aboriginal culture (Plan of Management 1999). Aboriginal cultural and ecological perspectives are not presented holistically enough in KaNP (Davies 1999). Aboriginal people feel that researchers benefit at their expense as they do not involve Bininj/Mungguy or report back their findings effectively, they come for short periods, and remove materials and oral heritage (Plan of Management 1999; Hill and Press 1994; Lawrence 2000). Sometimes cultural restrictions on knowledge distribution are not observed¹⁷¹ (Plan of Management 1999). Information is not securely stored and there are no formal procedures for accessing it (Plan of Management 1999). A cultural resource management committee has collapsed twice as Aboriginal board members felt they were not in control.¹⁷² Non-Aboriginal involvement in cultural management has disempowered Aboriginal people.

Joint management also provides qualitative benefits for the Commonwealth Government and Parks Australia.¹⁷³ KaNP counteracts Ranger's bad public image.¹⁷⁴ Joint management and World Heritage status provides prestige,¹⁷⁵ and KaNP demonstrates government commitments to reconciliation.¹⁷⁶

5.2.3 Natural Resource Use and Stakeholder Rights

CNP owners rarely had full rights to use CNP natural resources, but some limitations were externally imposed and did not apply exclusively to CNPs. For example, the state retained mineral rights in South Africa and Australia. Contracts imposed a variety of additional limitations such as restrictions on grazing, construction, human habitation, hunting, unsustainable resource use, or commercial wildlife use. Some CNPs allowed minimal consumptive use, others allowed traditional natural resource use, and some allowed commercial natural resource use (Table 23). Resource use levels were highest in Australia, perhaps because traditional owners lived in CNPs. Sometimes ownership was conditional on CNP establishment and landowners therefore had no land use choice. However, where there were no demonstrable opportunity costs (which was usually the case), and where contracts did not fundamentally restrict owner natural resource use, contract limitations did not necessarily restrict owner ambitions. UKTNP and KaNP traditional owners continued living on their land in CNPs and harvesting natural resources as before. This was unlike Schedule One National Parks such as

AENP where virtually no use of resources occurred by surrounding communities. CNPs with effective contracts and management plans generally provided clarity regarding acceptable types and levels of natural resource.

Table 23: Current landowner natural resource use in CNPs.

Contractual national park	Grazing	Construction	Habitation	Hunting	Commercial use
The Postberg Section of WCNP	No	Yes	Yes	No	No
The RNP	Yes	No	No	No	No
The Makuleke Region of KNP	No	Yes (proposed)	No	Yes	Yes (proposed)
The Southern Section of the KGNP	No	Yes (proposed)	No	Yes (proposed)	Yes (proposed)
Kempiana, adjacent to KNP	No	Yes	No	No	Yes
Melkbosrand, AFNP	No	No	No	No	No
UKTNP	No	Yes	Yes	Yes	Yes
KaNP	Yes	Yes	Yes	Yes	Yes

CNP owners may not be the same people as those with traditional natural resource use rights. This was particularly apparent in Australia. However, the CNP framework allows stakeholder natural resource use rights to be clarified, and hence natural resources to be managed effectively. Australian CNPs showed that the model could accommodate traditional methods of determining natural resource use. Management plans are an important tool for increasing clarity regarding stakeholder rights.

In all CNPs, the conservation authority helped enforce exclusivity. This was important as it reduced the chances of open access regime development and unsustainable resource use. As illustrated in Australia, joint management boards, management plans and direct communication with landowners provided guidance on what rights needed enforcing. Without such guidance, the conservation authority made decisions about acceptable resource use levels, which did not comply with the spirit of joint management, as in RNP.

5.2.3.1 The Postberg Section of West Coast National Park

Postberg natural resource use falls primarily into two categories: building, occupying and accessing properties, and utilising marine resources. The contract details times of unrestricted access for Syndicate members and states that access can occur in unusual circumstances outside these hours. Syndicate members cannot be forced to leave or be refused entrance. The contract states that SANP officials may access the property, as can researchers once permission is granted, and the Syndicate has been informed. SANP may conduct walking tours with Syndicate

permission. It states that public access is for eight weeks per year between July and September, between specific hours. The public may only leave their vehicles in stipulated places and may not pick flowers or hunt. The army may use the Postberg road to access their land. It adds that Kreeftebaai and Oudepost living areas are for exclusive Syndicate member use, and that each member may erect one permanent house in one of these areas. The Department of Marine and Coastal Management controls sea resource use. The Marine Living Resources Act of 1998 overrides the National Parks Act for coastal protected areas, replacing SANP with the department as the lagoon controlling authority (Moore and Smith 2000). The department administers lagoon fishing permits to local fishermen for traditional drift netting and catching of harders.¹⁷⁷ The contract states that Syndicate members can sail boats and catch fish, lobster and squid in the lagoon or sea subject to the same rules that apply to the general public. They may launch boats from Postberg and construct facilities for this, which SANP and other authorised people may also use. The contract allows Syndicate members to collect honey, plants from certain areas, and flowers further than 100m from the road and not in public view.

The visitor information leaflet states that *"the owners retain the right of entry to the property and the occupation of certain sections thereof"* (SANP 1999b). Interviewees explained that SANP has a list of permitted vehicles to make access secure. Each shareholder has one house for themselves, their partner, parents and children over 18. Other relatives and friends may visit with permission and only when the shareholder is present. Siblings of the original four landowners are exempt from this and may use the property until they die. Then it passes on to one of the original landowner's children. All houses are holiday homes. One Syndicate member said that shareholders' grandparents could visit without the presence of the shareholder,¹⁷⁸ but clarity about access rights was generally good. Conflict occurred regarding the 120-foot zone between the high water mark and the sea, which was for British Navy use and not in the reserve. Houses were built in this zone but the boundary has since changed to incorporate them into Postberg.¹⁷⁹

Twenty-three lagoon fishing permits were originally issued, but about 17 are now operational.¹⁸⁰ One interviewee said that permits contain specifications such as catch size limits. The lagoon has three zones to control other use. The multi-recreational use zone allows boats, water-skiing, fishing, controlled bait collection, diving, surfing and swimming. The limited use zone allows sailing, swimming, canoeing and traditional fishing, and the wilderness zone allows none of these activities (Moore and Smith 2000; SANP 1999b). Postberg borders the multi-recreational use zone to its east and the sea to its west. Crayfish and abalone collection is not permissible in the lagoon (SANP 1999b), but most interviewees mentioned that the Syndicate and other fishermen could collect these species on the sea side of Postberg. Some Churchhaveners opposed the public road deproclamation as it would have cut off their access to Kreeftebaai for crayfish and abalone harvesting.¹⁸¹ The Syndicate was concerned about loss of access to Stofbergfontein due to an impending CNP. The problem was solved by a mutual permit system.¹⁸² Interviewees explained that Churchhaveners can thus utilise Kreeftebaai for crayfish collection. SANP manages the permit system.

Other resource use also occurs in Postberg. Several interviewees said that the Syndicate could not hunt, but two said that culled game was sometimes sold to Syndicate members. In 1998, management removed 100 ostrich eggs, which were then sold in the WCNP shop (von Kaschke 1998). One interviewee incorrectly thought flowers could be picked within 50m from the road and three incorrectly thought that no flower picking could occur. Some interviewees said the Syndicate could not remove vegetation or firewood. Existing Postberg servitudes are accepted, such as the phosphate mine,¹⁸³ but interviewees said this no longer operated and that SANP would prevent further mining.

Interviewees all felt that Postberg natural resource use was very clear. Reasons given included the contract and management plan, SANP and the Department of Marine and Coastal Management restrictions, and the Syndicate's house rules. The Syndicate has a disciplinary committee that can fine Syndicate members and rules are well enforced. For example, some Syndicate children damaged CNP signs and were punished by the Syndicate. Issues change and sometimes need re-negotiating, but the frequency of board meetings can accommodate this.

5.2.3.2 The Richtersveld National Park

The contract states that "*current land usage is accepted until any amendment of such land usage is made in accordance with decisions made by the Management Plan Committee*" and that "*the parties accept the following figures: approximately 4,700 small stock-units permanent (and) approximately 1,900 small stock-units seasonal.*" However, the contract does not specify stock age or composition, and ignores large stock (Hall-Martin et al. 1992). This omission caused concern and confusion regarding cattle (Archer et al. 1994). The Management Plan notes that seasonality is hard to apply and that "*limits may be interpreted to mean that at no time of the year may the stock within the park exceed 6,600 small stock units.*" It recognises that "*on the one hand the land is communally owned and may therefore be considered to be accessible to any Richtersvelder. On the other hand, certain farmers have traditionally used the land in the RNP and may be considered to have specific individual rights.*" The contract lists 26 full-time farmers who may use RNP for grazing.

Interviewees were clear about the 26 farmers with RNP grazing rights. Their understanding of grazing rights, which two felt were unclear, was less consistent. Two said that farmers took other peoples' stock into RNP, but two others said that stock was the farmer's own or his family's. One interviewee said that if a farmer leaves he cannot return or be replaced, but two said a farmer's children could replace him if he dies as long as they do not bring in new stock. The situation may change if plans to focus on prescribed stock levels rather than park farmers proceed. In which case it was suggested that local government would play a larger role in grazing management. The term 'park farmer' is ambiguous in such an open access regime, as herds have multiple owners, including women whose rights have been ignored (Archer et al. 1994). Since the park farmer list was drawn up, people have changed so the list is unclear.¹⁸⁴

The Management Plan says that “*proclamation of the Richtersveld National Park does not affect existing mining and prospecting rights.*” It states that “*further applications for mining and prospecting will be considered*” by local government, the Park Manager and the BPK. “*The latter therefore has the opportunity to accept or reject the application before it is referred to the local government for final approval.*” The plan adds that “*a number of [park] mining concessions have been awarded, but few are currently being exploited. Only in one extended locality along the Orange River are diamonds mined on a large scale.*”

Interviewees agreed that mining could occur in RNP and all felt there was clarity about who had mining rights and where concessions were. However, interviewees’ views on application procedures, application evaluation, and whether applications from non-Richtersvelders were acceptable, varied. Several said that mining could not occur in certain sensitive areas.

Richtersvelders in general were unsure who had concessions in RNP; perhaps because they change hands, some are not exploited, and some people have mining rights but are awaiting a permit. Former TLC members re-iterated the Management Plan application procedures, and said that applications would go to local, provincial and national government after the BPK. The BPK or an EIA could stop mining¹⁸⁵ but the government can overrule recommendations if mining benefits would exceed those from tourism.¹⁸⁶ They said non-Richtersvelders can apply, and that a permit for mining costs R200/km².

The Management Plan states that pastoralists can “*use natural resources including wood for fuel and construction, as well as various plants for food and medicinal purposes.*” It states that no others can use these resources and that use must be traditional rather than for sale to visitors or consumers outside RNP. Interviewees listed honey, wood, fish, reeds, medicinal and other plants, but there was little consensus on what could be collected, whether products could be removed from RNP, who could collect them (park farmers or all Richtersvelders), and whether permission was needed. Interviewees felt that rights were unclear. Reasons given were that the Management Plan was not accepted and people entering RNP were not controlled anyway. RNP employees said that Richtersvelders could harvest RNP resources for personal use, and the last and current Park Manager said that in practice they controlled who entered RNP.

5.2.3.3 The Makuleke Region of Kruger National Park

The contract states that “*the community shall retain the utilisation rights to the land*” and that the JMB will determine hunting, honey, egg, wood, grass, plants and seed collection levels. Thus, it provides a framework for natural resource use rights, but few details. It states that the CPA and the community can access the region as determined by the JMB, establish a research facility and a Makuleke museum, and excavate sand, stone, rock, gravel, clay and soil with EIA approval. “*No mining and/or prospecting activities (as defined in the Minerals Act), may take place in, on or under on the land,*” and “*mineral rights in the land shall be reserved in favour of the state*” (Agreement 1998). The Management Plan states that sustainability will be the first guiding principle for development.

Interviewees said that the CPA would propose future utilisation levels which would then be negotiated by the JMB under the guidance of the National Parks Act, SANP and the contract. Traditional healers and researchers are likely to have access, and controlled hunting has occurred. All resource use will be sustainable. Consumptive use by the Makuleke has so far been limited to the hunting of two elephants and two buffalo in 2000 to raise capital for tourism ventures. Only low levels of consumptive use are exercised by SANP staff who may collect a limited amount of wood and fish. The JMB approved the hunt and the shooting of 70 buffalo in 1998 for management reasons. In the Madimbo corridor part of the region, individuals still hold mineral rights, which could be exercised (GEM 1995c), but all interviewees felt that CNP rights were clear and that the contract provided guidance. SANP interviewees were confident that the JMB would be able to resolve future conflicts, but said that conflict was unlikely as non-consumptive ecotourism was proposed.

5.2.3.4 The Southern Section of the Kalahari Gemsbok National Park

The 1998 draft agreement between SANP and the San allowed for identity-related KGNP natural resource use, such as an annual gemsbok hunt, visiting graves and cultural sites, and conducting educational veld excursions (Chennels 1999). Cultural and symbolic San use rights in the whole of KGNP were agreed in the 1999 settlement agreement, but details have not been finalised.¹⁸⁷ Ethnobotanical research in KGNP has already begun with two full-time San researchers.¹⁸⁸ The San and Mier are considering options for commercial consumptive and non-consumptive wildlife use in the proposed CNP. SANP may also provide the San with priority commercial use rights in an area south of the Auob River but north of the CNP.¹⁸⁹ The San want rights to visit graves, hunt, collect medicinal plants and guide tourists.¹⁹⁰

5.2.3.5 Kempiana, Adjacent to Kruger National Park

Documents are unclear about stakeholders' natural resource use rights, the Management Plan has not been accepted and the Management Committee does not function. The official landowners' rights are barely mentioned in official documentation. The 1992 agreement leasing Vlakgezicht to Ngala merely states that SANPT will have permanent access to Vlakgezicht, and may deny entry to people behaving inappropriately. The Deed of Donation requires property access and camp occupation by certain individuals, such as Mr Hoheisen, until they die. Mr Hoheisen retains the right to refuse access to people. The zone around his camp is a prohibited area when he is present, and no vehicles can ever visit his pan (Pietersen 1999). KNP staff may have 24 hour access to the CNP for management, and may open gravel pits, utilise river and building sand, collect firewood and sell culled or live animals (Pietersen 1999). The 1992 Kempiana traversing agreement states that Ngala has "*the exclusive commercial right to use the property*" for tourism related activities. The 1992 agreement leasing Vlakgezicht to Ngala states that Ngala may erect tourism infrastructure on Vlakgezicht according to the Master Plan and with SANPT's consent. It may clear vegetation for such structures according to SANP's instructions as long as environmental disturbance is minimised. However, it is unclear which master plan this refers to.

The Kempiana Management Plan states that sustainable use will be determined by the Management Committee and may include tourism, natural resource harvesting and hunting (Pietersen 1999).

SAWC, Ngala and SANP drew up an informal traversing agreement for SAWC personnel and students in 1997. They agreed that SAWC could use a core area of 10km² for training and game drives until 22:00 each day without Ngala's permission. "*Ngala may still traverse this area but must be prepared to encounter students or SAWC personnel*" (Pietersen 1999). SAWC may access their borehole and certain riverine areas outside the core area between certain hours. It can use other areas with permission from Ngala and SANP. Walkers must be accompanied by a guard. SAWC can use core area natural resources but the Management Plan stipulates measures to minimise impact. For example, collection of biological samples for identification purposes should be minimal and SAWC should keep its own herbarium (Pietersen 1999). SAWC's director said that SAWC collects a little firewood from the area it uses.¹⁹¹

Despite Ngala's exclusive commercial rights on Kempiana, Mr Pirow and SAWC still traverse the property. Mr Pirow claims traversing rights over all of Kempiana¹⁹² and Ngala vehicles occasionally come across him on the land.¹⁹³ SANP lawyers are trying to resolve this issue.¹⁹⁴ No management can occur on the land jointly owned by SANPT and the Pirows without the latter's permission (Pietersen 1999). Ngala agreed to SAWC's traversing rights as WWF-SA used Ngala's lease as leverage.¹⁹⁵ However, the agreement is informal, because formality would restrict SAWC and Ngala.¹⁹⁶ For example, SAWC's core area will move west when the new ConsCorp camp is built.¹⁹⁷ As with SAWC, Mr Pirow's occasional presence is not enough for Ngala to withdraw from the agreement. Ngala has invested much capital and needs to earn this back.¹⁹⁸ A 1995 meeting between Ngala, ConsCorp, SAWC and KNP decided that the CNP should aim to promote "*sound ecotourism opportunities in keeping with the Deed of Donation*" (Pietersen 1999). Ngala can market itself under KNP's good game viewing reputation.¹⁹⁹ In practice, the only utilisation by Ngala on Vlakgezicht is photo safaris and a little lodge wood collection.²⁰⁰

Kempiana and Vlakgezicht form one CNP, and sustainable consumptive use is acceptable. However, SANP manages them as a Schedule One National Park with no consumptive use.²⁰¹ Parties at the 1995 committee meeting agreed to sustainable use (Pietersen 1999). However, trophy and subsistence hunting, and community participation in management have been removed from the Management Plan,²⁰² and few proposals for consumptive use have succeeded. The swine fever line to Kempiana's south prevents untreated meat from reaching the Welverdiend community.²⁰³ Plans to pump water from borrow pits in Kempiana to the community also failed. This would have watered community gardens and reduced poaching as wildlife drinks at the borrow pits which are close to the fence, the road and the community.²⁰⁴ Bush removed to improve wildlife viewing is left on the ground to reduce erosion rather than sold as firewood.²⁰⁵

There is a mutual understanding between stakeholders regarding CNP natural resource use, even if not everyone approves of it.²⁰⁶ Stakeholder relations function well on the ground, and the SAWC Director feels that natural resource use on Kempiana is absolutely clear.²⁰⁷

5.2.3.6 Melkbosrand, Augrabies Falls National Park

No CNP has been finalised at Melkbosrand, so the land is managed as a Schedule One National Park with no natural resource use.

5.2.3.7 Uluru - Kata Tjuta National Park

Australian legislation guides who can use natural resources. The lease states that “*relevant Aboriginals*” can enter and use UKTNP “*in accordance with Aboriginal tradition.*” Relevant Aboriginals are defined as “*all the traditional owners of the park and the Aboriginals entitled to use, or occupy the park, and Aboriginals permitted by them to reside in the park.*” The lease defines Aboriginals entitled to use or occupy UKTNP as “*Aboriginals who are not traditional Aboriginal owners of the park but who are entitled by Aboriginal tradition to use or occupy the park.*” For the definition of ‘Aboriginal tradition’ the lease refers to the Aboriginal Land Rights Act, which re-iterates much of the above.

In practice, Anangu can establish social relationships with others through kinship or family ties without having met before. Such intricately structured relationships support co-operative strategies for access and resource use (Plan of Management 2000; Environment Australia 1999a). Aboriginal people are often nomadic, and Mutitjulu has many visitors, especially since the Resource Centre was established (Australian Nature Conservation Agency 1995). Under Aboriginal law, an Aboriginal person will not use resources from another’s country unless they were invited or had permission, they had relatives there, or they had married into the community.²⁰⁸ There is little to control natural resource use by non-Anangu Aboriginal people in UKTNP besides Tjukurpa,²⁰⁹ but no interviewees commented on any problems. One said that ‘Aboriginality’ is self-determined or determined by consensus and that legislation supports this interpretation.²¹⁰

The lease states that hunting and food gathering (for non-commercial use), and use for ceremony and religious purposes, is permitted. Aboriginal people can live at Mutitjulu with “*their employees, staff, invitees and agents.*” The lease adds that traditional owners can request Parks Australia to sublet UKTNP areas to relevant Aboriginal associations. Anangu law restricts hunting at sacred sites.²¹¹ Anangu use natural resources for food such as honey ants, witchety grubs, nectar and honey, medicines, tobacco, materials for tools, weapons and artefacts, cementing and adhesive substances, fuel for cooking and warmth, ceremonial ornaments and decoration, and water²¹² (Plan of Management 2000). Kangaroo, emu, goanna, bush wallaby and rabbit are hunted.²¹³ Hunting threatened species and using guns and vehicles is acceptable.²¹⁴ Non-Aboriginal UKTNP resource use is limited. Non-Aboriginals have no expertise or desire to collect food like Anangu,²¹⁵ but UKTNP staff sometimes forage with Aboriginal elders.²¹⁶

Yulara uses UKTNP aquifer water, and the airspace above UKTNP is used according to a 'Fly Neighbourly' agreement to ensure Mutitjulu's privacy (Plan of Management 2000). There is disagreement with the military regarding this airspace.²¹⁷

Interviewees gave different but non-conflicting definitions of who could live in UKTNP. Some said any Aboriginal could live there,²¹⁸ but others said they would need relations or to be invited.²¹⁹ Some said traditional owners could live there,²²⁰ and one said any Anangu could live there.²²¹ Non-Aboriginal people could live in UKTNP but only for work reasons or if they are married to an Aboriginal.²²² However, one old white man has lived in Mutitjulu for years.²²³ Permits are needed for outsiders to enter, including Aboriginal people, but people with skills and knowledge are welcome, especially Anangu.²²⁴ The Council can remove people,²²⁵ and people have been asked to leave.²²⁶

5.2.3.8 Kakadu National Park

The leases stipulate that relevant Aboriginals may continue "*the traditional use of any area of the park for hunting or food gathering (otherwise than for purposes of sale)*." This includes threatened species although the Minister retains some control for really endangered species,²²⁷ and the Plan of Management states that the impact of use is monitored and where necessary regulated through consultation with Bininj/Mungguy. Traditional law dictates seasons for hunting magpie geese and collecting crocodile eggs. Traditional owners once stopped an Aboriginal group hunting out of season with Parks Australia's support.²²⁸ Commercial use is not permitted, but there is confusion over what defines commercial.²²⁹ For example, pigs are hunted and sold as they are non-native.²³⁰ Crafts are made and sold in KaNP, and Parks Australia is investigating how this can continue legally (Plan of Management 1999). Conflict may arise as sustainable harvesting occurs in Arnhem Land and people are considering such harvesting for KaNP long necked turtle and crocodile eggs.²³¹ Concerns have been raised about non-traditional hunting methods, but the Plan of Management (1999) is clear that "*harvesting of resources may involve the use of modern tools*." Firearm permits are required. Non-Aboriginal resource use is limited to recreational fishing west of the Kakadu highway (Environment Australia 1998). Fishing techniques and catch-limits are regulated (Environment Australia 1998), and some tourists resent this.²³²

The leases define relevant Aboriginals as the traditional owners and Aboriginal people entitled to enter, use or occupy KaNP in accordance with Aboriginal tradition. Nevertheless, who the 'relevant Aboriginals' are is unclear and there is much conflict and discussion about hunting rights.²³³ They may include invited people or people with links to the area.²³⁴ Bininj/Mungguy must decide who has these rights²³⁵ (Plan of Management 1999). According to Aboriginal custom, land use differs from ownership. Most local descent group members can also forage within a defined area (Lawrence 2000), but the estates of land holding groups may not be large or diverse enough to satisfy needs (Press et al. 1995). Aboriginal bands from several local descent groups used to travel together hunting and gathering over several estates (Lawrence

2000). Permission from owners for non-local descent group members to access land would depend on marriage, kinship, and co-operative ceremonial relationships²³⁶ (Press et al. 1995). KaNP rangers rely on information from traditional owners to enforce hunting rights.²³⁷ However, rights are unclear because clan structures no longer manage natural resources effectively (Lawrence 2000) and Bininj/Mungguy disagree on rights.²³⁸ When individuals without hunting rights are caught, a prosecution process can start.²³⁹ However, legal enforcement is not easy because Aboriginal people dislike testifying.²⁴⁰ Thus, mediation often settles issues.²⁴¹ There is concern over non-local Aboriginal hunting²⁴² (Altman and Allen 1992) and some Bininj/Mungguy resent recreational fishers.²⁴³ A group claiming rights from Darwin recently came into KaNP Murumburr country to shoot geese.²⁴⁴ Another central Arnhem Land group claims rights and says that during the creation time they were sent from Kakadu.²⁴⁵ To improve clarity and ease of enforcement,²⁴⁶ Parks Australia is trying to re-vitalise a list of people with hunting rights.²⁴⁷ However, the flexibility of traditional reciprocal hunting arrangements makes this difficult.²⁴⁸

Aboriginal people living in KaNP hold detailed knowledge of the use, availability and ecology of hundreds of species. Natural products are used to make medicines, fish poisons, 'tobacco', tools, weapons, pipes, fire sticks, didgeridoos, boats, house sheeting, dyes and ornamental paint, cultural artefacts, soaps, cooking implements, adhesives, sandpaper, and fibres for fishing nets and traps (Plan of Management 1999; Press et al. 1995). Many plants are eaten, particularly wetland plants. Magpie geese, turtles, wallabies, fish, goanna and file snakes are hunted (Plan of Management 1999). Crocodile eggs are harvested²⁴⁹ and buffalo, horses and cattle are kept for food and as pets.²⁵⁰ However, one game ranger said hunting levels are low as women now prefer to play cards at the shop and men prefer to drink.²⁵¹

The leases state that relevant Aboriginal people can reside in areas that were occupied when the leases were signed, and also at "*other locations as may be specified in the Plan of Management, together with rights of access and residence for their families, employees, staff, invitees and agents.*" The leases state that "*the lessor reserves the right to require the lessee to sub-let any reasonable part of the park*" thus enabling Aboriginal people to construct new outstations. New KaNP buildings require a cultural impact assessment, an EIA, and traditional owner and board permission.²⁵² In practice, there is little control over who can live in KaNP, but there are few houses²⁵³ and only relevant Aboriginal people can build new houses.²⁵⁴ Numbers are low so there is little conflict over who can live in KaNP, but the board would help if problems arose.²⁵⁵ About 300-450 Aboriginal people live in KaNP,²⁵⁶ about 150 of whom are not traditional owners but have links to the land and have been there for up to two generations.²⁵⁷ They live in 12-18 communities,²⁵⁸ each with 8-50 residents.²⁵⁹ But size varies as Aboriginal people come and go, particularly from Arnhem Land²⁶⁰ (Davies 1999). Some non-Aboriginal people live in these communities, but they do not work and usually have family connections.²⁶¹ Some 100-150 Aborigines also live in Jabiru,²⁶² which has a population of 1,850²⁶³ (Plan of Management 1999). Jabiru has grown from a closed mining town into a tourism service centre. The Northern

Territory government and Jabiru Town Council want Jabiru to evolve into a formal regional service centre but Bininj/Mungguy do not want this (Plan of Management 1999). The town development plan limits the population.²⁶⁴ Developments such as the Four Seasons Cooida Hotel and the Roper bar trading company were excised from KaNP (Lawrence 2000).

Unlike non-Aboriginals, Aboriginal people can veto mining on their land under the Aboriginal Land Rights Act, and the Commonwealth Government prohibited mining in Aboriginal reserves in 1918 (Environment Australia 1999b; Lawrence 2000). It also legislated against mining and exploration in KaNP in 1987²⁶⁵ (Hill and Press 1994). Thus, the 40-50 current mining leases in KaNP may not be used.²⁶⁶ However, controversy continues as holdings still exist under the Northern Territory Mining Act of 1980, and a court ruling recently found that 23 KaNP mining leases were still valid (Plan of Management 1999). These are unlikely to be mined due to poor economic viability and political pressure.²⁶⁷ Government may prefer to pay compensation and is unlikely to grant export licenses.²⁶⁸ Old mines exist in KaNP, and current mining occurs on Aboriginal land excised from within KaNP, but not on formally gazetted land. Land excised for Ranger, Jabiluka and Koongara mining leases totals 130km² (Lawrence 2000). Mirrar-Gundjehmi traditional owners agreed to mining at Jabiluka in 1982 and the transfer of Jabiluka rights to Energy Resources Australia in 1991, and to mining at Ranger until 2025 (Environment Australia 1999b). Minerals on Aboriginal land are Crown property and parliament can overrule a veto where mining is seen to be in the national interest. Thus, mining at Ranger would probably have occurred anyway with the NLC only being able to negotiate better conditions²⁶⁹ (Lawrence 2000). Uranium prices have fallen since the accident at Chernobyl in 1986, and international value is low.²⁷⁰ This could affect Jabiluka, which has an export license but may not be economically viable.²⁷¹ Traditional owners want a mill on site, but the mine wants to use the Ranger mill to cut costs.²⁷²

Other resource use in KaNP is minor. The leases stipulate that relevant Aboriginals may use *"any area of the park for ceremonial and religious purposes."* A Fly Neighbourly Agreement asks airspace users to follow a code of practice including flying high over sensitive areas (Press et al. 1995), keeping to flight paths and avoiding Aboriginal living areas (Plan of Management 1999). The Director can only issue leases or licenses for KaNP land in accordance with the Plan of Management and some small leases pre-date KaNP declaration (Press et al. 1995). These have no formal tenure and include the Jabiru pistol club and Aboriginal outstation buildings. Formal tenure arrangements need to be finalised as some occupancies contain unapproved structures (Plan of Management 1999).

5.2.4 Equitable Benefit Distribution

Australian and South African CNPs showed varying degrees of equity in benefit distribution, through differences at the national, community, village, family and individual level. No CNPs showed the high degree of inequity characterising many other projects linking conservation and development. CNPs can also redress past discrimination and inequity from racially orientated

policies, particularly where they emerge from land claims in national parks. Equitability often improved over time, for example in RNP. This could be because management structures are more accountable than those of other community-based conservation initiatives, because communities owning CNPs are better defined than those neighbouring Schedule One National Parks, and because they have more power to ensure equitable benefit distribution. Highest equitability occurred at KaNP where income was distributed to each traditional owner in equal amounts. However, benefits from cash distribution can be more short lived than those from development projects such as cultural centres or education initiatives. Who should benefit from a CNP is a less subjective choice than who should benefit from a Schedule One National Park such as AENP where the 'community' can be defined in many ways.

5.2.4.1 The Postberg Section of West Coast National Park

Official documents give little information on equity regarding benefit distribution. Interviewees explained how Syndicate members own different share quantities. There are about 6,200 shares, and shareholders own 20-400 each, with nobody owning more than 500. More than 100 shares are needed to build a house and shares can no longer be divided on a person's death. Previously shares could be divided between children so some shareholders (descendants of the original Franschhoek farmers) have less than 100 shares and a house, which they can pass on to their siblings. All houses are company-owned except for one individual with title deeds who created problems when he wanted to build another house. Interviewees said that house sizes and share quantities differed, but that shareholder rights and the benefits of privacy were equal. Decision-making occurs by voting. This is usually by a show of hands but sometimes ballot voting occurs, in which case, an individual's share number equates to his vote number. Ballot voting occurs with contentious issues such as the choice of a new director. The Syndicate voted down a contract with SANP for two years before they accepted in 1986. Lease money from SANP was used in Postberg to gravel roads or for legal costs. For example, a majority vote decided to spend the money on legal fees for a recent conflict issue. Such decisions require a two-thirds majority at the Syndicate's annual general meeting, and the constitution helps decide how money should be spent. Lease money is usually kept for emergencies. For example, if SANP withdrew the Syndicate would need to refund money invested in infrastructure.

5.2.4.2 The Richtersveld National Park

The original contract stated that the BPK should contain one Kuboes, one Sanddrif, one farmer representative, and one Management Board member. This effectively meant three Kuboes and one Sanddrif representatives. A 1993 amendment changed this to one resident from each of the four Richtersveld villages, and one farmer representative. BPK meetings have been held in all villages, with more in the northern villages, particularly Kuboes. Interviewees felt the BPK was equitable.

The Trust Act states that "*trust assets will be employed to the general advantage of the residents of the northern Richtersveldt*" but that southern Richtersvelders and Namaqualanders in general

may also benefit at the trustees discretion, as long as this does "*not exceed more than 50% of the net trust income in any financial year.*" Southern Richtersvelders were included as beneficiaries following the Minister's refusal to sign the contract in 1990.²⁷³ The Trust Act states that northern Richtersvelders will elect trustees. Interviewees felt the trust, which receives and distributes the rent paid by SANP, was equitable as it was run independently from SANP with its own trustees and constitution. Those benefiting from it were those requesting help.

The contract states that SANP undertakes to give preferential treatment to northern Richtersvelders for recruitment and training. However, the Management Plan states that SANP will give "*preference to residents from the northern and southern Richtersveld on an equal basis when employing personnel.*" In 1995, all but one RNP employee was from Kuboes (Budlender 1995). The balance is now more even but Kuboes still dominates with only one employee from Sanddrif.²⁷⁴ One interviewee said that this affected the Park Warden's choice of casual labour following staff advice. Interviewees said that SANP tried to treat villages equally but that most park farmers and employees were from Kuboes. SANP may have also favoured villages when recommending field guides (Eco-Africa 1999b).

Park farmers retain rights in RNP, on communal land around RNP and first right of refusal on the compensation Corridor West farms. The contract states that southern Richtersvelders will share RNP benefits, but that Corridor West farm use "*is not regarded as a benefit as meant above.*" A legal assessment concluded that benefits from these farms should only accrue to northern Richtersvelders (Mallinck Ress Richman & Closenbergh Inc. Undated). Many interviewees felt grazing rights were inequitable. Several felt park farmers were privileged with RNP grazing rights and services such as good water pumps. However, two said the farmers were always there and non-park farmers never used RNP. The Richtersveld is a communal area where all owners should have equal rights, and RNP now wants a situation where total stock numbers rather than farmer numbers are controlled.²⁷⁵ Richtersvelders felt that opening the Corridor West farms to all Richtersvelders would be more equitable (Archer et al. 1994). Local government will soon manage the Corridor West farms as communal grazing land.²⁷⁶

Interviewees' opinions were divided about whether benefits from RNP were equitably distributed amongst Richtersvelders. Interviewees felt that Social Ecology projects such as environmental education and field guide training were equitable, and the textile project involved two or three women from each village. Interviewees said the sense of pride was equitable, and that tourism did not benefit everyone but that it was not too inequitable. One said the Richtersveld community was large so it was hard to benefit everyone. A former Park Warden said that equity was reasonable, but that one Richtersveld family had negotiated RNP mining, grazing and honey collection rights, such that the rest of the community called RNP 'the family park.'²⁷⁷ However, one interviewee said past family benefit monopolisation had ceased.

5.2.4.3 The Makuleke Region of Kruger National Park

Official documents give little information on equity regarding benefit distribution. Makuleke and SANP interviewees' views differed on whether future benefits would be equitably distributed. All Makuleke interviewees felt confident that this would occur, and that the whole community would benefit from area access. They anticipated that revenue would go into a trust fund for community projects such as schools, crèches, roads, medical care or dividends. Multiplier effects from these projects, such as jobs building schools, would provide more community benefits. Funded students would benefit from jobs, but selection was according to merit not nepotism. One employed person can support many others. However, conflict may arise when benefits materialise, and those who did not join the CPA are excluded. Some 5-10% of claimants are at Mhinga village, but most community projects will be at Makuleke. SANP interviewees were less optimistic about equitable benefit distribution. Some trusted the CPA's transparency and institutional strength, but others expected little equity, few employment opportunities, and few benefits to reach ground level. This is perhaps due to past experience and institutionalised suspicion of community involvement.

5.2.4.4 The Southern Section of the Kalahari Gemsbok National Park

Draft documentation gives little information on equity regarding benefit distribution, and it is unclear whether benefits from the proposed CNP will be distributed equitably amongst landowners. However, Botswanan San who once used KGNP land are being marginalized from the negotiations.²⁷⁸

5.2.4.5 Kempiana, Adjacent to Kruger National Park

Official documents give little information on equity regarding benefit distribution, but the owners, SANPT and WWF-SA are corporate bodies within which inequity is not an issue. However, the land managers, SANP, feel there is inequity, as little income from Ngala's large lease payments is put back into management.²⁷⁹

5.2.4.6 Melkbosrand, Augrabies Falls National Park

It is unclear whether benefits from the proposed CNP will be distributed equitably.

5.2.4.7 Uluru - Kata Tjuta National Park

Official documents give little information on equity regarding benefit distribution. Nevertheless, gate and lease money are equitably distributed amongst 70 agreed family heads.²⁸⁰ These senior traditional owners must then distribute it amongst their families (OJM 1999). Nearly all interviewees felt that distribution was fair, but one said it was unfair as the 70 family heads represented 900 traditional owners, and with 1-30 traditional owners in a family, some benefit much more than others.²⁸¹ However, one interviewee said that there was no gender bias in money distribution.²⁸²

There is some inequity between traditional owners living inside and outside UKTNP (Griffin 2000). Non-resident traditional owners suffer fewer costs from tourism,²⁸³ but are not consulted

on UKTNP management and feel excluded from decision-making. Parks Australia has little funding to transport them to meetings (OJM 1999). Anangu Tours shareholders include two regional communities outside UKTNP, and some think that these communities should not benefit from UKTNP.²⁸⁴

5.2.4.8 Kakadu National Park

Official documents give little information on equity regarding benefit distribution. Nevertheless, the NLC divides and distributes financial benefits from KaNP amongst individual traditional owners older than 18 rather than family heads.²⁸⁵ However, one recognised traditional owner receives nothing, because he does not constitute a local descent group under the Land Rights Act.²⁸⁶ Thus, the imposition of European law on Aboriginal society can be disempowering.²⁸⁷

Parks Australia tries to employ Aboriginal people from several clans,²⁸⁸ and the Aboriginal training officer tries to arrange training for all that want it. However, two families have most KaNP jobs due to their interest and greater capacity.²⁸⁹

Where individual traditional owners want new enterprises or living areas, the board decides whether to endorse such developments by balancing individual with group benefits (Plan of Management 1999). Bininj/Mungguy are concerned that tourism does not benefit all traditional owners (Plan of Management 1999), but some are members of more than one association, and associations usually work in their own area of KaNP with several running businesses at headquarters.²⁹⁰ Now that the Jawoyn presence has been formalised in KaNP management, smaller northern groups with less unity may be marginalized (Lawrence 2000).

Consultation has not always been equitable. KaNP originally made 'kings'²⁹¹ by appointing cultural advisors who were consulted on all issues whether they had the authority to speak on them or not. The mines perpetuated this and it still affects Aboriginal associations. Many of these elders have died. However, Parks Australia now tends to consult Aboriginal people with English skills, telephones and cars, rather than those closer to the land.²⁹² Men are consulted more, and both cultural advisors are male (Lawrence 1995).

5.3 DISCUSSION

5.3.1 Ownership

In theory, CNPs provide a framework in which the dangers of open access regimes can be avoided and landowners can receive sustainable benefits from natural resources. Most of the CNPs studied demonstrated this, and provided a relatively secure situation involving aspects of the private ownership and customary regulation discussed in section 5.1.1. Nevertheless, the Richtersveld is unusual as it operates much like an open access regime with little clarity on issues such RNP owner identity.

CNP boundaries are always clear, except where they are still under negotiation, for example in KGNP, and within KaNP where the boundaries between clan estates are unsettled. In South Africa, boundaries are precisely legislated in the *Government Gazette* following CNP declaration.

CNP ownership is generally clear. All are owned by formal trusts, associations, charities, local councils or companies. The Oudepost Syndicate (Pty) Ltd, which owns Postberg, has a list of shareholders and a formal constitution. Clarity may increase in the Richtersveld following CPA establishment. A CPA with a list of members owns the Makuleke Region. Land ownership by the San and Mier in the Kalahari has not yet been exercised, and it is uncertain which sections will go to each group, but it is anticipated that the Mier TLC and the =Khomani San CPA will hold the titles. WWF-SA clearly owns Kempiana, and SANPT, Vlakgezicht. However, there is a DEAT-owned research station in Kempiana and some land partially owned by the Pirow family causing dissension. Melkbosrand ownership is only unclear because the land claim has not yet been resolved. The Uluṛu - Kata Tjuta Aboriginal Land Trust with 850 members owns UKTNP. Some 52% of KaNP is Commonwealth Government-owned but under claim, and the rest is owned by three Aboriginal land trusts representing 250 traditional owners.

Self-determination of ownership varies, but provides a measure of absoluteness of ownership rights. Syndicate members determine Postberg ownership, and corporate owners determine Kempiana and Vlakgezicht ownership. The local Richtersveld government and the Minister used to be involved with regional administration, but a CPA now provides Richtersvelders with more control. The Makuleke community determines CPA membership, and currently extends it to those living with them who were not original Makuleke Region inhabitants. =Khomani San CPA and Mier TLC membership in the Kalahari are self-determined, as is membership of the Riemvasmaak Community Development Trust. A committee of 14 traditional owners, whose decisions are guided by Aboriginal law, determines Uluṛu - Kata Tjuta Aboriginal Land Trust membership. Members of the Kakadu Aboriginal trusts are also self-determined under Aboriginal law, which states people have links to the land through their clan, language, family or other societal groupings. This process confuses outsiders. Status can be disputed, particularly by Aboriginal people with modern views of inheritance, but traditional owners resolve disputes.

CNP ownership is usually self-determined, but often only within a western legislative framework. Trusts, associations, companies, charities and local councils are western institutions and are not necessarily compatible with traditional values and management systems. The South African Communal Property Associations Act of 1996 has many problems. CPAs are excessively prescriptive as the Act wanted CPA membership to be self-constituted but democratic to protect the vulnerable. The Act also had to meet land reform policy objectives and ensure sustainable land use and livelihood improvements (Cousins and Hornby 2001). In the Kalahari, Act requirements regarding CPA membership have proved inadequate. The Act provides no role for traditional authorities and customary practices so is at odds with the modes

of governance framing most people's lives. Membership definition is contradictory and without reference to local practices and institutions (Cousins and Hornby 2001). In much of rural South Africa, the administration of communal tenure by tribal authorities and chiefs is popular and effective (Cousins 1997; Kepe 1997). Chiefs still retain respect even following democratisation of land administration (Cousins 1997). The Makuleke and San communities place their traditional leaders in prominent CPA positions. This may lead to conflict or be the key to CPA success. CPAs may not be robust enough to act against rule breakers, and operate largely outside public budget linked management strategies (Pienaar 1999). Australian property law has sometimes undermined traditional Aboriginal ownership. It has not always recognised known traditional owners, and its inflexibility has not allowed for cultural change within Aboriginal society. Aboriginal peoples' relationship to the land differs to that of non-Aboriginal people. They speak of 'belonging' to the land rather than vice versa, and their relationship and responsibilities to land mean that it is not a negotiable commodity (Chapter 26 of Agenda 21 in United Nations 1992).

Limitations on transfer rights, or time for which CNP ownership is valid, are few, although sub-leasing or mortgaging usually needs joint management board approval. Ownership of all CNPs is in perpetuity, and in South Africa, SANP guarantees not to expropriate the land. Postberg Syndicate members determine to whom company shares may be transferred and rules of transfer, but no external restrictions are imposed. The Minister used to hold land in trust for Richtersvelders, but the CPA will provide Richtersvelders with more authority. The Makulekes must first offer the land to SANP if they sell it.

5.3.2 Intangible Benefits and Costs

The conservation authority provides services in many CNPs. Postberg landowners have no land management responsibilities and benefit from a re-lined road, improved security and access control, less poaching and tourist damage. SANP collected books for local Richtersveld schools, paid for school children transport, taught environmental education, ran RNP school trips and funded a local social worker. Some community empowerment occurred, for example on the BPK, and the presence of SANP and a national park has had other ripple effects. Makuleke community capacity has improved, especially amongst JMB members, and general conservation awareness has increased. UKTNP and KaNP traditional owners have access to funding programmes, technology and telecommunications, good roads, the right of first refusal on CNP equipment, and no tourism management responsibility.

Identity and culture related benefits are important where landowning communities retain strong culture and traditions. Traditional Richtersveld community land ownership and grazing continues. RNP has contributed to a rediscovery of Nama identity through its support of numerous cultural projects. Makuleke cultural traditions are supported through continuing access to the region for cultural purposes. The new cultural centre will improve cultural heritage recognition. Identity and cultural benefits are important in KGNP where the proposed CNP is

part of a large land claim process. This has re-united the =Khomani San, provided support for linguistic revitalisation thus retaining identity, history and environmental knowledge. KGNP access will help maintain San environmental knowledge, and cultural tourism may encourage cultural conservation. UKTNP and KaNP provide extensive identity related and cultural benefits to their owners. Tjukurpa is UKTNP's primary value, and UKTNP can be closed for cultural activities. An Aboriginal board majority ensures Aboriginal wishes are met. KaNP establishment has led to a re-assertion of Aboriginal culture to the extent that any action that is 'substantially detrimental' to Aboriginal people is a breach of contract. Tourism is less important than cultural issues. Aboriginal consultation occurs even on Commonwealth CNP land. At both Australian CNPs, culture is recognised in all aspects of management. Consultation is broad, and use of traditional skills in management receives some support. Rock art, sacred sites, archaeological sites and artefacts are protected. Strategies such as tour operator accreditation ensure correct cultural information is disseminated. Aboriginal place names are used, cultural centres inform visitors about Aboriginal values, and cultural heritage management programmes exist or are proposed to protect intellectual property rights.

Pride, self-worth and recognition as owners of CNPs were key intangible benefits in RNP, Makuleke, KGNP, UKTNP and KaNP. The =Khomani felt particular pride in finally being recognised as San. Social justice and equality with non-indigenous nationals were also important at KaNP, and in KGNP and at Makuleke where the historical injustices of dispossession had been corrected. The CNP model should therefore be recognised by governments, and not just the national conservation authority, as a tool for redressing injustices without necessarily compromising sustainable land use and conservation values. Postberg is unusual as exclusivity is a key intangible landowner benefit. Privacy has increased, especially since deproclamation of the public roads. Development cannot occur, tourist access is limited and Syndicate members have first right of refusal to buy game. Unlike visitors they have special rights, such as bringing firearms onto the property. The range of quantitative and intangible benefits prioritised by CNP landowners suggests that CNP policy and legislation should not be too prescriptive.

Landowners suffer qualitative costs from CNPs. Postberg has many visitors during flower season and Syndicate members are subject to certain restrictions. Cultural tourism in KGNP may cause San 'performance culture' to develop. In both Australian CNPs, traditional owners still live in poor conditions and resent the high living standards of non-Aboriginal staff and the millions generated by tourism. At UKTNP, Muġitjulu services are no better than those at other Aboriginal communities. At both CNPs, contact with non-Aboriginal people and a western management framework has compromised Aboriginal traditions, reduced cultural activities, caused cultural loss, damaged sacred sites, encouraged dependence on western culture, reduced privacy and provided more access to alcohol and drugs. Intellectual property rights have not been fully controlled. The cultural heritage management committee has collapsed at KaNP and is not sanctioned by Aboriginal people at UKTNP. Increasing professionalisation of tourism operations and CNP management has marginalized Aboriginal people, and tourism industry jobs are often

menial. Not all Parks Australia staff fully support Aboriginal issues. Many of these costs are specific to each CNP, but it is important to note that in the absence of CNPs, different or similar costs could have accrued. For example, living standards are no better for many Aboriginal communities outside national parks than those in them, and damage to sacred sites could have been worse without conservation authority presence.

Communities around national parks which they do not own receive intangible benefits primarily in the form of improved services. Educational benefits for school children occur at Kempiana and AENP, and improved security benefits farmers around AENP. Intangible benefits therefore also accrue to communities which surround but do not own national park land. However, case studies suggest that these benefits are smaller and have considerably less potential to be significant, than those accruing to communities owning CNPs.

Conservation authorities accrue intangible costs and benefits from managing CNPs besides effective conservation management. CNPs such as Postberg and Kempiana provided blueprints for joint management in South African CNPs. However, the costs of landowner exclusivity at Postberg are now considered too high. Organisational prestige and improved international perceptions benefited the conservation authority at RNP, Makuleke, UKTNP and KaNP. Improved skills, quality of life and traditional knowledge benefited conservation officials at Makuleke, UKTNP and KaNP. Cultural site protection will improve at Makuleke.

5.3.3 Natural Resource Use and Stakeholder Rights

In common with the CBNRM initiatives described in section 5.1.3, CNP owners rarely have full rights to use all natural resources on their land as they choose. The state retains mineral rights in Australia and South Africa, and both countries had CNPs where ownership was conditional on continuing conservation activities. Individual CNPs vary in the degree to which landowners can control types and levels of resource use.

Syndicate use of Postberg is primarily the right to enter and construct holiday homes. Past conflict over properties below the high water mark has been resolved. The public may enter Postberg for eight weeks per year. The lagoon is zoned into three utilisation areas and Syndicate members only retain special rights regarding Postberg boat facilities. Some seafood collection on the sea side of Postberg is acceptable, as is limited honey and plant collection. Hunting is forbidden, and the phosphate mine no longer operates. In RNP, 6,600 stock units are permitted, with a seasonal reduction to 4,700. However, the specifics of these rates are unclear and the seasonal clause is not enforced. Other acceptable natural resource use includes some plant material collection for non-commercial use. However, there is no consensus and little control regarding this. Mining is acceptable but perhaps not in sensitive areas. In the Makuleke Region, collection of many natural resources is allowed, as is access and construction of certain infrastructure. Some construction material collection is allowed with EIA, SANP and CPA approval. No mining can occur. Some commercial trophy hunting has occurred, and SANP officials may collect limited quantities of some natural resources. Permissible resource use in

KGNP is under negotiation. CNP rights are likely to be commercial with possible consumptive use, and the San may have additional commercial use rights elsewhere, and cultural and symbolic use rights in the whole of KGNP. No consumptive use occurs on Kempiana except for a little wood and plant collection by Ngala and SAWC. Stakeholder rights regarding consumptive and non-consumptive use, such as traversing, are unclear. Traditional natural resource use can continue at UKTNP and KaNP, including threatened species harvesting. However, the Minister may intervene for very endangered species. Modern hunting methods are permitted but commercial use is not. However, commercial use of plants for crafts, and feral animals, occurs in KaNP. Both CNPs can be used for cultural purposes and contain Aboriginal communities. At KaNP, the population of Jabiru is controlled but new outstations can be established and relevant Aboriginal people can build new houses. New building construction is controlled and requires board and traditional owner permission. Yulara uses much water from UKTNP aquifers. Fly Neighbourly agreements control airspace use over both CNPs. Mining does not occur within KaNP, and leases will probably not be exploited.

Utilisation clarity was high at Postberg, Makuleke, UKTNP and KaNP, although sustainable use levels were questioned at Makuleke. In contrast, clarity was low at RNP, and at Kempiana where good relations at ground level allowed the resolution of emerging issues. Both CNPs would have benefited from an accepted management plan, and an updated contract would have improved clarity in RNP. Clear guidelines are needed regarding types and levels of permissible natural resource use. A management plan is essential in this respect, and the best plans detailed CNP management principles, such as sustainable use and whether commercial use was acceptable. Communities surrounding AENP (a Schedule One National Park) and Kempiana do not utilise national park natural resources and at AENP they may not wish to. Proposals to change this at Kempiana have all failed.

In common with the CBNRM initiatives described in section 5.1.3, CNP owners are not necessarily the same people utilising the resources of each CNP. Direct families of Syndicate members can access Postberg, as can the army, scientists, the public for eight weeks per year, and Churchhavers with permits to harvest crayfish and abalone. Traditional lagoon fishing rights operate on a permit system, and Syndicate rights to use the lagoon and harvest lagoon and sea resources are the same as those of the general public. The RNP is communal land but a list of 'park farmers' originally using the land was drawn up. This list ignores the realities of composite herds, it is outdated and there is little clarity about inheritance of rights. Pastoralist use of other RNP natural resources is accepted, but it is unclear whether resources can be removed or if other Richtersvelders can enter RNP and harvest them. Mining rights and location of concessions are clear in RNP, but application procedures and who may apply are unclear. The Makuleke community and the CPA have utilisation rights in the Makuleke Region, but the state retains mineral rights. It is unclear whether mining leases in the Madimbo Corridor section of the region can be exploited. Ngala has exclusive commercial use rights on Kempiana, and may erect infrastructure on Vlakgezicht. Certain individuals retain access rights, and the Pirow

family controversially claim traversing rights. ConsCorp will shortly build another camp. SAWC can traverse parts of Kempiana and use limited amounts of natural resources. SANP may excavate certain construction materials, collect wood and sell game. At UKTNP and KaNP, occupation and natural resource use by traditional owners and those entitled under Aboriginal law is accepted. Aboriginal law determines who these people are but this seems *ad hoc* to outsiders. UKTNP contains Mutitjulu, and KaNP contains about 450 Aboriginal people in 15 outstations. Land use rights differ from ownership rights according to Aboriginal custom, and at KaNP, permission to use resources on another clan's estate depends upon many relationship-related factors. However, clan structures are weakening and disagreements about hunting rights are not uncommon. Non-Aboriginal resource use is limited to carefully regulated fishing.

Use rights require effective enforcement, and the conservation authority contributes to this in all CNPs. For example, patrol units deter poachers. SANP has a list of those permitted to access Postberg. It enforces the permit system allowing Churchhaveners to collect marine resources, and helps the Department of Marine and Coastal Management enforce permits and national legislation regarding sea and lagoon resource use. The Syndicate also has its own effective disciplinary committee. The Richtersveld seasonal stock clause is not enforced, and SANP hopes to devolve responsibility for controlling RNP stock levels to local government. It is unclear what powers the BPK has to control RNP mining, but SANP controls all other RNP resource use. The JMB approves types and levels of natural resource use at Makuleke but SANP enforces these decisions. At Kempiana, utilisation levels are decided and maintained by the various stakeholders. At UKTNP and KaNP, Aboriginal law dictates resource use levels and occupation rights. At KaNP, officials help enforce traditional law but rely on Bininj/Mungguy to inform them who has what rights. Court proceedings have sometimes commenced, but out of court settlement is usual. Levels of endangered species harvested are monitored and regulation can follow consultation with Bininj/Mungguy. Aboriginal people can veto mining on their land, but parliament can overrule this veto.

5.3.4 Equitable Benefit Distribution

CNPs facilitate equitable benefit distribution, as landowners are usually well defined. Thus, CNPs may be a more attractive land use choice than other projects linking conservation and development. However, all case studies demonstrated successes and failures on this issue. Although equity amongst landowners is most important in CNPs, equity at other levels, as discussed in section 5.1.4, is also important.

At the national level, South African legislation and SANP policy focuses on improving equity by providing protected area benefits to previously disadvantaged South Africans (Cousins 1997). CNPs can help redress historical injustices, particularly where they emerge from land claims. Social justice and equity for the previously disadvantaged is harder to obtain in South Africa than Australia. Most South Africans are blacks, but only 1.6% of Australians are Aboriginal.

Within the previously disadvantaged sector, CNP landowners perhaps benefit more than communities owning land outside protected areas. Joint management requires conservation authority investment, and landowners can subsequently benefit from government, NGO and donor support. The Makuleke community now owns the Makuleke Region as well as the land it lives on.

Equity for the whole community occurs in Postberg where all Syndicate members vote when decisions are needed. Voting on important decisions takes into account the number of votes each shareholder has, and lease money goes towards group needs. Community equity occurs in the Richtersveld with the distribution of benefits from tourism and the trust, and employment by SANP. However, it is a large community, and so it is hard to benefit everyone. Some inequity exists between the north and the south regarding trust money and rights on the Corridor West farms. Income at Makuleke is spent on community projects, but individuals who choose not to join the CPA may lose out. The Botswanan San may also lose out from benefit distribution in KGNP. Kempiana is corporate-owned so equity is not an issue. In contrast, traditional owners living outside each Australian CNP suffer less from invasive tourism but are consulted less.

Village level equity has been, and still continues to be, problematic in RNP. Kuboes residents have dominated BPK membership, employment and field guide opportunities. Park farmers are predominantly from Kuboes, and most BPK meetings are held in Kuboes. Nevertheless, Social Ecology projects involve all villages equally. At Makuleke, CPA members living at Mhinga may benefit less than those at Makuleke. In KaNP, clan or association preferences for commercial tourism opportunities or contract work may occur, but this work usually goes to the closest association.

One Richtersveld family used to accrue most benefits from RNP but this occurs less now. In contrast, lease money is distributed equally between about 70 family heads at KaNP. However, families contain any number of traditional owners, and although employment and training benefits are open to everyone, most accrue to two families with greater capacity.

Individual inequity occurs in RNP where park farmers have preferential grazing rights, good water provision and use of surrounding communal land. They once had preferential use of the Corridor West farms too. However, non-park farmers never used RNP land so there is actually little preferential treatment. The Corridor West farms have since been incorporated into the communal land, and there are proposals to annul the park farmer list and instead control total stock levels. Postberg shareholders have different share numbers, but those with over 100 can build a house. All houses are company-owned except for one to which the owner has title deeds. Funding of individual students occurs at Makuleke but choice is according to merit. At KaNP, money is divided equally between individual traditional owners, but western law prevents a few from being eligible. Historically, consultation occurred with a few powerful individuals and now focuses on more modern traditional owners. Men have always been consulted more than women.

The size of communities owning CNPs varied between 49 at Postberg, and 5,000-7,000 at RNP, Makuleke and KGNP. However, there appears to be no correlation between equity and community size. Pienaar (1999) notes no relation between conflict and group size or the type of landowning entity in his analysis of communal property institutions. He states that administrative and management support is the most important factor influencing equity. This research provides some support for his theory. Makuleke illustrates that a large landowning community need not lead to inequity. However, small communities such as at Postberg and KaNP do illustrate the highest levels of equity.

At AENP, Mayibuye Ndlovu (a national park/community institution) at first only benefited residents of the Nomathamsanqa community beside AENP. Projects have since occurred in Valencia and people now feel that all seven communities around AENP should benefit. Choosing who should benefit is clearly more subjective than in CNPs. Mayibuye Ndlovu projects aimed to maximise the number of people benefiting but were accused of benefiting only a very few.

In summary, CNPs provide a framework in which the dangers of common property access can be avoided. Ownership is usually clear and with few limitations. It can often be self-determined, but only within western legislative frameworks. Boundaries are also clear. CNPs provide many intangible benefits, the importance of which should not be underestimated. Intangible costs also need consideration. CNPs can accommodate a variety of natural resource utilisation and stakeholder rights, but in common with most CBNRM initiatives, rights are rarely unlimited. However, clarity regarding user identity is good, and conservation authorities help enforce exclusivity. Benefit distribution is relatively equitable, but inequity is also apparent at various levels. Thus, CNPs provide a framework within which social sustainability can be achieved. However, factors relating to CNP management can affect whether this objective is met, and are considered in the next chapter.

CHAPTER 6: MANAGEMENT CRITERIA

6.1 INTRODUCTION

A range of managerial factors affect the social sustainability of CNPs. Responsibilities of joint management stakeholders must be clear, and the levels of management should equate to the levels of production, benefit accrual, authority and capacity. Relations between joint management stakeholders are also important, but difficult to measure. Issues such as local history, conservation authority commitment, consultation effectiveness, power balances, management frameworks and process flexibility all affect relations. These are discussed below.

6.1.1 Clarity of Stakeholder Responsibilities

Successful CBNRM initiatives require clarity regarding where management responsibilities lie (Rudge et al. 1997; Hanekom 1996). The lack of such clarity is problematic in Australian CNPs where *“developers may expect that certain services should be rendered to them by the authorities, who in turn do not see it as their function, for example provision of water”* (De Villiers 1999a). Management plans can clarify management responsibilities. Such plans have been critical in ensuring co-management success in Australia (Pizzey and Robinson 1999).

In South Africa, the National Parks Act states that SANP is responsible for management, maintenance, and control of Schedule One National Parks, and cannot delegate this responsibility or make it subject to a joint management agreement. However, CNPs involve more stakeholders, and SANP may limit its powers and authority when an agreement is reached with a private landowner on matters regarding natural resource use, conservation, infrastructure construction, and visitor security and amenities. SANP remains the managing agent, but is no longer solely responsible for decision-making or even necessarily carrying out all management actions.

6.1.2 Proximity of Management, Production and Benefit Levels

Where responsibility for making management decisions and implementing management actions lies with more than one stakeholder, levels of management should equate to levels of production and benefit (Murphree 1997; Rudge et al. 1997). Where stakeholders benefit from their decisions and actions, incentives for effective management and initiative taking will exist. Conversely, where stakeholders are responsible for management from which they do not benefit, they have less incentive to be effective, and conflict may emerge when those due to benefit feel management is ineffective (Shackleton et al. 1998).

To ensure management levels equate to benefit accrual levels, devolution of management responsibilities may be necessary (Rukuni undated). Failure to address the need for devolved control has frustrated many CBNRM initiatives (IIED 1994). Politicians, bureaucrats and private sector allies are often unwilling to relinquish power and status to what they see as unsophisticated peasants. This makes the transition to communal property regimes difficult (Murphree 1996b; 1998). For example, the DEAT in South Africa advocates participatory

approaches in protected areas, but has reservations about too much devolution of control, which it feels can fragment conservation efforts (Wynberg et al. 1996).

6.1.3 Proximity of Responsibility, Authority and Capacity Levels

Community management stakeholders with decision-making and management responsibilities should have the authority and capacity to accomplish these responsibilities (Murphree 1998). This may require authority devolution (Rudge et al. 1997; Murphree 1996b; Rukuni undated). The strength of the connection between authority and responsibility will be determined by combinations of legal, political, socio-economic and cultural factors (Murphree 1996b).

The Zimbabwean Parks and Wildlife Act of 1975 conferred 'appropriate authority' status, primarily to white farmers, giving them land management authority. A 1982 amendment allowed two district councils to acquire 'appropriate authority' status in 1988. Government said that district councils should devolve 'appropriate authority' status to communities. However, this has only occurred through persuasion, as district councils have been unwilling to cede power (Murphree 1997). Thus, WADCOS, VIDCOS and other lower management levels have not been granted 'appropriate authority' status and act only as planning and administration units of questionable effectiveness (Murphree 1996a; 1997; Hassler 1995). The most successful CAMPFIRE projects, such as the Masoka community, are those where district councils have devolved *de jure* and *de facto* wildlife management powers to local communities. However, many district councils have granted *de facto* but not *de jure* control over management, and this is one of CAMPFIRE's largest weaknesses (Murphree 1997). It is hoped that in the future, communities will be granted 'appropriate authority' status, and district councils and higher government agencies will act more as trustees providing support at a higher level (Thomas 1995b). CAMPFIRE is not about protected areas, but illustrates well the importance of linking responsibility with authority for managing natural resources.

Where stakeholders lack the capacity to accomplish their responsibilities, problems occur. For example, communities often lack conservation management skills. The South African DEAT recognises this and describes a national need for training in natural resource management (Wynberg et al. 1996). Agency as well as community capacity can also be problematic. South African protected areas fall under a mixture of centralised and de-centralised control, and the provincial agencies managing some protected areas often lack the necessary financial and human resources (Wynberg et al. 1996; REDDA/NESDA 1995). In Australia, inconsistencies between territory and Commonwealth approaches to indigenous land rights and wildlife use also remain. Many NGOs support indigenous people, but most depend on relatively small and fluctuating amounts of government funding (Davies et al. 1999). Land councils, by contrast, are relatively well supported (section 1.4.3).

6.1.4 Relations Between Landowners and the Conservation Authority

Good relations between the community and the conservation authority are essential for the success of CBNRM initiatives. Shackleton et al. (1998) state that *“assurance could be obtained through formal police, monitoring and legal recourse, but this is much more costly than if resource users themselves are willing to develop relationships of mutual trust and reciprocity.”* True co-operative action requires that each party accepts economic, educational and cultural differences. Meaningful, honest dialogue without false expectation building must prevail (Lewis and Carter 1993; Fourie 1994; Kiss 1990). Borrini-Feyerabend et al. (2000) state that co-management initiatives require *“fostering the sharing of information and the discussion of problems, opportunities and alternative options for action.”* A former Chief Executive Officer of SANP also felt that CNP success relied on an atmosphere of trust between landowners and SANP, and involvement of the whole community.¹

Many factors affect relations between communities and conservation agencies. Recent research in South Africa² reveals that community attitudes to protected areas are determined by the strength of land ownership, the nature of the conservation agency and how the community perceives it, and the area's political economy, which affects community dependency on the protected area for livelihood provision. A poor community with high unemployment levels is likely to lead to a dynamic situation with limited protected area support. An area's history also affects relations, particularly in early stages. Many southern African protected areas disadvantaged local people by their establishment. Whites often viewed Africans as villainous wanton destroyers of natural resources, and themselves as saviours of the natural environment. They saw subsistence food gathering as illegal poaching (Lewis and Carter 1993; Fourie 1994; Carruthers 1993). Thus, longstanding antipathy between conservation officials and local communities characterised relationships. Trust is problematic in South Africa where *“forced removals have eroded social relations, and, in the past, the apartheid state deliberately forced mistrust”* (Shackleton et al. 1998). Areas with such a history may be unwilling recipients of new community conservation initiatives (Kiss 1990; Brown 1996). Poor relations are also common in Australia where colonial rule instigated a long relationship of mistrust between Europeans and Aboriginal people. Removal of discriminatory clauses from the constitution only occurred after a 1967 referendum.

Conservation authorities must commit themselves to community objectives to maintain good relations. Murphree (1996b; 1997) even states that to be sustainable CBNRM initiatives should prioritise development objectives over conservation objectives. The success of CAMPFIRE initiatives such as that in the Masoka community is partially due to their focus on development (Murphree 1996b). Another CAMPFIRE community in Zimbabwe's Guruve District prioritised sustainable productivity and measured elephant and buffalo tusk and horn size to adjust annual hunting quotas. This, and other informal population monitoring, such as noting crop damage levels, ensured wildlife use was sustainable. Thus, community and conservation authority goals often overlap, and conservation authorities should assist with community problems such as poor

banking facilities and bookkeeping skills (Murphree 1998). However, development objectives are unlikely to take precedence over conservation objectives in national parks. Conservation authorities may stress the importance of community development, but their capacity and motivation means that development aspects of projects are often marginalized. Traditional management approaches are rarely taken seriously and 'co-management' is characterised by coercion rather than interactive dialogue (REDDA/NESDA 1995; IIED 1994; Brown 1996). Policy changes have little effect as new structures easily disguise old practices (Hulme 1997a). For example, the mountain gorilla project in Volcanoes National Park, Rwanda, has increased gorilla numbers, and earns much revenue from foreign tourists, but development has been minimal. The park provides few employment or education opportunities, and visiting the gorillas is prohibitively expensive for locals (Vedder and Weber 1990).

SANP policy suggests considerable organisational commitment to community development. The Corporate Plan states that when national park establishment is proposed, SANP will "*determine the potential social and economic impacts on local communities*" and develop participatory processes to meet SANP and community needs. The Social Ecology unit aims to "*nurture good relations with communities adjacent to national parks, and to take full account of local cultural values and resources in park development and management*" (SANP 1998). Despite this policy and rhetoric, Social Ecology was given little power, and staff turnover, *ad hoc* donor agency interventions and limited funding reinforced the attitude that Social Ecology was a 'nice to have' activity, peripheral to SANP's core business. Many SANP officials have continued to try and maximise their control over the conservation estate (Steenkamp and Grossman 2001). SANP staff themselves state that "*a mind shift is required from those involved in conservation*" (de Villiers 1999b), and that SANP has not prioritised resources for community involvement.³ Such issues are less problematic in Australia where Parks Australia is strongly committed to Aboriginal involvement and development.

Good relations require commitment and sensitivity from conservation officials. Before establishment of the Madikwe Game Reserve, South Africa, a socio-economic survey was conducted to assess community needs and hopes, and community participation occurred in planning wherever possible (Magome et al. 1998). Good relations with North-West Parks Board officials led to 70% support from the Madikwe community⁴ despite its weak tenure (Madikwe development task team 1994). Personalising community conservation initiatives commonly occurs. This has been problematic in Zambia (Mwima 1996). However, the success of the Cofán Ecotourism Project in Ecuador relied heavily on Randy Borman, leader of the Zábalo Cofán community (Ortiz von Halle 1999). Likewise, the relative success of the Masai Mara Game Reserve compared to Amboseli National Park in Kenya, despite their similar starting points, could be attributed to Major Lynn Temple-Boreham. He had excellent relations with the Maasai and other tribal groups. He suggested a reserve, and provided them with training and assistance whilst respecting their customs. By contrast, Amboseli was mismanaged by a district council

and therefore proclaimed as a national park from which local communities were excluded (Talbot and Olindo 1990).

Effective consultation improves relations. Lawrence (2000) states that *"joint management is essentially the continuing process of consultation and negotiation leading from the foundations provided by structural guarantees."* Pizzey and Robinson (1999) also state that co-management should be an ongoing process of clarification and negotiation. Geldenhuys (1993) states that consultation with local communities *"takes up much more time, but it is essential to ensure that national parks are not regarded as independent or artificial islands."* The KaNP Plan of Management (1999) states that *"joint management cannot work unless the partners trust each other and are committed to making it work"* and that *"joint management is about deciding things, solving problems and sharing responsibility for decisions. It is about the joint management partners feeling comfortable in the relationship and that they benefit from it."*

Consultation must be appropriate and involve constructive dialogue rather than a one-way flow of technical knowledge. For example, when the Natural Resources Council of Bawa, Mozambique visited a successful CAMPFIRE initiative, each group had a conceptual grasp of details required for project success, but discussions were in local idiom rather than abstract professional vernacular (Murphree 1997). Sociological surveys such as those conducted around Ruaha National Park, Tanzania (Hartley 1996), can improve understanding of community needs, aspirations and use of wildlife (Kiss 1990). However, modern science often emphasises computer-generated models measuring conservation priorities rather than spending time with people (Pimbert and Pretty 1995). Many CBNRM projects are conceived outside the community and often outside the country, and few project initiators have a history of working locally or the trust of local people (Fourie 1994; Murphree et al. 1998; Kiss 1990). Information exchange sometimes relies on newspapers, which communities rarely read (Kiss 1990), and NGOs and donors often try to impose their own ideologies on communities (ODA 1996). CAMPFIRE's relative success is partially attributable to the fact that it was conceived in Zimbabwe, and most involved agencies were Zimbabwean in personnel and perspective (Murphree 1996a).

An even power balance between the conservation authority and the community is a key component of good relations, particularly in co-management, where stakes are high and it is futile to expect neutrality (Steenkamp quoted in IUCN 1998). Joint management is not simply a set of legal documents, a joint management board, or large resource allocations and commitments to employment and development. It *"is essentially about partnership across unequal constituencies, and for it to be successful there must be some mutuality, not simply camaraderie or personal commitment"* (Lawrence 2000). A former SANP Chief Executive Officer added that CNP success relies on landowners feeling that the playing field is even.⁵

Such mutuality does not always occur. Effective co-management requires available information to be truthful and complete (Borrini-Feyerabend et al. 2000) but an unequal knowledge base can shift the power balance to the conservation authority. Many Africans received little training in

conservation and wildlife management in the colonial era (IIED 1994), and therefore lack technical knowledge, and organisational and financial management skills (Carnegie et al. 1998). Power imbalances also occur where one party has more control over certain aspects of joint management than another. Joint management must involve *“the devolution of power from the management agency to the community”* (Lawrence 2000). However, Australian conservation authorities still control CNP budgets, thus undermining equitable decision-making (Davies et al. 1999). Gillespie et al. (1998) state that power imbalances resulting from a history of distrust and underwritten by entitlements in legislation and leases are a key impediment for indigenous participation in Australian biodiversity conservation.

Imposing foreign management frameworks can shift power balances to the conservation authority, particularly where communities have traditional management frameworks and languages. A critical challenge of co-management is *“to develop a partnership among people who do not share the same culture”* (Borrini-Feyerabend et al. 2000). In Australia, finding ways to integrate Aboriginal people into decision-making processes, facilitating advancement and employment, and resolving conflict *“within a framework that acknowledges that it is an imposition, and not a model, is critical”* (Lawrence 1995). Western decision-making structures will not succeed unless indigenous people have meaningful input into their purpose and form (Lawrence 1999). Aborigines see culture and biodiversity as intimately linked but European approaches do not allow for this. European understanding of traditional knowledge and knowledge ownership, and traditional management systems is poor and many Europeans are insecure about indigenous history and use of country. These are key impediments to indigenous participation in biodiversity conservation (Davies et al. 1999; Gillespie et al. 1998). In Africa, many conservationists advocate switching from livestock farming to more lucrative land uses, but this ignores the social value that rural people place on cattle (Child 1990). Kenyan Maasai use livestock as currency and food. Cattle are highly symbolic and the key ‘currency’ for paying bridal prices (Child 1989). Many African conservationists are educated in western management styles, which may not be appropriate for African flora and fauna and encourages the loss of African values. Few journals and referees recognise traditional management approaches so western views on African conservation predominate (Lewis and Carter 1993). African conservationists are accused of being casual and unreliable but decision-making delays are often explained by consensus building traditions (Kiss 1990).

Good relations rely on stakeholders recognising that joint management is a flexible evolving process, accommodating changing hopes and requirements, and allowing parties to be creative. It should not be a rigid model locking parties into inflexible positions. Joint management *“requires a continual reassessment of goals and objectives”* (Lawrence 2000). It is *“the process of continual negotiation and conflict resolution that can only commence after the formal structures are established. Joint management is process not structure”* (Lawrence 1995). Co-management is a *“lengthy and sometimes confused process, involving frequent changes, surprises, sometimes contradictory information, and the need to retrace one’s own steps”*

(Borrini-Feyerabend et al. 2000). Management should be adaptive rather than prescriptive, thus allowing actors to correct their management actions continually in response to signals from monitoring (Wells 1996a; Murphree 1998; Murphree et al. 1998). Some believe that process is everything, and that longer processes allow more opportunities to work through problems (Pienaar 1999). Fuentes (1993 quoted in Murphree 1998) states that “*sustainable development is a trajectory within certain bounds, rather than a particular state.*”

Table 24: The blueprint versus the learning process.

	The blueprint approach	The learning process
Point of departure	Natures diversity and its commercial values	The diversity of people and nature
Keyword	Strategic planning	Participation
Decision-making	Centralised	Decentralised
first steps	Data collection and planning	Awareness and action
Design	Static and carried out by experts	Evolving with people involved
Main resources	Central funds and technicians	Local people and their assets
Methods	Standardised, universal, a fixed package	Diverse and varied, a basket of choices
Analytical assumptions	Reductionist (natural science bias)	Systemic, holistic
Management focus	Spending budgets, and completion of project on time	Sustained improvement and performance
Communication	Vertical: orders down, reports up	Lateral: mutual learning and sharing of experiences
Evaluation	External, intermittent	Internal, continuous
Error	Buried	Embraced
Relationship with people	Controlling, policing, motivating, inducing, dependency creating. People are beneficiaries	Enabling, supporting, empowering. People are seen as actors
Outputs	Conservation. Uniformity of production. Empowerment of professionals	Conservation. Diversity of production. Empowerment of rural people
Assumptions about reality	Single and tangible	Multiple and socially constructed
Associated with	Normal professionalism	New professionalism

Source: adapted from Pimbert and Pretty (1995).

Pimbert and Pretty (1995) compare what they call the blueprint approach to natural resource management with the learning process, and conclude that conservation needs a “*new professionalism*” (Table 24). They argue that the positivist approach of ‘hard’ scientists cannot

accommodate the complex dynamic processes of sustainability alone, and that a pluralist approach also embracing 'soft' sciences such as economics, philosophy and sociology is needed. They add that there is no one correct way to ensure sustainable development, and that management requires continual learning to retain legitimacy in a changing world.

Zimbabwe's Masoka community illustrates the benefits of adaptive management. In non-drought years such as 1993 and 1994, most revenue was used for local infrastructure development, but a 1991 drought led to crop failure and 80% of CAMPFIRE revenue instead went to household dividends (Murphree 1996b). Such project flexibility is not present in the Ngorongoro Conservation Area, Tanzania. Maasai needs and hopes have changed, but the project design has not accounted for the growing desire for small-scale agriculture (Child 1989). Changing external conditions must also be accommodated. For example in South Africa, population changes will have a large affect on rural areas, HIV is in the early stages of an epidemic, and climatic changes mean that by 2030 temperature increases will make maize growing harder and reduce ungulate species richness, and that by 2020 there will be a national water deficit (Dalal-Clayton 1997).

This chapter assesses the managerial factors affecting CNP social sustainability. It assesses whether responsibilities of joint management stakeholders are clear, and whether the levels of management equate to the levels of production, benefit accrual, authority and capacity. Relations between joint management stakeholders are also determined by assessing issues such as local history, conservation authority commitment, consultation effectiveness, power balances, management frameworks and process flexibility.

6.2 RESULTS

6.2.1 Clarity of Stakeholder Responsibilities

The national conservation authority was responsible for most management under the direction of a joint management board or plan in all CNPs (Table 25). Board roles were also clear. Thus, CNPs differ little from national parks such as AENP in terms of management responsibility clarity. There was little to differentiate between CNPs regarding the roles of the conservation authority and joint management boards, perhaps because CNPs provide a framework within which management responsibilities can be clearly and practically defined. Landowners had minimal responsibilities, particularly in Australia where Aboriginal participation in joint management was almost entirely consultative. Other responsibilities for CNP management lay with various government tiers, individuals such as Hans Hoheisen, private sector groups such as mines, lodge owners and Aboriginal associations, and non-profit groups such as trusts, WWF-SA and land councils. Some CNPs involved numerous stakeholders. This sometimes, but not always, led to a lack of clarity regarding where management responsibilities lay. However, clarity was more often reduced by the absence of an accepted management plan, an ineffective joint management board, situations where the conservation authority involved itself in local

government responsibilities, or where one NGO undertook the same responsibilities as another. CNPs are unlikely to provide the levels of clarity regarding where management responsibilities lie that Schedule One National Parks demonstrate, but all provided quite high levels of clarity despite the many stakeholders involved. This was particularly true where effective joint management boards and plans existed.

Table 25: Conservation authority and landowner responsibilities in CNPs.

Contractual national park	Conservation authority management responsibilities	Landowner responsibilities
The Postberg Section of WCNP	Conservation management and costs. Liaison with Syndicate. Access and tourism management.	Construct and maintain houses. Approve SANP proposals. Enforce Syndicate rules.
The RNP	Conservation management and costs. Nursery establishment. Paying BPK costs.	Advise BPK members. Register and control stock.
The Makuleke Region of KNP	Conservation management and costs.	Conservation management (in time). Tourism management.
The Southern Section of the KGNP	Conservation management and costs.	Tourism management (probably).
Kempiana, adjacent to KNP	Conservation management and costs. Passing management plan. Housing staff.	None.
Melkbosrand, AFNP	Conservation management and costs.	None to date.
UKTNP	Conservation management and costs. Cultural heritage management programmes. Tourism management. Prioritising Anangu law. Ensuring effective consultation occurs. Funding Mutitjulu services.	Maintain traditional law. Employment by or consultation with Parks Australia. Traditional ceremony and sacred site care.
KaNP	Conservation management and costs. Tourism management. Paying board costs.	Maintain traditional law. Some burning. Employment by or consultation with Parks Australia. Traditional ceremony and sacred site care.

6.2.1.1 The Postberg Section of West Coast National Park

The contract states that SANP, in co-operation with the Syndicate, will determine a strategy for Postberg's management and development. SANP is responsible for implementing management decisions, fauna and flora conservation and maintenance of roads, boundary and internal fences. SANP must report back to the Syndicate on management issues, and it shall pay all maintenance, management and development costs. The contract states that SANP must approve proposed sewerage systems, buildings or building alterations. It must supervise Syndicate members, other

authorised people and the general public, ensuring their behaviour is orderly and controlled, and prevent public access to Syndicate living areas. It must erect public information signs about acceptable behaviour to this end. It must also provide appropriate tourist facilities at stipulated sites if necessary. It must control access, and ensure no more than 300 cars and 10 buses are on Postberg at any one time. The contract states that the Syndicate must approve 'living plot' locations and camping in living areas, and employ surveyors to assess proposed 'living plot' boundaries. The contract lists many areas where Syndicate approval for SANP proposals is required. These include researcher access, exceeding tourist number limits, walking tours, road construction or widening, building construction or alteration and sewerage system construction.

Interviewees agreed joint responsibilities included management plan production and board decision-making. They reiterated many of SANP's contractual obligations and added that SANP was responsible for managing and maintaining specified game levels, water provision, rubbish removal, infrastructure maintenance and development, and maintenance of roads to Syndicate houses. SANP must also pay directors' transport to meetings and for independent mediation when necessary. It must check permits, and manage security.

Syndicate responsibilities relate mostly to their own houses and approving SANP management actions. Interviewees said that Syndicate members must maintain their houses, ensure they are built according to agreed styles, and ensure SANP approves changes. The Syndicate must also advise SANP when requested, and ensure Syndicate members adhere to house rules by not farming, keeping pets or allowing visitors without direct family presence.

All interviewees, the Syndicate lawyer and the WCNP Social Ecologist agreed that responsibilities were very clear. Interviewees added that board meetings sorted out uncertainties and reminded SANP to do things. Fastidious minuting of meetings ensured items were not forgotten, and written instructions ensured clarity. The Management Plan, contract and house rules provided clarity, although the WCNP Social Ecologist doubted whether the Management Plan was effective.⁶

6.2.1.2 The Richtersveld National Park

The contract states that SANP must manage and develop RNP according to the Management Plan, law and contract conditions. SANP must also establish a nursery. The contract states that the Corridor West farms are state-owned and that "*the Department of Local Government, Housing and Agriculture...House of Representatives agrees to develop the state land in such a manner that it can be used for cattle-farming purposes.*" After the 1994 elections, this department was replaced by the Department of Housing and Local Government of the Province of the Northern Cape, which was responsible for the administration and development of the Corridor West farms. The contract states that the BPK must "*draw up a management plan for the management of the park.*" The Management Plan adds that the BPK is responsible for strategic planning and policy formulation. RNP management in accordance with the plan is the Park Warden's responsibility, but the action committee, consisting of the Park Warden and community BPK members, can be

convened between formal BPK meetings, and *“is normally concerned with short-term aspects of management and issues that need close and regular consultation with the community.”* The Management Plan adds that the BPK must ensure the community is kept informed about developments. The Trust Act states that *“trustees must arrange at least one public meeting at least once a year to report to the residents of the northern Richtersveld.”* It is clear that SANP is not involved with the trust, other than providing it with rent for RNP.

Most interviewees felt management responsibilities were clear, but two said an accepted management plan would improve clarity. All agreed that SANP must conduct day-to-day management, and gave as examples: tourist facilities, roads, policing, veld and animal management, donkey removal, wind pump maintenance, stock level checks, budget decisions and Corridor West farm management. One interviewee said that the Park Warden made day-to-day management decisions, guided by the unaccepted management plan. He said the plan was 95-99% acceptable to the community and that only issues like donkey numbers still caused dissension. Interviewees said that SANP failed to establish a nursery, and two said that one RNP road was a mining company's responsibility.

One interviewee said the Department of Mineral and Energy Affairs was responsible for EIAs and two said that local government was or would be more involved with stock control and regional grazing management. The DLA is transferring the Corridor West farms to the local government for use as communal land.⁷

Interviewees said the Richtersveld community had to advise its BPK representatives, register and control stock numbers and decide who can mine. BPK members had to attend meetings and interviewees said that the BPK had to make decisions about key issues such as new camp or road placement, stock control, donkey removal and passing the management plan. Who should pay for BPK members to attend meetings remained problematic. People generally felt that the community should pay, perhaps through the trust, but members have until recently paid for themselves and SANP is now paying until the issue is resolved.⁸

6.2.1.3 The Makuleke Region of Kruger National Park

The contract states that *“SANP and the CPA shall establish a JMB”* and that SANP shall *“undertake as agent of the JMB all such things necessary for the day-to-day conservation management and control of the Makuleke Region as directed by the JMB.”* Interviewees said that SANP does all management due to poor community skills and financing. This includes road, fence and water-hole maintenance, electricity and water provision, disease control (such as bovine tuberculosis), communication with other communities and government, fire management, poaching control, law enforcement and gate manning. More recently, a Joint Management Committee has been formed to work under the JMB implementing management actions.⁹

The contract states that *“the CPA shall become involved in the day-to-day conservation management of the Makuleke Region”* and that the JMB shall annually review progress made *“in*

the transfer of skills to the CPA, and identify options and strategies for the forthcoming year to facilitate the transferring of skills to the CPA." Interviewees reiterated these intentions, and Makuleke interviewees anticipated that after five years capacity increases would allow them to take on new responsibilities. However, more detail and a time-frame for skills transfer was absent. SANP will always remain responsible for law enforcement.

The contract states that the CPA *"is entitled to enter into agreements with developers of their choice, and engage with partners of their choice to undertake any commercial activity on the land."* It adds that costs relating to this will be borne by the CPA and *"costs relating to the establishment and/or maintenance of infrastructure utilised for both commercial activities and the operational management of the Makuleke Region shall be borne by the parties in such proportions as the JMB may determine."* Interviewees were clear that the community was solely responsible for commercial development. They said all parties were clear about where responsibilities lay, and that the contract was also clear. Nevertheless, some felt clarity might not continue and that SANP was already trying to shift responsibility for certain management activities. Others felt the institutionalised dichotomy between community responsibility for commercial development and SANP responsibility for conservation could cause problems and that the JMB would need to refine responsibilities and resolve arising conflicts. However, follow-up interviews over a year after initial interviews revealed that responsibilities remained clear and SANP had accepted its duties.¹⁰

6.2.1.4 The Southern Section of the Kalahari Gemsbok National Park

Responsibilities have not been finalised, but SANP will probably bear land management duties.

6.2.1.5 Kempiana, Adjacent to Kruger National Park

Documentation is clear that SANP must manage Kempiana and Vlakgezicht. The Deed of Donation states that Kempiana must be managed like KNP by the NPB. The Kempiana management agreement states that the property will be a CNP, developed and managed by the NPB as part of KNP, subject to Deed of Donation conditions. It acknowledges the traversing agreement between SANPT and Ngala. The Vlakgezicht management and lease agreements state that the NPB will manage the land. Management activities include road, western boundary fence and water point maintenance, poaching control and burning¹¹ (Pietersen 1999). SANP has produced the many management plans with input from stakeholders such as the Ngala manager on Kempiana roads.¹² Nine SANP staff work in the CNP,¹³ plus the Section Ranger who also manages 800km² of KNP wilderness.¹⁴ There is confusion regarding staff housing for which all parties deny responsibility. SANP says it cannot afford housing costs and will not build on land it does not own, but WWF-SA feels SANP must house its own staff.¹⁵

Some responsibilities do not lie with SANP. The Deed of Donation states that Hans Hoheisen and/or Miss Lahann will maintain their house during their lifetime, and pay household electricity costs, rates and taxes. Hans Hoheisen must also maintain his borehole (Pietersen 1999). The Vlakgezicht lease agreement states that Ngala will refurbish and insure buildings, arrange a

lodge water supply and pay all relevant rates and taxes. Ngala and ConsCorp must pay their bills¹⁶ and maintain Vlakgezicht roads. They pay SANPT¹⁷ and Timbavati to do this but some feel it should be SANP's responsibility.¹⁸ WWF-SA owns and is responsible for SAWC (SAWC 1998). The German government insisted that WWF-SA underwrite SAWC for 15 years until it reaches financial independence.¹⁹ This has not yet occurred. SAWC must maintain its buildings,²⁰ manage burning, build roads and alter fences in its area (Pietersen 1999; SAWC 1998), and pay SANP staff manning the SAWC gate.²¹ Veterinary authorities require a fence.²² Timbavati must maintain the peripheral electric fence²³ (Pietersen 1999), although as at Vlakgezicht, some feel this should be SANP's responsibility.²⁴ In practice both SANP and Timbavati maintain the fence.²⁵ SANPT's only responsibility is to approve the management plan.²⁶ The Ngala manager felt responsibilities lying with parties other than SANP were clear.²⁷

The lack of an accepted management plan means clarity regarding management is poor. This is problematic as stakeholders' views on management differ. An accepted plan would also improve continuity in the face of changes such as new SAWC directors.²⁸ Various contracts refer to a Master Plan, but whether this plan is for Kempiana, Vlakgezicht or KNP is unclear.²⁹ The 1992 Vlakgezicht lease agreement refers to a Master Plan *"to be drawn with the consent of both parties and the NPB indicating existing and future roads, hiking trails and watering places."* However, the 1992 Vlakgezicht management agreement states that management shall be in accordance with KNP's Master Plan. It adds that SANPT *"undertakes not to agree to any amendment of the Master Plan regarding existing and future roads, hiking trails and watering places"* without NPB consent, but it is unclear which master plan this refers to. The Kempiana traversing agreement states that the Master Plan indicates *"roads, hiking trails, watering places, game viewing towers and hides, dams, water holes and boreholes"* but again, which master plan this refers to is unclear. The SANP Section Ranger has drawn up five consecutive management plans. These have varied in the proposed management committee composition and how similar management would be to that of KNP. However, SANP top management has accepted none to date, despite the most recent one's close alignment with the KNP Master Plan. This may be because SANP does not see the management plan as an evolving document.³⁰

The contracts are even more contradictory regarding the Management Committee for Kempiana and Vlakgezicht. The Section Ranger said that these legal ambiguities reduced clarity amongst stakeholders regarding responsibilities, and facilitated manipulation of CNP management. This situation may have arisen due to the lack of initial effective assessment regarding stakeholder roles.³¹

6.2.1.6 Melkbosrand, Augrabies Falls National Park

If a CNP is negotiated, SANP is likely to bear all land management responsibilities.

6.2.1.7 Uluru - Kata Tjuta National Park

The Director of National Parks and Wildlife is the UKTNP lessee. The lease states that he will try *"to ensure compliance by all persons with the Act, regulations under the Act and the Plan of*

Management." This Act is the National Parks and Wildlife Conservation Act, since replaced by the EPBC Act of 1999. He must ensure board decisions are implemented and oversee day-to-day management through Parks Australia staff in accordance with world best practice. He must ensure that qualitative and quantitative benefits accrue to traditional owners (Plan of Management 2000). The lease states that Parks Australia must "*provide such capital equipment and machinery as is reasonably required*" for road maintenance and other UKTNP improvements. It must maintain specified staffing arrangements, fund board administration and keep Tjukurpa (Plan of Management 2000). It must implement the Plan of Management, ensure cross-cultural awareness, manage power, water, sewerage, generators and bores, control weeds and erosion, conduct re-planting and fire management (Morgan 2000), and advise the board and Director.³² Most Parks Australia day-to-day responsibilities involve visitor management³³ (OJM 1999). To this end UKTNP is zoned with intensive, intermediate, minimum use and wilderness areas (Australian Nature Conservation Agency 1995). Tourist facilities are maintained, and entrance fees collected and audited (Plan of Management 2000). Parks Australia does law enforcement, rescues, interpretation, and tourist and tour operator education (Morgan 2000). The Governing Committee of Mutitjulu Community Incorporated must manage Mutitjulu housing, environmental health, the cemetery, administration (Plan of Management 2000), essential services, the health clinic, education and schooling (Morgan 2000). However, Parks Australia must fund Mutitjulu's water supply, power, gas, sewage processing, and rubbish disposal³⁴ (Plan of Management 2000). This sometimes leads to conflict between UKTNP and the governing committee.³⁵

The EPBC Act lists board functions. The Park Manager feels that problems occur when the board involves itself in UKTNP management issues, and that it should only operate at a policy level.³⁶ The Office for Joint Management (OJM) must ensure Anangu know about activities proposed by Parks Australia and other UKTNP users (OJM 1999). However, it is also involved with management, which the Park Manager feels is inappropriate. Instead the OJM should focus on its role as a communication facilitator.³⁷ More integration between the OJM and Parks Australia could reduce the number of institutions and improve clarity about roles.³⁸ The OJM also provides secretarial services and support for the board (Plan of Management 2000).

Many institutions are involved with joint management, and there are concerns that they do not work together as they should (Morgan 2000). Strong individual personalities in particular can obscure institutional roles.³⁹ Roles need more definition to raise accountability.⁴⁰ For example, the CLC must also facilitate communication with appropriate Anangu.⁴¹ This can cause confusion when the OJM and the CLC each think the other is responsible for certain tasks.⁴² There is also confusion between the roles of the board and the Mutitjulu Community Council and "*an urgent need to achieve agreement about what is park business and what is Council business*" (Morgan 2000). Interviewees also commented on confusion between Parks Australia and other institutions regarding Mutitjulu housing and services provision.⁴³

Anangu's primary responsibility is to maintain Tjukurpa. Caring for the land is a key part of this and has much in common with western approaches to natural resource management. The Plan of Management (2000) states that responsibilities include "*growing the country by doing the right things - for example, hunting at the right times of the year and not at the wrong times or in the wrong way... cleaning and protecting rock waterholes...(and)...burning work.*" Traditionally, those born at a place have more responsibility for it. Being born on an ancestral track leading to a site also increases responsibility for that site (Australian Nature Conservation Agency 1995). However, the Plan of Management states that both Parks Australia and Anangu are responsible for looking after the country in accordance with Tjukurpa. Activities such as waterhole maintenance, which is traditionally an Anangu responsibility under Tjukurpa, are now included in the Plan of Management's operational strategy. In practice, management by Anangu occurs only through employment with Parks Australia⁴⁴ (Woenne-Green et al. 1993). Most interviewees reiterated this. One said that Aboriginal people were reasserting their traditions and UKTNP was learning from this, for example with fire management, but another said consultation was tokenistic and Aboriginal input was minimal, even with fire management. Examples of Anangu involvement in management given by interviewees included working as rangers, traditional consultants or for Anangu Tours, rock art and sacred site protection, cleaning water holes, weed removal, catching animals, caring for country and teaching people about this, caring for visitors and fire management. Additional responsibilities included liaison with Parks Australia staff and board members, vetting and supervising UKTNP access applications and development proposals, staff interviews, vetting interpretative material from UKTNP, the press and elsewhere, participating in staff cultural training, attending meetings, administering (with the CLC) gate money distribution, and liaising with tour operators, Yulara and other tourist organisations (Woenne-Green et al. 1993).

Keeping Tjukurpa involves maintaining traditional ceremonies (Plan of Management 2000). Non-Aboriginal people may not participate in most ceremonies, and lack knowledge about care of sacred sites under Tjukurpa.⁴⁵ Thus, this responsibility clearly lies with Anangu.⁴⁶ One interviewee said this was Anangu's only real responsibility. The Plan of Management (2000) states that cultural heritage management should be "*a joint management initiative controlled by senior Anangu Law men and women.*" Cultural issues hold most interest for Anangu,⁴⁷ but even here Parks Australia has taken over Anangu responsibilities by establishing a cultural heritage management programme.⁴⁸ It was unclear how much Parks Australia should be responsible for cultural heritage management and whether Aboriginal people should be paid for traditional activities such as cleaning water holes.⁴⁹ Parks Australia has taken its commitment to conserve UKTNP cultural values seriously, but has taken over many Anangu responsibilities. Even Anangu stories are recorded for tourist presentations. Anangu want to develop their understanding and involvement with decision-making and management (OJM 1999), but disempowerment and loss of traditional management skills may have been exacerbated.

Most interviewees felt there was clarity about where responsibilities lay. Comments included the board's key role in decision-making and policy formulation. Aboriginal people used to want more consultation, for example regarding road placement, but the Plan of Management now ensures this occurs. Parks Australia and Anangu both have a say in road placement and learn from each other, but Anangu are the traditional owners and their law is 'number one'. The OJM is another key role-player, For example, it ensures appropriate consultation occurs when film crews arrive.

6.2.1.8 Kakadu National Park

The Director must manage KaNP through Parks Australia, which undertakes day-to-day management activities (Plan of Management 1999). The Kakadu and Jabiluka leases require the Director to "*provide such capital equipment and machinery as is reasonably required*" for management. He must also prepare and implement the Plan of Management with the board (Plan of Management 1999; Woenne-Green et al. 1993). Other organisations only carry out management through contracts with Parks Australia.⁵⁰

The Plan of Management states that Bininj/Mungguy must care for country as part of their traditional culture. In practice, they do little KaNP management and these responsibilities are far from shared.⁵¹ Fire management is a key part of traditional culture and Bininj/Mungguy help develop and implement fire programmes. Nevertheless, management is essentially conducted by Parks Australia (Plan of Management 1999) and Aboriginal rangers may not burn without District Ranger permission.⁵² Aboriginal people rarely light fires outside management,⁵³ and conflict can occur with KaNP staff when they do.⁵⁴ Some Bininj/Mungguy feel excluded from fire management (Plan of Management 1999) and others resent Parks Australia involvement with burning.⁵⁵ Another example of Bininj/Mungguy disempowerment is Parks Australia paying Aboriginal people to attend board meetings and make decisions about their land.⁵⁶ To reduce disempowerment, Parks Australia has tried paying two Aboriginal people to burn the land their way.⁵⁷ However, Weaver (1991) noted that Bininj/Mungguy wanted no responsibility for day-to-day management and that 1984 and 1985 attempts to share responsibilities failed as traditional owners only wanted to be involved in planning and determining policies. This was best achieved by an Aboriginal majority on the board and involvement in preparing the Plan of Management (Weaver 1991). Bininj/Mungguy remain uninterested in issues like road construction but are keen to be involved in cultural issues.⁵⁸

Bininj/Mungguy are responsible for practising traditional ceremonies, site maintenance, and cultural activities⁵⁹ (Plan of Management 1999). Under traditional law, primary land management responsibility falls to senior local descent group members. However, other individuals may have special custodianship over sacred sites⁶⁰ (Lawrence 2000; Press et al. 1995). This can be gender-based and unlike ownership may be inherited matrilineally.⁶¹ The Plan of Management (1999) adds that there are "*Aboriginal people who are recognised by other Aboriginal people in the region as the owners or custodians of the land in the park but who*

have not had their interests formally recognised under the Land Rights Act.” For example, “Jawoyn traditional owners have said that sometimes cultural custodians will have to be involved in giving advice on looking after country.” European law and attitudes lack the flexibility to understand and adapt to such complex relationships between traditional owners, custodians and land.⁶²

Aboriginal associations, individuals and other services must establish and manage Aboriginal living areas (Plan of Management 1999). Parks Australia services roads used by rangers and tourists but there is conflict over who should service roads to outstations.⁶³ These are serviced by the Northern Territory government, relevant Aboriginal associations or leaseholders (Plan of Management 1999).

The EPBC Act lists the board’s functions. There is not enough money for all Plan of Management policies so the board must also determine where priorities lie.⁶⁴ Clarity regarding where management responsibilities lie is good and causes little conflict.⁶⁵ Nevertheless, sometimes there is ambiguity regarding responsibilities. KaNP’s cultural heritage management unit is in poor shape and needs Aboriginal management but no one is qualified enough.⁶⁶ One board member is also a ranger and struggles to direct policy whilst taking orders from a district ranger.⁶⁷

6.2.2 Proximity of Management, Production and Benefit Levels

The CNP provides a framework in which management responsibilities can be located at the same level as that at which production occurs and benefits are accrued. For example, conservation authorities were always responsible for conservation management. Aboriginal owners at UKTNP and KaNP were responsible for traditional ceremonies, and in South Africa, CNP owners often had, or are likely to have, control over commercial operations such as tourism, and access to ensuing benefits.

Landowners often had few management responsibilities. For example, the role of Australian traditional owners was merely to advise on issues such as cultural conservation. Although they recognised the need for cultural heritage management programmes, these programmes were initiated and maintained by Parks Australia. Involvement of stakeholders other than the landowners or conservation authority can separate the level at which benefits are accrued and responsibilities lie. This has been problematic in several CNPs.

Where possible, the levels at which management occurs should equate to the levels at which benefits are accrued, but this is not necessarily a prerequisite for success. SANP Social Ecology projects and Parks Australia support for maintaining traditional culture have met with some success. However, such success generally occurs where the conservation authority employs officials specifically dedicated to cultural and development issues. Community development project failure at Kempiana and AENP illustrates that projects are more likely to fail when the

conservation authority has no contractual obligations to focus on issues other than conservation and tourism management, as incentives for project success are smaller.

6.2.2.1 The Postberg Section of West Coast National Park

The Syndicate values security, privacy, no management responsibility and conservation more than monetary benefits. Under SANP management these have all improved. However, security and privacy are common board meeting issues, perhaps because they are the responsibility of SANP for whom they are not a key concern. SANP must also pay for Syndicate director meeting attendance costs, conflict mediation and security and maintenance of roads to Syndicate houses. It only partially benefits from these. It must empty Syndicate rubbish bins, which it does not benefit from. However, the Syndicate is responsible for 'living plots,' over which, the contract states, SANP has no powers.

SANP benefits from controlling Postberg management and development and from tourism and game sale income. It manages conservation, although Syndicate members sometimes interfere with this.⁶⁸ However, it cannot make Postberg economically sustainable because the Syndicate severely limits most opportunities for SANP to earn revenue. Visitors may not enter Postberg for 49 weeks each year, and their numbers are limited during the flower season and on hiking trails. The Syndicate will not allow tourists to overnight on Postberg or neighbouring Tzaarsbank. SANP must even obtain Syndicate approval for game sales.

6.2.2.2 The Richtersveld National Park

Different interviewees said that SANP, local government and the Richtersveld community should control stock numbers. Control mechanisms are one of SANP's biggest problems. SANP felt park farmers should control stock numbers (Eco-Africa 1999a), but some Richtersvelders felt SANP should do this. Local government may get involved if it draws up a regional grazing management strategy as required by the 1998 Transformation of Certain Rural Areas Act.⁶⁹ Proposals to regulate stock numbers rather than farmers may further obfuscate who should control stock, as responsibility would no longer lie with individuals (Hall-Martin et. al 1992). Local government would have more power to deal with rule breakers but would probably have less interest in prioritising stock control than SANP. Thus, RNP stock numbers may increase.

Many of SANP's community projects were successful, but it failed to establish a nursery as required by the contract, perhaps because it stood not to benefit, as nursery profits would have gone to the community trust. SANP pays BPK members' costs but this creates problems as it feels the community should pay.

The Corridor West farms were an integral part of the contract and SANP hoped they would facilitate RNP stock reduction. However, they were low priority for the government agencies responsible for them. This and changes in government structures could explain why they took years to provide water supplies and fences, and the farms were eventually returned to the municipality.

A former Park Warden recognised the dangers of relying on third party assistance when stating the need to “*refrain from negotiating with individuals or selected government bodies when people’s property and rights are negotiated*” (Taljaard 2000). For example, the mines leased some buildings to SANP for a guesthouse but provided irregular sewerage, water and electricity services, making management difficult.⁷⁰

6.2.2.3 The Makuleke Region of Kruger National Park

The contract states that CPA decisions regarding tourism are fixed after minuting at one JMB meeting. Thus, Makuleke commercial rights operate independently from SANP, who can only object on the grounds of conservation (Steenkamp and Grossman 2001). This empowers the community,⁷¹ and firmly equates the level of benefit from commercial ventures with that of management.

Likewise, SANP is responsible for conservation management, its primary objective. However, it must maintain Makuleke Region roads. The community needs good roads for tourism, but SANP claims that its budget cannot maintain roads to the level the community demands.⁷²

6.2.2.4 The Southern Section of the Kalahari Gemsbok National Park

The 1998 draft agreement between SANP and the San ensures SANP retains sovereignty over KGNP and gives the Park Warden a final veto over activities proposed by the Management Council (Chennels 1999). This council would develop plans for San commercial ventures, and yet half of its members would be from SANP. If a similar agreement is signed following current negotiations, SANP could have the power to severely limit the success of San commercial ventures operating in KGNP.

6.2.2.5 Kempiana, Adjacent to Kruger National Park

The owners have little involvement with Kempiana and no management responsibility.⁷³ Top WWF-SA and SANP personnel rarely visit,⁷⁴ and some represent more than one key stakeholder organisation. This may help explain why the Management Plan has not been passed, and why other ground level problems persist with little effort by those with appropriate authority to resolve them.

Most CNP benefits accrue to SANPT, which then buys land elsewhere for conservation. However, this is at the expense of good CNP management. KNP must manage the land and game⁷⁵ but receives no financial assistance from SANPT and spends an amount equivalent to only 20% of that accruing to SANPT on management. Thus, KNP views Kempiana as a financial burden. Its small budget and the lack of accepted management plan means little is implemented and Kempiana is a low management priority.⁷⁶ Ngala suffers from poor road maintenance, and wants SANP to put more funding into land management,⁷⁷ for example by gravelling the roads.⁷⁸ Recently ConsCorp has accepted that it causes road damage and offered to pay more for road repair, but KNP refused this offer.⁷⁹

6.2.2.6 Melkbosrand, Augrabies Falls National Park

Responsibilities are not finalised and no contractual agreement has been signed.

6.2.2.7 Uluru - Kata Tjuta National Park

In contrast to South Africa, Australian conservation legislation and politics focuses as much on culture as ecology. However, some Parks Australia staff feel *“that the park (the environment) is better off without people”* (OJM 1999). Anangu feel people are fundamental to UKTNP well-being and that caring for UKTNP should involve *“people practising ceremony and to do this people must be well and teaching between generations must occur.”* Hence caring for people is a key part of UKTNP management. Europeans, by contrast, see caring for people as a private domestic responsibility (OJM 1999). Interviewees said that Aboriginal people have cared for sacred sites for years. In this sense the level of management equates to that of benefit accrual. But Anangu want more support to carry out their traditional responsibilities, with, for example, access to vehicles to visit country and relatives (OJM 1999). Thus, Parks Australia and Anangu prioritise UKTNP management activities differently. Maintaining an even power balance is therefore important. To ensure this, an independent technical report of the plan will be commissioned towards the end of the plan to determine whether prescribed management actions were implemented, if not why not, whether prescribed actions were appropriate and what actions the next plan should incorporate (Plan of Management 2000).

The Plan of Management details how benefits from caring for country should reach Aboriginal people. However, one interviewee said that UKTNP was far from sharing responsibility for this, as non-Aboriginals were unwilling to release power. Parks Australia is responsible for paying board costs and cross-cultural awareness training, the cultural heritage management programme, and caring for country according to Tjukurpa, all of which are at least equally important to Anangu. Another interviewee said that Parks Australia does not always keep to the Plan of Management or World Heritage values, and that employment of non traditional owner Aboriginal people can result in board decisions (and hence traditional owner decisions) being ignored. The Director must ensure Parks Australia implements board decisions, but he does not do this effectively. Many interviewees wanted more Anangu employment, which could alleviate this problem.

The Mutitjulu community is funded on an *ad hoc* basis by different agencies including the Director who provides essential services. Other Northern Territory Aboriginal communities receive these services from agencies such as the Northern Territory Power and Water Authority (Plan of Management 2000). It is both costly and inappropriate for Parks Australia to fund these services.⁸⁰ It lacks the necessary skills and finances and this causes tension.⁸¹ It wants to devolve these responsibilities to the Northern Territory government (Plan of Management 2000).

As Anangu receive a share of UKTNP visitor income, they have a direct incentive to ensure management is effective. However, interviewees described the route this share must take via Parks Australia, government in Canberra, the CLC in Alice Springs and the trust, before it

reaches traditional owners.⁸² The circuitous nature of this route obscures the link between UKTNP and benefits for Anangu.⁸³

6.2.2.8 Kakadu National Park

Aboriginal and non-Aboriginal perceptions of responsibility vary. For example, Aboriginal people view natural resource use as their responsibility.⁸⁴ As Parks Australia has all management responsibilities, its own views on management are likely to be prioritised. It is responsible for the cultural heritage management programme, which has consistently failed, and for paying board costs, both of which are at least as important to Bininj/Mungguy. As at UKTNP, an independent technical audit of the Plan of Management at the end of its life should help counteract this⁸⁵ (Plan of Management 1999).

Parks Australia must ensure that effective consultation with appropriate Bininj/Mungguy occurs, but this is not always easy as status changes, and non-Aboriginal people are allowed little insight into Aboriginal culture. Complicating the issue is the fact that owners and custodians have different rights and responsibilities, interpretation of which varies in KaNP as many traditional sacred ceremonies have ceased to occur.⁸⁶ When there are disputes over who speaks for country,⁸⁷ Parks Australia requests NLC help⁸⁸ or simply tries to consult with everyone who feels a management action will affect their country.⁸⁹ Traditional owners are spread in and outside KaNP making consultation difficult (Plan of Management 1999). Six languages are spoken although only three are spoken regularly.⁹⁰ Parks Australia is not fully aware of who it should consult with on specific issues⁹¹ and inappropriate consultation can occur. For example, much consultation occurs with a few powerful mixed-race bicultural southern families.⁹² The NLC says these families have weaker links to the land and that traditional owners are being ignored.⁹³ Historically, Parks Australia depended on a few male Aboriginal elders who did not fairly represent all traditional owners, and marginalized women and youths (Weaver 1991). To rectify this, the Plan of Management (1999) states "*traditional owners, park staff and Aboriginal associations will be encouraged to make sure that the views of Aboriginal women and younger people are included in the consultations.*"

Bininj/Mungguy have incentives to ensure effective KaNP management and high wildlife numbers as they rely on the natural resources of KaNP and receive a percentage of its revenue.⁹⁴ Some scientists worry that pig-nosed turtle harvesting will endanger the population, but Bininj/Mungguy are equally concerned as they rely on the turtle for food.⁹⁵ Giving Bininj/Mungguy the freedom to hunt will encourage them to accept management responsibility, for example by imposing sanctions on peers who disregard regulations (Wellings 1994).

Bininj/Mungguy do not always link benefits from KaNP to Parks Australia.⁹⁶ Rangers help counteract this, but many Aboriginal people are probably unaware they live in a national park. Even some of those employed by Parks Australia in the field have little understanding of what office staff do.⁹⁷

6.2.3 Proximity of Responsibility, Authority and Capacity Levels

CNPs in South Africa and Australia provided a framework in which it was possible to ensure that stakeholders with certain responsibilities had the authority and capacity to execute these responsibilities. All CNPs provided examples where this did not occur, but few such mismatches were impossible to rectify, and most could have been avoided with careful initial planning. CNPs generally did not exhibit the extent of mismatching characterising many other CBNRM initiatives. One exception to this was control over mining rights, the authority for which lay with national governments in both countries. Sometimes other stakeholders, such as the landowners, may have greater authority or capacity to implement responsibilities. For example, Parks Australia was responsible for issues, such as town service provision and Aboriginal cultural maintenance, which local government and traditional owners had more capacity and authority to execute. Conservation authorities did not always execute their full authority to keep their contractual obligations and ensure joint management was not undermined. For example, some SANP officials did not provide the support they could have done to joint management. Where this occurs, pressure from the landowners or another agency can help. The OJM was successful in this respect at UKTNP where it monitored Parks Australia activities. However, too much separation between the OJM and Parks Australia also led to conflict regarding where responsibilities lay for issues such as consultation. Landowners generally have limited authority and capacity regarding issues such as commercial development. Support from external agencies and individuals can help overcome such limitations.

6.2.3.1 The Postberg Section of West Coast National Park

The contract states that SANP will help deproclaim Postberg public roads, and many felt SANP had made promises to this effect. However, road deproclamation is a government responsibility, and SANP lacked the authority to promise this.⁹⁸

6.2.3.2 The Richtersveld National Park

Mining threatens RNP biodiversity, and although SANP is responsible for conservation, it is uncertain how much SANP or the BPK can control it.

6.2.3.3 The Makuleke Region of Kruger National Park

The KNP Director is a JMB member but has only attended one meeting and perpetually mandates other SANP officials to replace him. One independent observer said he tried to “*run the board by remote control*.” These surrogates have no authority to negotiate. Thus, contract conflict resolution mechanisms had to be invoked when the second hunt was proposed.

6.2.3.4 The Southern Section of the Kalahari Gemsbok National Park

Management responsibilities have yet to be finalised.

6.2.3.5 Kempiana, Adjacent to Kruger National Park

The SANP Section Ranger managing Kempiana carries little authority regarding major decisions.⁹⁹ He gets little support from his superiors but is pressurised by stakeholders using the

property.¹⁰⁰ For example, Ngala wants better roads but SANP cannot afford this.¹⁰¹ Kempiana roads have an annual budget of R80,000, but repairing 1999/2000 flood damage was estimated at R300,000.¹⁰² Ngala can at least pressurise SANPT,¹⁰³ but SANPT can then promise to implement ecologically or financially unacceptable actions for which the Section Ranger is given responsibility without having been consulted.¹⁰⁴

6.2.3.6 Melkbosrand, Augrabies Falls National Park

Management responsibilities have yet to be finalised.

6.2.3.7 Uluru - Kata Tjuta National Park

Aboriginal people must incorporate an organisation to receive money for health and housing (Australian Nature Conservation Agency 1995). However, the Mutitjulu Community Incorporated is unrecognised by the Northern Territory government and has no formal representation in UKTNP management (Griffin 2000). In practice, it has considerable say in UKTNP management as the OJM reports to it rather than the traditional owners (OJM 1999), and the Plan of Management and lease state that it must be consulted. Mutitjulu residents therefore have an elevated decision-making role on UKTNP issues. Many are not traditional owners, which may undermine these owners (OJM 1999; Morgan 2000). The lease wrongly assumed that Mutitjulu Community Incorporated would consist only of traditional owners.¹⁰⁵

The OJM is located elsewhere from Parks Australia offices and functions outside the public service. This separation empowers it and allows it to monitor UKTNP management and ensure Parks Australia does not focus entirely on its own priorities.¹⁰⁶ However, the divide between the two offices has disadvantages.¹⁰⁷ The OJM must ensure appropriate Anangu are consulted regarding UKTNP management,¹⁰⁸ but Parks Australia behaves how it wants to and the OJM feels frustrated by the constant need for monitoring, and the salvaging of situations when Parks Australia acts inappropriately.¹⁰⁹ Parks Australia feels the OJM cannot function effectively without a bilingual employee, and that time has been wasted when it was wrongly informed about appropriate Aboriginal people for consultation.¹¹⁰ The OJM and Parks Australia are both responsible for effective UKTNP management, and one interviewee felt that more integration between the two could reduce conflict.

6.2.3.8 Kakadu National Park

In 1995, the position of Secretary to the Board of Management was established (Davies 1999). This person must co-ordinate meetings, liaise with appropriate people, and brief Board of Management members, particularly Aboriginal members, so that consensus can be reached before issues are discussed at board meetings (Lawrence 2000). The NLC engages this position, and although the Plan of Management (1999) states that the board must “*operate in such a way that it can express its views independently from Parks Australia,*” Parks Australia funds it, and this lack of separation can sometimes be frustrating.¹¹¹

Parks Australia used to be a centralist agency with most power vested in Canberra and only four staff in KaNP.¹¹² Reluctance to devolve authority caused difficulties and limited the application of innovative ideas (Weaver 1991). Parks Australia has since de-centralised and devolved much authority to its Darwin office and KaNP headquarters at Jabiru. This has enabled Aboriginal associations and other groups to more easily affect KaNP management, but it has increased administrative loads (Lawrence 2000). The accompanying growth in public service bureaucracy has meant KaNP staff have had less time to spend with traditional owners¹¹³ (Lawrence 2000). Europeans may function effectively in a bureaucratic environment, but Aboriginal people are interpersonal and rely on human contact. The success of joint management relies on close personal relationships between KaNP staff and traditional owners, but the growing bureaucracy prevents this¹¹⁴ and limits communication between traditional owners, staff, the Director and board. However, Bininj/Mungguy are also forgetting the bigger picture and their elder's visions in favour of short-term interests (Lawrence 2000).

6.2.4 Relations Between Landowners and the Conservation Authority

The local history and political economy significantly affected relations between the conservation authority and landowners, particularly where landowners were forcibly removed from their land. Unrealistic demands on the conservation authority were common amongst poor landowning communities, and high landowner expectations occurred in all CNPs studied in Australia and South Africa, even those owned by relatively wealthy groups.

Organisational commitment from SANP to community benefits and empowerment has been inconsistent despite the rhetoric of its policy and public statements. Conservation authorities in South Africa paid more lip service to community issues than in Australia. Much of SANP's apparent lack of commitment can be attributed to the relatively recent arrival of majority rule, and poor integration regarding awareness and support of community issues throughout the organisation. However, some is due to a lack of support from organisation sectors, which contrary to formal policy, feel conservation is SANP's primary and only mandate. SANP has also shown commitment to community empowerment and benefits at times, for example by belatedly supporting land claims in national parks. Parks Australia has shown stronger and more consistent ideological commitment to Aboriginal issues. Consultation with a view to genuine community empowerment and involvement occurred at KaNP long before official joint management. However, SANP's resources are limited and the proportion of previously disadvantaged people in South Africa is much larger than in Australia, making it hard for all those in need to benefit. Thus, SANP's Social Ecology directorate has tried to implement 'mutually beneficial' partnerships with local communities. These have met with limited success in financial terms. Parks Australia, by contrast has benefited from the cultural attractions on offer at UKTNP and KaNP, even if such benefits are outweighed at the CNP level by the additional costs of joint management.

The commitment and sensitivity of conservation officials was a key factor influencing relations in all South African and Australian CNPs. Most had cases of officers who behaved inappropriately or lacked commitment to community empowerment and development. Common criticisms in South Africa included broken promises and the lack of time spent with communities. However, one former SANP Chief Executive Officer supported and promoted joint management, and several Social Ecologists were committed to community issues. Parks Australia tried harder to ensure staff were sensitive to Aboriginal issues. All new staff were chosen by a panel containing Aboriginal people, and preference was given to applicants with experience of working with Aboriginal people. CNP staff attended cross-cultural courses, were committed to Aboriginal issues and often had Aboriginal friends. Problems such as high staff turnover remained.

Effective joint management requires consultation, and the CNP model helps enforce this through the establishment of joint management boards. Such boards helped ensure genuine and effective consultation occurred in all established South African and Australian CNPs. All boards met several times each year, and board relations were usually good. By contrast, daily consultation in most South African CNPs was poor. This may explain the high levels of misinformation that sometimes existed. Consultation was better where landowners were more familiar with western management styles and had greater capacity to involve themselves. Australian CNPs showed more effective consultation outside joint management boards. Unlike South Africa, Australian legislation detailed requirements for consultation. Staff such as community liaison officers and cultural advisors, and organisations such as the OJM and the Aboriginal Consultative Committee were responsible for ensuring effective consultation occurred. Cross-cultural courses also helped.

Genuine 'joint' management requires that neither party can wield too much power over the other. Power imbalances were particularly apparent where western management frameworks were imposed on landowning communities with different traditions and culture. CNPs owned by influential powerful whites or corporate bodies illustrated relatively few power imbalances. At Postberg, the Syndicate was probably more powerful than SANP, and SANP felt the Syndicate had unreasonably high exclusivity and benefits. In Australia, Aboriginal culture was very different and often incompatible with the imposed western style of management, and steps were taken to ensure Parks Australia was not excessively powerful. Power imbalances are particularly apparent on boards of management, and to balance these out, Aboriginal people had significant board majorities, and approved the choice of most non-Aboriginal board members (Table 26). Parks Australia only had one or two board representatives, none of whom worked in the CNP. Many support organisation representatives attended board meetings to ensure Aboriginal issues were not undermined. Outside boards, Aboriginal issues were prioritised in CNP management. Aboriginal people had the final say on all large management issues, and conflict resolution mechanisms favoured them. Thus, power balances were uneven at different joint management levels, but approximately evened out overall. Aboriginal people were more powerful in some areas, but Parks Australia was more powerful in others. Where previously disadvantaged

communities owned CNPs in South Africa, cultural differences between the community and conservation authority were smaller. Language was not such a key power issue, and sometimes little action was needed to ensure an equal power balance. For example, the Makuleke community met on equal terms with SANP with the help of successful community structures, and some external assistance. Some effort had been made to even out power imbalances at RNP, for example the community had a BPK majority and chaired meetings. However, more could have been done to ensure a level management playing field.

Table 26: The constitution of functioning joint management boards at different CNPs.

	Community members	Conservation authority members	Other members	Chairperson
The Postberg Section of WCNP	4 (sometimes more)	4 (sometimes less)	0	Conservation authority/ community
The RNP	5	4	0	Community (used to be conservation authority)
The Makuleke Region of KNP	6	6	0	Community (for first year)
UKTNP	6	1	3	Community
KaNP	10	2	2	Community

The strength and continued legitimacy of Australian CNPs was partially attributable to the significant amount of contract, management plan and national legislative renewal that had occurred. Such renewal recognises joint management as a dynamic process rather than a model, and allows CNPs to retain legitimacy by accommodating changing stakeholder perceptions and aspirations. Joint management in several South African CNPs suffered from outdated contracts and management plans, which contained inappropriate or contradictory information. This reduced document legitimacy and meant SANP essentially carried out management. Without guidance from a jointly produced management plan, genuine 'joint' management was undermined.

Issues affecting relations between conservation officials and communities at AENP were similar to those in CNPs. The local history and political economy were important, as was organisational and individual conservation official commitment. However, little genuine community consultation occurred at AENP and the power balance strongly favoured SANP. SANP staff even ran community development projects. General community awareness and involvement levels at AENP were lower than amongst CNP landowners, perhaps because SANP had fewer incentives and less commitment to community involvement and development than at CNPs. This

was despite the fact that AENP had three Social Ecologists whereas each South African CNP had one.

6.2.4.1 The Postberg Section of West Coast National Park

When the WCNP was declared in 1985, the then Chief Executive Officer of SANP envisaged that WCNP expansion would occur through contracts between SANP and landowners. He said that *"the strategy will be to reach mutual agreement with the landowners on the form the contract will take"* (Robinson 1985). However, the Syndicate and SANP were suspicious of each other and unsure of what to expect as Postberg was the first South African CNP.¹¹⁵ Many SANP officials struggled to grasp the partnership concept, and the Syndicate had unrealistically high expectations.¹¹⁶ There was frustration about the length of time (three or four years) it took to sign the contract and proclaim Postberg,¹¹⁷ as well as the time it took to deproclaim the public road. Interviewees also mentioned problems from personality clashes. A few years ago the Syndicate Chairperson did not trust the Chief Executive Officer of SANP and things nearly collapsed. Problems also occurred when rangers or Syndicate members behaved badly, for example, when one shareholder's son damaged Postberg signposts. One Syndicate interviewee said some landowners were difficult, and that disagreement, for example about visitors staying overnight on Postberg, was common. Another said problems arose when SANP interfered with traditional rights. Interviewees gave many examples of past problems between SANP and the Syndicate. However, all said relations were currently good. There was mutual respect and good daily communication. Agreement was always reached and people saw eye to eye in meetings. One Syndicate interviewee said communication channels were open and relations have been fantastic since road deproclamation.

The contract states that SANP must inform the Syndicate in writing biannually regarding property development, and that the Syndicate Director may request more regular information. In practice, much more consultation between SANP and the Syndicate occurs at many levels. Formal board meetings occur two to four times a year, and interviewees said that the board sometimes meets more often to sort out key issues. Meetings occur in Cape Town, Langebaan or Oudepost. Meetings also occur for Syndicate members only, in their Franschhoek office. Interviewees mentioned the WCNP forum for all WCNP stakeholders on which the Syndicate has a representative. Specific Postberg and SANP people carry out particular maintenance issues, and a few Syndicate members are nominated to talk constantly with SANP. Thus, daily one to one communication is extensive.

Flexibility is important. The first contract was signed in 1987, but South Africa, the Syndicate and SANP have since changed considerably. To retain legitimacy, documentation and legislation must keep abreast of changes. The contract was amended in 1987 to ensure SANP would help re-proclaim Postberg as a nature reserve should it lose its contractual status.¹¹⁸ Amendments in 1994 accounted for the land swap providing SANP with access to Tzaarsbank,

and the Syndicate with better protection from the public who no longer had to cross Postberg to reach state-owned WCNP land.¹¹⁹ The management plan was replaced in 1994.¹²⁰

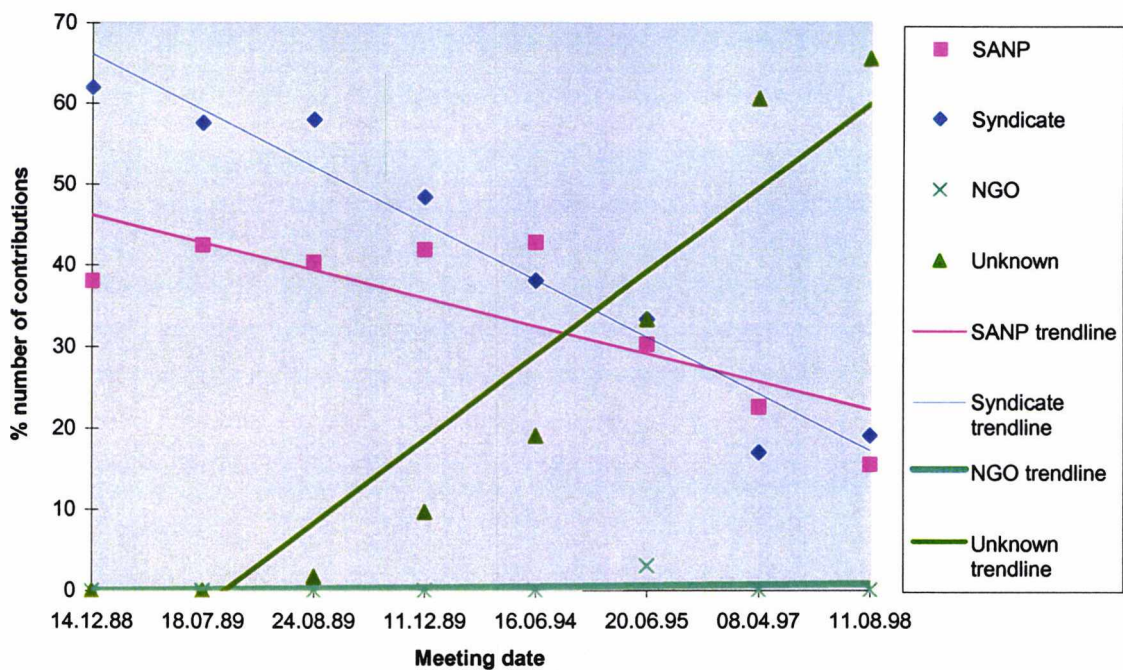


Figure 12: Relative participation levels of different parties in Postberg joint management meetings

High landowner capacity has resulted in a more even power balance between the two parties than at other South African CNPs. The Syndicate lawyer said he designed the contract to ensure neither party was too strong. He now felt that SANP was more powerful as the Syndicate would never want to revert back to the pre-signing situation.¹²¹ However, SANP officials disagreed and felt the Syndicate was too powerful. Comments included the fact that SANP would not enter into such a contract again due to the excessive power and benefits accruing to the Syndicate.¹²² SANP fears land loss and has many headaches as the Syndicate had better lawyers from the start. For example, SANP even collects Syndicate rubbish and must get its approval for many management actions.

Analysis of joint management board meeting minutes deepens understanding of relations between SANP and the Syndicate. Thirteen sets of minutes were obtained. Seven noted meeting location, all of which were Cape Town, which is equally convenient for both parties. The chairperson was recorded for 12 meetings, five of which were chaired by SANP, and seven were chaired by the Syndicate, including the last five. Meetings used to be less regular, particularly during the first two years. Syndicate members contributed more to early meetings than SANP, but this soon evened out (Figure 12). From 1989, participation was roughly equal. The increasing number of 'unknown' contributors is because minutes record the speakers less as time passes. This reduces certainty when determining which party dominated participation. The

minimal role of NGOs (Figure 12) demonstrates the Syndicate's high capacity and low need for assistance. Issues discussed tended to be more relevant to the Syndicate than SANP (Figure 13). However, neither party's concerns significantly dominated the other's, and many issues discussed were of relevance to both parties (Figure 13), such as road placement or crayfish collection. The two parties clearly have much in common. Syndicate members frequently brought up conservation issues, such as game levels. These were categorised as issues of primary relevance to SANP, but demonstrate Syndicate interest in conservation as opposed to monetary gain.

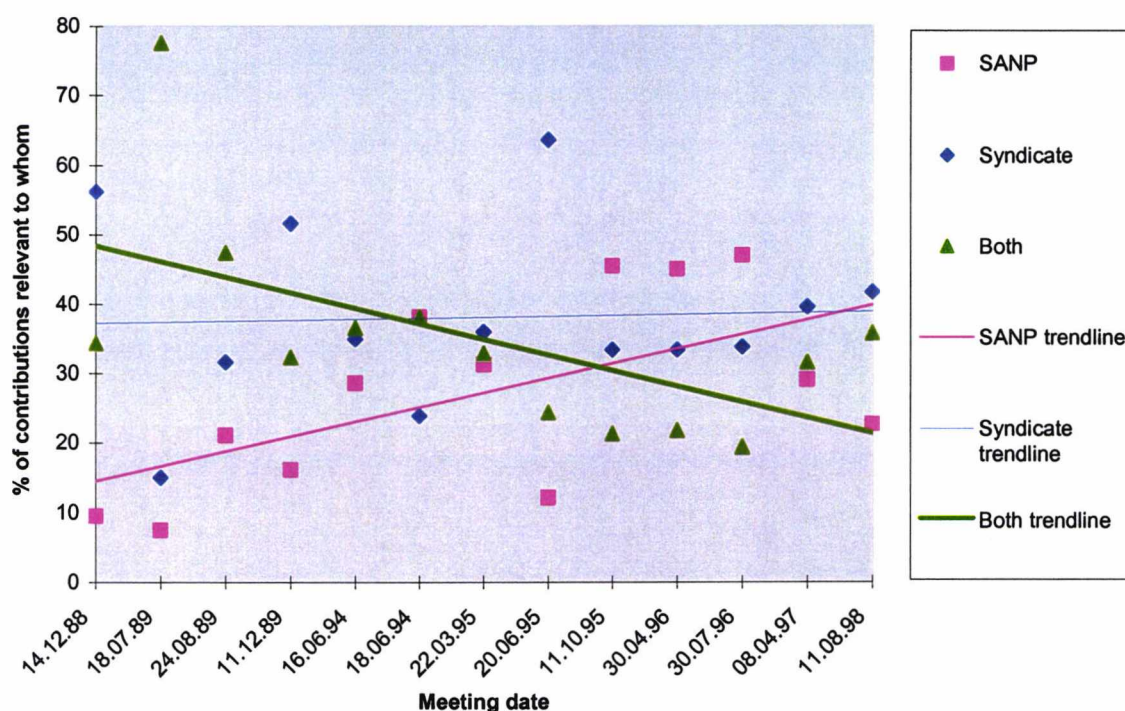


Figure 13: Relevance of Postberg joint management meeting issues to different parties

6.2.4.2 The Richtersveld National Park

When RNP was proposed, the NPB had no experience of consultation in poor rural areas, and no real intention to negotiate in a thorough or democratic manner (Archer et al. 1994). Many Richtersvelders saw RNP as yet another encroachment on their land and some formed the Parkweerstandsbeweging (anti-park resistance movement) (Budlender 1995). The NPB learnt their lesson (Boonzaier 1991; Robinson 1998) and in time showed an uncertain and inconsistent acceptance that people and national parks could coexist (Archer et al. 1994). The then Chief Executive Officer of SANP, Dr Robinson, took the partnership seriously by funding a social worker and schoolchildren transport and supporting community participation in management plan production. However, the first Park Warden undermined efforts by NGOs such as SPP and the Group for Environmental Monitoring (GEM) to build community and BPK capacity. The Management Plan states that “regular workshops need to be held in the towns of the Richtersveld... information centres with displays and publications will be established in each of

the four towns...(and a)...park newsletter needs to be produced.” However, such centres do not exist and community consultation has always been poor (Archer et al. 1994).

The two parties communicate and make decisions differently. Spoken words mean more to the community and written words mean more to SANP.¹²³ SANP has often been accused of making false promises. This has undoubtedly occurred, for example with the Corridor West farms.¹²⁴ Airports, dams and many jobs were also promised,¹²⁵ but such ‘promises’ may have been community wishful thinking or selective interpretation (Budlender 1995). For example, the community feels that promises were made about the use of the two farms Augrabies Oos and Klein Duin, but BPK meeting minutes show that although many uses were suggested no commitments were made. Thus, SANP was misleading rather than lying.

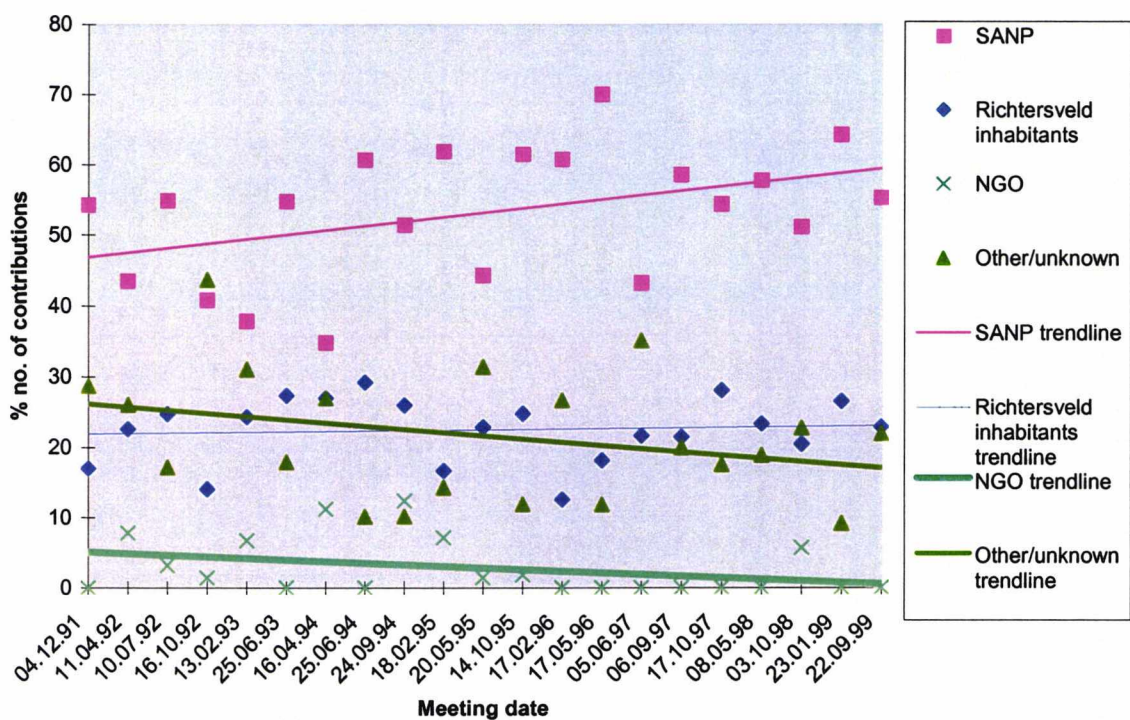


Figure 14: Participation in Richtersveld BPK meetings, based on data from minutes

Discontentment with SANP has other explanations. The community had high expectations when RNP was established, of which, the four most frequently cited were electricity, fresh water, police stations, and a school (Participatory Research and Planning 1999). SANP instilled many of these expectations, and thus caused community cynicism and ambivalence when they did not materialise (Boonzaier 1996). The community is also characterised by dissatisfaction,¹²⁶ and a 1995 survey indicated that only 23% of Kuboes and 32% of Sanddrif inhabitants felt they benefited from the social worker and only 6% felt SANP and the trust had eased unemployment. The trust had only met a third of expectations (Participatory Research and Planning 1999). RNP staff with community-related responsibilities were inadequately trained and SANP has done little community capacity-building (Boonzaier 1996). The local political economy and level to which people depend on a protected area also influences attitudes.¹²⁷ Negative attitudes to RNP

may be encouraged because the Northern Cape has the lowest gross domestic product of all South African provinces (Robins 1997). This may deteriorate further as mining operations are downscaling and about 700 local workers will be retrenched. This will also affect secondary industries supporting the mines (Eco-Africa undated). Pressure on RNP for alternative income from grazing could increase.¹²⁸

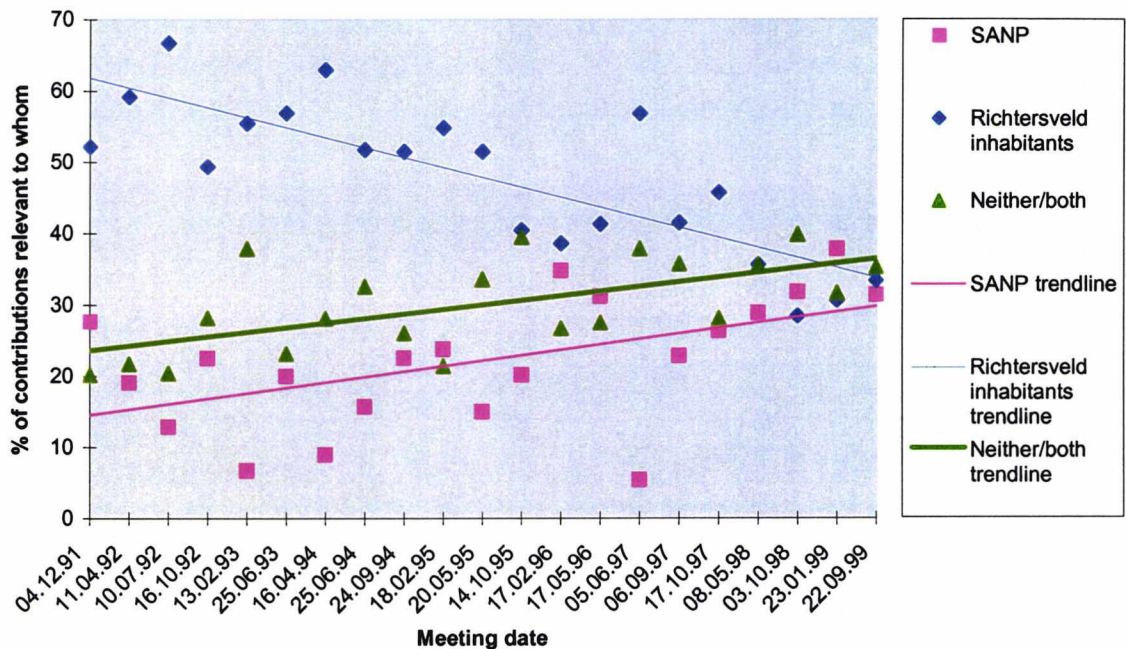


Figure 15: Relevance of Richtersveld BPK meeting contributions to different parties, based on data from the minutes

Interviewees felt relations on the BPK were good due to regular meetings for nine years, alternating chairpersons and good communication, particularly on difficult issues. Problems included poor member continuity, the influence of RNP staff on the Park Warden, poor daily communication on management, broken SANP promises which prevent movement forward at meetings, conflict issues such as Corridor West farm use, and high community expectations. The influence of individuals was important and many interviewees commented on the ability of specific SANP officials to interact with the community, BPK members, mines and park farmers, and their tendency to make false promises. Interviewees spoke of one past SANP BPK member who ‘steam-rolled’ over the community. One said that passing the Management Plan would take time but that SANP BPK members only flew in and out for short periods. Community members boycotted the last 1999 meeting,¹²⁹ but since its inception the BPK has met two or three times a year, with 13 months being the longest time between meetings and five months the average.

Interviewees felt relations between SANP and the Richtersveld community and local government were generally good and open. However, several said the community was large, had mixed feelings, and ups and downs were common. They said good relations were helped by Social Ecology projects, co-operation and friendliness. Past and current problems include early

discontent with the lack of time given for contract consideration, the small size of the trust fund, removal of donkeys, the Park Warden's low interest in villages, SANP not funding non-conservation activities and Richtersvelders' negative nature.

SANP has always dominated BPK meetings and NGOs have provided little support, particularly in later years (Figure 14). The contract stipulates that SANP should chair the BPK but this has recently been abandoned. Meeting location favoured neither party. Discussion issues have been less relevant to the community and more relevant to SANP over time (Figure 15). It was primarily SANP which raised community issues. This may indicate a close relationship between SANP and the community, or a lack of community self-determination. Several individuals who had attended past meetings agreed that SANP was the more powerful party.¹³⁰

6.2.4.3 The Makuleke Region of Kruger National Park

Historically relations between SANP and the Makuleke community have been poor due to forced removals and low honesty levels (Steenkamp 1999). It will take time to overcome Makuleke reservations and build good relations. Hard words were exchanged during contract negotiation, and SANP's stalling over the hunt caused frustration. When two Makulekes went to the USA to sell the hunt, the KNP Director faxed them to say they should return as the hunt was illegal, which proved incorrect. The issue was easily resolved at higher levels in SANP, but KNP support was clearly absent (Steenkamp and Grossman 2001). The KNP Director delayed feedback on the Master Plan and has often tried to cancel JMB meetings, which he never attends.¹³¹ The insensitive timing of announcements of proposals to outsource KNP camps undermined Makuleke tourism venture development, as several private sector bidders withdrew.¹³² Some Makuleke JMB members said the community wanted more from SANP by way of food, accommodation and transport to meetings, community visits and daily contact to build trust. Some SANP JMB members felt the community could be opportunistic. Social Ecology has little involvement with Makuleke¹³³ and SANP staff never visit.¹³⁴

Nevertheless, SANP has also demonstrated support for the Makuleke community. It chose not to oppose the land claim, in part because it was reinventing itself under the new government, and wanted to expand its conservation commitments to include socio-economic and cultural considerations (Dladla 1998). All interviewees felt that relations were professional and improving, communication was good, and mutual friendliness and respect existed. They said SANP's credibility was improving but that there was still room for improvement. Follow-up interviews in May 2000 revealed that all Makuleke interviewees felt relations at JMB meetings remained good.

Analysis of JMB meetings attended and of the minutes of JMB meetings provides further insight into relations between the two parties. Minutes were obtained for 12 meetings, seven of which were in Skukuza, which is convenient for SANP, and five in Punda Maria, which is convenient for Makulekes. The chairperson was always a Makuleke as agreed in the contract for the first year. The length of time for which JMB members spoke remained constant for SANP

staff, but increased for Makuleke community members (Figure 16). The same applies to the number of meeting contributions made by each party. This increase has paralleled a decrease in the length of time spoken for, and number of contributions made by Friends of the Makuleke (FoM) members (section 8.2.2.3). Several explanations were provided for these trends. Two interviewees felt that Makuleke JMB member capacity was increasing as FoM transfer their knowledge, and as understanding of environmental and business issues increases along with awareness of available resources. Others said FoM deliberately participated less over time as they felt watched and did not want to be accused of community manipulation. Discussion issues have been decreasingly technical, thereby reducing the need for FoM advice. FoM members concurred with these comments and one added that during early negotiations, the Makuleke would push forward FoM to represent them on tough issues and avoid involving themselves in conflict. Three Makuleke interviewees agreed with this.

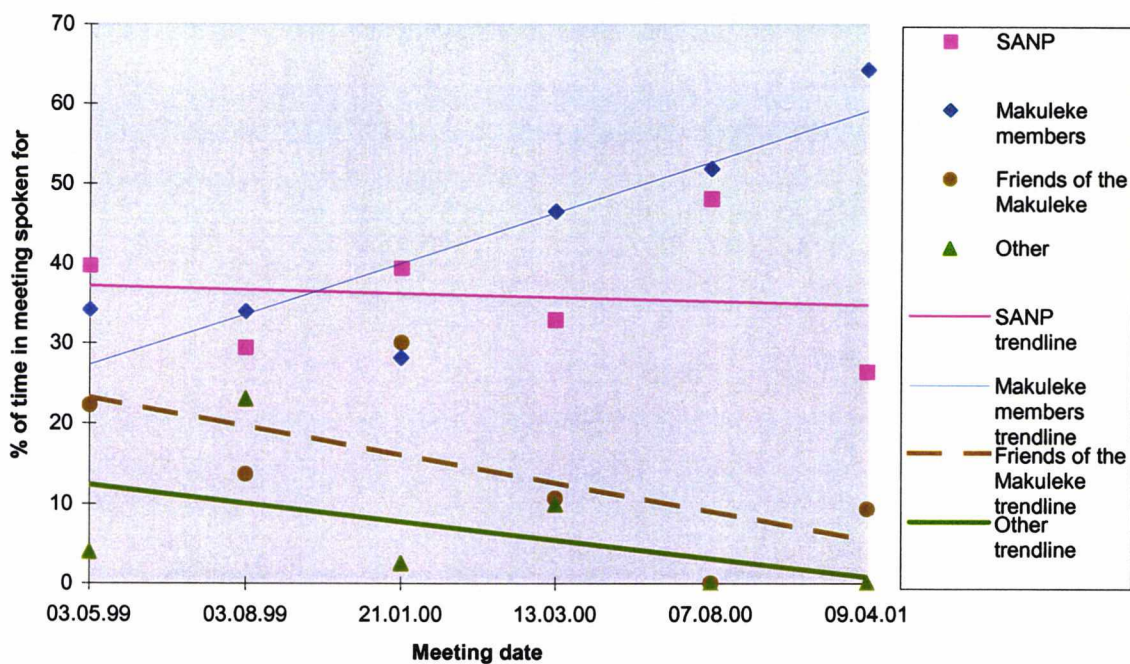


Figure 16: Verbal dominance of different parties in Makuleke JMB meetings, based on data from meetings attended

Nevertheless, meeting contributions from Makuleke community members other than the chairman were consistently minimal. Some interviewees felt that the chairman’s dominance was due to his capacity compared with other Makuleke JMB members. One added that JMB members often did not receive the agenda in advance and that SANP often brought up issues that were not on the agenda. This made participation harder for most JMB members but, as the chairman liased with SANP before meetings, his awareness of issues and ability to participate was higher. This interviewee said that he participated little as he was unwilling to disagree with the chairman during meetings. He thought Makuleke JMB members should meet before JMB

meetings to familiarise themselves with issues. One interviewee said that the chairman’s dominance was because he had his own agenda and that he was already too powerful in the community and in influencing FoM.

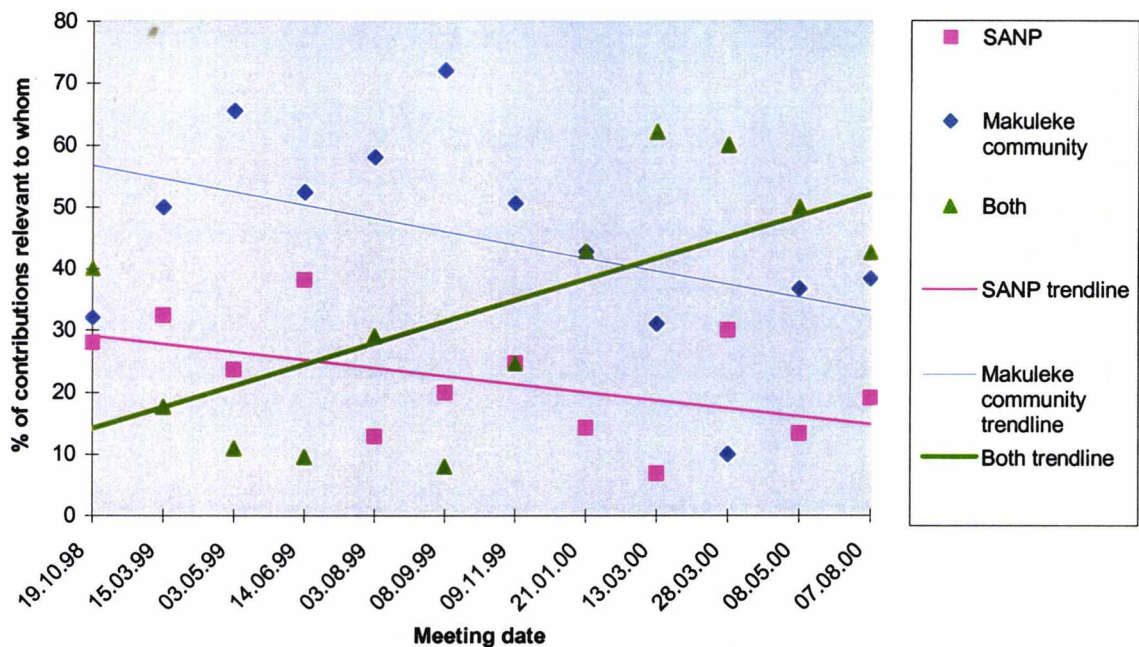


Figure 17: Relative dominance of the party to which issues discussed at Makuleke JMB meetings are of most importance, based on data from meeting minutes

Issues of primary importance to the community were usually the main discussion topics at JMB meetings (Figure 17). Makuleke interviewees said this was because they were keen to discuss possible development and community benefits. Two said SANP only saw the region in terms of conservation, and another added that the SANP section ranger only reported to top KNP management when tasked to do so by the JMB, and that KNP reported back little to the JMB. Discussion issues were increasingly relevant to both parties.

6.2.4.4 The Southern Section of the Kalahari Gemsbok National Park

SANP claimed that the San did not live within KGNP at the time of proclamation. It later withdrew these claims but still saw the San as a threat to KGNP biodiversity and opposed their land claim¹³⁵ (Crawhall 2000; SASI 1997). KGNP conservation activities excluded San cultural knowledge (SASI 1997) and SANP opposed the San visiting gravesites and conducting new burials.¹³⁶ It later reversed its position on the land claim and chose to offer the San concentrated commercial rights in an area south of the Auob River. This would limit San activities more than geographically extensive rights but allow the San to better utilise the land (Chennels 1999). However, the offer of arid land and undefined symbolic rights in the rest of KGNP was deemed inadequate. One San elder said it was like “giving a dummy to a child to get it to keep quiet” (Steenkamp and Grossman 2001).

There are still signs that SANP does not fully support the San and Mier. When negotiations began, the KGNP Social Ecologist was the Park Warden's wife,¹³⁷ who did more to hinder than help the process. After she left her post was vacant for the following crucial year,¹³⁸ and the Park Manager drove the Social Ecology process (DANCED 2000a). This is in stark contrast to a national park such as AENP with three Social Ecologists. SANP excluded the San from TFCA discussions with Botswana, which may have been illegal. It also proceeded with plans to develop a lodge close to the proposed CNP despite assurances that this would not occur.¹³⁹ San intervention suspended this process, but it was clear that many SANP officials did not support community issues (Steenkamp and Grossman 2001). The Cybertracker is a hand held computer used to record wildlife observations and locate them using a Global Positioning System. It is particularly suitable for illiterate trackers and can enhance tracker self-esteem and tourism, and contribute to gathering scientific data. The Park Warden rejected Cybertracker use in the San tracker training project implying little enthusiasm for San empowerment (Koch 1999). In 1999 the Park Warden said no San or Mier lease payments could be made. The facilitator noted poor relations between SANP and communities and felt SANP should be more innovative and committed to training their partners.¹⁴⁰ However, community expectations were high and KGNP is often expected to assist with transport and employment (DANCED 2000a). Anti-white sentiment is significant, and was encouraged by the last =Khomani CPA chairman. Suspiciousness remains, and during a 1999 meeting one bushman questioned why SANP had released 500km² of KGNP.¹⁴¹

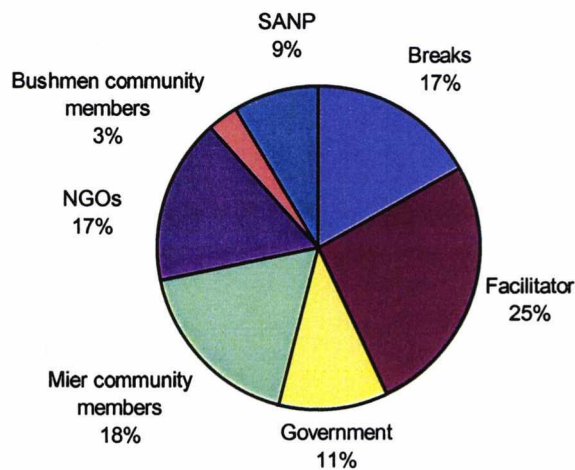


Figure 18: Percentage of the total Kalahari meeting time for which various parties spoke

Relations between SANP and communities have sometimes been good. SANP offered the 500km² before the San lodged their official land claim (Chennels 1999). The San used to refer to themselves as 'jackals' and whites as 'lions,' but in 1998 referred to whites as 'a friendly lion, but still a lion.' Growing trust encouraged the San to choose a long-term approach rather than negotiate the fine print early on (Chennels 1998). Communication between parties when the

land was handed over was good,¹⁴² and top level SANP support was forthcoming regarding the proposed tented camp.¹⁴³ The Park Warden's interest has grown, and he recently visited KaNP to learn about Australian joint management.¹⁴⁴ He has also employed an effective new Social Ecologist.¹⁴⁵ Other KGNP staff are also more helpful, for example they allow San to access KGNP.¹⁴⁶

The slow progress of negotiations has allowed for flexibility regarding the development of objectives and options. The initial settlement was signed after 18 months of tough negotiation. Since then the pace has been slower and people have spent more time with the families and livestock they neglected early on.¹⁴⁷ At first the San only wanted a small piece of land of about 10km².¹⁴⁸ The shock of becoming millionaires from nothing was large. The next generation's demands will be different. Whilst the first generation may use culture as a political tool, the third generation could well return to its roots.¹⁴⁹ The process must therefore be flexible and slow enough to accommodate people's changing needs.¹⁵⁰

A meeting was held in September 1999 after land claim settlement and at the start of detailed CNP negotiations. The facilitator, 15 San, five Mier, five NGO representatives for the San and Mier, two SANP officials and one DLA official attended. The facilitator dominated the meeting (Figure 18), which was unsurprising as much discussion mediation was required. NGOs contributed much, often explaining issues to the San and Mier such as what a CNP was. Many stakeholders were present, especially as the five NGO members came from four NGOs. Mier participation was significant, and three of the five Mier contributed to the meeting. Considering their numbers, the San participated little. This could be interpreted as a lack of capacity or it could be because of their tradition of listening and then going away and building consensus amongst themselves later. The San lawyer felt they fully understood the issues.¹⁵¹ Much discussion revolved around conflict within the San community rather than CNP negotiation. This may explain why SANP contributed little. However, SANP officials were inflexible and aggressive towards the communities and the lack of SANP input could have indicated a lack of support for participatory processes, and a lack of interest in community issues.

6.2.4.5 Kempiana, Adjacent to Kruger National Park

Stakeholders felt ground level relations were extremely good.¹⁵² Monthly informal meetings occurred, and people talked regularly in between.¹⁵³ However, the Welverdiend community was left out and may not have been contented.¹⁵⁴

SAWC want more access but this is regulated by an informal 1997 agreement.¹⁵⁵ However, the SANP Section Ranger, Ngala Manager and SAWC Director work well together. They sort out alternative access for SAWC if there is a kill or SANP needs to do anti-poaching work on SAWC land.¹⁵⁶ Traversing rights can cause friction between ConsCorp and SAWC as Ngala guests sometimes meet college vehicles,¹⁵⁷ but regular contact between SAWC and Ngala generally prevents disruption of tourist game viewing.¹⁵⁸ Ngala help SAWC with vehicle

problems, and SAWC provides discounted courses to Ngala staff, for example in first aid.¹⁵⁹ Hans Hoheisen dislikes SAWC's presence on Kempiana and only agreed to it under duress.¹⁶⁰

Relations with SANP varied between agency levels. When the Ngala contract was signed, the then SANP Chief Executive Officer supported ConsCorp which now feels indebted.¹⁶¹ However, KNP management causes many problems. It blocks processes, does not support joint management meetings, is stubborn, bureaucratic, and unable to see eye to eye with the Ngala Manager, head of ConsCorp¹⁶² or WWF-SA/SANPT representative.¹⁶³ The SANP Section Ranger said that people on the ground could not influence issues where problems lay, such as decisions on the management plan or finances.¹⁶⁴ Hans Hoheisen is still alive and wants Kempiana as part of KNP, so this situation will not change at the moment.¹⁶⁵ SANP frustrate SAWC by stopping it doing simple things like erecting reed huts or burning in its area.¹⁶⁶ Relations with the SANP Section Ranger are good,¹⁶⁷ but he got on badly with the last Ngala Manager.¹⁶⁸

Relations between SANPT and ConsCorp/Ngala were good and there were no missed payments. The WWF-SA/SANPT trustee sometimes helped resolve problems between Ngala and SANP like road upkeep.¹⁶⁹ He also had good relations with Hans Hoheisen for whom he acted as a legal representative.¹⁷⁰

Documentation provided limited clarity on key issues such as the management plan style and the joint management committee, partly because consultation during CNP establishment was poor.¹⁷¹ The lack of an accepted management plan could be disastrous if relations deteriorate,¹⁷² but a total breakdown in relations is unlikely due to the close links between key stakeholders at the top management level. For example, two men are WWF-SA and SANPT trustees, one of whom is also Hans Hoheisen's legal representative.¹⁷³ WWF-SA administers SANPT whose other two trustees are from SANP.¹⁷⁴

6.2.4.6 Melkbosrand, Augrabies Falls National Park

Relations between Riemvasmakers and AFNP were dynamic because of the land claim. SANP did not dispute the Melkbosrand claim but disputed claims for the other two farms. Some Riemvasmakers perceived SANP negatively as they felt it was delaying the process (Schwartz et al. 2000; DANCED 2000b). SANP has been criticised for insisting Melkbosrand be a CNP if returned to the community, but the community feels it should be able to decide (de Villiers 1999a). Riemvasmakers who returned from Namibia (Schwartz et al. 2000), and those who are older and recall being evicted, resent AFNP the most.¹⁷⁵ This has led to fence cutting between Riemvasmaak and a claimed farm, infrastructure removal, and stock within AFNP. SANP impounded the stock and fined the community. Tensions peaked in 1998 when SANP removed the Melkbosrand black rhinos due to shooting threats (Schwartz et al. 2000). Some Riemvasmakers feel discriminated against, for example one group using AFNP as day visitors claims to have been poorly treated, and others feel SANP does not provide enough employment

(DANCED 2000b). Some claim SANP promised them houses and game guard training¹⁷⁶ (DANCED 2000b), but neither have materialised.

SANP has tried to improve relations. AFNP has had a Social Ecologist since 1997, but this employee changed in 1999 so building community trust had to start again. Social Ecology projects have included an Environmental Youth Symposium and a Cultural Resources Management programme. Rather than impounding stock in AFNP and fining community members, SANP recently opted for an alternative approach (Schwartz et al. 2000). A committee with representatives from stakeholders around AFNP has been proposed (DANCED 2000b).

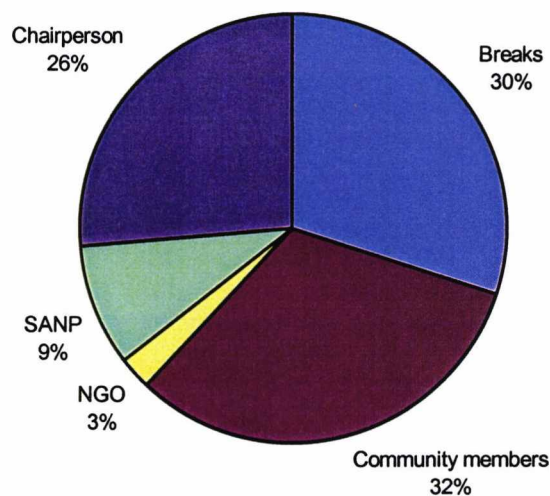


Figure 19: Percentage of the total Melkbosrand meeting time for which various parties spoke

A meeting was held in March 1999, to discuss the proposed CNP at Melkbosrand. It was in the AFNP conference room, so quite far from some Riemvasmakers' homes. Those attending included one NGO representative, a facilitator and his assistant, five SANP officials, eight Riemvasmaak Community Development Trust trustees (including one woman), 18 other Riemvasmakers (including seven women) and one low ranking DEAT representative. Thus, 75% of those attending were Riemvasmakers. Riemvasmakers dominated the meeting in terms of the length of time they spoke for (Figure 19) and the number of contributions they made. Much discussion was between community members about whether a CNP was wanted. There were many lengthy impassioned speeches from older Riemvasmakers who had recently returned from Namibia. They were furious with SANP, but may not have fully understood issues such as the fact that it was government rather than SANP who could return their land. The meeting lasted more than five hours, illustrating how strongly people felt.

6.2.4.7 Uluru - Kata Tjuta National Park

The lease requires Parks Australia to “consult with the land council, the relevant Aboriginal association, and the Pitjantjatjara Council in connection with the administration, management and control of the park.” Parks Australia must also consult with the land council on all educational or interpretative policies, and the lessor, lessee and land council must meet every five years to discuss lease provisions. Board meetings occur three or four times a year, daily informal consultation between staff and Aborigines occurs, and formal consultation occurs when film crews visit or developments are proposed (Winderlich 1996). Cultural advisors are sometimes employed and Parks Australia funds a community liaison officer as stipulated in the lease. The OJM helps prevent ineffective communication,¹⁷⁷ and its independence from Parks Australia empowers Anangu.¹⁷⁸ The first Plan of Management proposed Anangu involvement through an advisory committee (Davies 1999). However, ensuing plan production involved considerable consultation with Anangu. Production of the current plan followed consultation with the Aboriginal community, Director, board, OJM, CLC, UKTNP staff, Tourism Consultative Committee and consultants. Every five years this process occurs and lease provisions can be renewed (Willis 1992; Plan of Management 2000). Such renewal enforces consultation thus allowing documentation to keep pace with changing joint management perceptions, and hence retain legitimacy. Several interviewees mentioned the importance of board meetings. They said that people used them to get issues off their chest, that talking was effective and ensured management was appropriate, and that they discuss issues such as responsibility delegation to the Park Manager. One interviewee also mentioned other meetings such as the community council meetings, which the Park Manager sometimes attends, and Parks Australia meetings, which Anangu sometimes attend.

When English is the dominant language, Europeans have a power advantage over Anangu (Trudgen 2000). Parks Australia uses interpreters for board and other meetings (Willis 1992), and training in Pitjantjatjara and English is available for UKTNP staff (Plan of Management 2000). The Park Manager and other UKTNP staff speak Pitjantjatjara,¹⁷⁹ and the Plan of Management has an executive summary in Pitjantjatjara.

Staff sensitivity to Aboriginal issues has enhanced good relations. Many staff live in Mutitjulu and one interviewee said that Anangu working for Parks Australia form relationships with non-Aboriginal rangers. Conservation officials are chosen for their experience of working with Aboriginal people¹⁸⁰ (Hill and Press 1994). The lease ensures Aboriginal representation on job selection panels, and such panels have an Anangu majority for key posts.¹⁸¹ Parks Australia staff receive cross-cultural training, and a two-way cultural training programme will soon be developed (Plan of Management 2000). Interviewees said the two parties had good rapport and often helped each other. For example, Parks Australia provided left over meeting money to fund a community clean up. They said Parks Australia staff were committed to Aboriginal involvement and that it was a two-way learning process with Parks Australia learning about fire management, and Anangu learning about endangered species. One said the Director was popular

and inspired faith. Although some issues seemed huge, daily management was said to be good. However, staff turnover was problematic¹⁸² (Morgan 2000). Up to a third of staff are usually temporary, and these receive no formal cross-cultural training (OJM 1999). There have been nine acting Park Managers in the last four years, many of whom little understood joint management and needed replacing.¹⁸³ One interviewee said senior UKTNP staff lacked the capacity to deal with all issues, and thus misdirected their energies and focused on UKTNP management rather than effective consultation. Another said Parks Australia sometimes needed reminding it was Anangu land. One said there were small arguments over issues such as burning, and another added that such issues could linger, because Aboriginal and non-Aboriginal people live together so have less room for retreat. Sometimes new staff are employed without proper consultation¹⁸⁴ (Morgan 2000).

Research in 1992 revealed that Anangu were happy with joint management (De Lacy and Lawson 1995). One elder said *"in our park, Aboriginal Law is in the front guiding the way, the Board of Management does not get pushed around, they look after Aboriginal Law"* (Tjamiwa 1992). Woenne-Green et al. (1993) felt joint management existed at the policy, planning and daily management levels, and that Aboriginal people increasingly saw themselves as *de facto* partners. Recent research showed Anangu remained positive about joint management¹⁸⁵ (Davies 1999). They were proud to work with Parks Australia and to own UKTNP. Many Anangu had UKTNP uniforms, which they seemed proud to wear.¹⁸⁶ Day-to-day personal relations were good and arguments were few.¹⁸⁷ Most interviewees concurred with this, and all but one made at least one positive comment. These included describing the relationship as robust and trusting, but also personality dependent and changing over time. Joint management 'got a big tick' at one recent workshop, and media statements by one prominent Anangu revealed that at the heart of it he liked working with non-Aboriginal people. One interviewee said fighting only occurred between Europeans, and that Anangu helped resolve these conflicts.

Table 27: UKTNP Board of Management meeting agenda items of primary relevance to whom.

Group to which agenda item is of primary relevance to	Parks Australia	Traditional owners	Both
Number of agenda items	14	12	7

A recent report states that *"for many Anangu the operation of joint management at Uluru - Kata Tjuta falls short of what they imagined it would be"* because all aspects of decision-making, management and benefit sharing were not divided 50/50 (OJM 1999). Some felt that joint management was paternalistic, and that joint management's future looked bleak if this was as good as it got.¹⁸⁸ Personalities were important, particularly as strong individuals with their own agenda in key positions could derail the whole process.¹⁸⁹ Most interviewees listed areas where problems existed between Parks Australia and Anangu, and several said relations and roles were estranged and confused. One said that as Parks Australia controlled the fiscal economy of UKTNP, Aboriginal involvement was limited. He added that good intentions were not always

put into practice, and that Parks Australia sometimes paid lip service to joint management, which it felt ended with the OJM. One felt Anangu were distant from joint management, and saw no way to break down the barriers preventing participation, and involve Anangu in real decision-making. One said the cultural divide was huge, and another that relations were good after the land was returned, but that this had faded, particularly since ‘whitefella’ management structures were imposed.

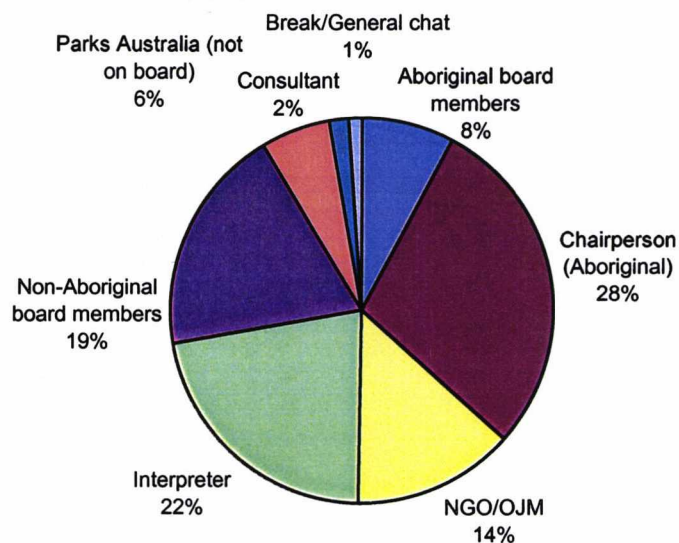


Figure 20: Length of total time spoken for by members of different interest groups in the UKTNP Board of Management meeting

Analysis of a Board of Management meeting provided insight into power relations between Parks Australia and Aboriginal people. The researcher was present for less than three hours of a three-day meeting, and discussion focused on the Cultural Heritage Management Committee. Thus, although one interviewee said these three hours were typical,¹⁹⁰ drawing firm conclusions about power relations from this short period would be unrealistic. The meeting took place in Yulara. Most time was in a boardroom, an environment preferred by non-Aboriginal people, but some time was spent outside under a tree, an environment preferred by Aboriginal people. Some 29% of the meeting was general chatting or taking a break, which suited Aboriginal culture more. Nine board members were present, six of whom were Aboriginal people, including the chairperson. The interpreter is very important in determining where power balances lie,¹⁹¹ and in this meeting she was an Aboriginal woman. In addition, two Parks Australia representatives (including the Park Manager), two Pitjantjatjara Council lawyers, two CLC and two OJM representatives and the Mutitjulu Council chairperson were present. Fifteen of the 20 people present were there to represent and support traditional owner views, but only eight were Aboriginal people. Aboriginal people were therefore outnumbered round the boardroom table despite their board majority. Slightly more of the proposed agenda items were of primary relevance to Parks Australia than traditional owners (Table 27).

The Aboriginal chairperson spoke for longer than other groups (Figure 20) and made more verbal contributions. Surprisingly, the interpreter was not the most dominant contributor, and spoke less than the chairperson, and much less than everyone else combined. This may mean that not everything required interpreting. However, non-Aboriginal board members spoke no Pitjantjatjara, and Aboriginal board members' English skills were very basic, so it seems likely that many of the subtleties of discourse in Pitjantjatjara or English were not understood, and information was lost during translation. Non-Aboriginal board members were the next most dominant group. This is unsurprising given their high capacity to deal with management structures such as the board. Despite their advantage in numbers, Aboriginal board members (excluding the chairperson) made few meeting contributions, although when they did speak it was for longer periods of time. Even NGO representatives spoke nearly twice as much as Aboriginal board members. The chairperson was an Aboriginal person but not a traditional owner, so contributions from traditional owners themselves, rather than those representing them, were few. Parks Australia officials not on the board (i.e., excluding the Director) contributed even less. This could be because there were only two, or because issues requiring Park Manager input were discussed when the researcher was absent. It could imply the Director was well briefed on daily management issues and needed little support from other Parks Australia staff. However, the contrast with support provided by the OJM, CLC and Pitjantjatjara Council to the traditional owner board members is stark.

6.2.4.8 Kakadu National Park

The power balance between Parks Australia and traditional owners was not equal at all levels, but inequalities at each level balanced each other out to only favour Parks Australia slightly. Some felt compulsory lease back was a token gesture establishing Parks Australia domination (Weaver 1991; de Villiers 1999b). Early legislation was detached regarding Aboriginal participation in KaNP management. This was characterised by informal consultation, later found to be unacceptable to Bininj/Mungguy landowners (Lawrence 2000; Hill and Press 1994; Weaver 1991). Secure title changed this (Weaver 1991; de Villiers 1999b), and the success of KaNP joint management compared to UKTNP is partly due to its longer history.¹⁹² Amended government legislation and lease agreements, a Board of Management with an Aboriginal majority, and increasingly progressive plans of management all increased Aboriginal participation (Lawrence 2000). The current Plan of Management is the most empowering yet.¹⁹³ It goes to considerable lengths to define Aboriginal interests and involvement in management (Davies 1999). It states that traditional owners have the final say over big projects, which was a challenge for some KaNP staff.¹⁹⁴ Aboriginal input into daily KaNP management is significant and Parks Australia seems to have a genuine desire and commitment to equal Aboriginal participation (Lawrence 2000).

Weaver (1991) found less power sharing than government rhetoric and legislation suggested, and said that joint management at all policy, planning and management levels had only just

begun. The Director added that non-Aboriginal people were unwilling to release power.¹⁹⁵ They controlled how much money came from Canberra,¹⁹⁶ budgeting, employment and board meeting agendas.¹⁹⁷ Aboriginal people had to contact the Minister via the Director and not independently, but the Director often sent proxies to board meetings.¹⁹⁸ The Director's residual discretionary powers also held some risks for Aboriginal people (Craig 1992). Lawrence (2000) said partnership was not genuine or equal and that more self-management and institution building was required. The western cultural and social nature of joint management inhibited this as *"new property, political, economic and social rights (could) be granted only within the framework of the legal and political structures of the majority culture"* (Lawrence 2000).

Language allows dominant cultures to exercise power¹⁹⁹ (Trudgen 2000), and many Bininj/Mungguy want more local language use at work (Plan of Management 1999). Aboriginal and non-Aboriginal cultures are so disparate that words can mean different things to each group,²⁰⁰ and Parks Australia staff need more language training to reduce miscommunication.²⁰¹ Trudgen (2000) notes that dominant cultures see other cultures as simple, and that non-Aboriginal people therefore accept the simple words of Arnhem Land Aboriginal people as their deep complete thoughts. Aboriginal people find speaking English difficult as the syllable sounds, grammar, sentence structures, concepts and origins are very different. Commercial, legal, economic and scientific terms are not easily translated, and are referred to by Aboriginal people as 'big English' (Trudgen 2000). Use of 'big English' in meetings and reports limits Aboriginal participation, but has increased with the growth of KaNP bureaucracy (Plan of Management 1999; Lawrence 2000). Years of poor communication have precipitated bad habits, and Aboriginal people often say yes to everything (Trudgen 2000). The Plan of Management (1999) states that Parks Australia will provide Bininj/Mungguy language courses and *"support the preparation of a dictionary and other educational material on local languages for use by park staff."* The plan is in plain rather than 'big English' (Davies 1999). It states that *"language that lets all parties fully contribute will be used in work place and consultative meetings,"* but many languages are spoken locally and board meetings are still held in English (Lawrence 2000). The plan also states that local language competency may be included as a favoured skill when selecting employees.

Legislated conflict resolution processes put Aboriginal people in a more powerful position than Parks Australia. The leases can be terminated if issues of detriment to Aboriginal people cannot be resolved (Plan of Management 1999; Davies 1999). This strengthens Aboriginal control over management of their land (Davies 1999). The leases instruct arbitrators to have regard for the *"protection of Aboriginal ways of life, culture and tradition; the interests, proposals, opinions and wishes of the relevant Aboriginals in relation to the management, use and control of the park; the growth and development of Aboriginal social, cultural and economic structures; freedom of access to the park by relevant Aboriginals and their freedom to carry out in the park rites, ceremonies and other activities in accordance with Aboriginal tradition; the preservation of the natural environment (and) the use of the park for tourist activities."* These clearly favour

Aboriginal priorities. When there is conflict on the board, Parks Australia usually backs down and only takes a strong stance on health and safety issues as legally required.²⁰²

Legislative requirements for consultation were initially detached, but informal consultation was successful and KaNP staff had a good rapport with owners (Lawrence 2000; Hill and Press 1994; Woenne-Green et al. 1993). This demonstrates Parks Australia's commitment to making joint management work (Hill and Press 1994). Consultation occurred via the NLC but Aboriginal views were not formally incorporated into policy. One consultant in 1984 noted that Aboriginal people were not considered equal partners (Lawrence 2000).

Consultation has improved, for example with increasing Aboriginal involvement in the production of the plan of management. When drafting the first plan in 1980, Aboriginal interests were considered, but not direct participation. The first and second plans involved consultation with the NLC but not traditional owners. The third plan involved consultation with the NLC, Aboriginal associations, cultural advisors and the Aboriginal Consultative Committee (Lawrence 2000). It was the first to use Aboriginal words (Lawrence 1995). The fourth and current plan reflect more board and traditional owner opinions, and involved additional consultation with the public, KaNP staff, industry, government, a tourism consultative committee and a research advisory committee²⁰³ (Lawrence 2000). The Aboriginal Consultative Committee has 43 members representing different KaNP communities. Monthly meetings were held at various locations during the consultative phase (Davies 1999). This NLC managed committee has provided an effective means to co-ordinate Aboriginal input to the plan (Lawrence 2000; Woenne-Green et al. 1993; Plan of Management 1999). Plan development takes 2½ years. It starts with writing a draft and requesting submissions of interest.²⁰⁴ The current plan received 97 submissions (Plan of Management 1999). The final draft requires approval from the Minister and both Houses of Parliament, which also view submissions and comments on submissions.²⁰⁵ Area plan acceptance requires a similar consultative process.²⁰⁶

Consultation is now more institutionalised and occurs at many levels. The leases require the Director to consult the NLC regularly and Aboriginal organisations regarding administration and management. The Plan of Management states that Bininj/Mungguy should be consulted on all management actions. Parks Australia sometimes asks the NLC for a LIR to assess which Aboriginal people should be consulted, for example regarding work on the Nourlangie rock art.²⁰⁷ LIRs are often not needed as KaNP staff knowledge on who to speak to has grown.²⁰⁸ But many recent deaths have made custodianship unclear.²⁰⁹ The board meets about four times a year²¹⁰ (Hill and Press 1994; Press et al. 1995) and pre-meeting consultation is considerable.²¹¹ Parks Australia employs two Aboriginal cultural advisors (Davies 1999) who recommend appropriate consultation levels for certain issues (Plan of Management 1999). They are not always effective.²¹² Formal consultation typically occurs when film crews visit or developments are proposed (Winderlich 1996). District work programmes are prepared co-operatively by KaNP staff and traditional owners (Plan of Management 1999), and Aboriginal staff are

consulted, for example, when on site permission is needed to shoot a feral animal.²¹³ KaNP staff are encouraged to maintain informal contact with Aboriginal people (Anon 1996b; Winderlich 1996; Wellings 1994).

Weaver (1991) found consultation was ongoing, open, sensitive and responsive, to the extent that KaNP staff often acceded to Aboriginal wishes. However, effective consultation has not always occurred. Parks Australia sometimes consulted more with articulate bi-cultural Aboriginal people than with true traditional owners.²¹⁴ The Minister once inappropriately requested consultation with a specific traditional owner.²¹⁵ Staff members do not always know when others are meeting traditional owners, so fail to pass on their queries.²¹⁶ Guidance about when consultation is appropriate is minimal.²¹⁷ For example, it may be inappropriate to consult an Aboriginal person in the supermarket as many are already subjected to high consultation levels.²¹⁸

Many felt daily relations between KaNP staff and Aboriginal people were good.²¹⁹ Relations with Aboriginal staff and on the board were also good.²²⁰ The Director said Aboriginal public statements were positive and that there were feelings of goodwill, trust and confidence.²²¹ Research in 1992 found traditional owners were very satisfied with KaNP management (De Lacy and Lawson 1995). However, good relations have required much work.²²² Parks Australia staff demonstrated an ideological commitment to Aboriginal people from the start. Aboriginal people found rangers friendly and helpful (Weaver 1991). Having their land back no doubt amplified this.²²³ For some people this feeling faded over time.²²⁴ Key staff with whom traditional owners had personal relationships left, and management bureaucracy grew. Joint management's success clearly depended as much on formal statutory arrangements as informal liaison (Lawrence 2000). However, the growing bureaucracy facilitated structural entrenchment of support for Aboriginal issues. Few concerns about relationships were raised. However, Aboriginal children showed much anarchistic aggression,²²⁵ and some felt KaNP staff had not developed as much as Aboriginal people in their understanding of other cultures.²²⁶

Potential employees had to demonstrate a capacity to work with Aboriginal people (Hill and Press 1994; Craig 1992), and interview questions focused mostly on cross-cultural issues.²²⁷ The leases require traditional owner representation on selection panels²²⁸ (Plan of Management 1999), and the two Aboriginal cultural advisors often did this (Davies 1999). The leases require non-Aboriginal KaNP staff to take a cross-cultural course²²⁹ (Anon 1996b; Craig 1992) to ensure culturally appropriate Aboriginal consultation (Plan of Management 1999). For example, Aboriginal people in Arnhem Land rarely use eye contact, stand directly before people, or interrupt speakers. They often use indirect communication on difficult subjects, and practice active listening. Time taken to process responses is often wrongly interpreted as poor understanding (Trudgen 2000). Staff were encouraged to develop relationships with Aboriginal people (Wellings 1994). One of the first staff members stated that KaNP only worked because staff had been there long enough to get past the policy and make Aboriginal friends. He felt

mutual trust was the key to joint management.²³⁰ Compared to UKTNP, staff turnover was lower²³¹ and many former staff returned regularly.²³² Traditional owners were more used to non-Aboriginal people from the mines and buffalo industry, so engagement was more constructive.²³³ People also lived less closely together, so retreat was easier, as was moving rangers to other KaNP posts if there were local problems.²³⁴ Good district level trust, respect and communication has contributed much to joint management success (Lawrence 2000). District management is also less hierarchical as work plans are developed as a group.²³⁵ Middle management was committed to Aboriginal issues, and the Park Manager usually sided with Aboriginal people when conflict arose. He felt faith and trust were essential for joint management.²³⁶ The Park Manager, board secretary and NLC advisor attended board meetings in an unofficial capacity, and were trusted and liked by traditional owners. There was concern about replacements should they leave (Lawrence 2000).

Joint management is a dynamic process.²³⁷ Its evolution at KaNP exemplifies the need for a flexible legislative framework in which it can function. The key to joint management success “*is not just a commitment to building workable management structures but one of creating a favourable climate for evolution and experimentation*” (Lawrence 1999). Various government acts have been altered to keep abreast of changes. Leases were renewed in 1991 to align them with new legislation, joint management at UKTNP, Aboriginal association involvement, board establishment, sharing of revenue, the increased size of KaNP, use fees, tourism, Aboriginal interest protection and lease payments (Lawrence 2000; Blowes 1992; Hill and Press 1994; Press et al. 1995; Plan of Management 1999). The leases state that the lessee, lessor and NLC shall meet every five years to review lease provisions, excepting the terms (Plan of Management 1999). Plans of management are renewed every five years “*so that changing ecological, social and economic conditions can be considered along with the new knowledge that may be relevant*” (Plan of Management 1999). Plans have increasingly focused on traditional owner input, rights and benefits (Plan of Management 1999; Woenne-Green et al. 1993). Statutory requirements for plan revision helps protect Aboriginal interests, and allow for changing Aboriginal culture²³⁸ (Davies 1999). For example, all Aboriginal people in KaNP opposed mining in 1978, but now some groups actively lobby for it.²³⁹ Younger traditional owners want more payment for sharing knowledge, and are more interested in commercial ventures.²⁴⁰ They are more willing to accommodate rising tourist demand for access to Aboriginal people.²⁴¹ Change is inevitable,²⁴² and some feel joint management should move faster to accommodate it.²⁴³

6.3 DISCUSSION

6.3.1 Clarity of Stakeholder Responsibilities

Key CNP institutions include the conservation authority, landowners and joint management board. Other stakeholders usually have specific responsibilities for decision-making or management. The responsibility of these institutions and stakeholders is discussed before the issue of clarity is ascertained.

The national conservation authority was responsible for managing all South African and Australian CNPs in accordance with a management plan or instructions from a joint management board, and covering all management costs. At Postberg, additional responsibilities included reporting to the Syndicate, approving Syndicate proposals, controlling access, and tourism related activities. In the Richtersveld, additional responsibilities included nursery establishment and paying BPK costs. At Makuleke it was anticipated that the community would take over daily management responsibilities in time. In KGNP and at Melkbosrand, SANP will probably manage the land if contracts are agreed. SANP was partially responsible for passing a management plan at Kempiana and Vlakgezicht, but has not done this. SANP must pay to house its staff, which it is unhappy about. At UKTNP and KaNP, Parks Australia took on many additional responsibilities, which historically lay elsewhere. For example it ran both cultural heritage management programmes. At UKTNP it ensured Anangu law was prioritised and effective consultation with traditional owners occurred. It managed visitors and ensured stakeholders complied with the management plan and EPBC Act. It funded many Mutitjulu essential services. At KaNP, it paid board costs, and management included burning (traditionally a Bininj/Mungguy activity), although it sometimes paid Aboriginal people to burn in traditional ways.

Joint management boards in all CNPs had to draw up management plans, and plan and direct policy. In the Richtersveld and Makuleke, joint management committees worked under the boards and focused on short-term management and implementation. In the Richtersveld, the BPK had to inform all Richtersvelders about RNP issues. At Makuleke it had to plan skills transfer to the whole CPA to enable it to take over management responsibilities in the future. Additional responsibilities of Australian joint management boards included monitoring RNP management and advising the Minister. The KaNP board also had to decide how the budget should be allocated.

Landowner responsibilities were limited in all CNPs. Postberg Syndicate members had to construct and maintain their houses, and approve proposals relating to infrastructure, research and tourism. They ensured members kept to the house rules. Richtersveld landowners had to advise BPK members, and register and control their stock. Makulekes will increase their involvement in conservation management, but are now just responsible for commercialisation. They had to cover the costs of this, but could enter into contracts with investors. Kempiana landowners had minimal responsibilities. Negotiation continues in KGNP and Melkbosrand, but landowners will probably be responsible for commercial development in the Kalahari CNP and other areas of KGNP. At UKTNP and KaNP, Aboriginal people had to maintain traditional law. This included caring for country, but little independent traditional management actually occurred. At KaNP, some independent management occurred, such as burning, but this could cause conflict with Parks Australia. Aboriginal involvement in management at both CNPs was limited to employment or consultation, and Parks Australia had even taken responsibility for

constituting CNP cultural heritage management programmes. However, Aboriginal people at both CNPs remained responsible for ceremony and traditional sacred site care. At KaNP, Aboriginal people may not want management responsibilities, and may only want to provide input on policy, planning and cultural issues. The board and input into plans of management achieve this.

CNPs invariably involved other stakeholders whose roles varied. In the Richtersveld, a mine maintained one RNP road, local government may become involved in stock control, the DEAT had to conduct EIAs, the state used to be responsible for the Corridor West farms, and the trustees had to manage the Richtersveld Community Trust. In Kempiana, Hans Hoheisen funded and maintained his house and borehole, and SAWC maintained its infrastructure, burnt its land, and paid SANP staff manning the gate. Ngala and ConsCorp maintained Vlakgezicht roads, refurbished and insured the lodge, paid their rent and other Vlakgezicht costs. Timbavati maintained one fence. At UKTNP, the governing committee of Muġitjulu was responsible for some community services. The OJM supported the board and traditional owner feedback, and the CLC distributed money. Aboriginal associations, the Northern Territory government or other leaseholders serviced KaNP outstations and their roads.

Despite the many stakeholders at some CNPs, clarity regarding where responsibilities lay was generally clear, but not quite as clear as at AENP (a Schedule One National Park) where SANP had all management responsibility. In Postberg, clarity was ensured by fastidious board meeting minuting, the management plan, contract and house rules. An approved RNP management plan would have improved clarity as the Park Warden effectively made all management decisions. At Makuleke, SANP had once tried to shift management responsibilities. At Kempiana there was no management plan and the master plan referred to in the documentation could have been that of KNP or a new one for Kempiana or Vlakgezicht. Thus, it was unclear whether management should have been like that at KNP. The lack of functional joint management board further reduced clarity. At UKTNP, the board, an effective plan of management and good consultation ensured clarity. However, there was confusion between the OJM and CLC regarding facilitation of appropriate consultation, and between the board and Muġitjulu council regarding responsibilities.

6.3.2 Proximity of Management, Production and Benefit Levels

CNPs provided a framework within which responsibility and benefit accrual levels could be matched. However, all provided examples of where this was not fully effective. This was due to inappropriate contract clauses more than the lack of devolution common to other CBNRM initiatives (section 6.1.2).

Conservation authorities implemented conservation management in all CNPs. This was their national mandate, so the level of management clearly equated to that of benefit accrual, as they were responsible for actions, which would allow them to meet their objectives. However, they often had additional responsibilities, which benefited them little. In Postberg, SANP ensured

Syndicate privacy and security, both of which had improved but were still the subject of conflict. SANP removed Syndicate rubbish and paid for mediation costs, Syndicate Director meeting attendance, and maintenance of roads to Syndicate houses. At RNP, SANP had failed to establish a nursery to benefit the community as required. It also unwillingly paid BPK meeting costs. At Makuleke, SANP maintained roads, which may cause conflict as tourism operators and the community will benefit most from road use. KNP managed Kempiana but received none of the revenue it generated. Thus, KNP sees Kempiana as a financial burden and does not maintain the roads as much as Ngala want. At UKTNP, Parks Australia funded many Mutitjulu essential services, but lacked the skills, finances and motivation for this.

Conservation authorities may want to gain control over land but they must take care not to rush into agreements committing themselves to managing or funding issues which are not of primary relevance to joint management, or which it would be more appropriate for another stakeholder to take responsibility for. They should also be wary of signing an agreement allowing other stakeholders, such as mining companies, excessive control over aspects of management, as this could undermine conservation efforts. If the conservation authority must generate income from tourism, care should be taken to ensure contract conditions do not prevent this from occurring.

Parks Australia prioritised cultural as much as ecological conservation, but its management priorities still differed from those of traditional owners. Anangu at UKTNP saw caring for people as part of caring for country, in contrast to Parks Australia. Likewise, at KaNP, Bininj/Mungguy felt KaNP natural resource use was their responsibility. However, as Parks Australia was responsible for management, Aboriginal concerns may have been prioritised less. Parks Australia had been accused of poor consultation and not implementing plans of management or board decisions. For example, consultation was made difficult at KaNP by the complexities of Aboriginal law, disputes over responsibilities and large distances. Parks Australia sometimes consulted more with more powerful bi-cultural individuals. Managed consultation, the management plan and an external technical audit may have counteracted this, but having more Aboriginal employees in top positions would have helped. Cultural heritage management programmes, initiated and driven by Parks Australia at both CNPs, had failed.

At UKTNP and KaNP, Parks Australia had taken over management responsibilities to the extent that Aboriginal people only had responsibilities when employed by Parks Australia. Parks Australia aimed to ensure cultural traditions were maintained, but managing cultural heritage management programmes and traditional burning, and funding board costs disempowered Aboriginal people by removing their responsibilities, and thus incentives, to continue with traditional activities. Full responsibility for the initiation and maintenance of cultural heritage management programmes should lie with traditional owners, who historically benefited from Aboriginal traditions the most. Parks Australia is essentially a government department with a corporate memory, no deep spiritual links to the land and less incentive to maintain culture and traditions than traditional owners themselves. This could mean traditions die out sooner.

Landowners should also retain responsibilities for certain aspects of CNP management to reduce disempowerment and retain the conceptual link between conservation and benefit accrual, thus increasing landowner support for CNPs in the future. The conservation authority may have good intentions and funding for cultural conservation, for example, Parks Australia's enthusiasm for supporting the preservation of disappearing Aboriginal languages was noted as early as 1991 (Weaver 1991), but will probably not prioritise and implement management actions like local communities.

Sometimes other stakeholders prevented the conservation authority meeting its objectives. At Postberg, joint management severely limited SANP income generation from tourism, for example by restricting tourist access and preventing overnight stays. In the Richtersveld, the Richtersveld community and local government were partially responsible for controlling stock levels. Plans to control total RNP stock numbers as opposed to farmer numbers will further reduce accountability for limiting grazing. Involving local government will place responsibility with the authority most able to control grazing levels, but perhaps less incentive to do so than SANP.

Landowner responsibilities were usually minimal but varied, as was appropriate for the different benefits they wanted. Makuleke and KGNP landowners were or will be responsible for commercial tourism. At Makuleke, CPA decisions on commercial operations were considered JMB decisions after tabulation at one JMB meeting. However, KGNP landowner commercial responsibilities could be undermined if the Park Warden and the management council (half of whom will be from SANP) are required to approve developments, as proposed in the 1998 draft agreement. Kempiana landowners accrued many benefits, especially SANPT, which received Ngala payments, but had minimal involvement. UKTNP and KaNP landowners received income via a circuitous route. They had few responsibilities and some were unaware of CNP existence. Thus, the link between benefits and the CNP was not always apparent. However, they were direct beneficiaries from natural resource use, and allowing Aboriginal people full use of natural resources in KaNP had not led to unsustainable use. At both UKTNP and KaNP, Aboriginal people were responsible for traditional ceremonies and sacred site care.

CNP landowners' objectives varied more than those of conservation authorities, and included accrual of a variety of quantitative and intangible benefits. Contracts should therefore ensure that landowners have the appropriate responsibilities to allow their objectives to materialise. Where landowners want employment and income from tourism, the conservation authority may need to relinquish control over commercial activities or natural resource use, which may require a considerable leap of faith.

Involvement of stakeholders other than the landowners or conservation authority can separate the levels at which benefits are accrued and responsibilities lie. This has been problematic in the Richtersveld. BPK members were supposed to report back to the whole community, but feedback was poor. Government failed to service the Corridor West farms as required, and a

mine badly maintained its building containing the community guesthouse. The Makuleke JMB had to facilitate skills transfer to the CPA, but SANP JMB members had little incentive to involve SANP in this costly exercise. Where other stakeholders are involved, care should be taken to ensure contracts are not undermined by reliance on these third parties. Third parties often have fewer incentives to get involved and are therefore less likely to carry out their responsibilities.

At AENP, SANP was responsible for conservation and tourism management, and benefited from both. Thus, management levels equated to benefit accrual levels. However, implementation and monitoring of Mayibuye Ndlovu projects benefiting communities was poor. Likewise, at Kempiana, all projects benefiting the Welverdiend community failed.

6.3.3 Proximity of Responsibility, Authority and Capacity Levels

CNPs provide a framework in which it is possible to ensure that stakeholders with responsibilities have the authority and capacity to execute them. A joint management board and a clearly defined community can usually ensure that appropriate people have the authority to make decisions about CNP development and management, but not always. Other stakeholders, such as the conservation authority, must release enough authority to empower landowners to make decisions and implement proposals, for example regarding CNP development. All case studies provided examples of stakeholders with responsibilities who lacked the authority or capacity to execute them, but in general this did not occur. Thus, CNPs are similar to Schedule One National Parks such as AENP, where SANP was responsible for conservation and tourism management, and had full capacity and authority to do both.

Conservation authorities in all CNPs had the capacity and authority to conduct conservation management. However, in some CNPs they had responsibilities that they were not best placed to execute. In Postberg, SANP struggled to deproclaim the public road, and in the Richtersveld, SANP could do little to control mining. At Kempiana, the SANP Section Ranger had little authority over major management decisions but was pressurised by Ngala and SANPT to implement inappropriate management actions. At UKTNP and KaNP, Parks Australia had to maintain Aboriginal law, ensure appropriate consultation, conduct traditional land management and manage cultural heritage. Aboriginal people had more knowledge on all these issues. Parks Australia provided some Mutitjulu essential services, which was not in its area of expertise. Decentralisation of authority at KaNP raised staff responsibilities, which allowed for more innovative and Aboriginal-oriented management, but has also increased administration and bureaucracy, thus reducing contact between staff and traditional owners. Conservation authorities should note that to avoid separating the level of responsibility from the levels of capacity and authority, they should ensure they do not deliver promises or take on responsibilities they do not have the authority or capacity to implement.

Sometimes conservation authorities had the authority and capacity to execute certain responsibilities, but failed to do so. At Makuleke, the KNP Director was a JMB member but had

only attended one meeting. At Kempiana, top SANP personnel provided little management support. Conservation authorities should ensure they execute their full authority (when appropriate) to keep their contractual obligations and ensure joint management is not undermined. Where this does not occur, pressure from the landowners or another agency may be necessary.

Joint management boards sometimes lacked the capacity or authority to implement their responsibilities. Chapter 7 discusses this further but institutions established to support boards are discussed here. The OJM and the board secretary supported UKTNP and KaNP boards, respectively. The OJM functioned independently from Parks Australia, and yet both had to ensure effective consultation with Anangu occurred. Dividing this responsibility sometimes led to conflict. However, at KaNP, the lack of independence of the board secretary from Parks Australia was problematic. Thus, it was unclear where responsibility for supporting the boards should lie, and how independent it should be from Parks Australia.

CNP landowners rarely lacked the authority to execute their responsibilities like communities in CBNRM initiatives such as CAMPFIRE discussed in section 6.1.3. Nevertheless, CNP landowners sometimes had responsibilities, which they lacked the capacity to effect. The Makuleke community had few conservation management skills but is supposed to do more management, over time. The Makuleke and KGNP landowners had little capacity regarding commercial operations, and the Makuleke community has relied on support from external advisors and donors to help them enter into agreements with private sector partners. The Mutitjulu Community Incorporated at UKTNP has elevated decision-making responsibilities but no true authority to execute them, as several members are not traditional owners. On the other hand, it is central to UKTNP but has no legislated management role, and remains unrecognised by the Northern Territory Government. Whilst landowners sometimes lack capacity, they rarely lack authority to implement their responsibilities. However, in KGNP, excessive SANP involvement in tourism development may limit San authority to implement and benefit from commercialisation.

6.3.4 Relations Between Landowners and the Conservation Authority

Many of the issues affecting relations between communities and conservation authorities in other CBNRM initiatives discussed in section 6.1.4 are also common to CNPs. The local history and political economy influenced relations in all CNPs. The Richtersveld Namas saw the arrival of SANP as yet another addition to their history of dispossession.²⁴⁴ The province is poor and may get poorer following mine closure. Early expectations were unrealistically high, and some SANP 'promises' may have been wishful thinking. Some Richtersvelders felt benefits were inadequate, but the community was large and easily dissatisfied. High initial expectations also occurred at Postberg, Makuleke and KGNP. Makulekes and the Kalahari San had been forcibly removed and many remained suspicious and harboured anti-white sentiment. At Melkbosrand, Riemvasmakers had also been evicted, and resentment against SANP remained high. AFNP

infrastructure had been damaged and stolen and SANP was fearful of poaching. The community could not reach consensus on the CNP. The Makuleke, Riemvasmaak, San and Mier communities often wanted more help with transport and employment from SANP. At UKTNP and KaNP, the cultural gap between Parks Australia and traditional owners was considerable, although KaNP owners were more used to non-Aboriginal people. Relations at both CNPs began well as they coincided with Aboriginal people regaining land ownership. For future CNPs, conservation authorities should try to reduce landowner suspicions but provide clear information regarding what they can expect from the agreement. This may require time and effort, and conservation officials involved should be sensitive and committed to community issues and cultural differences.

Conservation authority commitment to landowner issues varied. At Postberg, SANP's policy was one of mutual benefit, but the time taken to get the contract signed and road deproclaimed caused frustration. In the Richtersveld, SANP was initially uninterested in negotiating with the community, and its commitment has since been inconsistent. At Makuleke, SANP did not oppose the land claim and top management was supportive, but middle management has been difficult and insensitive on several occasions. Credibility was improving, but some felt SANP only saw the region in terms of conservation. SANP originally claimed San did not use KGNP, and opposed the land claim and San KGNP use. It later reversed this position, and offered part of KGNP before the claim was lodged. However, the land offered was poor, there was no social ecology support, the San were excluded from TFCA negotiations, and lodge development proposals next to the CNP proceeded. These were later suspended, and support improved with joint commercial proposals and a new social ecologist. SANP accepted the Melkbosrand land claim, but disputed the two others. Parks Australia was strongly committed to Aboriginal issues, as KaNP illustrated, with early staff commitment to Aboriginal values, despite the absence of formal joint management structures. UKTNP and KaNP traditional owners supported joint management, despite problems such as recruitment without proper consultation at UKTNP, and the growing bureaucracy at KaNP, which made relations harder.

Conservation official commitment and sensitivity was a key issue affecting relations at all CNPs. The last SANP Chief Executive Officer played a key role establishing CNPs at Postberg, Richtersveld and Kempiana. Other SANP officials failed to grasp the partnership concept at Postberg, where personality clashes between SANP officials and Syndicate members still occurred. The first Richtersveld Park Warden undermined community capacity-building projects, and other staff made false promises, or were overly domineering. Boonzaier (1996) commented that contradictory messages from SANP shaped local attitudes more than economic inducements. SANP BPK members flew in and out for meetings, and some felt the Park Warden should visit villages more. Some community staff members had limited capacity, but much influence over the Park Warden. However, several committed social ecologists improved relations. At Makuleke, good relations were a key part of joint management success (de Villiers 1998) and were viewed as professional, friendly and respectful. However, the KNP Director

delayed management plan feedback, banned hunting and rarely attended JMB meetings. Some felt Makulekes could be opportunistic. SANP staff at KGNP have at times been inflexible, aggressive and uninterested in community issues. The Park Warden's wife had few appropriate skills but was appointed as the first social ecologist. Interest and assistance has grown over time. At Kempiana, SANP middle management provided little support and sometimes blocked joint management. However, relations between the Section Ranger and other stakeholders were good. At Melkbosrand, Riemvasmakers complained of discrimination and broken promises. Social ecologists improved relations but replacing one delayed the process. At UKTNP and KaNP, experience with Aboriginal people affected new staff choice, interviews focused on cultural issues, and Aboriginal people were on selection panels, outnumbering non-Aboriginals for key positions. Both CNPs ran staff cross-cultural training courses, and at UKTNP, many staff lived in the Aboriginal community. SANP could improve community empowerment and development by adopting some of the approaches seen in Australia. However, staff turnover in Australia was a serious problem. The Director was liked, but some staff lacked capacity and allocated little time for appropriate consultation. Strong individuals sometimes derailed the process. At KaNP, staff genuinely wanted participation, rangers were friendly and helpful, and key staff members were very committed. Many had worked there for years and had Aboriginal friends. However, some felt threatened by high levels of Aboriginal power, and some had not tried enough to understand Aboriginal culture.

Consultation varied in form and effectiveness at each CNP. At Postberg, daily communication between SANP and the Syndicate was good and SANP provided biannual reports. The board met about three times a year, and meetings were successful. Plans for information centres and workshops in Richtersveld villages had not materialised. SANP had recently established a newsletter, but communication with the community was poor. Consultation on management was also poor, but the BPK met two or three times a year and relations on it were generally good. However, the resurfacing of old issues prevented movement forwards, and there was sometimes a lack of member continuity. Communication was good between SANP and Makulekes. JMB meetings were frequent and effective, but some wanted more feedback from the section ranger. Social Ecology was not involved and some wanted more community visits from SANP. In KGNP, communication between parties was good when land was informally handed over. Since then SANP has shown inconsistent support for community consultation. Insufficient consultation when Kempiana became a CNP means agreements were unclear on many issues. However, regular informal meetings ensured daily communication between stakeholders on the ground worked well. Communication was also good at the top management level due to close personal links.

In contrast to South Africa, in Australia there was much legislative support for consultation. Parks Australia had to consult regularly with land councils and Aboriginal organisations. Boards met three or four times a year, and at UKTNP an interpreter facilitated communication, although she translated less than expected. At both CNPs, consultation had increased over time. Formal

consultation occurred on key issues, and much daily informal consultation occurred. Management plan production required consultation with the whole community and other stakeholders. At KaNP, an Aboriginal Consultative Committee helped with this. Both CNPs employed cultural advisors, and at UKTNP, a community liaison officer and the OJM facilitated consultation. At KaNP, cross-cultural training facilitated appropriate consultation, although some KaNP staff consulted more with bi-cultural Aboriginal people. KaNP staff could request advice on consultation from the NLC. SANP could consider adopting some of these Australian approaches to improve consultation.

The power balance between landowners and the conservation authority varied between CNPs. Numbers of joint management board members from each party provided one indication of this (Table 26). At Postberg, the Syndicate had high capacity, received more benefits and was more powerful. Board meetings showed an even power balance in terms of chairing, location and contribution levels, but the Syndicate was more dominant and often brought up conservation issues. In the Richtersveld, the two parties communicated in different ways and landowners relied more on the spoken word. Despite a community majority on the BPK, SANP dominated meetings. Discussion issues were more relevant to landowners at first, but this evened out over time. SANP often raised community issues. Meetings were chaired by SANP at first but are now chaired by community members. At Makuleke, JMB meeting location favoured neither party, but meetings were chaired and dominated by the community. Increasing Makuleke participation mirrored decreasing FoM participation. Issues discussed were more relevant to the community. In KGNP, many stakeholders were involved. The Mier made significant contributions to one meeting, but the San participated little given their numbers. At Melkbosrand, SANP wanted a compulsory lease back similar to that at Makuleke, UKTNP and KaNP, which would give them a power advantage.

Power balances at UKTNP and KaNP were uneven at each joint management level, but approximately evened out overall. The OJM at UKTNP operated independently from Parks Australia, thus empowering Aboriginal people. Anangu law was the top UKTNP management priority, but the management framework was western. English was the language of management although interpreters, language training and preferences for staff with local languages reduced this advantage. Anangu had a large board majority and two of the four non-Aboriginal board members required Aboriginal approval. Parks Australia had one board member and did not dominate meetings. However, neither did traditional owners. Non-Aboriginal board members, the Aboriginal chairperson and NGOs assisting traditional owners participated far more than them. The board was a non-Aboriginal structure as illustrated by the meeting location and majority of non-Aboriginal people at the table. This may have disempowered traditional owners. However, the interpreter was Aboriginal, breaks were numerous, and some of the meeting was held outside to suit Aboriginal board members. At KaNP, Parks Australia used to dominate but the Plan of Management focused on Aboriginal issues and gave the final say on big projects to traditional owners. Legislated conflict resolution mechanisms favoured

traditional owners. Aboriginal people had a board majority and had to approve some non-Aboriginal board members. Parks Australia controlled budgets, meeting agendas and staffing, and Aboriginal contact with the Minister was via the Director who retained residual discretionary powers. One researcher felt that Aboriginal people were coerced into joint management and had sacrificed much of their autonomy, and that joint management was constrained by an unequal power distribution, no full recognition of cultural values, poor control over development, and unequal employment opportunities (Lawrence 1995).

If SANP is committed to genuine 'joint' management at KGNP and Melkbosrand, community empowerment is required. This can be achieved on joint management boards by allowing community majorities, and encouraging external individuals or SANP officials supporting community objectives to attend meetings. Outside boards, giving at least equal priority to community issues in the CNP management plan, choosing conservation staff who are sympathetic to local needs, and employing more local people, can even out power imbalances. Australia illustrates these and many other strategies to even out power imbalances and make participation in joint management more equal at all levels, and SANP should consider such strategies for new CNPs.

Older CNPs, particularly in Australia, illustrated the importance of joint management embracing a flexible process able to accommodate change. Little time to consider the contract was problematic in the Richtersveld. Negotiations were progressing slowly in KGNP, which was important as San aspirations were changing fast and they needed time to adapt to western management frameworks. Management plan and contract amendment or renewal occurred at Postberg, UKTNP and KaNP, and renewal of UKTNP and KaNP management plans every five years allowed them to become increasingly progressive. Completing the current KaNP plan took 2½ years and involved traditional owner consultation and incorporation of external stakeholder submissions. What used to be an advisory role for traditional owners evolved into one of more participation and power, with increasing structural entrenchment of Aboriginal values. Aboriginal aspirations have changed, and younger Aboriginal people at KaNP supported mining and tourism more than their elders. Lawrence (1995) states that KaNP and UKTNP joint management *"will continue to be an evolving process. Many issues still have to be resolved, not least the important questions of equitable power sharing with Aboriginal traditional owners, the strengthening of the effectiveness of the Boards of Management and the creation of a meaningful and fulfilling role for Aboriginal rangers."* National legislation has also evolved, and now provides much support for joint management, particularly through the Commonwealth Aboriginal Land Rights (Northern Territory) Act of 1976, and the EPBC Act of 1999. South African CNPs would benefit from the renewal of the National Parks Act of 1976, which provides no detail and minimal support for joint management, and no requirements for contract or management plan renewal.

Joint management evolution and flexibility was important, but problems arose in Australia where Aboriginal people had to deal with 'moving targets' rather than static institutions about which they could have accumulated knowledge and predicted behaviour more easily (Weaver 1991). Thus, care should be taken not to alter official CNP documents too much as this may inhibit community understanding and ability to predict the process.

There were no forced removals at AENP, but blacks were excluded from AENP until 1996, and relations with surrounding communities were characterised by poaching, theft and assaults on rangers. SANP's response to this conflict was to increase patrols. Thus, it was not only CNPs which had suffered from poor relations with local communities. As with CNPs, expectations were high when AENP first tried to work with local communities, and staff commitment and sensitivity strongly influenced relations. The Park Warden supported community issues, but other AENP staff did not, and false promises had been problematic. Some AENP social ecologists were effective, but not all, and their turnover caused problems. However, AENP had three social ecologists compared to most other national parks, which had one. The Addo Liaison Committee and Mayibuye Ndlovu improved relations, and there was good community support for AENP and conservation in general. However, little communication occurred between AENP and communities, most of whom had not heard of Mayibuye Ndlovu. Few had visited AENP, had contact with it or strong feelings about it. Power imbalances were significant. Mayibuye Ndlovu and other community projects were driven and funded by SANP. Proposed joint initiatives such as management boards, forums and management plans had not materialised.

CNPs can clearly go further than Schedule One National Parks towards forming deep relationships with rural communities and supporting community empowerment and involvement. However, this must be seen in context. SANP has less moral obligation to develop, consult and share power with communities surrounding Schedule One National Parks such as AENP, as these communities did not own national park land.

In summary, a variety of institutions and stakeholders have responsibilities in CNPs. Despite this, clarity regarding where responsibilities lie is generally clear. CNPs provide a framework within which levels of responsibility, benefit accrual, authority and capacity can be matched. All provide examples of where this is not fully effective, but this is more often a problem of implementation rather than concept. Relations between the conservation authority and CNP landowner are affected by a range of issues similar to those affecting relations in other CBNRM initiatives. These include local history and political economy, conservation authority commitment, conservation official commitment and sensitivity, effective consultation, an even power balance and flexibility of the joint management process. The management criteria discussed in this chapter are key factors when assessing whether CNP social sustainability can be achieved, as are institutional factors, which are considered in the next chapter.

CHAPTER 7: INSTITUTIONAL CRITERIA

7.1 INTRODUCTION

The social sustainability of CNPs is affected by a range of institutional factors. Key institutions are the conservation authority, joint management boards and landowning institutions as discussed in section 6.3.1. An effective joint management board must be considered legitimate by all stakeholders, its members must represent their constituents with integrity, and it must have the capacity to carry out its responsibilities. The capacity of the landowning institution and its members is also important, and all institutions require effective mechanisms to resolve conflict.

7.1.1 Joint Management Board Legitimacy

Structures managing common property resources must “be functional, effective and accountable” (Shackleton et al. 1998). Joint management boards are responsible for CNP management and to be effective must be considered legitimate by the conservation authority and the landowning community. Other stakeholders such as government must also feel boards are legitimate, but as this affects the management capacity of boards more than whether the landowners and conservation authority respect board decisions, this is considered under section 7.1.3. In Australia, strong legislative and policy commitments to boards support the former and in South Africa, SANP’s Social Ecology unit aims to make agreements “*with local communities, local government and other stakeholders, to develop a collaborative approach to park management*” (SANP 1998). This suggests SANP should support boards. Legitimacy for the landowning community is likely to be more challenging. In Australia, such legitimacy is encouraged by the EPBC Act of 1999, which states that “*a majority of board members must be indigenous people nominated by traditional owners if the reserve is wholly or mostly on indigenous people’s land*” and that board meetings must not occur “*unless the majority of the members of the board present are persons nominated by the traditional owners.*”

7.1.2 Board Member Representativeness

Effective joint management requires that conservation and landowner representatives act for their constituents with integrity (Hulme 1997a; Murphree 1996a). Conservation officials are likely to do this, as they are part of a corporate hierarchical structure with few opportunities for personal gain and a potentially high cost of misrepresentation if job loss occurs. Opportunities for personal gain are arguably larger amongst landowners. Therefore, landowner actors should be committed to the fair and just representation of their constituency without promoting activities for their own personal gain. However, this is difficult in projects such as CAMPFIRE where much political manoeuvring occurs and everyone wants a larger share (Murphree 1997). Indeed, experience shows that benefits from CBNRM projects often do not trickle down to the grass roots level of the community (IIED 1994).

7.1.3 Joint Management Board Capacity

Even if a joint management board is legitimate and its members have integrity, joint management may still be undermined if the board does not have the capacity to carry out its responsibilities. In South Africa, it has been suggested that *“land reform resources should not be made available to groups unless a system of management for, and assistance in the actual allocation and support for longer term administration and management is in place to ensure certain and equitable allocation”* (Pienaar 1999). Research in Australia suggests that *“only when the board is powerful and self-directing will joint management be a form of empowerment and not another form of control. A strong and capable board of management with an Aboriginal majority offers the key to the protection of Aboriginal interests”* (Lawrence 2000).

Board capacity may be limited by external factors such as support and legitimisation by government. For example, in South Africa, board decisions may require publishing in the *Government Gazette* to become law, but Ministers have no legal obligation to do this (De Villiers 1999b). Unlike South Africa, Australian boards have strong legislative backing. The EPBC Act states that boards should be established for reserves that are wholly or partly on indigenous land. It states they must make management decisions in accordance with management plans, and that they must prepare management plans, monitor management, and advise the Minister on aspects of reserve development in conjunction with the Director. It also states that if the reserve is in a state or self-governing territory, at least one board member must be nominated by the state or territory. The Minister cannot abolish the board without the traditional owners' consent, but may alter the board's constitution. The Act specifies board member remuneration and certain appointment conditions.

Board capacity may also be limited by internal factors such as its members' skill levels. Boards may have to manage budgets, ensure equitable benefit distribution, draw up management plans, source external assistance and funding, understand conservation rhetoric, and make decisions about employment, resource use, entry fees, fencing, tourism management, community development, problem animal control and even international relations if the national park borders another country (Kiss 1990; Hanekom 1996). However, some board members may not be numerate or literate and may not even be able to afford transport to meetings.

7.1.4 Landowner Capacity

Community capacity can be divided into two categories: the capacity of individual community members, particularly regarding conservation, land and business management; and the effectiveness and legitimacy of community institutions in the eyes of the whole community.

Many have identified the capacity of community institutions and their members as important factors contributing to effective CBNRM. This is the case in southern Africa (Crook 1996) and also Australia, where low community capacity, a poor skills base and a need for training and development are key impediments to indigenous participation in biodiversity conservation

(Gillespie et al. 1998). Communities in South Africa should formulate systems for management and allocation before land is restored to them (Pienaar 1999). There was community unity during land claim processes, but strife set in following land restoration. For example, communication between community leaders and members broke down, resource allocation was inequitable, mismanagement occurred, and there were many internal political power games (Pienaar 1999).

CBNRM initiatives function better where community groups understand conservation issues. *"If the awareness levels and concern for ecological and long-term requirements of ecosystems is low, the participation of such groups in management may bring about disastrous results"* (Kothari et al. 1996). One project in the Kaokoveld region of Namibia decided not to train the community game guards at first as they were already skilled and the project did not want to create a quasi-governmental anti-poaching unit (Owen-Smith 1996). However, where communities have been alienated from nature and lack education, environmental knowledge and conservation skills may be poor. For example, CAMPFIRE projects in Zimbabwe train community members and encourage them to pass on their knowledge to prevent the emergence of a 'wildlife elite' (Bird and Metcalfe 1995).

Business and management skills can be important for successful CBNRM. Such skills may include marketing, fundraising, organisational, leadership, business and financial skills as well as knowledge of land use planning and tourism (Kiss 1990; Fourie 1994). Without these skills, communities are vulnerable to exploitation by big businesses (ODA 1996).

Community institutional strength is partially dependent upon how clearly and appropriately the 'community' is defined (Chapter 5), but also on how effective and legitimate institutions are. Functional community institutions require *"a common understanding and acceptance amongst common property resource users of what constitutes membership, access rights, duties and rules, decision-making, and sanctions"* (Shackleton et al. 1998). Demands placed on community institutions can be high, and skills required may include conflict resolution, management, administration and enforcement. In South Africa, the Kutlwanong Farmers Trust was formed in 1996 to hold 39.3km² in trust for 200 families. The trust established no organisational structures, decisions were not made by all members, there was no effective management plan and benefits were distributed inequitably (Carnegie et al. 1998).

Legitimacy of community institutions may be poor if traditional authorities are not involved. However, in some areas of southern Africa, traditional authority systems have broken down and communities are organised according to local government structures or not at all (Dalal-Clayton 1997). Colonial governments caused much disruption, for example chiefs in South Africa who collaborated with apartheid structures were retained, and those who did not were removed and even persecuted. Many Tanzanian villagers no longer recognise traditional village authorities as legitimate (Leader-Williams et al. 1996). In Zimbabwe, various acts empower non-traditional district councils to manage wildlife, control land allocation, charge for land use, and make by-laws. Attempts to integrate traditional leadership into local institutions have largely failed and

conflict still exists in some areas. For example, chiefs in Zimbabwe's Hurungwe District continued to locate new settlers for money despite district council opposition (Bird and Metcalfe 1995). The Masoka community in Zimbabwe's Guruve District illustrates that community institutions can be successful when organised around non-traditional lines. The Wildlife Committee manages the local CAMPFIRE project and its revenue. The community elects committee members and 81% of households are satisfied with their work (Murphree 1996b). In South Africa, people remain loyal to traditional leaders in some areas, but prefer African National Congress (ANC) aligned associations in others (REDDA/NESDA 1995). Sometimes both traditional and modern democratic forms of governance are incorporated into community institutions, but some believe that this combination will not work in the long-term.¹

Community institutions can be more legitimate if well-established (Pimbert and Pretty 1995). Using existing institutions involves people with an understanding of collective action, and avoids introducing new institutions with their associated bureaucracy and confusion over stakeholder roles (Rudge et al. 1997). For example, in Lake Mburo National Park, Uganda, a Park Management Advisory Committee was established to ensure communication between the park and surrounding communities, and represent community interests regarding revenue sharing and resource access. However, the committee was ineffective as it met irregularly, it relied too much upon the park authorities, and the community and the members themselves were unsure of their roles (Hulme 1997b).

7.1.5 Conflict Resolution Mechanisms

Institutions involved in CBNRM need effective, simple and low-cost conflict resolution mechanisms (Shackleton et al. 1998). Traditional methods such as trance induction or non-verbal social pressure can be used, but modern approaches can also be effective. *"Whenever the conflicts are serious and the parties involved are distant and hostile, the presence of a facilitator, mediator or arbiter is highly recommended"* (Borrini-Feyerabend et al. 2000).

Australian legislation details mechanisms to resolve conflict between the various joint management stakeholders. These include the Director, board, land councils and indigenous people. The EPBC Act details resolution mechanisms for disputes around issues including management plan content and implementation, reserve management, appointment of a Northern Territory representative to the board, and the Director's effectiveness. Most mechanisms require ministerial involvement. The Land Rights Act details resolution mechanisms for disagreements between the Director and the land council. In such a situation the Minister may sign on behalf of the land council if it refuses. He may also grant leases on behalf of a land trust if it refuses, and has ultimate control in disputes over mining operations. He therefore retains considerable power in conflict situations. The Act also states that land councils must help resolve disputes between Aboriginal people, land trusts and Aboriginal associations. No such conflict resolution mechanisms exist in South African legislation.

This chapter assesses the institutional factors affecting CNP social sustainability. It assesses whether the joint management board is legitimate, whether its members represent their constituents with integrity, whether it has the capacity to implement its responsibilities, whether the landowning institution at large and its members have the capacity to implement their responsibilities, and whether institutionalised conflict resolution mechanisms are effective.

7.2 RESULTS

7.2.1 Joint Management Board Legitimacy

Official documentation and legislation in South Africa has not always been clear about the board's constitution and area of jurisdiction. South African joint management boards struggled less with the adoption of western management structures than those in Australia, but UKTNP and KaNP illustrated that boards could, to a certain extent, accommodate traditional management styles. They had Aboriginal majorities, Aboriginal people approved non-Aboriginal board members, an Aboriginal person chaired meetings, appropriate consultation occurred before meetings, and appropriate methods were used to choose Aboriginal representatives. These details helped ensure that the community considered a structure at odds with traditional management structures legitimate.

Despite problems, joint management boards in both South Africa and Australia were quite robust and many had functioned relatively effectively for years. By comparison, the Mayibuye Ndlovu board at AENP collapsed within a year. Effective feedback from CNP landowner board members to the whole landowning community was poor in many CNPs, but feedback problems were not unique to CNPs. For example, feedback from the Mayibuye Ndlovu board to communities around AENP was poor. The conservation authority rarely considered joint management board decisions illegitimate. This occurred occasionally in Australian CNPs, perhaps because Parks Australia had minimal representation on boards.

7.2.1.1 The Postberg Section of West Coast National Park

All interviewees agreed that the board was legitimate for SANP and the Syndicate. There are seven Syndicate directors, each of whom has a three-year term, although re-election is possible. Two are elected every year, and one interviewee said the election process was very transparent. Four of the directors are then chosen as board members. Several interviewees commented that the Syndicate was content with its representation by the board. One added that Syndicate board members sometimes consult with the whole Syndicate before making a decision.

Good feedback to all Syndicate members increased board legitimacy. The Syndicate is a small group, and a newsletter comes out several times a year containing directors' news, financial reports, and subtle reprimands of errant Syndicate members.

7.2.1.2 The Richtersveld National Park

For years, the community has been subjected to various types of anarchic representation and is therefore not used to the BPK's democratic procedures. At first, the whole community came to BPK meetings so there was great disruption and elected representatives said little.² The 1995 Management Plan therefore stated that "*meetings of the Management Plan Committee are attended only by committee members and by certain invited observers.*" An observer at one of the earliest BPK meetings in 1992 noted the absence of attention to democratic principles by the committee, who made all decisions with little feedback to the community. The community therefore had little insight into RNP and little say about the Management Plan contents. The minutes of a 1996 BPK meeting show that Kuboes BPK members were unaware of a petition signed by many Kuboes people complaining about the proposal for closed BPK meetings. This may indicate a lack of faith in BPK representatives or poor understanding of the role of BPK members. Once in 1997, no new representatives were elected from Kuboes or Sanddrif and old ones had to stand in. The community also sometimes elects representatives as scapegoats rather than genuine representatives.³

Most interviewees felt that the BPK was legitimate in the eyes of the community, but nearly all had reservations about this. Two interviewees said that because the community did not come to elections they had unwillingly spent five years on the BPK. Many interviewees commented on the lack of community interest in the BPK and the problems of feedback. One said that he solved this by using the meetings of other community institutions such as the church. The community does not always respect BPK decisions, and interviewees suggested consultation, education and replacing BPK members with local government members to solve this. One interviewee said that the community does not understand democracy, which is why they do nothing about their lack of faith in their representatives. However, four interviewees said that elections for BPK members were held biannually, three said the community respected BPK decisions, one said the BPK meets with the whole community annually, and one said the community was content as he gave good feedback and always consulted it before a BPK meeting. All interviewees said that SANP felt the BPK was legitimate. Interviewees said that the contract legitimises the BPK, and that advice on difficult issues can be sought from higher levels within SANP.

7.2.1.3 The Makuleke Region of Kruger National Park

The CPA combines traditional and modern systems of leadership, with the traditional leader chairing the democratically elected CPA executive committee. Executive committee members are then nominated to the JMB. Executive committee decisions put forward through the board are reported back to the whole community. If a problem arises, the whole community is consulted. JMB members report back to the executive committee after meetings, and make meeting minutes available. Such feedback mechanisms are laborious but ensure accountability. Therefore, JMB decisions are felt to be in the interests of the whole community. All interviewees

said that SANP felt the JMB was legitimate. SANP could choose its board members, and important decisions would be made by higher KNP authorities.

7.2.1.4 The Southern Section of the Kalahari Gemsbok National Park

The 1998 draft agreement between SANP and the San proposes a Management Council to provide content to the framework set out in the main agreement. Legitimacy would be ensured by equal numbers of SANP and San on the council. It was envisaged that decisions would be made by consensus (Chennels 1998; 1999). However, the Management Council is not yet established.

7.2.1.5 Kempiana, Adjacent to Kruger National Park

The Deed of Donation states that *“the management of the property shall be jointly undertaken by the donor, the donee and the National Parks Board under the chairmanship of the donor or his nominee”* and states that this is an executive committee with voting powers (Pietersen 1999). However, the 1992 agreement leasing Vlakgezicht to Ngala Game Reserve states that *“the parties undertake to form a Conservation Committee consisting of at least four members and each party will have the right to nominate the same number of members to serve on such committee,”* and that this committee will manage the game and the land. This inconsistency arose because during the negotiations, SANPT promised ConsCorp representation on the joint management committee.⁴ Kempiana’s traversing agreement states that ecotourism activities will be directed by a conservation committee, but whether this refers to a third, or to either of the above two committees is ambiguous. Either way, agreement clashes suggest that there are serious legal conflicts to be resolved⁵ or that Kempiana and Vlakgezicht require separate management committees.

None of the above committees have been established or given executive powers.⁶ The Management Plan states that a more representative committee has been established which, despite approval from Hans Hoheisen and SANPT, acts only as an advisory committee to SANP (Pietersen 1999). This committee consists of two KNP, two Ngala/ConsCorp, one SAWC, and two Welverdiend community representatives. The plan states that SANPT initially sent a representative, who is now content to be informed via the minutes (Pietersen 1999). But this committee does not function either,⁷ and for nine years the people on it have not sat down together to make a decision⁸ primarily because committee members are not finalised.⁹ Some argue that the community should be granted full voting rights,¹⁰ as should SAWC.¹¹ And some feel that the proposed committee is dominated by KNP representatives and that Ngala pay high rent so should have more say.¹² Suggestions have also been made for two committees: a strategic committee consisting of SANP, WWF-SA and a Hans Hoheisen representative to deal with long-term issues such as Hans Hoheisen’s wish for management like KNP; and a land use committee consisting of SANPT, SANP, ConsCorp, Ngala, the community and SAWC to deal with day-to-day management. The SANP Section Ranger would be on both and ensure feedback between the two.¹³

What has emerged are monthly trilateral meetings between the manager of Ngala, the SANP Section Ranger and an SAWC representative to discuss issues like roads, staff problems and poaching.¹⁴ Despite good relations between attendees, the lack of executive powers¹⁵ means that problems such as poaching and damage from escaped wildlife have not been resolved.¹⁶

7.2.1.6 Melkbosrand, Augrabies Falls National Park

A joint management committee for Melkbosrand has not yet been constituted.

7.2.1.7 Uluru - Kata Tjuta National Park

Six of the Board of Management's 10 members are nominated by Aboriginal traditional owners, one is the Director, one is an arid land ecologist, one is nominated by the federal Minister responsible for tourism and one is nominated by the federal Minister responsible for the environment (Australian Nature Conservation Agency 1995). The latter two must be accepted by traditional owners (de Villiers 1999a). The EPBC Act provides for a Northern Territory government representative on the board, which makes many Anangu unhappy (Plan of Management 2000). The environment representative is currently an Aboriginal man. The non-Aboriginal board members understand UKTNP well,¹⁷ and one has been a member from the start,¹⁸ although members (except the Director) usually change every five years.¹⁹ The Park Manager is not, but perhaps should be, a board member.²⁰ The board chairperson is always Aboriginal.

The land trust nominates Aboriginal board members (Australian Nature Conservation Agency 1995) to the CLC, which makes recommendations to the Minister who appoints those nominated.²¹ Traditional owners choose them by talking and voting.²² It is mostly elders who vote but younger traditional owners can vote too.²³ Proxies are also appointed.²⁴ Disputes about the election process have occurred.²⁵ Four Aboriginal board members are Anangu traditional owners, and two more are Aboriginal²⁶ (Willis 1992). The four Anangu board members come from all over the region, are both sexes and are mostly considered legitimate by Anangu.²⁷ Other Aboriginal board members can lack legitimacy,²⁸ and Anangu have disquiet about the CLC nominating the chairperson,²⁹ although the chairperson said her position was decided at board meetings.³⁰ Some feel the chairperson should be a traditional owner³¹ and others would prefer a man.³² Most interviewees felt that the community listened to the board and one said that they thought it was all-powerful. However, there have been problems with part-Aboriginal people and others not listening to the board. One interviewee felt that the board could be more legitimate for the community, and another that the board was accountable to UKTNP rather than the community.

One key problem is that under Aboriginal law, it is inappropriate to choose board representatives, as only specific individuals may make decisions about different parts of the country.³³ Two interviewees said that the board is a 'whitefella' structure, so hard for Aboriginal people to understand. In some ways, the board therefore undermines Aboriginal culture as it

transfers decision-making responsibility from those with authority under traditional Aboriginal law to those with authority under European management structures. This is of concern, as younger Aboriginals are less interested in closing Uluru to climbers³⁴ and less concerned about road placement.³⁵

Views on the effectiveness of feedback from the board to the community varied. The OJM tries to inform traditional owners about board decisions and get their input on upcoming decisions. However, this is not easy³⁶ because many live outside UKTNP and the community has no official information sharing mechanisms. OJM operations are transparent and board meeting minutes are accessible to traditional owners,³⁷ but language barriers, time and geographical constraints inhibit feedback. The CLC aids feedback by sending an observer to board meetings and organising traditional owner meetings.

The board may not be fully legitimate for Parks Australia. Some interviewees felt that Parks Australia and the Park Manager respected and adhered to board decisions but others disagreed. One added that the language barrier was problematic. Others also felt that Parks Australia did not work closely enough with the board and that the Park Manager did his own thing without listening to the board³⁸ (Morgan 2000).

7.2.1.8 Kakadu National Park

Ten of the Board of Management's 14 members are Aborigines nominated by the traditional owners (Davies 1999; Hill and Press 1994). The non-Aboriginal board members are the Director and the General Manager (Northern Operations) of Parks Australia, a Northern Territory Tourism Commission member and a nature conservationist. The latter two must be acceptable to Aboriginal people³⁹ (Craig 1992; Davies 1999). The tourism position has been vacant since 1999.⁴⁰ The EPBC Act requires an extra Northern Territory board member,⁴¹ but this has not yet been realised. This individual must be acceptable to Aboriginal people.⁴² Traditional owners decided that the Park Manager should not be a board member, but that, unlike UKTNP, Aboriginal KaNP staff could be members. Aboriginal interviewees felt that board meetings had too many visitors (Lawrence 2000). However, any Aboriginal person may attend meetings without speaking.⁴³ The chairperson and his/her deputy are Aboriginal (Davies 1999; Press et al. 1995).

Aboriginal board members come from a variety of Aboriginal associations⁴⁴ (Blyth et al. 1992) and have a wide geographical and linguistic spread.⁴⁵ Three are from southern Jawoyn, three from northern Gagadju, three from central Gundjeyhmi/Minitja and one from the north-western Limilngan country⁴⁶ (Davies 1999). One of these also represents Oenpelli people who have strong links to KaNP (Lawrence 1999).

Aboriginal representatives are first nominated by traditional owners⁴⁷ and need not be traditional owners.⁴⁸ Nominees are often obvious as families have clear seniors.⁴⁹ Meeting turnouts can be low but prior discussions occur and the process seems legitimate⁵⁰ as key senior

traditional owners are always involved in decision-making. Nominations are passed on to the Minister by the NLC⁵¹ and proxies are also chosen.⁵² Some board positions are fluid due to clan disputes, but the board allows board members to change during their term.⁵³ Elections occur every two or three years and the NLC runs the process,⁵⁴ except in Jawoyn country where representatives are chosen at an annual general meeting.⁵⁵

The board is generally legitimate for traditional owners,⁵⁶ but this depends on the issue,⁵⁷ and some traditional owners say they reserve the right to reject board decisions,⁵⁸ particularly on cultural issues.⁵⁹ As a person cannot make a decision regarding another's country under Aboriginal law,⁶⁰ some Aboriginal people feel awkward being called 'decision-makers'⁶¹ and often only the relevant board members make decisions.⁶² However, the board's mandate to represent people makes it acceptable to speak about another's country.⁶³ Historically, most Aboriginal representatives were senior traditional owners, so had the last say on issues, but not all current board members are traditional owners and several are young,⁶⁴ so must consult with elders before decisions are made.⁶⁵ However, fast decisions allow little time for community input and full consultation.⁶⁶ Thus, this European management style can lack legitimacy due to its incompatibility with Aboriginal ways of decision-making.⁶⁷ Sometimes, issues are perpetually postponed as those with the authority to answer them are absent, and poor decisions can get accepted if the appropriate people are not there to object.⁶⁸ Parks Australia can also capitalise on Aboriginal people's tendency to agree to things to avoid conflict.⁶⁹

Board feedback to traditional owners is poor,⁷⁰ particularly from the previous board who felt that decisions were theirs in any case.⁷¹ Some feedback occurs through district rangers,⁷² social connections between Aboriginal groups⁷³ and the board secretariat.⁷⁴ However, board members are often busy on several committees,⁷⁵ some traditional owners live outside KaNP,⁷⁶ and feedback from Parks Australia is often greater to bi-cultural Aboriginal people with phones, cars and good English.⁷⁷ Board meetings have been accused of secrecy and poor transparency, but Aboriginal people are secretive by nature.⁷⁸ Information is kept scarce to keep it valuable. It is owned by particular people and those who come across it without being invited are seen as breaking the law. It is useless to provide information to a few Aboriginal people in the hope that they will pass it on, because people not seen as knowledge owners will be ignored. Information should instead enter an Aboriginal group with respected elder approval (Trudgen 2000).

Liaison should have occurred on all issues before meetings.⁷⁹ The board prefers to make decisions by reaching consensus (Lawrence 2000; Plan of Management 1999), and although people often use meetings to air their worries,⁸⁰ acceptance of issues is usually a matter of course.⁸¹ Legislation provides for voting (Plan of Management 1999; Lawrence 2000) but this was not invoked until 1997, when the Director disagreed with the rest of the board.⁸² Since then, voting has sometimes occurred.⁸³ However, the board has been criticised by KaNP staff and traditional owners for being weak and making few formal decisions (Lawrence 2000).

The board is legitimate for Parks Australia,⁸⁴ which often provides more than one option when advising the board on management actions.⁸⁵ Management actions not covered by the Plan of Management must first get board approval.⁸⁶ Parks Australia adheres to board decisions,⁸⁷ and many staff are long-term employees and committed to implementing board decisions.⁸⁸ However, there is some confusion about whether Parks Australia is accountable to the Minister via the Director, or to the board.⁸⁹

The Director must implement board decisions if they are consistent with the Plan of Management⁹⁰ and he sees himself as managing KaNP in conjunction with the board.⁹¹ He and the board have an equal responsibility to advise the Minister⁹² (Lawrence 2000; Press et al. 1995). He links the Minister and the board and aims to get approval from both.⁹³ Legislation allows the Minister to refer disputes between the board and the Director to independent arbitration, so while the board should sit above KaNP management, it actually sits beside it (Lawrence 2000). Communications from the Director to KaNP staff or the Minister need not pass through the board (Lawrence 2000). The Minister has never rejected any board decisions (Lawrence 1995), but given his power, it is perhaps fortuitous that he advocates joint management.

7.2.2 Board Member Representativeness

Comparison of committee representatives from communities around AENP, and community representatives on joint management boards revealed that those on boards were more effective at resisting personal motivations. Board representatives were generally genuine in trying to represent all landowners, particularly when backed by strong landowning institutions. This was perhaps because representatives backed by strong institutions had to be more accountable than those backed by weak ones. Representatives were monitored by the landowners they represented, but also by the conservation authority. Scrutiny from two sides meant that opportunities for unobserved personal gain were minimal.

7.2.2.1 The Postberg Section of West Coast National Park

All interviewees felt that Syndicate board members represented the whole Syndicate's needs, including new and old shareholders. Interviewees described the Syndicate as a cohesive family with no disgruntled sub-groups, and one said that the Syndicate never confronts its directors, that they appreciate the board and feel it is responsible.

7.2.2.2 The Richtersveld National Park

Initial RNP negotiations were with the Richtersveld Management Committee, which was a non-democratic government puppet.⁹⁴ A court interdict from Willem de Wet prevented the signing of the original agreement and ensured the whole Richtersveld community became involved. In the past, the BPK has been dominated by powerful elites with vested economic interests in cattle, mining or business (Budlender 1995; Archer et al. 1994). The role of women as stock owners has largely been ignored (Archer et al. 1994). Many Richtersvelders were positive about

recent BPK representative integrity, but mentioned poor community consultation and feedback. One BPK member even lives in a different village to the one he represents.

Interviewees felt that representatives did truly represent the community's needs. Comments included the fact there were no personal advantages gained from being on the BPK and that talks were held with the community before BPK meetings. Issues discussed all originated in the community and decisions were only ever made after the third BPK meeting to allow for community feedback. One interviewee felt public spirit levels were high. However, it was mentioned that no politician is completely virtuous and that some BPK members lack integrity, and represent their own mining or grazing interests rather than the interests of the whole community.

7.2.2.3 The Makuleke Region of Kruger National Park

All interviewees confirmed that under the usually strict CPA rules, any JMB member ceasing to represent community needs could be removed. However, SANP interviewees were less optimistic than Makuleke interviewees about the JMB remaining genuinely representative. Some felt that certain community representatives were already more powerful and less community-orientated than the rest.

7.2.2.4 The Southern Section of the Kalahari Gemsbok National Park

There is currently no operational joint management committee.

7.2.2.5 Kempiana, Adjacent to Kruger National Park

This is not a key issue as landowners are corporate bodies who do not attend meetings.

7.2.2.6 Melkbosrand, Augrabies Falls National Park

There is currently no operational joint management committee.

7.2.2.7 Uluru - Kata Tjuta National Park

Almost all interviewees felt that Aboriginal board members truly represented all traditional owners, and any complaint was usually due to a misunderstanding. Board members were only paid small sitting fees, and being on the board is stressful and provides no opportunities for personal advancement. A strategy exists to prevent misrepresentation, and board members making bad decisions will get into trouble with the community and be pressured to leave by other board members. Once, a non-Aboriginal board member used his influence to promote a tourism venture in which he was involved, but this would not happen with current board members.

7.2.2.8 Kakadu National Park

It was generally felt that Aboriginal board members reflected traditional owner wishes and had integrity.⁹⁵ One board member abused his privileges by bulldozing a road to his house with no EIA,⁹⁶ and some board members would like more economic benefits. However, traditional

owners and their children have to live with the consequences of their decisions, so they feel certain obligations.⁹⁷

7.2.3 Joint Management Board Capacity

Joint management board member capacity was usually problematic where landowners were previously disadvantaged communities, or communities with strong traditions and culture. In some CNPs, external advisor, NGO and donor support proved essential towards meeting ecological and economic objectives. However, where external support for joint management was minimal, the demands placed on board members were often too great. Sensitive conservation officials helped mitigate the negative effects of capacity problems, for example by removing non-indigenous people from board meetings for short periods, ensuring agenda items were covered slowly so all board members can grasp the issues, and ensuring community board members were acquainted with issues and had time to discuss them amongst themselves before they reach board meetings. Where community board members were poor, conservation authorities sometimes helped cover board administrative costs and paid for members' travel and sitting costs.

The low capacity of community representatives was also problematic at AENP where it contributed to the collapse of several community initiatives. The persistence of joint management boards can raise community capacity through participation on the board itself and other indirect means.

External factors often strongly influenced joint management board capacity. Low support from the whole community disempowered some boards, and institutions responsible for supporting boards varied in effectiveness. Capacity was also limited by the conservation authorities, which generally retained control over management budgets and finances, thus limiting the decisions that board members could make. The most important external institutions affecting board capacity were government agencies. Ministerial involvement with contract signing and support for boards and the joint management model in general helped empower boards and the whole joint management process. This was particularly apparent in Australia where the Minister retained considerable power regarding joint management, and usually used this power to support the process. However, a future reversal of ministerial support could damage joint management and disempower the board. Government controlled mining rights in all CNPs and the power of boards to control mining was sometimes unclear. Local government was often important, and RNP demonstrated the importance of the board operating in conjunction rather than in parallel with a strong local government in order to be powerful. Statutory requirements for, and reinforcement of boards was much higher in Australia than in South Africa, which helped ensure establishment of effective legitimate boards. However, Postberg illustrated that boards can operate for many years without any statutory reinforcement.

7.2.3.1 The Postberg Section of West Coast National Park

The 1994 contract does not mention a joint management board, and two interviewees stated that the board has no statutory rights. In practice, the absence of statutory support appears not to be an external factor limiting board capacity, because two interviewees said that government approves of the board and supports its decisions, while others described the board as powerful and said its decisions were always implemented. For example, the fence was relocated following board agreement after the public road was deproclaimed.⁹⁸ The board is well-balanced in terms of power,⁹⁹ and unlike other CNPs, board members require no capacity-building as their education and knowledge base equals that of SANP officials.¹⁰⁰ Thus, internal capacity is not problematic.

7.2.3.2 The Richtersveld National Park

Past attitudes to BPK effectiveness have been mixed but mainly negative. The poor BPK member and community capacity noted by Hanekom (1996) could explain this. A previous Park Warden said the BPK was only 50% effective¹⁰¹ and first Park Warden said the BPK did not function properly. From 1991 to 1994, the BPK neglected an important management issue by not attending to mineral rights applications (Archer et al. 1994). Bruce (1995) noted that *“the BPK lacks coherence and direction. It is not functioning as it will have to in order to make the partnership a reality.”* A recent BPK member trip to other protected areas helped build awareness,¹⁰² but the lack of BPK member continuity¹⁰³ and the fact that the BPK’s responsibilities are impracticably large, continue to be problematic. Key issues evading the BPK are the lack of a management plan acceptable to all parties, and poor community feedback (Boonzaier 1998). Thus, the BPK lacks the power it could have.¹⁰⁴

External issues affecting board capacity were important at RNP. Most interviewees felt that the BPK was a powerful body whose decisions would be implemented. Reasons given included the contract, the parastatal status of SANP, the National Parks Act, local government support with a local government member on the BPK, and meetings between the BPK and local government. However, several felt the BPK lacked power. Comments included the fact that the community would like the BPK to do many things but does not give it power, for example it does not pay members to attend meetings. Power to control RNP stock numbers was weak and more dealings with the powerful local government were suggested. However, there was little communication between local government and the BPK, and local government officials have not attended BPK meetings. A former Park Warden stated that *“joint decision-making for land use planning on communal land will always lack momentum, and most of the time direction and credibility, if the democratically elected local government for that land is not constitutionally brought into the decision-making”* (Taljaard 2000). The former TLC Chief Executive Officer also said that the BPK lacks power, it ran to the TLC for support, and that, although invited, he was unable to attend BPK meetings.¹⁰⁵ TLC representatives used to attend BPK meetings,¹⁰⁶ but reported back little to the rest of the TLC.¹⁰⁷ A former Park Warden said that the BPK was powerful but that stock farming decisions could conflict with those made by the TLC, creating problems.¹⁰⁸

Internal factors affecting BPK capacity were much less problematic. Most interviewees felt that community BPK members had the capacity to carry out their roles. This included participating in meetings, understanding issues, and taking management decisions. Suggestions to improve capacity included trips to other protected areas and the creation of a village-based BPK office for member meetings. One interviewee said BPK membership was a continuously empowering process for all members.

7.2.3.3 The Makuleke Region of Kruger National Park

External factors do not limit JMB capacity. The JMB was formed according to the terms of the contract signed by several Ministers. It is thus a legal entity with legislative strength. The contract devolves power and management authority over the Makuleke Region to the JMB. The DEAT will monitor the JMB along with the DLA, which wants reports on the JMB from SANP and the community. Once parliament hands over the title deed, formal CPA institutionalisation will put the community in a strong bargaining position.

Internal factors limiting JMB capacity are of more concern. FoM dominated JMB meetings in terms of the time for which they spoke (Figure 16) and the number of points they made. These experts represent the community's needs, are there at their request, and have provided invaluable support. Recently, FoM have been less dominant at meetings, but it remains important that the community does not become dependent on FoM. JMB members have also been on training courses to raise their capacity¹⁰⁹ but some still have limited understanding of conservation issues.¹¹⁰

7.2.3.4 The Southern Section of the Kalahari Gemsbok National Park

There is no operational joint management committee.

7.2.3.5 Kempiana, Adjacent to Kruger National Park

There is no formally constituted joint management committee at Kempiana, but those who attend trilateral meetings are all capable of understanding issues and making decisions.

7.2.3.6 Melkbosrand, Augrabies Falls National Park

There is no operational joint management committee.

7.2.3.7 Uluru - Kata Tjuta National Park

External factors inhibited board capacity little, and most interviewees felt that the board was powerful, in part due to government support. The Park Manager said the Federal Government felt the board was legitimate.¹¹¹ Some interviewees said that government and the Minister listened to the board and accepted proposed changes. For example, the Minister has not overruled the board or vetoed the plan of management. Some interviewees said legislation such as the EPBC Act ensured the board's empowerment and legitimacy and the Plan of Management's effectiveness.¹¹² The Minister can override board decisions (de Villiers 1999a), nominate non-Aboriginal board members,¹¹³ and instruct the Director, none of which have

occurred in practice. Government thus plays a check and balance role in joint management.¹¹⁴ However, one interviewee said government did not always listen to the board and that the Minister could be difficult. The OJM Co-ordinator and another interviewee felt that despite legislative support for the board, there was no infrastructure to support its decisions and it was therefore a powerless tokenistic structure.¹¹⁵

Board member capacity is not limited by funding. The lease obliges Parks Australia to fund board administration costs. It therefore funds the OJM which in turn pays board members. Sitting fees for a day are AU\$250, the chairperson receives twice this, and board members receive AU\$500 travel allowance for a week.¹¹⁶

Internal factors affecting board capacity were much more problematic. Anangu find it particularly hard to understand issues such as financial management. *"We don't understand the park's 'money line'. We want to learn about the park's budget and money business about the park and be a part of the process in determining how it is spent"* (Mrs Patterson quoted in Plan of Management 2000). Some Anangu board members do not understand the roles of institutions involved in joint management.¹¹⁷ The European management style reduces Anangu decision-making powers so they have been unable to effect their objective *"to create more youth employment and to create a supportive environment for cultural maintenance"* (OJM 1999). The Plan of Management (2000) recognises these capacity problems and states that *"all members of the board are to continue to receive training in their legal and policy roles and responsibilities, including policy development, monitoring and budgeting processes, meeting procedures, conflict of interest, ministerial briefings and cross-cultural awareness."*

7.2.3.8 Kakadu National Park

External factors inhibited board capacity little. The Commonwealth Government plays a check and balance role in KaNP's joint management,¹¹⁸ and thus retains considerable power. Legislation allows the Minister to override board decisions (Hill and Press 1994; Weaver 1991). For example, a large tourist development scheme and stages II and III of KaNP were declared without Aboriginal input (Weaver 1991). The Minister has the final say if the board disagrees with the Director¹¹⁹ and he can instruct the Director.¹²⁰ The Plan of Management requires ministerial and parliamentary approval,¹²¹ and the Minister can amend the plan without Parks Australia or board agreement (Pizzey and Robinson 1999). The Director needs ministerial approval to change KaNP entry fees and enter into agreements of more than AU\$250,000.¹²² In practice, the Minister supports the board,¹²³ and has never changed the Plan of Management.¹²⁴ He wanted to abolish the position of Director but following board objection he backed down.¹²⁵ However, on its coming to power, the Conservative Howard government was less supportive.¹²⁶ The Minister took nine months to approve the Plan of Management,¹²⁷ as he wanted clarification on many issues.¹²⁸ Board member capacity is not limited by funding, as they are paid sitting fees to cover the costs of attending meetings.¹²⁹

Internal factors affecting board capacity are much more problematic. Board understanding of issues such as nature conservation is limited¹³⁰ and technical expertise is poor¹³¹ (Weaver 1991). The board is sometimes presented with too many options on technical issues and prefers recommendations.¹³² Board members receive training¹³³ on issues such as financial management,¹³⁴ but many are on several committees so have little spare time for this¹³⁵ (Lawrence 2000).

Most capacity issues relate to the non-Aboriginal management framework. Europeans with administrative skills and expertise in public service politics dominate board members without these skills, particularly women. Consequently, many board members do not participate in discussions despite being able and articulate. Meetings are in English with no translation (Lawrence 2000). Aboriginal meetings by contrast are non-confrontational, and rarely stick to the topic.¹³⁶ They are held outside with children running around providing a relaxed atmosphere.¹³⁷ Aboriginal people can struggle to articulate their values to Europeans and meeting conflicts are often sorted by temporarily removing all Europeans.¹³⁸ This relieves tension,¹³⁹ discussion is free and firm decisions are made (Lawrence 2000). Aboriginal people dislike eye contact¹⁴⁰ and favour intuitive decision-making rather than logic.¹⁴¹ Aboriginal board members have complained that the purpose of some agenda items was unclear and that items were dealt with too quickly to allow for thought or discussion¹⁴² (Lawrence 2000). Ironically, the professionally 'unskilled' Aboriginal people often have the most cultural and ecological knowledge, the highest status within the community and the greatest desire to participate in management (Lawrence 1995). Lawrence (2000) suggests that the board could be replaced by an Aboriginal forum to discuss grievances, or community liaison officers attached to each Aboriginal association. However, Aboriginal board member capacity is increasing. Many have been involved from the start, so have long experience with meetings,¹⁴³ and younger Aboriginal people often cope well with non-Aboriginal culture.¹⁴⁴

The diversity and wide distribution of Aboriginal people acts against equitable involvement in joint management (Davies 1999). Large distances and little time make it difficult to hold pre-meeting discussions about agenda items, so Aboriginal members are often ill-acquainted with issues, have not determined common positions and thus do not capitalise on their board majority (Lawrence 2000; Davies 1999). Aboriginal board members are from different regions and cultural groups, each with different ideas and demands¹⁴⁵ (Davies 1999). Lawrence (2000) describes KaNP's Aboriginal community as factionalised, confrontationist, and undergoing internal re-interpretation of financial and resource management roles.

7.2.4 Landowner Capacity

The capacity of wealthy, educated, influential landowners, such as at Postberg, was rarely a problem (Table 28). However, the low professional skill levels of poor rural community landowners often severely limited benefit accrual. To assist with this, conservation authorities at times provided specific training for those wanting direct employment in the CNP. However, after

over 15 years of joint management and many training programmes in Australian CNPs, Aboriginal people still lack top management position skills and are no closer to independent management of UKTNP and KaNP than they were when joint management began. The intention is for the Makuleke community to take over management of the Makuleke Region, but judging from Australian experiences, this is unlikely without greater community capacity, which SANP is doing little to build. Parks Australia also overlooked professional deficiencies and allowed community members without the usual prerequisite skills to gain direct employment, or to allowed job flexibility so employees could work whilst living culturally appropriate lives. However, these strategies were abused at times and sometimes led to a loss of respect for community employees amongst other conservation officials. They also led to escalating costs as more employees were needed to do the required work. Australian management frameworks have also incorporated the need for traditional skills to mitigate the problem of low community employment levels.

Table 28: CNP landowning community and institutional capacity.

Contractual national park	Landowning community capacity	Landowning institutional capacity
The Postberg Section of WCNP	Very high	Very high
The RNP	Poor	Poor, but growing
The Makuleke Region of KNP	Good and growing	Good and growing
The Southern Section of the KGNP	Poor (especially the San)	Poor (especially the San CPA)
Kempiana, adjacent to KNP	Very high	Very high
Melkbosrand, AFNP	Poor	Poor
UKTNP	Poor	Poor (but it has good support)
KaNP	Poor	Poor (but it has good support)

Joint management benefits where legitimate, effective landowning institutions exist, and Makuleke illustrates that new institutions, if given enough support, can provide this situation. Without support, new institutions such as the =Khomani San CPA and the Riemvasmaak Community Development Trust may well lack legitimacy and be ineffective. Where local institutions are ineffective or struggle to retain legitimacy, the whole community is unlikely to consider joint management legitimate, and potential benefits may not materialise. In this respect, the lack of San organisational capacity is of particular concern. Australian CNPs illustrated that joint management does not necessarily require a powerful landowning institution as long as the institutions operating in conjunction with the CNP are legitimate. These institutions may adopt traditional or more modern democratic forms of governance depending on which has most local legitimacy.

7.2.4.1 The Postberg Section of West Coast National Park

Postberg landowners are wealthy, educated, influential, white South Africans with good negotiating skills, in contrast to landowners in many other South African CNPs. Interviewees

said that the Syndicate was well-organised, and full of qualified individuals such as lawyers, architects and accountants. The WCNP Social Ecologist added that it was politically powerful as two Syndicate members were former Ministers.¹⁴⁶ Interviewees said that the Syndicate was cohesive, with all shareholders backing the house rules. The Syndicate lawyer stated that majority decisions run the company,¹⁴⁷ and several interviewees mentioned that house rules and company statutes allowed the Syndicate to sanction shareholders and even confiscate their shares if necessary. The Syndicate used to manage Postberg as a reserve so is knowledgeable about conservation issues.

7.2.4.2 The Richtersveld National Park

Community capacity has been a key problem in the history of RNP.¹⁴⁸ The community lacks cohesiveness, and local politics are important despite the area's relatively small population. Antagonism exists between northern and southern Richtersvelders and between Namas and Basters. Trying to achieve consensus on issues can be time-consuming and futile. Confrontational attitudes, walkouts, and boycotts abound and are typical of such marginalized groups (Archer et al. 1994).

A former Park Warden stated that one must not "*assume communities have the capacity to assimilate specialised technical talk. Capacity-building, right from the very beginning, is one of the most important factors to be built into negotiations for joint ventures*" (Taljaard 2000). The leadership pool is small¹⁴⁹ and Bruce (1995) noted that Richtersvelders were struggling to adapt from an "*unprogressive authority structure in which they had little say, to one that not only allows, but insists, that they take much of the responsibility of authority.*" He noted that "*a spirit of opportunism, a lot of finger pointing, inflexible position holding, reluctance to shift from old positions of power and privilege are undermining the leadership*" and that committees did not function, meetings were poorly attended, and agreements were neglected. Westaway (1994) attributed low polling turnouts and poor community involvement to indifference and a lack of faith in government structures. Another researcher attending a 1992 meeting between SANP and the community noted that the community had no information about RNP so could not participate in discussion.

7.2.4.3 The Makuleke Region of Kruger National Park

Interviewees doubted that the community had sufficient capacity to manage the region or direct commercial development. Makuleke interviewees anticipate that in five years their management capacity will have increased so they can take on new responsibilities. Conservation capacity is growing and, during the land claim, the community was involved in meetings regarding the TFCA, CITES and the possibility of downlisting of elephants from Appendix I. SANP interviewees felt that the community had little development expertise but was skilled at sourcing external expertise such as the consultants in the FoM, GTZ and the Ford Foundation (Steenkamp 1999). There were concerns about the community being taken for a ride by developers, but some interviewees said that the 50/50 split on the board would allow SANP to act as watchdogs.

The CPA combines traditional and modern authority structures and has unusual institutional strength. Follow-up interviews with Makuleke JMB members in May 2000, a year after the original interviews, revealed that the CPA was still effective and that nearly all CPA members had voted in the 2000 elections. Two said that other local structures such as church groups meet regularly with the executive committee and assist with feedback. For example, all CPA members knew how much money the hunt had raised. Interviewees stated that there had been no conflict between traditional and modern leadership, or regarding CPA membership, perhaps because it is apolitical. Training courses have increased the capacity of the CPA executive committee. A two-year business plan has been developed and CPA members will choose from proposals for how income from commercial operations and government grants should be spent. For example, there was support for building a bed and breakfast and a cultural centre. Interviewees said that the whole CPA's capacity was growing. For example, a recent tour of Durban bed and breakfast operations had increased awareness of their economic potential.

The CPA is up against many challenges. Its structure is not designed to invest in or run businesses or joint ventures. Interviewees in 2000 felt that the community was still content, but that expectations and the potential for disappointment were high,¹⁵⁰ particularly as the Northern Province is the country's poorest province with unemployment at 60%. Many key community members have left or want to work elsewhere, making long-term capacity-building difficult. Splits are emerging in the community as the older traditional community members want more hunting than younger democratic individuals, and there are disagreements regarding CPA finance management.¹⁵¹

7.2.4.4 The Southern Section of the Kalahari Gemsbok National Park

The =Khomani San suffer from severe psychological trauma and pervasive social problems caused by poverty and disempowerment (Crawhall 2000). This prevents them from exploiting their new rights and benefiting from KGNP Social Ecology projects (Chennels 1999; Engelbrecht and Engelbrecht 2000). Sickness, murder, domestic violence, child abuse, teenage pregnancies, and rape were not uncommon, particularly in 1999 and 2000¹⁵² (Yeld 2000). Alcohol and substance abuse are prevalent¹⁵³ (Yeld 2000; SASI 1997), and in 1999, the community needed a social worker, a development agent and a health worker to tackle problems such as the prevalence of tuberculosis.¹⁵⁴ The worst period of destabilisation is over but there are still no community social workers.¹⁵⁵ Education and employment levels are low (Engelbrecht and Engelbrecht 2000) and San capacity to deal with their new wealth is weak.¹⁵⁶ Expectations are unreasonably high, and some kind of 'enabling' process is needed before they can negotiate as equals with the Mier and SANP (Yeld 2000; Chennels 1998; 1999). Many are scattered around the Northern Cape, making organisation difficult. Most have no telephones, and there is only one vehicle amongst the 500 who live in Welkom¹⁵⁷ (Engelbrecht and Engelbrecht 2000). Traditional knowledge is spread out between people who are not in regular contact, thus weakening capacity to manage natural and cultural resources (SASI 1997). The

quality of local drinking water, infrastructure, mobile phone networks, telecommunications, roads, electrification, and health care facilities is poor (DANCED 2000a).

There are splits within the =Khomani community, particularly regarding land use. Six farms and 50% of the proposed CNP were granted, and the =Khomani San CPA constitution states that 50% of this land will be for traditional use.¹⁵⁸ This was to protect the Kruiper family who lodged the claim and wanted traditional land use, but also wanted to welcome other San into the claim.¹⁵⁹ However, this constitution clause is open to interpretation.¹⁶⁰ The traditional leader wants two of the six farms to remain wild and under his jurisdiction,¹⁶¹ but more westernised San want more land for income generation.¹⁶² Some want land for sheep farming.¹⁶³ Proposals exist for all six farms, ranging from upmarket tourism to hunting and tracking,¹⁶⁴ and a new tourism committee will establish how the six farms will be managed.

San leadership is also problematic. The traditional leader is established by the consent of the community, but his powers are limited. Most decision-making occurs by consensus amongst the core families, numbering about 40 adults who live in Welkom and want to maintain their traditional culture (SASI 1997). A few generations ago, the traditional leadership was overturned by the community and transferred to the current family.¹⁶⁵ The same two families competed for leadership again in 2000 (DANCED 2000a). NGOs note the dysfunctional nature of San social institutions (SASI 1997) and lack of community organisation.¹⁶⁶ There are often differences between what the San and their leaders think.¹⁶⁷ The =Khomani San CPA was a new institution hoping to complement traditional authority (SASI 1997). Two of its members are the traditional leader and his assistant but the choice between traditional and modern governance may eventually have to be made.¹⁶⁸ The traditional leader suffers from alcohol abuse and struggles to understand the electoral process surrounding CPA establishment.¹⁶⁹

The =Khomani San CPA faces many challenges. Its constitution states that its 14-member committee consists of the traditional leader and his assistant, and two San from each of the six San regions.¹⁷⁰ This allows San outside Welkom to participate. The committee elects an executive committee consisting of a chairperson, vice chairperson, secretary, treasurer and the traditional leader.¹⁷¹ This move to democratic governance has been difficult for the San who are more attuned to the remnants of their nomadic, anarchic acephalous tradition than long-term concerns with building society, owning land and planning ahead.¹⁷² San leaders are poorly educated and the participative democracy of CPAs is foreign to San consensual and egalitarian decision-making traditions (Chennels 1999). Few other functional committees exist so the CPA manages everything from crèches to property. Meetings therefore take days and members get exhausted.¹⁷³

The CPA leadership has been accused of self-interest, corruption (Chennels 1999) and marginalising women.¹⁷⁴ In 2000, there was no unanimity on the executive committee (Yeld 2000), and considerable financial mismanagement was uncovered. The interest of R28,000 per month from the trust fund could not be accounted for.¹⁷⁵ The DLA was requested to do an audit.

This infuriated the CPA chairman,¹⁷⁶ who fired the appointed facilitator¹⁷⁷ and told the South African San Institute (SASI) to leave.¹⁷⁸ The audit revealed mismanagement, and more recently it was discovered that the CPA chairman used CPA funds to buy himself a farm.¹⁷⁹ The community helped mitigate the chairman's outbursts but there was concern that his coercive activities would lead to his re-election.¹⁸⁰ However, over 500 San attended the annual general meeting,¹⁸¹ and an almost entirely new committee was elected. At the end of 2000, the CPA was regarded as legitimate,¹⁸² responsible and cautious.¹⁸³ Nevertheless, by 2001 the committee was no more accepted than the previous one,¹⁸⁴ committee members did not always represent everybody and there were cleavages within the CPA.¹⁸⁵ The overt corruption seemed to have gone, but problems of self-interest and a lack of capacity regarding feedback and decision-making still remained.¹⁸⁶ San capacity is rising, they interact easily with lawyers and SANP officials,¹⁸⁷ and those who were silent now speak out.¹⁸⁸ However, it is likely that they will accept an external group patenting *Hoodia douglasii* due to a traditional spirit of conflict avoidance.¹⁸⁹

The Mier also have capacity problems. They are more organised than the San but have many internal power struggles between groups such as the Mier Farmers Association, the Mier Small Farmers Association and the Basters Union, and between the Basters and other 'coloureds'¹⁹⁰ (Chennels 1999). Land disputes have divided the whole community (Chennels 1999) and ANC-aligned individuals are currently challenging the ownership of farms given to party supporters under the last government.¹⁹¹ Conflict exists regarding use of the Mier hunting area and land from the settlement.¹⁹² The community is proactive but not visionary, and they can ride the wave of politics but have no good community structures.¹⁹³

Tensions exist between the Mier and the San¹⁹⁴ (DANCED 2000a; Engelbrecht and Engelbrecht 2000). The Mier feel they are more westernised than the San¹⁹⁵ and that the San are favoured.¹⁹⁶ A Baster organisation leader is pressurising the San to fall in line with the Mier and focus less on identity issues.¹⁹⁷ As of June 2001, there had been no conflict between the two groups regarding land use in the proposed CNP,¹⁹⁸ but the issue was still under negotiation.

7.2.4.5 Kempiana, Adjacent to Kruger National Park

WWF-SA and SANPT own Kempiana and Vlakgezicht. These corporate bodies have no capacity problems.

7.2.4.6 Melkbosrand, Augrabies Falls National Park

About 8,000 people live adjacent to AFNP in communities such as Riemvasmaak. Employment and literacy levels are low and capacity to participate in Social Ecology projects is limited due to low business and tourism skill levels (Schwartz et al. 2000). Riemvasmakers are also poor. For example, Irish Aid agreed to pay 50% of students' academic fees, but no one could afford the other 50% (DANCED 2000b).

The Riemvasmaak community is plagued by internal division, political struggles and poor communication between groups.¹⁹⁹ Those who returned from Namibia settled near Riemvasmaakkop, and those who returned from the Eastern Cape settled 16km away at the confluence of the Molopo and Orange Rivers. Some families are split between the two groups. This geographical division and 20 years of prior separation may explain the power struggles between groups (DANCED 2000b). Each has different ideas about the CNP (DANCED 2000b; Schwartz et al. 2000; de Villiers 1999a). Those near the rivers' confluence want an agreement with SANP and see economic advantages in a CNP²⁰⁰ (DANCED 2000b). Those near Riemvasmaakkop want to move back to where they used to live²⁰¹ and utilise land for grazing (DANCED 2000b). Others want mining (de Villiers 1999a).

In 1995, 64% of Riemvasmakers wanted a CNP on Melkbosrand, so the trust was mandated with negotiating this (Schwartz et al. 2000). However, at meetings in 1999 and before, the trustees could not reach consensus on this issue, even though they had agreed on one stance beforehand²⁰² (Schwartz et al. 2000). Leadership has been accused of being ineffective and self-motivated (Schwartz et al. 2000). Some Riemvasmakers oppose a CNP due to their dislike of the trustees who favour it.²⁰³ Several trustees live outside Riemvasmaak and their feedback to Riemvasmakers is poor²⁰⁴ (DANCED 2000b; Schwartz et al. 2000).

7.2.4.7 Uluru - Kata Tjuta National Park

Muṯitjulu Anangu have many social problems. About 50 live in makeshift shelters with no power, running water or ablution facilities (OJM 1999), and there are only 23 serviceable houses (Plan of Management 2000). Petrol sniffing, vandalism and marijuana use are growing amongst the youth (OJM 1999), many of whom have low morale and huge life dramas.²⁰⁵ Parks Australia has difficulty recruiting Anangu youth (OJM 1999). For example, only the elders came every day for the fauna survey.²⁰⁶ Younger Anangu are not learning their responsibilities under Tjukurpa (OJM 1999). One interviewee expressed concern that Parks Australia would take over all management as Anangu lack support to pass on their knowledge.²⁰⁷ The culture of sitting back and receiving unemployment benefit is strong,²⁰⁸ people play on their social responsibilities²⁰⁹ and are hard to enthuse.²¹⁰ Many have had little contact with the outside world so their understanding of non-Aboriginal culture is poor.²¹¹ Over 90% of Muṯitjulu cannot speak, read or write English (Davies 1999), 9% of adults have not been to school and only 17% have qualifications (OJM 1999). Muṯitjulu has a primary school but no secondary school. It is culturally inappropriate to leave the community, for example for education, and so *“the majority of the indigenous population leave school at the age of 14 or under”* (Davies 1999; OJM 1999). This limits their access to employment (Davies 1999).

Anangu have limited access to resources. Parks Australia offered the chance to construct tourist shelters to Muṯitjulu Community Incorporated, who could not accept, as they had no vehicle, supervisor or equipment. Access to vehicles is also necessary *“to visit country and to visit*

relatives and so maintain the social relations and traditions that are critical to cultural practice" (OJM 1999).

It is not possible to work full-time and be a traditional owner,²¹² as working conflicts with Anangu ceremonial and familial responsibilities, particularly seasonal business and arrangements following deaths²¹³ (OJM 1999). Anangu move about a great deal,²¹⁴ but closing the OJM for a few months to accommodate this would not be possible.²¹⁵ Training people who come and go is also hard.²¹⁶

Parks Australia realises that Anangu ways must be accommodated,²¹⁷ and that "*trying to mould Anangu to the white ways of the [Parks Australia] bureaucracy is not the solution*" (OJM 1999). However, raising Anangu employment levels has been problematic. To meet lease requirements Parks Australia has had to recruit Aboriginal people, such as the Assistant Park Manager, who are not Anangu traditional owners²¹⁸ (OJM 1999). Jobs are given preferentially to Aboriginal people from the same language group where possible.²¹⁹ Anangu UKTNP employees are trained by UKTNP rangers, and all management is done jointly with Parks Australia.²²⁰ Joint management structures do not facilitate Anangu participation, and one interviewee suggested abolishing the OJM and Parks Australia, and establishing an executive body with Anangu at the senior management level to try and draw Anangu into direct management.²²¹ However, this would require skills, education and fewer social pressures to be effective.²²² An Anangu management style would be the alternative, but the interviewee felt that this was impossible, as Aboriginal people want European-style education and employment, at least for their children.²²³ Education and employment is needed to ensure equity in decision-making and UKTNP management, and to reduce the current dependency on European culture.²²⁴

Poor education, social problems and European work ethics prevent Anangu from taking up employment in the tourism industry.²²⁵ Anangu Tours is the only Australian Aboriginal-owned tour company operating without government subsidies, but most permanent staff are non-Aboriginal due to their language skills, and ability to work full-time and cope with inflexible tourists.²²⁶

7.2.4.8 Kakadu National Park

Aboriginal traditional owners used not to grasp the national park concept and viewed it as a homeland after the land claim (Weaver 1991). Much has since changed. Literacy, numeracy and English skills are better than at UKTNP,²²⁷ and so it has been easier to train rangers to a higher level. Several Aboriginal people now hold senior positions.²²⁸

The Commonwealth Government originally intended Aboriginal people to manage KaNP²²⁹ and the Park Manager recognises Aboriginal people's need for self-governance.²³⁰ However, this looks increasingly unlikely as management issues become more technologically and legislatively complicated,²³¹ and non-Aboriginal bureaucracy grows (Plan of Management 1999;

Lawrence 2000). For many years, a third of staff have been Aboriginal people,²³² several of whom are not traditional owners.²³³ A ranger's skills are not necessarily the same as the traditional skills of an Aboriginal person.²³⁴ Poor literacy, numeracy and English skills inhibit recruitment, training and career development strategies (Davies 1999). Most positions held by Aboriginal people are low level, despite 20 years of recruitment and training. Junior staff members' lack of mobility hinders the recruitment of others (Lawrence 1999; 2000). Capacity is also a problem in the tourism sector. For example, the Gagudju Association owns a hotel but employs non-Aboriginal managers to run it (Lawrence 2000).

The inequity between Aboriginal and non-Aboriginal people is one of joint management's biggest challenges.²³⁵ Aboriginal people are disadvantaged by poor education and healthcare.²³⁶ Children go to school less, learn less when there, and struggle to find work when they leave.²³⁷ KaNP employees often have many dependent family members and friends who suffer from alcohol abuse. Such added responsibilities can force them to leave their job.²³⁸ Aboriginal people's knowledge of country is usually better than that of non-Aboriginal people, but their poor education means they perform worse in interviews.²³⁹

Table 29: Conflict resolution mechanisms used in CNPs.

Contractual national park	Conflict resolution mechanisms used to date		
	Legislated mechanisms	Joint management boards or surrogates	Others
The Postberg Section of WCNP	No	Yes	Meetings. Forums. Independent mediation. Legal advice and proceedings.
The RNP	No	Yes	Meetings. External expert advice.
The Makuleke Region of KNP	Yes	Yes	Meetings. External expert advice.
The Southern Section of the KGNP	None legislated yet	None established yet	Meetings with external facilitation.
Kempiana, adjacent to KNP	No	Yes	Meetings
Melkbosrand, AFNP	None legislated yet	None established yet	Meetings
UKTNP	No	Yes	Meetings. OJM assistance.
KaNP	No	Yes	Meetings. Ministerial involvement.

7.2.5 Conflict Resolution Mechanisms

Most conflict issues were hard to predict, making both formal and informal conflict resolution mechanisms important (Table 29). Australian legislation and official documentation provided detailed conflict resolution mechanisms. Thus, clarity about how conflict would be resolved was

high, and it was possible to guess the outcome of resolution mechanisms. This may explain why mechanisms have never been fully invoked. In Australia, these resolution mechanisms strongly favour Aboriginal traditional owners. South African CNPs have been focusing more on incorporating conflict resolution procedures into official documentation. Procedures were rarely invoked, but allowed for clear and quick conflict resolution where they were.

Contractual conflict resolution details were particularly important when establishing stakeholder rights and power during CNP establishment, but as joint management progressed, agreements were referred to less and discussion dealt with even quite serious differences in opinion. Joint management boards provided an important conflict resolution forum, perhaps because they forced issues out into the open, and regular meetings meant that issues could not fester. Alternative informal conflict resolution mechanisms were also important. Such mechanisms involved external mediators, arbitrators, facilitators or support organisations. Forums were sometimes effective, as were meetings within the community and between the community and other stakeholders.

7.2.5.1 The Postberg Section of West Coast National Park

The contract contains mechanisms for resolving conflict over money paid to the Syndicate by SANP. It details how an arbitrator should be appointed. Some interviewees said these mechanisms had never been used, but others were unaware they existed. The five-year notice period specified in the contract allows tempers to cool off before cancellation. Interviewees listed various other conflict resolution mechanisms. Many mentioned the importance of talking at meetings and one said there were enough meetings to pick things up early. For example, conflict over eland and springbok numbers was talked out. Forums were used to resolve conflict over burglaries and road deproclamation, which was a major issue. Interviewees said it was a contract requirement but took 10 years to deliver because Churchhaveners were concerned that road deproclamation would limit their access to Kreeftebaai. The issue was only resolved when the Churchhaven community, SANP and the Syndicate met with the help of an independent mediator and devised a mutual permit system. Previously, SANP made the error of dealing with stakeholder groups separately.²⁴⁰ Following this, the road was finally deproclaimed in 1999.²⁴¹ Other conflict resolution mechanisms given by interviewees included direct communication between Syndicate members and SANP head office, for example regarding a ranger who one Syndicate member felt was not caring for water points. Other conflict issues between SANP and the Syndicate given by interviewees included SANP's plans to limit access to crayfishing areas, its wish for overnight facilities in Postberg, road maintenance and security.

Conflict also occurs within the Syndicate. For example, one Syndicate member had a house on the admiralty strip below the high water mark and claimed the right to build a second house in Postberg. Contesting this cost the Syndicate R150,000 in legal fees and led to conflict with the government over the admiralty strip. Road deproclamation also caused conflict within the

Syndicate, as many members felt that they knew SANP could not ensure it. The two Syndicate lawyers assist when required.

7.2.5.2 *The Richtersveld National Park*

The contract only details arbitration procedures for conflict over the compensation value of fixed assets bought by SANP following contract termination. However, few interviewees were aware of conflict resolution mechanisms in the contract or unaccepted Management Plan and those that were aware of them said they were not needed and would not be used. Most interviewees said conflict was resolved in BPK meetings. Negotiation and decision-making by consensus effectively accommodate different parties' interests (Glazewski et al. 1991), but conflict resolution mechanisms should be built into the forthcoming management plan.²⁴² Other solutions given by interviewees included bringing in outside experts, involving the whole community or leaving it to the action committee, which could often resolve conflicts better than the BPK. Commonly mentioned conflict issues included paying for community representatives to get to BPK meetings, the infrequency of meetings, poor communication with SANP, mining and park farmers. A former TLC member said that problems were small, and that although mediation was sometimes needed the TLC would not get involved.²⁴³ However, the former TLC Chief Executive Officer said that the TLC would get involved on important issues if requested.²⁴⁴

7.2.5.3 *The Makuleke Region of Kruger National Park*

The contract provides precise conflict resolution procedures from the moment a quorum cannot be reached at a meeting, including clear guidance on future meeting times and locations. Deadlock resolution procedures come first, then mediation procedures. These detail the choice of mediator, mediation time frame and cost-bearing responsibilities. Arbitration procedures are next and these detail mechanisms to resolve conflict such what the CPA income amounts to. The time frame and means of choosing the auditor are detailed.

All interviewees, in 1999, expressed faith in the conflict resolution mechanisms in the contract because it was drawn up by external and SANP lawyers, and agreed to by all parties. Interviewees hoped there would be no need to invoke these mechanisms but all felt confident that there would be enough external support to resolve issues and impose sanctions if necessary. Some felt that the FoM and LRC lawyers, who have provided support in the past, would do so again, and that government Ministers and departments involved during the negotiations might assist again. For example, the DEAT could demand an EIA if development was detrimental to conservation activities. SANP interviewees felt there would be support from higher up their organisation if necessary.

The contract's conflict resolution mechanisms were invoked in 2000 when SANP refused to allow the proposed second hunt to proceed. The deadlock mechanisms required the issue to go to the Makuleke chief and the SANP Chief Executive Officer. Both said that hunting was acceptable, thus resolving the issue. Other conflict issues have included passing the management

plan which the community felt SANP delayed, and who can attend JMB meetings, as SANP were unhappy about the presence of the FoM.²⁴⁵

7.2.5.4 The Southern Section of the Kalahari Gemsbok National Park

The 1998 draft agreement between SANP and the San proposes conflict resolution mechanisms for the Management Council requiring mediation of all disputes, and, failing settlement, referral to advisory arbitration (Chennels 1999). The settlement agreement states that if no final contract is drawn up between the San, the Mier and SANP, then all parties will be available for mediation (Massyn et al. 2000). In practice, conflicts are resolved during meetings with the help of an official facilitator.

7.2.5.5 Kempiana, Adjacent to Kruger National Park

Official documents give few conflict resolution mechanisms. The 1992 Kempiana traversing agreement and Vlakgezicht lease only detail the rights of either party to terminate agreements following breach of contract. The Management Plan merely states that *"in the case of deadlock, the matter will be referred to the principles of the respective organisations for a solution"* (Pietersen 1999). Recourse to legal documentation has not occurred as there is enough mutual interest in preventing it,²⁴⁶ and documents are inconsistent and open to interpretation in any case.²⁴⁷ The head of ConsCorp or Frans Stroebe (WWF-SA representative, Hans Hoheisen's legal representative and trustee of SANPT) could help resolve larger conflict issues,²⁴⁸ but problems emerge when higher levels of management are involved.²⁴⁹ An accepted management plan would be of considerable help.²⁵⁰

The two main conflict issues are the management structures and the Management Plan. This includes sustainable use, such as culling impala, and habitat manipulation, such as de-bushing.²⁵¹ However, the SANP Section Ranger, Ngala manager, SAWC Director, ConsCorp Strategic Development manager and Frans Stroebe all felt that monthly meetings successfully resolved issues.

7.2.5.6 Melkbosrand, Augrabies Falls National Park

There are no official conflict resolution mechanisms yet, and a CNP has not yet been agreed due to conflict within the Riemvasmaak community.

7.2.5.7 Uluru - Kata Tjuta National Park

The lease specifies resolution mechanisms in the event of conflict over rent. It states that where amendments to Commonwealth Government legislation are *"substantially detrimental to the interests of the lessor or relevant Aboriginals as regard the administration, management or control of the park,"* then the lease will be deemed as breached and may be terminated. The lease details resolution procedures for such a breach but states that after termination, the land council and the lessee must enter negotiations for a new lease. If new lease terms cannot be agreed, arbitration details are given. The arbitrator is instructed to have regard for *"the preservation and protection of Aboriginal ways of life, culture and tradition...the interests, proposals, opinions*

and wishes of the relevant Aboriginals...the growth and development of Aboriginal social, cultural and economic structures...freedom of access by relevant Aboriginals to the park and their freedom to carry out in the park rites, ceremonies and other activities in accordance with Aboriginal tradition...the preservation of the natural environment...[and] ...the use of the park for tourist activities." Dispute resolution mechanisms thus favour Aboriginals, and changes in attitude are safeguarded against (Craig 1992).

In practice, major conflict between Parks Australia and Anangu is rare, lease conflict resolution mechanisms have never been invoked,²⁵² and there have been no irresolvable issues.²⁵³ The OJM helps mediate conflict²⁵⁴ and several interviewees mentioned the importance of the board in resolving conflict over issues such as inexperienced Anangu rangers setting up a cultural heritage protection unit, the poor location of UKTNP paths and the requirement for a Northern Territory board representative. The board could not agree on this latter issue due to strong traditional owner opposition, so it was put to the vote and traditional owners won.²⁵⁵ Other conflict issues include Anangu desire for 50% of gate income, management and expansion of Mutitjulu, and employment in commercial businesses.²⁵⁶ Interviewees also said that other meetings help resolve conflict. These include Council meetings, meetings with Parks Australia or the CLC and meetings amongst Anangu.

Conflict also occurs within Parks Australia, and between the board and the government who at one stage wanted to remove the position of Director. People saw this as government reneging on its responsibilities, so it did not go ahead.²⁵⁷ The OJM co-ordinator said that the Director would not act against the board's wishes, and that the Minister could not overrule the board or the Director without going through parliament.²⁵⁸

7.2.5.8 Kakadu National Park

Government legislation gives detailed conflict resolution mechanisms. The leases provide resolution procedures for conflict over rent, the terms of re-negotiated leases, disagreements between the lessee and the lessor or NLC, and for when leases are breached and termination procedures commence following actions detrimental to relevant Aboriginals (Plan of Management 1999). The Director advises the Minister if board decisions are contrary to his wishes and where the board and the Director cannot agree, the Minister will get involved and may appoint an arbitrator (Wellings 1994; Pizzey and Robinson 1999).

The first major conflict preceded the signing of the first KaNP lease. Aboriginal people wished to occupy the land and other groups wanted control to establish a national park, mine uranium and operate pastoralist or tourism ventures (Hill and Press 1994). The large first Plan of Management illustrated the complexity of competing local land use interests (Woenne-Green et al. 1993). Other conflict issues have since arisen but all have been resolved without fully invoking legislated resolution mechanisms.²⁵⁹ Many Aboriginal people opposed the buffalo eradication programme but Parks Australia helped resolve this issue by establishing a herd in KaNP (Hill and Press 1994). The EPBC Act originally made provision for the removal of the

position of Director.²⁶⁰ Aboriginal people objected,²⁶¹ the board met with the Minister²⁶² and the Minister eventually backed down due to political horse-trading and expediency,²⁶³ fear of scandal²⁶⁴ as Aboriginal people were threatening to terminate the leases,²⁶⁵ and because he knew parliament would not allow it.²⁶⁶

Much conflict occurs outside the relationship between Parks Australia and traditional owners (Hill and Press 1994). Jabiluka is a big conflict issue²⁶⁷ and hundreds of anti-uranium protesters recently gathered in KaNP to campaign.²⁶⁸ The Mirrar-Gundjehmi agreed to mining on their land at Jabiluka in 1982²⁶⁹ (Environment Australia 1999b), but many believe this was under duress²⁷⁰ (Lawrence 2000). Government changes stopped mine establishment but in the mid-1990s they approved the mine.²⁷¹ Many Mirrar now oppose mining. Parks Australia is a government agency so its official view is that mine threats can be managed²⁷² (Environment Australia 1999b), but KaNP has actually acted as a retreat from such conflict that Aboriginal people have valued.²⁷³ The Northern Territory government's constant battling for KaNP control has also contributed to joint management unity as partners have pulled together more²⁷⁴ (Hill and Press 1994; Lawrence 1995).

7.3 DISCUSSION

7.3.1 Joint Management Board Legitimacy

Joint management boards need to be legitimate for the landowners and the conservation authority, otherwise CNPs cannot function effectively. As described in section 7.1.1, legitimacy for other stakeholders, such as government, is also important, but as this affects board management capacity more than whether the landowners and the conservation authority feel the board is legitimate, it is discussed in section 7.3.3. Legitimate joint management boards require official documentation and legislation to be clear about the board's constitution and area of jurisdiction. Board legitimacy is further ensured when the landowners support the process by which landowner representatives are chosen. Conservation authorities should consider supporting this process to smooth the path for joint management in the future.

Functional joint management boards were usually legitimate for CNP landowners. One indication of this was the fact that landowners often had majorities on the boards (Table 26). The Postberg board was legitimate for the whole Syndicate, elections for directors were transparent, and board members were nominated from the directors. The Richtersveld BPK was legitimate for most Richtersvelders, and elections were biannual. However, few people attended elections, and sometimes no one was elected or scapegoats were elected, perhaps because the community misunderstands democracy. Richtersvelders do not always respect BPK decisions. The Makuleke CPA combines traditional and modern leadership, making it legitimate for most of the community. CPA executive committee election procedures are accountable and clear, and board members are chosen from this committee. At Kempiana, official documents are contradictory regarding the function and constitution of the board(s). Alternative proposals such as a board

with all stakeholders have not been constituted. In practice, trilateral meetings between stakeholders based locally occur but decisions made are not binding.

UKTNP and KaNP have several mechanisms to ensure board legitimacy for traditional owners. They have Aboriginal majorities and members represent a wide linguistic and geographic spread of traditional owners. The chairperson is Aboriginal and two of the non-Aboriginal board members must be acceptable to Aboriginal people. However, there were concerns over government proposals for Northern Territory board representatives. Aboriginal representatives were chosen by traditional owners in a process which was considered legitimate despite low polling turnouts at KaNP and some unhappiness at UKTNP about the choice of chairperson and other Aboriginal board members. Flexibility of board positions at KaNP accommodated clan changes. At both CNPs, not all traditional owners listened to the board, and boards are 'whitefella' structures, which are often incompatible with Aboriginal traditions. For example, an Aboriginal person should not speak on behalf of another regarding land. At KaNP this has led to inappropriate acceptance of some decisions, and others being held over perpetually. Some Aboriginal board members are young but many are senior traditional owners with traditional authority to decide things in any case. Aboriginal board members usually agree with the decisions of those with traditional authority, and board meetings aim to merely approve previously discussed proposals.

Where CNPs are proposed for areas with strong traditional management practices and culture, traditional management structures may be more appropriate than boards. However, in most cases, a committed conservation authority should be able to ensure that the board and the joint management framework can accommodate traditional values, structures and decision-making processes.

Feedback to all landowners was successful in some CNPs. At Postberg, the small Syndicate size, the annual general meeting and a newsletter helped feedback. Likewise, at Makuleke, local structures ensured feedback to the CPA executive committee and the whole community. In contrast, feedback was minimal in the Richtersveld and annual community meetings were poorly attended. At UKTNP and KaNP, feedback to traditional owners was also poor. Problems included language and literacy difficulties, a dispersed community, more consultation with bi-cultural Aboriginal people, insufficient prior consultation, natural Aboriginal secrecy, and traditional culture, which places decision-making responsibilities only with certain people. UKTNP used the community council, the CLC and the OJM to assist with feedback, and KaNP used rangers, and the board secretariat. In view of the fact that feedback from landowner board members to the whole CNP landowning community was often poor, conservation authorities may be unwise to feel their responsibility for community involvement stops at the board level. They should consider supporting effective feedback to the community at large, for example using a newsletter or community visits from conservation officials. More committed support can be provided from dedicated staff whose role is to ensure good communication between

community representatives and their constituency, and external or internal institutions such as those in Australia whose roles include ensuring effective communication between CNP management and traditional owners.

The conservation authority felt most CNP boards were legitimate. In Australia, boards only had one or two Parks Australia members, although KaNP Aboriginal staff could be on the board. This may explain why Parks Australia was accused of not listening to the board at UKTNP. At KaNP, it was queried whether Parks Australia was subservient to the board or the Minister. The Director must implement board decisions, but he must also advise the Minister and retains much power, so in some ways the board is located beside rather than above KaNP management. Board legitimacy may have increased in the eyes of Parks Australia if Park Managers were members, but this may have offset advantages of boards with minimal Parks Australia representation, such as community empowerment and management by a structure which was more compatible with Aboriginal traditions.

The Mayibuye Ndlovu board at AENP (a Schedule One National Park) was clearly constituted, but quickly collapsed due to election failure, few meetings and members leaving. Community feedback was poor, perhaps because community board members had little responsibility and few incentives to commit themselves to a process from which they could see little benefit. This suggests that joint management boards provide landowners with more incentives to participate than consultative or advisory committees, perhaps because landowners have more power to determine how their land is managed and how they benefit.

7.3.2 Board Member Representativeness

A large and diverse community requires effort to ensure all sectors are represented. This may mean ensuring that all villages, clan groups, language groups, community organisations or sexes are represented.

Board member integrity was good in all CNPs, but this has not always been the case. The Postberg Syndicate is cohesive and board members represented the whole Syndicate. In the Richtersveld, a court interdict prevented signing of the first contract with the non-representative Management Board. BPK members represent the community better, although they are from the economically active community sector and none are women. Community representative integrity was good although community feedback and consultation was poor and two committee members may have prioritised personal gain. At Makuleke, hard institutional rules ensured board members represented the community. However, some felt that certain representatives were less community orientated than others. Integrity was high at UKTNP and KaNP because monetary gain was little, there was pressure from all traditional owners and the rest of the board, and traditional owners had to live with their decisions. Board members were taken from a range of language and cultural groups. Nevertheless, both CNPs had had board members who had abused their positions, although at UKTNP this was a non-Aboriginal board member.

Mayibuye Ndlovu community representatives probably had integrity. About half of the organisation representatives from communities around AENP were genuine, and where they were not, AENP staff made their own inroads into the community.

7.3.3 Joint Management Board Capacity

Board capacity was affected by external factors in all CNPs. As suggested in section 7.1.3, the most important of these was empowerment by national and local government. Postberg was unusual in that the contract mentioned no joint management board, thus the board had no statutory rights. Members still felt there was government support, perhaps because of the Syndicate's high capacity. In the Richtersveld, the BPK was empowered by the contract, National Parks Act and local government, which had one BPK member. In practice local government officials no longer attended BPK meetings, and although the local government was the most powerful local organisation, it had few links to the BPK. Richtersvelders did not empower the BPK, for example by paying its costs. The Makuleke contract requires a JMB, and JMB members felt that Ministers who signed the contract would support the JMB. The CPA is also a statutory body. Official documents at Kempiana lacked clarity around the nature of a joint management board, and key stakeholder top managers rarely visited. Government involvement at UKTNP and KaNP was higher than in South African CNPs, particularly at the national level. The Minister could overrule the board, change plans of management or instruct the Director. The Minister is supportive and has not exercised these rights recently. At KaNP, the Minister has the final say in conflict between the board, the Director and the Minister, and ministerial approval is required for certain actions. There was concern over the level of support from the new Conservative government compared to the previous Labor one, and at UKTNP, government did not always listen to the board, and provided no infrastructure to support it. In contrast to South Africa, national legislation empowers boards and management plans, and the Minister and both Houses of Parliament approve such plans. This probably contributed to empowerment of boards in Australia, making them more robust when influenced by external factors. The current South African national parks legislation was first drafted in 1976, and would benefit from updating with the inclusion of statutory support for joint management boards as occurs in Australia. Joint management at Kempiana may have benefited from such requirements.

Internal factors affecting the capacity of board members were particularly apparent where landowners were previously disadvantaged communities, or communities with strong traditions and culture. At Postberg, and amongst those attending trilateral meetings at Kempiana, capacity was good because skill levels were high and committee members had the same knowledge base as their SANP partners. Richtersveld BPK members felt the BPK's capacity was good but others disagreed. Community feedback was poor and the management plan has still not been passed. A BPK member trip to other protected areas helped raise awareness, but the lack of continuity of BPK members and the large scale of BPK functions remain problematic. Makuleke JMB members lack a deep understanding of conservation issues, but many attend training courses, and early external advisor dominance at JMB meetings has fallen. However, it is uncertain whether

the JMB can ensure skills transfer to the whole CPA as intended. Parks Australia pays UKTNP and KaNP board members to attend meetings, but Aboriginal board members struggled to understand financial and conservation issues, and, at UKTNP, could not meet all their key objectives. Board members received training at both CNPs but at KaNP they had little spare time. At both CNPs, Aboriginal board members' capacity to operate effectively within a non-Aboriginal management framework was limited. Meetings were in English, and were not translated at KaNP, items were dealt with too fast, and Aboriginal board members often participated little, particularly women and Aboriginal elders whose traditional knowledge exceeded their professional skills. Aboriginal board members could not easily acquaint themselves with issues before meetings, and reaching a common position was hard due to time, geographical and cultural differences. However, capacity has increased and the removal of non-Aboriginal people from meetings can help Aboriginal board members discuss issues freely.

Where there is a lack of capacity, conservation authorities should consider supporting capacity-building to allow community representatives to participate in joint management on equal terms. This will be an ongoing process due to board member turnover. It can include awareness raising trips to other protected areas, sourcing support from external agencies, and providing training on problem issues such as financial management. Boards should not be given unrealistically large responsibilities, or when responsibilities are large, boards should have enough support to be able to effect them. Provision of financial support for the board by the conservation authority should be avoided if possible as it encourages community dependency on the conservation authority.

Board member capacity problems are not unique to CNPs. Mayibuye Ndlovu board meetings at AENP were dominated by SANP due to the low capacity of community board members. They understood little how they could benefit from AENP, many were committed elsewhere, and community feedback was poor. The failure of later AENP initiated projects was also partially due to poor community capacity. Thus, advisory boards provide a less robust model than joint management boards, where capacity problems need not lead to joint management collapse.

7.3.4 Landowner Capacity

In common with other CBNRM initiatives described in section 7.1.4, low professional skill levels and social problems have limited the capacity of poor landowning communities to benefit from CNPs, and inhibited equal participation in joint management. Few Richtersvelders have leadership skills or knowledge of RNP, and technical capacity is low. At Makuleke, conservation, commercial and business skills are limited, but the community is skilled at sourcing external assistance. Conservation management capacity is growing, but it is uncertain whether the community will be able to manage the region in five years time as proposed, as those with skills often wish to leave. In the Kalahari, the San suffer from severe psychological stress, poverty and social problems. Employment, health and education levels are poor, as are social services and infrastructure. San capacity is rising, but the community is scattered. The Mier have fewer social problems but education, employment and infrastructure levels are poor.

At Melkbosrand, Riemvasmakers are poor, and literacy, employment and skills in English and business are low. Postberg and Kempiana landowners, by contrast, have few capacity problems. The Syndicate is wealthy, educated, influential and understands conservation. Kempiana is owned by WWF-SA, which can ensure its employees have the necessary skills.

Traditional owners at UKTNP and KaNP live in communities with poor infrastructure, education and healthcare, and many social problems. Literacy, numeracy and English skills are weak. Anangu understanding of western culture is poor and the young in particular abuse substances and have low morale. Tjukurpa is disappearing and there is a culture of relying on unemployment benefit. Owners of both CNPs have limited access to resources such as transport, and involving them in the tourism industry and CNP management has been difficult. Full-time employment conflicts with Aboriginal traditions and responsibilities, such as moving around and spending time at ceremonies and funerals. Aboriginal employees of Parks Australia remain in low positions despite years of training and recruitment, while Parks Australia often has to recruit Aboriginal people who are not traditional owners. The growing bureaucracy and non-Aboriginal management style at KaNP means that Aboriginal people are unlikely to be able to manage KaNP as anticipated. However, unlike South African CNP owners, Aboriginal people have closer ties to country. They are less likely to leave so capacity-building is a better investment (Davies et al. 1999).

Conservation authorities should consider addressing community capacity problems to ensure potential economic and social benefits reaching communities are realised. They can assist by capacity-building in the community at large, but this is costly and, as demonstrated in Australia, very long-term. It may be more appropriate for them to source community capacity-building help from government agencies, NGOs or donors. However, conservation authorities can provide specific training for those wanting direct employment in the CNP. Such training needs to be an ongoing commitment as employees may move on, particularly in South Africa where social dislocation and cultural breakdown has meant that traditional land management occurs less, and people's connections to specific parts of country are weaker than in Australia. They can overlook professional deficiencies and recognise the benefits of traditional skills when recruiting, and allow job flexibility. However, these strategies are at risk from abuse, loss of respect for employees and escalating costs. Communities also have valuable skills which conservation authorities could explore applying. For example, communities could take on outsourced contract work if given access to transport, communications or other resources necessary for service provision.

The strength of landowning institutions varies between CNPs, but the problems with communal property institutions noted by Pienaar (1999) in section 7.1.4 seem less apparent under the CNP model. The advantages of involving traditional authorities described in section 7.1.4 are also apparent in CNPs. The Richtersveld community owns RNP, and local government manages Richtersveld communal land. Richtersvelders have struggled with the transition to democracy

and many remain opportunistic and inflexible, preferring old power structures. The community is characterised by apathy, local politics and internal divisions. The Makuleke CPA is strong as it is apolitical and combines modern and traditional leadership. It provides good community feedback and links to other community institutions. Elections are well attended and there has been no membership conflict. CPA executive committee members receive training, and a business plan for CNP income has been developed into which all CPA members can provide input. This success is perhaps surprising given that the CPA is a new institution. However, it is not well designed to run businesses, and splits between traditional and younger democratic groups are emerging. The San community in the Kalahari is scattered and unstructured, and few have telephones or transport. It has many internal divisions and the traditional leader's capacity is limited. The new CPA includes the traditional leader and non-local San. The election was well attended but the move to democracy has been difficult, as the San prefer consensual decision-making. The CPA has too many functions and is not fully legitimate. Problems include financial mismanagement, marginalisation of women, internal divisions, self-interest and poor community feedback. In contrast to Makuleke, this suggests that the problems associated with establishing new community institutions noted in section 7.1.4 also apply to CNPs. Tensions also exist between the San and Mier. The Mier TLC will own the proposed CNP, but many local institutions jockey for power and Mier is characterised by internal conflict. At Melkbosrand, the Riemvasmaak community's fractured history has exacerbated internal divisions and political struggles. Riemvasmaak Community Development Trust trustees cannot reach consensus on the proposed CNP, they lack their constituents' faith and have been accused of being ineffective, self-motivated, and poor at feedback. Landowning trusts at UKTNP and KaNP are passive institutions whose business is managed by land councils. Parks Australia works with land councils, trust members and relevant Aboriginal people to manage each CNP. Landowning institutions at Postberg and Kempiana have few capacity problems. The Postberg Syndicate is cohesive, organised and politically powerful. WWF-SA at Kempiana is a strong corporate institution.

Conservation authorities can consider building community institutional capacity, particularly when joint management board representatives are chosen from such institutions. Institutional capacity-building requires considerable effort and financial support. The conservation authority may not be best placed to provide this, and it may be more appropriate for the authority to facilitate links with government, NGOs or donors better suited to this role.

Like communities owning CNPs, the low capacity of communities around AENP has restricted the benefits they receive. Communities have little knowledge of AENP and opportunities arising from it, and few skills to capitalise on AENP operation outsourcing. Business, tendering and language skills are poor, and transport is limited. However, some individuals have trade and business skills. Organising the community and establishing sustainable institutions is difficult due to the demand for seasonal labour. Existing structures are civic or local government rather than tribal, and vary in legitimacy.

7.3.5 Conflict Resolution Mechanisms

Conflict issues vary between CNPs and cover many issues: payment of board costs; board constitution and who can attend meetings; management structures; consultation levels and communication between parties; acceptance of management plans; use of CNP resources; living in the CNP; mining; appropriate CNP management; road deproclamation; security; cultural heritage management; lease payments to landowners; employment; and construction, use and maintenance of CNP facilities.

Many CNPs have legislated conflict resolution mechanisms. The Postberg contract only details conflict resolution regarding lease money and requires a five-year period before contract termination. These were unused. The Richtersveld contract only details mechanisms to resolve conflict over SANP's compensation for fixed assets, but this had not been used. The Trust Act detailed conflict resolution mechanisms between trustees, but the unaccepted management plan contained nothing on conflict resolution. The Makuleke contract, by contrast, provided detailed conflict resolution procedures for when a quorum could not be reached at JMB meetings. These procedures were invoked in 2000 and enabled the swift resolution of JMB conflict over a proposed hunt. Conflict resolution procedures have been proposed for the Kalahari contract, and the draft agreement provides guidelines to resolve conflict emerging during contract drafting. Kempiana contracts provide little detail regarding conflict resolution but state that organisation heads should be referred to if necessary, and that termination procedures can follow a breach of contract. There is no accepted management plan to provide more details. In contrast to South Africa, and as described in section 7.1.5, Australian national legislation provides detailed resolution procedures for conflict between joint management stakeholders. Leases at UKTNP and KaNP detail resolution procedures for conflict over rent increases, lease terms, and at KaNP any other conflict between the lessee, lessor or NLC. Both leases detail termination procedures following any action detrimental to Aboriginal people, including national legislation changes. At UKTNP, conflict resolution procedures list the guiding management principles which must be adhered to. These prioritise Aboriginal issues. Legislative mechanisms have not been invoked in either CNP.

Much conflict in the history of CNPs could have been avoided if contracts and management plans had provided more clarity or detail about key issues such as natural resource use. South Africa should also follow Australia's lead and ensure that detailed conflict resolution mechanisms occur in legislation and official documentation. Such mechanisms can provide an additional ways to even out joint management power imbalances by favouring certain parties.

Joint management boards or their surrogates were an important forum for conflict resolution in all CNPs. Discussion was a key component of this. In Australia, boards aimed to reach consensus but voting sometimes occurred. Other mechanisms used to resolve conflict were common. External mediators, facilitators and arbitrators had been used in Postberg, the Richtersveld and KGNP, and they would be used at KaNP if the board and Director disagreed. In

the Richtersveld, the action committee helped resolve conflict, the whole community was sometimes consulted, and the TLC could help. Full stakeholder meetings occurred in KGNP, and a forum at Postberg solved the road deproclamation issue. Communication between Postberg Syndicate members and SANP head office occurred, and the two Syndicate lawyers also helped. At Makuleke, support was anticipated from government, NGOs and donors present at the contract signing. At UKTNP, the OJM helped mediate conflict along with meetings between traditional owners and the Community Council, the CLC, Parks Australia and amongst themselves. Conservation authorities should be aware of the many ways to resolve conflict and be sure to support whichever one is appropriate when conflict arises.

Conflict also occurred between stakeholders other than the landowners and the conservation authority. Conflict amongst landowners occurred in Postberg where one Syndicate member wished to construct a second house. It is present at Melkbosrand where the community cannot reach consensus regarding the proposed CNP, and at KaNP where the community is divided over Jabiluka mine. At UKTNP and KaNP there was conflict between the boards and government regarding proposals to remove the position of Director, and there was conflict within Parks Australia at UKTNP. Conservation authorities and landowners should be wary of engaging themselves in disputes which do not directly involve them, particularly disputes amongst the landowners, as this could alienate the conservation authority from sections of the landowning community. KaNP has been a retreat for Aboriginal people during conflicts over mining and with the Northern Territory Government, which does not support joint management. Such conflict has not always been to the detriment of joint management, and conservation authorities should note that adopting passive roles in such disputes can be beneficial.

In summary, joint management boards are usually legitimate for the conservation authority and the landowners. Feedback is an important component of this, and board member integrity is good in all CNPs. Board capacity is affected by external factors in all CNPs, the most important of which is empowerment by government. Internal factors affecting the capacity of board members, such as low professional skill levels and social problems, are particularly apparent where landowners are previously disadvantaged communities, or communities with strong traditions and culture. The strength of landowning institutions varies between CNPs, and incorporation of traditional authority structures is a key component of this. A variety of formal and informal conflict resolution mechanisms operate in CNPs, of which joint management boards are the most important. As with managerial issues, the institutional criteria discussed in this chapter are important when assessing whether CNPs are socially sustainable. However, CNP success can also be limited by factors outside the joint management process, and these are considered in the next chapter.

CHAPTER 8: ENABLING POLICIES AND SUPPORT AGENCIES

8.1 INTRODUCTION

CNP sustainability is affected by external factors. Government must provide joint management actors with the authority and capacity to carry out their responsibilities. This may require power devolution, and retention of some centralised support and control, for example, to ensure that conservation and development principles are not fundamentally compromised. Joint management is a cross-sectoral process involving several government agencies. These need co-ordination to ensure stakeholder responsibilities and support are well defined and cover all joint management aspects. Government can help finance joint management initiatives, but where funding is limited, NGOs and donors can provide financial and technical assistance. The macroeconomic environment in which initiatives operate can affect whether they are able to realise their economic potential and compete with alternative land uses.

8.1.1 Government

To ensure joint management role players have the authority and capacity to carry out their responsibilities, government can empower local institutions. *“Without committed state support and appropriate structures to provide legitimacy to the common property resource institution, local level initiatives will have limited success...Government and legislation should respect community organisation and control”* (Shackleton et al. 1998). In Australia, joint management administrative decentralisation to traditional institutions has led to community empowerment and government has committed itself to institutional support and developing community skills (Rudge et al. 1997). However, genuine power devolution is rare (IIED 1994). For example, the lack of government recognition of local organisations in Zimbabwe’s CAMPFIRE initiatives has inhibited their success (Murphree 1997). Management regimes should be small-scale (Murphree 1998) and policy makers should ensure management responsibilities are at the level of management authority (section 6.1.3) (Murphree 1996b).

Nevertheless, successful common property resource management also relies on centralised management and support. *“The role of government is to deal with externalities, which by their size and nature, require centralised intervention...Common property regimes depend on an effective system of authority to legitimise and enforce user rights and operating arrangements”* (Shackleton et al. 1998). Conflict resolution can also be hard to achieve locally.

The varying degrees of support and management responsibility decentralisation needed for success, require joint management to be nested in a suitable policy framework (Shackleton et al. 1998; Davies et al. 1999). *“Institutions mediating resource use have to be located within a complex institutional ‘matrix’, which links the position of social actors at the micro-level to the macro-level conditions which prevail in the wider political economy...These matrices are likely to be very messy, and characterised by gaps, ambiguities and conflicts”* (Cousins 1997).

Ensuring responsibilities are located at the appropriate levels in government is not easy. In Botswana, centralised decision-making and bureaucratic procedures constrain the introduction of innovative conservation management (Modise 1996). By contrast, about seven institutions manage Tanzania's wildlife. Some are self-financed parastatals (like Tanzania National Parks) and others are government funded (Boshe 1996). Sustainable development policy should be located at high levels across various government departments to embrace all natural resources in planning and implementation processes (Brown 1996; Dalal-Clayton et al. 1998; Wood 1997). Economic and ecological considerations suggest large-scale management regimes are appropriate because wildlife is often mobile (Murphree 1998). However, large agencies can be less efficient because they are characterised by delegation, duty shirking, corruption, misunderstandings and higher costs (Murphree 1995; 1997). Community-based initiatives should be nested within larger management units to ensure that responsibility rests at the appropriate level (Murphree 1998). For example, communities may need to form alliances with higher levels of authority to secure the political sustainability of initiatives in the face of issues such as CITES debates and donor funding (Hassler 1995).

Government can help ensure that joint management does not compromise the guiding principles of conservation and development. Many feel that national interests should override local interests regarding endangered species, and that national policy should govern their management (CITES 1973; Leader-Williams et al. 1996; Murphree 1995). National legislation may also be appropriate for protecting core biodiversity and significant or representative habitats, and controlling climate and greenhouse gas emission (Rudge et al. 1997; Hanekom 1996). Thus, ecological stability will be retained irrespective of local level economies (Hanekom 1996).

Policy makers must provide an enabling institutional framework if CBNRM is to be successful (Murphree 1996b). Joint management is cross-disciplinary and requires the involvement of several government agencies, but African governments usually adopt disciplinary approaches. In Zimbabwe, liaison is poor between the Ministry of Local Government, which is responsible for district councils, and the Wildlife Department of the Ministry of the Environment and Tourism, which administers the Parks and Wildlife Act of 1975. Even within the latter ministry, liaison is poor (Thomas 1995b). In South Africa, the DLA transfers land, but other agencies are expected to ensure the transfer is sustainable and to provide the necessary support for ensuing CBNRM initiatives (Thomas 1995b). Sometimes this was left to provincial government structures, which were still new, fragmented and undercapacitated in some areas of key biodiversity. Poor integration between government departments has led to policy failure as land acquisition alone does not necessarily lead to rural livelihoods provision (Carnegie et al. 1998). Conservation and development strategies initiated in one government agency are usually marginalized and lack the support of other government sectors (Wood 1997). Cross-sectoral policies are therefore important for initiative success (Rudge et al. 1997).

Government can play a key role in co-ordinating joint management stakeholders. In Australia, the absence of this co-ordination has been identified as a key impediment to indigenous participation in conservation (Gillespie et al. 1998). However, ensuring appropriate management, ownership, tenure rights, and equitable benefit distribution occur is complicated (IIED 1994), as is striking the balance between facilitation and paternalism (Leader-Williams et al. 1996). Stakeholder rights, responsibilities and requirements must be defined and accounted for in the management framework, and differing stakeholder objectives should be reconciled rather than coercing groups into conforming to another's objectives (Kiss 1990; Leader-Williams et al. 1996). Monitoring NGOs and donors to ensure they represent community interests, provide appropriate assistance, and do not encourage dependence or introduce inappropriate management frameworks is necessary (Leader-Williams et al. 1996). Murphree (1996a) states that government agencies should be involved in community initiatives from an early stage to prevent implementation delay.

Government can play a monitoring and evaluation role (IIED 1994). Evaluation helps ensure stakeholders execute their responsibilities, and provides feedback data for the learning process (Fourie 1994). In Zambia, community-based initiatives such as ADMADE and the Luangwa Integrated Resource Development Programme are more than 10 years old, and could benefit from evaluation and institutional restructuring (Mwima 1996).

Inappropriate national policy and legislation can prevent joint management from meeting development and conservation objectives. Policy makers must produce enabling legislation addressing secure community land ownership, use rights, conservation management and other issues (Murphree 1996b; Kepe 1997). For example, SANP employees are exempt from national laws relating to firearms (National Parks Act 1976). Australian policy and legislation indirectly supports joint management by promoting tourism and conservation education,¹ and legislative renewal has ensured the continuing legitimacy of joint management processes (section 1.4.4). However, Australian education and training policies for indigenous people focus on accredited courses, which often overlook local knowledge. Some environmental management courses account for prior levels of learning, but few indigenous students attend university (Davies et al. 1999). CNP staff are employed under the Public Service Act of 1922, which makes it difficult to provide flexible working arrangements to suit Aboriginal people (Kakadu Plan of Management 1999), or to undertake appropriate recruitment, training and career development strategies (Davies 1999).

Government financial support for joint management is important (Shackleton et al. 1998). In Australia, government funding and fiscal decentralisation have allowed institutions supporting joint management to make relatively independent management decisions (Rudge et al. 1997), but a reduction in government subsidisation has meant that some of the more expensive joint management processes have had to be cut.² State subsidisation of conservation activities is also being reduced in South Africa.³

8.1.2 Non-Governmental Organisation and Donor Support

Non-governmental organisations are defined in this chapter in the broadest sense, and therefore include groups such as universities and the private sector. Despite the fact that many donors are government organisations, they are also discussed here, as their mandate is to provide support.

CBNRM can be expensive, especially at the start. Funding often comes from foreign donor agencies. For example, USAID spent about US\$5million on Zimbabwean CAMPFIRE initiatives from 1989 to 1994 (Africa Resources Trust 1996). The private sector can also provide funding. For example, the Cullman Wildlife Project in Tanzania is funded by a local hunter and businessman who believes in community involvement in conservation. It funds and rewards anti-poaching teams, villagers receive 20% of hunting revenue, and benefit from local development projects, employment and meat from hunts (Robin Hurt Safaris 1996). NGOs can also play an important role in advocacy. For example, NGO and government pressure in the mid 1990s forced South African conservation agencies to operate less along colonial, exclusionist, anti-community principles.⁴

NGOs and donors can provide technical assistance where communities lack capacity. Donor agencies should provide "*impartial facilitation, training, and capacity-building for common property institutions*" (Shackleton et al. 1998). They can assist with information exchange through drama programmes and trips, business training, and legislation, technical or economic studies such as cost/benefit analyses of wildlife use (ODA 1996). Communities may require help penetrating markets with ecotourism operations (Murphree 1996a; Cousins 1995; ODA 1996). The private sector has much experience with marketing, bookings and revenue generation (Murphree 1996a). In the Dwesa Cwebe Wildlife Reserve, South Africa, land has been returned to communities and income generation from tourism is proposed. The provincial conservation agency is weak and NGOs have assisted with advocacy, facilitation and logistical support (Timmermans 1998). In Zimbabwe, NGOs involved with CAMPFIRE have played a key role in training communities in committee and administrative procedures, institution and management skills. The CAMPFIRE Association itself does much networking with donors and NGOs, which communities have less capacity to do themselves (Murphree 1996a).

Many communities benefit from financial and technical support from donors and NGOs. However, these groups can influence project direction, they have their own agendas and are self-appointed rather than democratically chosen (Mishra 1989). For example, the private sector will prioritise profits. Donors often want results in a fixed time frame. They aim to meet targets rather than tackle problems. Expectations about pace, complexities and costs can be unrealistic. Project designs can be too rigid, based on false assumptions, and fail to allow for self-correction. Foreign 'expert' consultants come for brief expensive visits providing no continuity and little time to develop relationships. Project beneficiaries are seen as targets rather than participants, and the notion of 'beggars cannot be choosers' justifies allowing donor priorities to supersede community needs (Lewis and Carter 1993; Mishra et al. 1989). Relations between donors and

communities are often paternalistic, with donors retaining most power and acting as enforcers rather than enablers (Leader-Williams et al. 1996).

Sustainability is problematic where donor dependency develops and projects risk collapse following donor withdrawal (Lewis and Carter 1993). This occurred in Lake Mburo National Park, Uganda, where funding for vehicles, staff allowances and other incentive schemes could not be maintained after donors withdrew (Hulme 1997b). Dependence on donors and foreign manpower has been identified as a major problem in the Department of Wildlife and National Parks, Botswana (Modise 1996) and Zambian wildlife institutions (Mwima 1996). By contrast, the CAMPFIRE project in Zimbabwe's Masoka community relied little on donor funding and is likely to be more sustainable (Murphree 1996b). Local institutional capacity-building is rarely addressed (IIED 1994) and donors should focus more on this and infrastructure provision to avoid donor dependency (Wood 1997).

To reduce problems, Murphree (1996a) suggests the following guidelines for donor agencies: involve the community; avoid big managerial overheads; be flexible with funding; provide communities with soft loan facilities to raise their bargaining power; assist with community institution building; accept the slow pace and long-term nature of projects; and provide funds in small incremental steps. IIED (1994) suggest additional ways for NGOs to support CBNRM initiatives: develop national policy and legal frameworks; support legal rights development so communities can claim and use wildlife resources; build on traditional local knowledge systems and decision-making structures; support training programmes for project personnel, community members and public institutions; develop messages of community empowerment; promote collaboration between government, NGOs and the private sector; support structures which ensure equitable distribution of benefits; and ensure project monitoring and evaluation occurs. NGOs can also help ensure parties adhere to contract terms (Leader-Williams et al. 1996).

8.1.3 The National Macroeconomic Environment

Studies show that wildlife can be a competitive and viable land use option (for example Crowe et al. 1996). It is open to multiple uses and lives in multi-species communities thus fully utilising rangeland. Compared to cattle, it is physiologically better adapted to drought and more disease resistant, it has faster growth and higher fecundity, it provides a higher carcass quality, it can range further from water and eat a greater range of flora thus lowering ecosystem impacts and improving sustainability (Child 1990; Dalal-Clayton 1997). At Buffalo Range Ranch, Zimbabwe, wildlife caused less land degradation, which led to greater calving rates, meat yields and profit than cattle farming (Child 1990). At Rooipoort estate in South Africa, live game sale was more profitable than hunting, but elsewhere hunting can be lucrative as hunters will pay seven times more than normal tourists and require fewer upmarket facilities (Crowe et al. 1996). Some conservationists advocate hunting as the low offtake rates required to maintain trophy quality (0.5% in elephants) cause less social disruption, particularly amongst sensitive species such as elephants (Child 1990).

The economic and ecological advantages of wildlife as a land use option often remain unrealised due to technical, policy and economic obstacles such as little census data, poor harvesting techniques, poor processing skills and facilities, undeveloped markets and bureaucratic restraints like the need for licences (Child 1990; Rudge et al. 1997). Government policy prevents wildlife from reaching its economic potential at Lake Mburo National Park, Uganda (Mugisha and Infield 1996), as livestock farmers receive economic subsidies such as veterinary services and abattoirs, and national taxation legislation prevents wildlife from operating on an 'even playing field' (Child 1990). Zimbabwean district councils retain a proportion of benefits from wildlife use thus reducing its competitiveness. Wildlife is indirectly 'taxed' in other ways, for example, Zimbabwe's Masoka community built a clinic with CAMPFIRE revenue, but provision of basic health services is a government responsibility (Murphree 1997). In Australia, an enabling tax environment supports CNP economic sustainability, and the EPBC Act states that "*the property and transactions of the Director are not subject to taxation*" under any laws.

Wildlife can also be less competitive due to restrictions on its use. National veterinary organisations often restrict wildlife transfer to benefit livestock (Rudge et al. 1997), and national and international policies on marketing and trade such as CITES, can be problematic (Africa Resources Trust 1996; Munthali 1996). Trade in elephant products once constituted 28% of Zimbabwe's Department of National Parks and Wildlife Management budget, and CAMPFIRE receives 90% of its revenue from trophy hunting, 64% of which is from elephants (Africa Resources Trust 1996). Trade bans on certain species prevents the realisation of their economic potential and threatens the success of initiatives such as CAMPFIRE (IIED 1994). The Humane Society of the United States (HSUS) and the US Endangered Species Act of 1973 oppose trade in elephant ivory (Africa Resources Trust 1996), and HSUS opposes sustainable use of any animals. With an annual budget of US\$32million and 2.5 million members, HSUS can influence agencies such as USAID on which CAMPFIRE relies (Africa Resources Trust 1996).

This chapter assesses the policies and support agencies affecting whether CNPs can meet their conservation objectives and be economically and socially sustainable. It assesses whether governments provide an enabling environment for joint management, whether NGOs and donors help CNPs meet their objectives, and whether the national macroeconomic environment allows CNPs to realise their economic potential.

8.2 RESULTS

8.2.1 Government

Joint management involved local, provincial and national levels of government (Table 30). It is best if responsibility for aspects of joint management requiring external support are located at the appropriate government level, but in practice, the low capacity of some government agencies made this impossible. Government agency attitude to joint management also varied. In practice, CNPs varied regarding which government level most supported joint management. Successful

joint management tended to involve whichever government agencies were most sympathetic and had the highest capacity to take responsibility for issues requiring more centralised support.

Table 30: Levels of government involvement with CNPs.

Contractual national park	Level of government involvement		
	Local	Provincial, state or territory	National
The Postberg Section of WCNP	Some involvement.	Some involvement.	Involved during CNP proclamation and with amending national park legislation. SANDF are neighbours.
The RNP	Involved, but structures often change and capacity problems exist.	Minimal.	Involved during CNP proclamation. Unhelpful regarding Corridor West farm transfer and servicing. Some involvement since with local development projects.
The Makuleke Region of KNP	None.	Minimal.	Involved during land claim and CNP proclamation. Some funding since.
The Southern Section of the KGNP	None.	Some involvement.	Involved during land claim.
Kempiana, adjacent to KNP	None.	Minimal.	None.
Melkbosrand, AFNP	None yet.	None yet.	Involved with land claim.
UKTNP	None.	Very unhelpful.	Very involved through funding and legislation. Some bureaucratic problems.
KaNP	Minimal.	Very unhelpful.	Very involved through funding and legislation. Some bureaucratic problems.

National government often had the most sympathy for, and capacity to facilitate joint management. National policy and legislation in particular facilitated CNP establishment, often after land claims. In Australia, most government involvement was at the national level due to poor territory level support. National government supported joint management, particularly through national legislation, which legitimised joint management boards and plans, and supported Aboriginal involvement in conservation. National legislative support also existed for broader joint management issues such as Aboriginal land ownership, heritage protection and rights to reside in and use national park natural resources. South African national legislation supported land return to previously dispossessed communities, but provided little joint management support. Australian joint management benefited from continual updating of conservation and land rights legislation, but in South Africa, the National Parks Act of 1976 has not kept pace with changing international attitudes to conservation which are increasingly inclusive of community involvement. Australian legislation ensured Aboriginal issues were prioritised but also detailed guidelines to ensure fundamental conservation principles were not

compromised, and empowered the Minister to this effect. South African conservation legislation, by contrast, defined conservation objectives in broad terms, and provided little guidance on acceptable levels of interference with the natural environment in situations such as joint management.

Government support was particularly effective when a Minister or another high level government official 'championed' joint management. Championship was particularly important during CNP establishment as it brought the CNP to public attention and helped push the process forwards. Championship was more likely where issues had higher political profiles. This may explain why solitary initiatives, such as Mayibuye Ndlovu, received little government involvement and support. Championship was also important at lower government levels once joint management structures had been established.

Government can play a key role in co-ordinating the input of the many government agencies, NGOs and donors involved in joint management to ensure the process receives effective support. In South Africa, integrated support was more apparent where CNPs emerged from land claims and responsibilities fell more clearly to the government agency responsible for claims. In Australia, Environment Australia was clearly the government agency responsible for co-ordinating joint management issues. Where it was clear which government agency was responsible for co-ordinating joint management, the process was more likely to proceed in an integrated way, and stakeholder responsibilities were clearer. However, problems arose when the agency had little capacity or ceased to co-ordinate the process effectively during times of political change. This occurred in many CNPs. Case studies also showed that involving all government levels increased the chances that joint management would benefit from various government sector grants supporting joint management related issues such as education, training, small business support, cultural heritage maintenance and tourism development.

8.2.1.1 The Postberg Section of West Coast National Park

Government involvement in Postberg is at the national, provincial and local level. One interviewee said that national government was involved during CNP proclamation, and with amending the National Parks Act to accommodate Postberg. There was frustration about the time taken for Postberg's contractual status to be declared in the *Government Gazette*.⁵ Another interviewee said the Minister of Environmental Affairs had ultimate responsibility but added that government involvement was minimal. SANP wants to incorporate the peninsula tip into WCNP,⁶ but the Minister of Defence categorically said the South African National Defence Force (SANDF) would not leave the land.⁷ However, SANP and SANDF have good relations. SANDF has an environmental officer, and assists with conservation issues such as oystercatcher counts, game management and sanctioning soldiers who poach.⁸ It allows SANP to count game on the land when accompanied, and holes in the fence with Postberg allow game through.⁹ One interviewee added that meetings with SANDF occur four times a year.

Interviewees said provincial government supported the nature reserve before the CNP, but delayed road deproclamation. However, this was primarily a local government responsibility. Local government tied the hands of SANP on this issue and two interviewees felt the stalling was due to officials' vested interests. However, the fact that two Syndicate members were former Ministers helped,¹⁰ and one interviewee felt local government supported deproclamation. Government may have also tied SANP's hands regarding the land swap issue.¹¹ However, one interviewee said government supported this boundary change, and that relations with local government were good. Another felt its involvement with Postberg was small. The contract only states that local authorities must approve building proposals guided by SANP and Syndicate comments, and that building must be in accordance with national regulations.

8.2.1.2 The Richtersveld National Park

During initial RNP negotiations, the South African legal system played a key role. The Supreme Court granted an interdict to stop contract signing thus forcing the NPB and government departments to negotiate (Glazewski et al. 1991). The DLA jointly initiated the TRANSFORM programme with GTZ to co-ordinate German government funding (Archer and Bruce 1996). Following TRANSFORM's cultural work, the Department of Arts and Culture funded a Nama language project.¹² TRANSFORM is now a partnership between GTZ and the DEAT. Government has also funded four research projects providing data for RNP management through the Human Science Research Council.¹³ Most interviewees felt national government had provided little support since contract signing. However, they said involvement included funding from the Department of Social Welfare for the arts and crafts centre, and national legislative control over mining permits, EIAs and rehabilitation.

Interviewees mentioned problems with the Corridor West farms with land transfer issues and the time taken for processes. One said this was due to changing government structures. The Management Plan (1995) states that changes in the bodies responsible for the farms resulted in delay of their development, but government bureaucracy also hindered SANP's efforts regarding the farms. It was unclear where responsibilities for providing water points and fencing, and removing farmers using the farms lay, and a government clerical error prevented their transfer¹⁴ (Archer et al. 1994). Land claims could also be a problem. The Management Plan (1995) states that "*a number of southern Richtersvelders contend that the land in question was unjustly taken from them by the state and claim that it should be returned.*" This claim could have invalidated the compensatory nature of the farms, but they have since been handed over to local government for communal grazing.

Government has changed much since 1994. The TLC formed in 1995 was in conflict about whether to split along a north south divide. In 1999 the decision about municipal council demarcation meant that in 2001 the Richtersveld TLC combined with that of Port Nolloth and Alexander Bay.¹⁵ This delayed the integrated development plan for the Richtersveld, which includes proposals for a Richtersveld grazing plan (Richtersveld Transitional Council 2000).

Two interviewees felt there was no government involvement in RNP and one said that the BPK goes to the community for support. One said that in the past, government has caused more problems than solutions due to a lack of local knowledge, but another said it did not wilfully block processes. One interviewee said provincial government was conspicuous by its absence. One major problem was that despite natural logistics and communications links with Cape Town (500km away), Namaqualand was allocated to the Northern Cape Province with its capital Kimberley (800km away). The province is the largest in the country and has a small population and budget, as well as huge communications, capacity and financial shortfalls.¹⁶

Most interviewees were positive about local government support. One said that the police helped check mining concessions and stop illegal plant transfer. Several said local government helped or would help with problems like Richtersveld stock control. They said local government works well with the community and SANP, it has a representative on the BPK and works well with the BPK on issues like prospecting requests and land claims. It used to pay BPK member's transport costs and one also said that the 'habitscommitees' in every village provided support. Local government is now a fully democratic body so more representative than the old management board although members have political slants.¹⁷ However, it still suffers from infighting and corruption,¹⁸ and three councillors are simultaneously employed by the mining company Trans Hex (Eco-Africa 1999a). National government has produced guidelines on regional tourism development, and the local district council must plan development, including tourism, for the whole Richtersveld. However, responsibilities have not been implemented. Local tourism authorities must steer and support local tourism, but consultants or community tourism organisations currently do this (Eco-Africa 1999a). SANP officials hoped local government would produce a Richtersveld grazing management strategy thus taking responsibility for RNP grazing,¹⁹ but government changes and the low priority of grazing management mean this may not occur. One interviewee felt that local government gave no support or funding, another said it provided problems, and two said local government would not help the BPK resolve conflicts. A former Park Warden and a former BPK member added that government was unaware and uninterested in RNP issues.²⁰

8.2.1.3 The Makuleke Region of Kruger National Park

Negotiations leading to CNP declaration were politically high profile (Steenkamp 1999), so there is a vested political interest in making the CNP work. Parliamentarians visited the area and the then Minister of Land Affairs, Derek Hanekom, along with the DEAT, supported the land claim (Steenkamp 1999). Several Ministers signed the contract, all of whom want to see good land management. For example, SANDF has concerns as the Makuleke Region borders Zimbabwe and Mozambique. The DEAT has since provided several grants,²¹ and in 2001 agreed to fund construction of a tented camp. It was interested in the Master Plan, probably out of concern over hunting.²² The DLA has provided the community with a Restitution Discretionary Grant of

R500,000.²³ National departments have been involved at all CNP stages, provincial departments have been involved to a lesser extent, but local government has not participated.²⁴

8.2.1.4 The Southern Section of the Kalahari Gemsbok National Park

Government involvement has been primarily at a national level. The Mier and San lodged land claims against the state as represented by the DLA (Chennels 1999). The DLA and Office of the Commissioner for Land Affairs accepted the San claim's validity and the DLA worked hard to facilitate the process and reach settlement. The then Minister of Land Affairs, Derek Hanekom, supported a negotiated solution enhancing benefits for the San, Mier and SANP (Chennels 1999). The facilitator noted in Figure 18 was appointed by the Northern Cape Commissioner for Land Claims (Chennels 1999) and paid by the DLA.²⁵ Figure 18 also illustrates the high personal commitment and input of one DLA official.²⁶ However, there are concerns that DLA support has been due to the personal commitment of two individuals, both of whom will soon be transferred.²⁷ Government continuity was also problematic when the Minister of Land Affairs was not reappointed after the 1999 elections, those under him were left in limbo and the process ground to a halt.²⁸ Fortunately the San lawyer pushed negotiations through quickly whilst ministerial and high level support was forthcoming,²⁹ but many of the problems in 2000 were due to hurried negotiations.³⁰ The DLA must define CNP borders and transfer the land,³¹ but its capacity is too low to deal with its huge workload. For example, there was frustration in 1999 regarding the time taken to transfer farms to the San, and some San were afraid the farms would be lost.³² The =Khomani CPA elections in 2000 were also poorly organised by the DLA.³³ Provincial government involvement to date has been minimal, San social services are poor,³⁴ and local government has provided little process support.³⁵

8.2.1.5 Kempiana, Adjacent to Kruger National Park

Government involvement with Kempiana has been minimal at all levels.³⁶ The provincial department of nature conservation owns the Hans Hoheisen research station³⁷ but little occurs there.³⁸ It agrees it should be given to SANP but cannot organise this,³⁹ and its dogs cause minor problems.⁴⁰ The Department of Agriculture and Veterinary services monitors local diseases and the military deals with immigrants.⁴¹

8.2.1.6 Melkbosrand, Augrabies Falls National Park

Government involvement with the proposed CNP has been primarily at a national level regarding land claim resolution. Cabinet and Portfolio Committee (which decides whether Melkbosrand should be deproclaimed) changes delayed resolution and meant that the case would have to be re-visited by the new Minister of Environmental Affairs and Tourism despite previous research (Schwartz et al. 2000). Changes also meant Portfolio Committee members were not present at the crucial March 1999 meeting.⁴² Instead the meeting facilitator had to report back to them.⁴³

8.2.1.7 Uluru - Kata Tjuta National Park

Most government involvement at UKTNP has been at the Commonwealth or territory level. Most interviewees were positive about the Commonwealth Government, which supports joint management and was seen as strong, consistent and backed up with goodwill and genuine intentions. Government subsidises management and, although the Minister tried to make changes with new legislation, the process survived intact. Two interviewees said government allowed Anangu to reclaim their land and supported the evolution of joint management. Government legislation is supportive, for example regarding the Plan of Management.⁴⁴ Legislative amendments enabled genuine power sharing to evolve between Anangu and Parks Australia, in policy generation, planning and UKTNP management (Woenne-Green et al. 1993). Government departments fund community projects such as schools,⁴⁵ and the Department of Employment, Education and Training provided grants to develop Aboriginal UKTNP staff (Willis 1992).

The Commonwealth Government also creates problems for joint management, particularly through bureaucracy. Policy legitimises tourism courses which are inappropriate for Aboriginal people, so they cannot gain qualifications and employment.⁴⁶ Interviewees said that Aboriginal law stays the same but laws from Canberra always change, and that fights with government before 1985 made life hard. Government does not always listen, and the Minister can anger the OJM. Government still emphasises the national park rather than joint management. For example it should give 50% of UKTNP income to Aboriginal people.

The Northern Territory government saw returning UKTNP to Aboriginal people as a challenge to its role as the body elected to manage lands within its borders and ran a media campaign against it. However, the territory parks service was replaced by its federal counterpart, and the Northern Territory government has lobbied for the return of UKTNP to its jurisdiction ever since (Griffin 2000; Davies 1999). The Northern Territory government does not recognise Mutitjulu as a town so provides no essential services (Griffin 2000), it does not support joint management, and it disagrees with Parks Australia staff regarding management of dingos, threatened species (Davies 1999) and roads.⁴⁷ Anangu culture is alien to the Northern Territory government and Anangu are against its involvement in UKTNP.⁴⁸ It is not formally involved in joint management but this may change if it gains a representative on the Board of Management.⁴⁹ Nevertheless, territory conservation agency experts are relied on for help as UKTNP is isolated from other Commonwealth protected areas, and support at this level is forthcoming.⁵⁰ Territory authorities co-operate with UKTNP staff in sacred site protection and UKTNP regulation enforcement (Plan of Management 2000), and support is gradually increasing.⁵¹

The Mutitjulu Council has no involvement with joint management.⁵² This is fortunate as one interviewee said it was corrupt.

8.2.1.8 Kakadu National Park

Most government involvement at KaNP has been at the Commonwealth or territory level. The Commonwealth Government covers 80% of KaNP operational costs⁵³ and most of its legislation supports joint management.⁵⁴ It funds CSIRO which has carried out research in KaNP,⁵⁵ and the Department of Employment, Education and Training partly funded cultural heritage management and ranger training from 1990 to 1995 (Plan of Management 1999). However, KaNP falls under the Department of Environment and Heritage, which is so big that KaNP is of little consequence to it.⁵⁶ Canberra is far away and Commonwealth Government staff can make regulations unsuitable for governance at KaNP.⁵⁷ For example, KaNP promotes joint tourism ventures but national legislation makes preferential treatment of traditional owners problematic.⁵⁸ The Department of Primary Industries and Fisheries allows transport of hay through KaNP, and seeds from trucks increase weed infestations.⁵⁹

The Northern Territory government has always opposed Commonwealth Government presence at KaNP⁶⁰ (Hill and Press 1994; Lawrence 2000). It does not support Aboriginal issues and opposes all Aboriginal land claims.⁶¹ It criticised the first two Plans of Management and feels that Aboriginal cultural protection is an issue for Aboriginal people only (Lawrence 2000). It must provide outstation housing, which is poor as it says Aboriginal people receive enough money from mines to do it themselves.⁶² It objected to listing KaNP as a World Heritage site, probably because this would limit its power to exploit natural resources (Lawrence 2000; Plan of Management 1999). It wanted mining at Coronation Hill to proceed⁶³ and it criticised KaNP management limiting tourist access⁶⁴ (Plan of Management 1999). For example, it advocated tarring the road to Jim Jim Falls for all weather use.⁶⁵ While the Northern Territory government has provided problems at the political level,⁶⁶ it has also provided assistance at the management level, through maintaining and advising on KaNP roads⁶⁷ (Plan of Management 1999) and helping with tourist presentations.⁶⁸ It is increasingly supportive,⁶⁹ but there is anxiety about EPBC Act requirements for a Northern Territory representative on the Board of Management.⁷⁰

Local government is in Jabiru⁷¹ and consists of mine representatives and other elected members.⁷² It works with Parks Australia regarding wildlife and weed control in Jabiru,⁷³ but has little impact on joint management.⁷⁴ However, it would like more involvement with issues such as outstation development.⁷⁵

8.2.2 Non-Governmental Organisation and Donor Support

In South Africa, the most effective NGO support for CNPs often came from small organisations employing committed individuals, many of whom had lived and worked locally for many years and had an excellent understanding of key issues likely to affect joint management. Donor funding from agencies such as the British Department for International Development (DFID), the Danish Co-operation for Environment and Development (DANCED), GTZ and Ford Foundation was often most effective when applied through such organisations. Many donor agencies recognised this, and were trying to work with and through such organisations. For

example, DANCED worked closely with SANP, and DFID funded SASI. GTZ had links with DEAT, but this partnership was less effective because DEAT operated on the ground less than smaller more focused NGOs. In general, when donor agencies planned and implemented their own strategies or worked through large government agencies, community and joint management support at ground level was less effective, sustainable and cost-effective than when support was provided through smaller local organisations with a history of local involvement.

Table 31: NGO involvement in CNPs.

Contractual National Park	Local interest groups	Commercial mining / tourism companies	Conservation organisations (other than SANP / Parks Australia)	Donor agencies	Technical support agencies	Universities	Research and training centres
The Postberg Section of WCNP	Yes	Yes	Yes	No	Yes	Yes	Yes
The RNP	Yes	Yes	Yes	Yes	Yes	Yes	No
The Makuleke Region of KNP	No	Yes	Yes	Yes	Yes	No	No
The Southern Section of the KGNP	No	Yes	No	Yes	Yes	Yes	No
Kempiana, adjacent to KNP	Yes	Yes	Yes	Yes	No	No	Yes
Melkbosrand, AFNP	No	No	No	Yes	Yes	No	No
UKTNP	Yes	Yes	No	No	Yes	No	No
KaNP	Yes	Yes	No	No	Yes	Yes	No

A wide variety of NGOs and donors were involved with South African joint management (Table 31). These included local interest groups, commercial mining and tourism companies, conservation organisations, donor agencies, technical support agencies (often donor funded), universities, and research and training centres. Many of these NGOs and donors were key joint management stakeholders, particularly in the initial phases. By contrast, Australian joint management had little deep NGO and donor involvement, perhaps because the Commonwealth Government had sufficient resources to take on the responsibilities adopted by NGOs and donors

in South Africa. For example, Australian land councils operated independently from government, but were established by government statute and some were government funded. The OJM at UKTNP was funded by Parks Australia. This semi-autonomy from government had advantages: government or government agencies such as Parks Australia ensured that independent organisations existed to support Aboriginal issues independently from government. These organisations could not subvert the joint management process as their functions and powers were clear. For example national law dictated land council functions and powers. Problems of NGOs and donors having their own agendas and forcing joint management in inappropriate directions were therefore mitigated. NGO support was more co-ordinated because issues requiring external support had been identified and broad responsibility for dealing with them devolved. Statutory land council establishment in particular ensured a reasonably effective balance between controlled, co-ordinated support and independent assistance and monitoring. Semi-autonomy from government also had disadvantages: agencies were not truly independent, and genuine external joint management scrutiny may not have occurred. The South African government had fewer resources to fund such semi-autonomous organisations, and relied more on support from external NGOs and donors. Whilst organisational support was generally independent from SANP and government, it could be less co-ordinated and more open to disruption as organisations had their own agendas, chose whether to become involved themselves, and dictated what form involvement would take.

Many NGOs and donors supported joint management, but others prevented it operating effectively. Some groups opposed conservation, such as mining companies, and others opposed change, such as communities facing reduced access due to public road deproclamation. However, organisations claiming to support aspects of joint management, such as donor agencies or technical support agencies may also prevent effective operation.

8.2.2.1 The Postberg Section of West Coast National Park

Most interviewees mentioned NGOs that had been involved in Postberg and WCNP, several said NGO involvement had been little and the Syndicate fought its own battles with its own internal expertise. NGOs listed included Churchhaversen objecting to road deproclamation, and independent lawyers or consultants used to assess sustainable eland numbers in Postberg or assist with the road deproclamation conflict. Others included a botanical society, mountain climber groups, an ornithological society, the Cape Bird Club, WWF, university researchers and Goldfields, a multinational mining company, which helped establish a WCNP environmental education centre and supported opposition to a proposed marina.

8.2.2.2 The Richtersveld National Park

Interviewees' opinions varied on whether NGOs and donors supported RNP. They were negative about support in general, but positive about specific NGOs and donors currently operating. Only one thought no NGOs or donors were currently involved with RNP. Comments included the fact that long-term help was good but that involvement was always too much too

soon. Many prioritised their own interests and some had pressured the community into inappropriate agreements doing more harm than good. They have over-helped and the community is sick of being 'NGOd'. They can induce dependency, there are too many, and unlike SANP they come and go. They have sometimes caused problems, as they do not know the area's history. For example, the Wildlife and Environment Society of Southern Africa inappropriately wanted to sue for breach of contract when RNP stock numbers exceeded the set ceiling.

Interviewees mentioned Eco-Africa, SPP and the local group initially opposing RNP. Eco-Africa are environmental consultants with long involvement with the Richtersveld. SPP help with Namaqualand land issues⁷⁶ and one interviewee felt it would help with conflict resolution. It provided support to establish RNP but is less involved now. GEM initiated the Support and Training Programme, or Ondersteunings en Opleidingsprogram (OOP) with the help of SPP. OOP aimed to build the capacity of BPK members as community representatives, and to strengthen the community in relation to the NPB. At first, OOP meetings were well attended, it ran trips into RNP and supported local ecotourism projects. But problems arose due to little community interest, staff changes, and poor commitment from SPP and key OOP members such as BPK members. It ended in June 1995 when SPP withdrew its support (Budlender 1995). GEM also initiated the People and Parks project, which included a study of RNP, followed by a workshop attended by conservation agency and community representatives. This later expanded into a process where there were conferences of affected communities and agencies, exchange visits, lobbying and research. Two GEM members on the board of SANP did much to advocate more community-friendly approaches to conservation.⁷⁷ LRC also provided much support, especially with the initial court interdict (Glazewski et al. 1991). One member remains involved and is a Richtersveld Community Trust trustee. Other trustees are local priests and an activist who assisted with the interdict.⁷⁸

GTZ's TRANSFORM project began in 1996 with a view to ending in 2000. It aimed to *"develop new concepts for the sustainable utilisation of established conservation areas on the basis of community participation and ownership"* (GTZ 1997). Two interviewees felt it had given more problems than help in the past. One said the TRANSFORM facilitator used to do the BPK's work, privileged one Richtersveld village, and took the position of what should be an SANP tourism officer. TRANSFORM projects are broad and often poorly followed up. Its field guide project has enjoyed limited success due to poor planning, for example, regarding guide selection (Eco-Africa 1999b). After the 1999 business course, participants felt they still could not run a small business. Selection procedures for workshop and course participants were dubious and one NGO member with good local knowledge said costs and expectations were high, jobs had not materialised, rural livelihoods had not improved and project focus was on fast results rather than capacity-building. However, most interviewees were positive about GTZ/TRANSFORM, and said support had been provided for a business course, a trip for BPK

members, training, a workshop in 2000 on the new Management Plan, and employment of a consultant to facilitate the development of this plan in 2001.

Several interviewees commented on the mines. One said they provided problems with buildings until RNP built its own, but two said they charged little rent. One said they lent SANP free expertise and machines. The lack of mining strategy makes establishing campsites by the river difficult, and although the 1991 estimate for the mines' lifespan was five years, RNP mining has increased.⁷⁹ Trans Hex funded a RNP petroglyph mapping project and provided a free serviced building for the community textile project.⁸⁰ However, it reclaimed the community guesthouse at Sendelingsdrif. Alexkor Ltd helped establish community-based organisations such as the Northern Namaqualand Tourism Task Group (Eco-Africa 1999a). Nabas employs 45 Namaqualanders and other casual labourers, supports park farmers, maintains a RNP road, buys local produce and pays 5% of its profits into the Diamond Trust.⁸¹

8.2.2.3 The Makuleke Region of Kruger National Park

Various NGOs and donors have supported the community. The FoM find their own funding and provide much technical assistance. They attend board meetings as community advisors, helped draw up tender documents for lodge development, and took two Makulekes to Reno to help them sell a hunt.⁸² Concern over the transparency of FoM's funding was resolved.⁸³ GTZ has funded business, leadership and conservation courses for Makulekes, workshops, CPA running costs, exchange visits, and Master Plan and tender document development. The Ford Foundation helps finance the Makuleke community's office costs, and funded a community financial advisor who conducts training and helps resolve financial conflicts. The Peace Parks Foundation helps fund the FoM and the JMB.⁸⁴ In the past, the Endangered Wildlife Trust, GEM and LRC have also been involved (Steenkamp 1998b; 1999). One interviewee said that NGOs often do good work, but some are prone to unproductive infighting and tend to prioritise their own needs.

8.2.2.4 The Southern Section of the Kalahari Gemsbok National Park

Many NGOs and donors are involved with the KGNP, and there is no funding shortage. However, none are on site and few resource and support people actually spend time there.⁸⁵ Many linger for spiritual rejuvenation after meetings with the San, and San often ask why they stay.⁸⁶

SASI is responsible for supporting the =Khomani San. It supported their land claim (Crawhall 2000) and provided the services of a human rights lawyer. It funded the land use study by Massyn et al. (2000),⁸⁷ and it funded someone to help enforce democracy and teach the CPA how to work together,⁸⁸ and someone to clarify links between the San and government agencies and build the list of CPA members (SASI 1997). The lawyer has been involved from the start of negotiations⁸⁹ and has influenced the rate of process evolution and rushed through initial negotiations. He has since slowed the process down to allow informed decisions to be made, for example, regarding land use in the proposed CNP.⁹⁰ The lawyer tries to think ahead for the San to ensure they do not lose sight of their identity.⁹¹ SASI was tasked with strengthening

community capacity to manage and profit from cultural resources but realised a cultural audit was needed first. This aimed to clarify the area's ethnography, stabilise identities, remove the stigma of being 'frauds' and collect evidence of a traditional lifestyle to justify San claims to natural resources (Crawhall 2000; SASI 1997). SASI recruited Open Channels in the UK, and Strata 360 in Canada to assist with this work. The Canada Fund, IDRC, CUSO, and DFID funded it. SASI tried to find and reunite N/u-speaking San, and took eight back to KGNP in 2000 (Crawhall 2000). SASI assisted with interim farm management before they were transferred to the San (Chennels 1999), and is trying to build San capacity regarding the proposed CNP.⁹² It funds a San community worker to help promote self worth and communication within the community.⁹³

SASI has, however, had problems. Its Cape Town base is far from the Kalahari, and one consultant felt its co-ordination and support was lacking in 1999, and that it was 'gatekeeping' and blocking other stakeholder participation. A director employed in 1999 was fired with 24 hours notice along with another SASI employee who was accused of focusing on a small San group.⁹⁴ SASI assisted little with the worst period of San community destabilisation,⁹⁵ and perhaps tried to do too much.⁹⁶

FARM Africa, a British NGO specialising in African agricultural development, entered the process in 2000.⁹⁷ There has been some conflict between FARM Africa and SASI regarding roles.⁹⁸ DFID provide SASI with most of its funding but is withdrawing to make progress more sustainable.⁹⁹ There were concerns that DFID would withdraw even earlier when SASI suffered from internal problems.¹⁰⁰ The Game Ranchers Association of South Africa funded the establishment of a campsite on San land, and proposals exist for a mentorship programme with association members providing in house training for San on their ranches.¹⁰¹ This would benefit the San by building their farm management skills, and it would benefit the Game Ranchers Association by breaking down its Afrikaans image, increasing its prestige and providing opportunities for joint tourism programmes with cultural components.¹⁰² LRC has been involved¹⁰³ (DANCED 2000a), and Comic Relief funded someone to spend 10 days a month with the San to stabilise their situation. GTZ and the DANCED have been involved with KGNP Social Ecology projects not necessarily related to the proposed CNP. They funded a tracker training programme for SANP staff. However, GTZ withdrew support for one tracker training project when it was just beginning to take off (Koch 1999). DANCED has supported Mier field guide training and an arts and crafts tour to Namibia (Engelbrecht and Engelbrecht 2000).

8.2.2.5 Kempiana, Adjacent to Kruger National Park

NGO involvement has been high with WWF-SA and SAWC as primary stakeholders rather than service providers. The German government funded SAWC construction,¹⁰⁴ but WWF is the main college fund-raiser and the Peace Parks Foundation provides bursaries for students working in TFCA's (SAWC 1998). There are complicated politics between organisations such as the Peace Parks Foundation and WWF-SA, and two powerful individuals are trustees for both

SANPT and WWF-SA.¹⁰⁵ Timbavati Private Nature Reserve and the Agricultural Research Council have conducted some monitoring in the CNP (Pietersen 1999). Wilderness Leadership used Kempiana for trails and staff training with Hans Hoheisen's support.¹⁰⁶ The Association of Private Nature Reserves is involved with issues linking KNP with neighbouring protected areas.¹⁰⁷

8.2.2.6 Melkbosrand, Augrabies Falls National Park

NGO and donor involvement has been minimal. FARM Africa contracted the National Botanical Institute to conduct a baseline survey of Riemvasmaak in 1995 (Hoffman 1996). FARM Africa provided buildings and ploughs to the community with money from the Irish Aid Fund, but felt there was little evidence of how donations were spent so it withdrew in 1999 (DANCED 2000b). DANCED helped fund Social Ecology projects (Schwartz et al. 2000), and LRC drew up a draft contract for Melkbosrand in 1999 (Smith 1999).

8.2.2.7 Uluru - Kata Tjuta National Park

NGO and donor involvement has been minimal,¹⁰⁸ and NGOs involved are often established and funded by government.¹⁰⁹ The Aboriginal Land Rights Act establishes and determines the responsibilities of the CLC (section 1.4.3), but the CLC operates and is funded independently from government, making it more appropriate to discuss in this section. It must advise and assist the Uluru - Kata Tjuta Land Trust. It assists with traditional owner consultation, ensures lease conditions are upheld, receives and distributes rent from Parks Australia, and is consulted on UKTNP management. It assists Aboriginals and Parks Australia with sacred site identification and protection, and with commercial activities in the CLC area (Plan of Management 2000). It is involved with the proposed new UKTNP lease, which will be more prescriptive for management.¹¹⁰ Its job is made difficult by a lack of resources and distance from communities (Plan of Management 2000). Sometimes it makes errors when arranging consultation with appropriate Anangu for Parks Australia.¹¹¹ However, unlike Parks Australia, it employs anthropologists, historians and linguists to help identify appropriate traditional owners.¹¹²

The Pitjantjatjara Council supports the regional language group.¹¹³ Its legal representatives attend board meetings, and Parks Australia must consult with it about UKTNP management (Plan of Management 2000).

8.2.2.8 Kakadu National Park

Non-local NGO and donor involvement has been minimal.¹¹⁴ Thus, the external scrutiny necessary for informed monitoring has been lacking¹¹⁵ (Weaver 1991). Key environmental NGOs are rarely consulted on important environmental issues and are thus excluded from policy making (Lawrence 2000). Small pressure groups such as tourism associations, businessmen, amateur fishing associations,¹¹⁶ and the Australian Conservation Foundation sometimes create tension.¹¹⁷ Eris University monitors the local impact of mining,¹¹⁸ and the Jabiru Town Development Body assists with feral animal and weed control in Jabiru.¹¹⁹

The NLC is an elected council of Aboriginal community members and a bureaucracy to administer its affairs (section 1.4.3) (Hill and Press 1994). It is set up by government statute¹²⁰ but independently funded from the mines (Davies 1999), making it most appropriate to discuss in this section. It must guide and help traditional owners, help determine who the traditional owners are,¹²¹ and distribute money from Parks Australia and the mines.¹²² It has legislative responsibility for sacred sites (Press et al. 1995). The Kakadu and Jabiluka Leases require the lessee to “*consult regularly with the land council and relevant Aboriginal associations in connection with the administration, management and control of the park*” and to account for its views regarding educational and interpretive KaNP material (Plan of Management 1999). Thus, the NLC has helped establish and develop KaNP joint management arrangements (Davies 1999; Woenne-Green et al. 1993). NLC representatives often attend board meetings¹²³ and its Kakadu anthropologist assists Parks Australia with the provision of LIRs (Plan of Management 1999). However, the NLC has been subject to criticism, and with the Ranger agreement, it was accused of poor representation of Aboriginal views. The mines had threatened to withdraw the funding needed by the NLC to cover administration costs, so the NLC put further pressure on Aboriginal people to agree to Ranger (PAN 1997; Lawrence 2000). The NLC now participates little in joint management due to limited resources and involvement elsewhere. It does not always respond to requests from Parks Australia, but LIRs are rarely needed due to increasing KaNP knowledge.¹²⁴

While Aboriginal land trusts are the formal landowners,¹²⁵ Aboriginal associations tend to represent traditional owners.¹²⁶ People can be members of several associations,¹²⁷ but associations are not government funded and have limited political power¹²⁸ (Lawrence 2000). Their role is indirectly linked to joint management,¹²⁹ for example, they do contract work such as road and rock art maintenance.¹³⁰

The Gagudju Association was the first association.¹³¹ It represents the Gagudju Land Trust area (Davies 1999) and was formed in 1979 to distribute uranium royalties to traditional owners. It used to be consulted on KaNP management but its advice was not necessarily representative (Weaver 1991). However, it has a formal understanding with KaNP concerning cultural information ownership. It services Aboriginal living areas¹³² (Woenne-Green et al. 1993; Lawrence 2000). It manages the KaNP buffalo herd, three hotels and lodges, a car workshop and a service station (Plan of Management 1999; Lawrence 2000; Press et al. 1995). It has exclusive commercial rights to run boat tours at Yellow Water (Press et al. 1995; Davies 1999). Mine money built a hotel, runs the above operations, provides AU\$2,000 a year to each member and runs a children’s fund (Lawrence 2000). The association has now nearly folded¹³³ following the discovery of funding misuse, and the NLC now pays mine money to the Gundjehmi Corporation.¹³⁴

The Djabulukgu Association represents the Jabiluka Land Trust area (Davies 1999) and is the largest association.¹³⁵ It was formed in 1982 with 45 members to represent the interests of the traditional owners of KaNP stage II including the Jabiluka mineral lease area (Woenne-Green et

al. 1993; Lawrence 2000). It receives no mining royalties as mining has not begun, but operates several KaNP tourism ventures such as the Marrawuddi Gallery and the East Alligator River Cruise (Press et al. 1995; Davies 1999; Lawrence 2000). It conducts KaNP contract work employing many Aboriginal people,¹³⁶ and runs a Community Development and Employment Programme to reduce dependency levels.¹³⁷

The Jawoyn Association preceded KaNP, and represents the traditional owners of stage III of KaNP¹³⁸ (Davies 1999). It provides some employment and does some KaNP contract work.¹³⁹ For example, it trains and employs local people to care for their land (Woenne-Green et al. 1993).

The Gundjehmi Corporation was established in 1995. Its 27 members¹⁴⁰ own the land Jabiluka mine is on,¹⁴¹ and aim to prevent mining.¹⁴² They use mining royalties to this end¹⁴³ and have achieved public focus (Lawrence 2000). KaNP is a low priority for them¹⁴⁴ and sometimes they speak out against it.¹⁴⁵

The Minitja Association was established in 1994 and has about 20 members.¹⁴⁶ It receives no mining royalties (Lawrence 2000) but provides some employment through contracts with KaNP.¹⁴⁷

The impact of mining organisations on KaNP has been negative. Peko Wallsend Ltd took out a court injunction to prevent World Heritage nomination of stage II of KaNP on the grounds that it would prevent access to areas with mining rights. However, the High Court rejected this (Lawrence 2000). The Ranger mine is carefully monitored, but high rainfall can require the release of mine water into Magela creek in KaNP. Water quality conforms to environmental requirements, but Aboriginal people harvest food in the creek and have been disregarded when they refused to approve past releases. Government interest in the economic benefits of uranium mining has also sometimes prevented equitable Aboriginal involvement in decision-making in spite of structural joint management arrangements (Davies 1999).

8.2.3 The National Macroeconomic Environment

Few macroeconomic issues in South Africa or Australia provided significant obstacles to realising the economic potential of CNPs. Rather, most such obstacles were within the joint management framework itself. National policy restricting wildlife or wildlife product use provided few problems for the economic viability of ecotourism, and broad national macroeconomic environments also provided few problems exclusive to ecotourism. The Minister retained certain powers in Australia thus limiting income accrual at UKTNP and KaNP, but this was offset by significant government subsidies to cover management costs. No such ministerial powers were retained in South Africa, and government still subsidised national parks, but a recent macroeconomic drive helped undermine some community tourism initiatives in CNPs.

8.2.3.1 The Postberg Section of West Coast National Park

No interviewees mentioned any major macroeconomic obstacles to earning revenue. Comments included the fact that SANP was not taxed and that 95% of game was sold live by auction or tender without significant government restrictions. Profit is instead limited by the area, which is a low income tourism area, and by the Syndicate, as Postberg is only open for two months a year and visitor numbers are controlled.

8.2.3.2 The Richtersveld National Park

No interviewees mentioned any macroeconomic restrictions preventing RNP from making money, but one said government legislation could be both enabling and restrictive. Many said available opportunities were not utilised, for example government could provide more support to ecotourism projects. SANP pays no tax and the Trust Act suggests that although the trust is not liable to taxation, it will compensate for any tax paid in the use of trust assets.

8.2.3.3 The Makuleke Region of Kruger National Park

All interviewees felt that South Africa's macroeconomic climate supported ecotourism. None could name any discriminatory taxes, restrictions or subsidies reducing the competitiveness of ecotourism. Government departments have policies specifically aiming to promote ecotourism although policy changes make support unstable. Problems such as high marketing expenses, low community capacity and the danger of large companies retaining most benefits were thought not to outweigh problems associated with other land uses. However, the recent macroeconomic drive within South Africa has put pressure on SANP to accept a reduced subvention from the state, and find ways of generating income from new sources. SANP has therefore embarked on an extensive programme to outsource services and tender out the running of lodges (for high-paying customers).¹⁴⁸ The ensuing commercialisation of some KNP lodges undermined the community's own tourism and rest camp initiatives.

8.2.3.4 The Southern Section of the Kalahari Gemsbok National Park

No issues in South Africa's macroeconomic environment arose as factors that could inhibit the future income earning potential of any future CNP.

8.2.3.5 Kempiana, Adjacent to Kruger National Park

South Africa's macroeconomic environment provides little help or hindrance to joint management.¹⁴⁹ Veterinary restrictions prohibit meat export due to foot and mouth disease,¹⁵⁰ and the high HIV levels mean that ConsCorp loses much investment when trained company managers die.¹⁵¹

8.2.3.6 Melkbosrand, Augrabies Falls National Park

No issues in South Africa's macroeconomic environment arose as factors that could inhibit the future income earning potential of any future CNP.

8.2.3.7 Uluru - Kata Tjuta National Park

AU\$1.25 of the AU\$16.25 UKTNP entry fee in 2000 went to a government goods and services tax,¹⁵² but UKTNP gets this back later.¹⁵³ The sale of Aboriginal art and artefacts is restricted, but this is to protect Aboriginal rights.¹⁵⁴ Some government policies reduce income accruing to Aboriginal owners. The tour operators tax was only AU\$50 per annum until pressure from the OJM raised it to AU\$200.¹⁵⁵ Changing the entry fee requires ministerial approval and although an earlier increase from AU\$10 to AU\$15 was approved, it was accompanied by reduced government funding.¹⁵⁶ World Heritage and EIA legislation limit development possibilities.¹⁵⁷

8.2.3.8 Kakadu National Park

Parks Australia pays a goods and services tax, but as government said that agencies should not apply this tax increase to ticket prices,¹⁵⁸ Parks Australia had to find AU\$60,000 to top up payments to traditional owners 1999.¹⁵⁹ Parks Australia gets this tax back in other ways from the government.¹⁶⁰ CITES regulations have little impact.¹⁶¹ Most KaNP wildlife with commercial potential, such as the estuarine crocodile, are in Appendix II, which would allow for crocodile farming, skin export and some commercial use of wild animals (Press et al. 1995).

8.3 DISCUSSION

8.3.1 Government

Government involvement in joint management is at national, provincial and local levels. How effective different government levels were at implementing their roles varied between CNPs. At Postberg, Richtersveld and Kempiana there was little government involvement with joint management, particularly at the provincial level. Proclamation of Postberg required national legislative changes, which government supported although it took its time. Local government was involved with road deproclamation and land swap issues, and provided questionable overall support. Police supported RNP management, and local government supported many joint management issues such as grazing management. However, it suffered from infighting and corruption, and district councils and local authorities had not taken on responsibilities dictated by national documentation regarding regional tourism management. Government involvement at Makuleke and KGNP was at a national level. KGNP benefited from the personal support of the Minister of Land Affairs, but local government did little and had not provided desperately needed local services.

Parks Australia is a government agency forming part of Environment Australia, unlike SANP, which is a parastatal organisation accountable directly to parliament. Commonwealth Government support was viewed positively at UKTNP and KaNP, but at KaNP, people felt the Department of Environment and Heritage was located far away and staffed by individuals with little grasp of joint management. Regional government support was absent as the Northern Territory government opposed joint management, Commonwealth involvement, land claims, World Heritage listing and Aboriginal involvement. It does not recognise and service Muṯitjulu

and KaNP outstations, it supports mining, and cares little for cultural issues. In practice it has little formal involvement with joint management but this may change if it gets representatives on CNP Boards of Management. It provides informal day-to-day support at both CNPs. Local government has little involvement with either CNP.

Varying government agency capacities and attitudes to joint management suggest that it is not always appropriate for authority and responsibility to be located with what may seem like the most appropriate government agency. Where possible, all levels of government should be incorporated into the process, to capitalise on available support, reduce reliance on one government department, and reduce the sometimes inhibitory effects of involving one government agency. Personal links should be made with officials at all government levels to try and elicit 'championship' of the joint management process.

National legislation, particularly on land rights, significantly affects joint management, much like other CBNRM initiatives described in section 8.1.1. In South Africa, the Makuleke, San and Mier communities won land claims under the Restitution of Land Rights Act of 1994 and the Reform Laws Amendment Bill of 1999. The proposed CNP at AFNP may also emerge from a land claim. The Richtersveld court interdict forced the NPB to engage with the community before these Acts were passed. Joint management at UKTNP and KaNP followed Aboriginal land claims, and Australian national legislation provides strong support for Aboriginal land rights and land ownership, particularly in the Northern Territory. The Commonwealth Aboriginal Land Rights (Northern Territory) Act of 1976 granted traditional Aboriginal owners title to certain areas, it provides a mechanism to claim other territory land, it details the establishment of land councils, it defines who may own land and allows for much self-determination within this definition (Hill and Press 1994; Haire 1995).

Australian legislation supports other aspects of joint management. The EPBC Act and World Heritage legislation support Aboriginal involvement in conservation and national parks, legitimise park plans of management, detail the nature and responsibilities of park boards of management, and empower these boards. Replacement or amendment of outdated legislation has allowed joint management to evolve. Legislation supports park human habitation, use of natural resources, Aboriginal heritage protection and board majorities. However, it also supports the fundamentals of conservation. The Minister retains power to ensure that World Heritage and Ramsar values, threatened, vulnerable or migratory species, and endangered communities are not compromised. Legislation prohibits mining in KaNP. Some South African legislation supports the land rights of previously dispossessed communities, for example the Communal Property Associations Act of 1996, but unlike Australia, there is little national legislation that supports community involvement in national parks. The National Parks Act of 1976 was changed to proclaim Postberg as the first CNP, but it provides no additional support for community involvement in conservation, and gives SANP no duty to address community development as well as conservation.¹⁶² South African conservation legislation should be updated to be more

inclusive of community involvement, and to support joint management, as it does in Australia. This could include detailing the nature, powers and functions of joint management boards and the need to ratify joint management plans, as in Australia. It would also benefit from being updated in line with the precedents set in Australia regarding establishing detailed guidelines on conservation objectives and acceptable levels of interference with the natural environment in situations such as joint management.

Mayibuye Ndlovu and other initiatives involving communities around AENP (a Schedule One National Park) had no district government support, and little support from other levels. One local government representative was a Mayibuye Ndlovu board member and an AENP Social Ecologist, and had provided support for land planning and transfer issues.

Government involvement in joint management is cross-sectoral, and case studies illustrate the variety of government agencies involved. In this sense, CNPs have much in common with the CBNRM initiatives described in section 8.1.1, where integration between government departments was important, as was stakeholder co-ordination. Integrated government support for joint management did not occur in older South African CNPs such as Postberg and the Richtersveld, but occurred in younger CNPs such as Makuleke and KGNP, perhaps because these CNPs evolved from land claims for which the DLA is responsible. SANDF owns land in WCNP adjacent to Postberg, and fortunately supports conservation activities. The integrated government support required to hand over adequately serviced Corridor West farms in the Richtersveld was not forthcoming. Bureaucracy, clerical errors and poor clarity regarding where responsibilities lay delayed the process by many years. National legislation also affects mining permits, EIA execution and old mine rehabilitation. The DEAT has perfunctory involvement through its partnership with GTZ. Negotiations at Makuleke were high profile and six Ministers and SANP signed the agreement. A few committed DLA staff have facilitated negotiations in KGNP and the DLA paid for a facilitator. However, support has not always been fully co-ordinated, and problems arose regarding CPA election management and farm transfer, perhaps due to the DLA's limited capacity. The research station on Kempiana is government owned, but poor integration between provincial authorities has prevented its transfer to SANP or WWF-SA.

Australian government joint management support was well integrated. However, government was accused of paying lip service to community issues and of implementing few programmes to address national policies. Government accredited tourism qualifications were unsuitable for Aboriginal people, and government may have focused too much on national park issues rather than joint management at UKTNP. The Department of Primary Industry encouraged weed growth by allowing hay transport through KaNP.

Locating overall co-ordination responsibility with a single government agency powerful enough to implement required measures has advantages, as processes can proceed in a more integrated way and stakeholder responsibilities are clearer. However, an agency with low capacity may be ineffective and the risk of co-ordination ceasing if government changes occur is increased. It is

therefore wise to involve all government levels. This also increases the chances that joint management will benefit from a variety of government grants.

Government structural and legislative changes limited the effective co-ordination of joint management support quite severely. Government changes in the Richtersveld delayed Corridor West farm transfer and slowed down the land claim at AFNP. Such changes were problematic in KGNP when the Minister of Land Affairs championing the claim lost his job. Legislative changes at UKTNP provide shifting goal posts for Aboriginal people trying to grasp joint management. Government changes also caused problems at AENP where the new District Council could not support Mayibuye Ndlovu.

Government has often provided financial support for joint management. In South Africa, it partially funds SANP thus subsidising non-profitable CNPs. The Australian government also subsidises joint management, for example it covers 80% of KaNP's management costs (Chapter 4). Government grants in the Richtersveld have funded several community projects. At Makuleke, the DEAT will fund a camp and the DLA will provide a restitution grant. The Australian government has funded a Muñitjulu school and college, and provided grants to promote Aboriginal UKTNP staff development. At KaNP it had funded research and traineeships in management. At AENP, national government financed infrastructure development and training in local villages, and local government had funded community AENP trips.

8.3.2 Non-Governmental Organisation and Donor Support

Case studies illustrated the variety of NGOs and donors involved in joint management. In South Africa these included: communities such as the Churchhaveners at Postberg; small pressure or interest groups such as the anti-park resistance movement in the Richtersveld or the Association of Private Nature Reserves at Kempiana; mining companies, which support RNP projects and boost the local economy; commercial tourist organisations such as ConsCorp; international and local conservation agencies such as WWF and the Endangered Wildlife Trust; foreign and national donors such as GTZ, DANCED, DFID, the Ford Foundation and the Peace Parks Foundation which have funded capacity-building and exposure to other initiatives, management plan development, consultants, workshops and general running costs; agencies providing technical assistance such as LRC, SPP, GEM, Eco-Africa, FoM, SASI and FARM Africa; consultants such as those used in Postberg to assess sustainable game numbers and mediate the deadlock issue; universities, research and training centres such as SAWC at Kempiana, and the National Botanical Institute at AFNP; and local trusts such as the Richtersveld Community Trust.

NGOs and donors supported joint management in several ways, but primarily in the form of financial and technical assistance, as noted in CBNRM initiatives described in section 8.1.2. Support from some NGOs and donors was more effective than from others. In South Africa, the best support was provided by organisations such as SASI, FoM, LRC, GEM and SPP. These

were all South African but relied on funding from international donors. Good local knowledge allowed them to identify where help was most needed and to support locally relevant issues. For example, SASI funded the San human rights lawyer who has been a key role-player in the Kalahari, LRC supported the Richtersveld community with the court interdict, and FoM provided much technical support and advice at Makuleke. Such organisations have also sourced and co-ordinated support and funding from other agencies.

In Australia NGOs have less involvement with joint management. Land councils operate independently from government but are established by statute and can be government funded. They advise and support traditional owners on lease and CNP management related issues, cultural heritage protection and commercial development. Lawrence (1995) notes that Aboriginal people at KaNP depend on the NLC for assistance with western management frameworks and dealings with powerful groups like Parks Australia. At UKTNP, commercial tourism groups were involved and the Pitjantjatjara Council provided Aboriginal people with legal advice. The Pitjantjatjara Council, NLC and OJM sent representatives to board meetings. At KaNP, small tourism and business associations were involved, along with Eris University, the Jabiru Town Development Body, mining companies and Aboriginal trusts. Aboriginal associations represented landowners, serviced living areas, assisted with cultural heritage management, ran KaNP businesses, and did KaNP contract work. One lobbied against mining and another established a Community Development and Employment Programme.

NGO participation in joint management board meetings and workshops (section 6.2.4. graphs) is particularly apparent during the early stages of CNPs. Involvement in Postberg Joint Management Board meetings was minimal, but at RNP, individuals regularly contributed to BPK meetings between 1991 and 1996 after which they attended and contributed less. Contributions to JMB meetings at Makuleke were significant at first but decreased over time. NGOs spoke for 17%, and the facilitator spoke for 25% of the Kalahari workshop. NGOs spoke for 3%, and the facilitator spoke for 26% of the AFNP workshop. NGOs spoke for 16% of the UKTNP Board of Management meeting. This was more than Aboriginal board members other than the chairperson. UKTNP is therefore the only CNP to demonstrate a degree of donor dependency, the problems of which are described in section 8.1.2.

Not all involvement of external groups in joint management has been beneficial. Problems have arisen from organisations with an economic interest in joint management. Churchhaveners near Postberg delayed WCNP road deproclamation, mining has increased in RNP and damaged the river frontage, and mining companies have caused problems with buildings used by SANP.

Problems have also arisen from NGOs and donors supporting joint management. This is in part due to the fact that NGOs and donors have their own agendas, as noted in section 8.1.2. Some Richtersveld NGOs and donors did not encourage sustainability and gave inappropriate assistance due to prioritisation of their own needs and ignorance. Some GTZ/TRANSFORM projects had little effect on long-term sustainable livelihoods and were poorly planned and

inequitably executed. OOP started well but collapsed three years later. Makuleke NGOs and donors sometimes fought with each other and prioritised their own needs. Of the many NGOs and donors in the Kalahari, few provided resource people on the ground or mitigated early San social destabilisation, and many lingered for spiritual rejuvenation. SASI took on too much responsibility and blocked involvement by others, and later suffered from staff problems. There was confusion between SASI and FARM Africa about their relative roles. GTZ was peripherally involved with one project but withdrew its support at a key time. Complicated politics between NGOs at Kempiana influenced management, particularly because some NGOs were major stakeholders and shared the same trustees. Such problems suggest that joint management must provide a clear vision of what the CNP hopes to achieve, and the joint management board must be strong enough to ensure NGO and donor involvement is constructive.

Problems with NGO and donor involvement at UKTNP and KaNP were fewer. The fact that land councils were sometimes government-funded, and their agendas were identified by government and dictated in government statutes may help explain this. However, councils lacked resources, they were far from Aboriginal communities and sometimes made advisory errors regarding appropriate consultation. The NLC inadequately represented Aboriginal people during the Ranger negotiations. At KaNP, some Aboriginal associations were corrupt. Mining was detrimental to Aboriginal people, and companies campaigned against World Heritage listing and released mining effluents into KaNP water.

NGO and donor involvement at AENP was similar to that at CNPs. Several were involved including LRC and DANCED. Others were involved with GAI, particularly through land purchase. Problems were similar to those at CNPs. For example, not all funded projects were constructive.

8.3.3 The National Macroeconomic Environment

South Africa provides an enabling environment for ecotourism. Unlike the macroeconomic restrictions noted in section 8.1.3, most problems preventing realisation of a CNP's economic potential come from within the framework. For example, Postberg was only open for two months per year, and RNP was very remote. At Makuleke, community capacity was felt to be a problem. Broader macroeconomic issues affecting the economic viability of ecotourism ventures were not exclusive to such ventures. South Africa is not well marketed¹⁶³ and suffers from low levels of education and perceptions of violence. Some CNPs have poor services and infrastructure such as RNP, or problems with marketing such as at Makuleke, where the current national macroeconomic drive has undermined the community's own tourism initiatives. National HIV prevalence was a problem at Kempiana and the proposed Coega Harbour and industrial development zone may inhibit GAI due to visual and industrial air pollution. However, South Africa has good infrastructure¹⁶⁴ and South Africa's National Parks Act of 1976 states that national park land, buildings and trade are exempt from taxation and that "no

transfer duty, stamp duty or any other charges or fees imposed by statute shall be payable in respect of land acquired...for the purposes of a park."

Restrictions on wildlife product use provided few problems for the viability of ecotourism in South African and Australian CNPs. Postberg suffered no game sale restrictions. Veterinary restrictions were not a problem at Makuleke, but restrictions were placed on meat export at Kempiana. However, this affected Ngala little. CITES had little impact on joint management in either country, and CITES listing of animals at KaNP allowed for controlled commercial use.

Australia's strong economy lowers the risk to biodiversity, and its political stability means achievable long-term goals can be set (Davies et al. 1999). The Director's property and transactions are not taxed but Parks Australia is taxed on earned income. However, government returns this, for example through subsidies to UKTNP and KaNP. Aboriginal art sale is restricted to protect artists. National legislation empowers the Minister, and this created problems when the tour operators tax was kept low, and Ministerial approval was required to alter CNP entry fees. Some national legislation also limits potential development in UKTNP and KaNP.

In summary, government involvement in joint management extends from the national, provincial to local level. Effectiveness at each level varies at each CNP. Enabling legislation, co-ordination of government input and financial support are particularly important, and legislative and structural changes are often problematic. NGOs and donors can provide valuable technical and financial support to joint management, particularly in the early stages. However, not all support is effective. The macroeconomic environment in Australia and South Africa does little to inhibit realisation of potential CNP profits. This chapter has looked at enabling policies and support agencies, thus concluding research on whether CNPs meet their conservation and development objectives. The next and final chapter draws conclusions from previous chapters and makes recommendations for the future management and application of CNPs.

CHAPTER 9: CONCLUSIONS

9.1 ARE CONTRACTUAL NATIONAL PARKS A SUCCESS?

Conservation objectives were compromised to some extent in all CNPs studied, but, in practice, joint management rarely led to fundamental compromises. CNPs provided significant economic benefits to landowners, particularly through engagement with the private sector, but CNPs rarely earned conservation authorities enough to cover their management costs. Cross-subsidisation from other high-earning protected areas, or government recognition of the broader national macroeconomic benefits of national parks (and subsequent subsidisation) is therefore required. This and the fact that some landowners valued non-economic benefits at least as much as economic benefits suggests that economic sustainability for landowners and the conservation authority may not necessarily be pre-requisites for a successful CNP. Intangible social benefits provided by CNPs, such as equity, capacity-building, and identity and pride-related benefits were important. CNPs provided a framework in which decision-making and management responsibilities could equate to levels of benefit accrual, authority and capacity. Equitable power balances, good stakeholder relations and effective resolution of conflicts were often apparent. Joint management boards were often robust, and flexible enough to accommodate local circumstances, particularly when board member capacity was high, and when boards were locally legitimate and had legislative backing. Government and NGO involvement and support was an important factor affecting CNP success.

The eight existing or proposed CNPs studied in South Africa and Australia were each responsive to their own particular circumstances. These varied according to their natural environments, conservation priorities and owners. A natural science approach to developing a blueprint for joint management through the study of CNPs is therefore inappropriate. However, social science methodologies have facilitated the assessment of existing joint management features likely to contribute to economic (for the landowners and the conservation authority) and social sustainability, and meeting conservation objectives (Appendix 4).

In practice, few CNPs met all conservation objectives and demonstrated social and economic sustainability. It would therefore be naïve to suggest that CNPs, as a model for community conservation, provide the perfect solution to all conservation and development challenges. However, many problems that CNPs suffered were as a result of implementation rather than concept, and the CNP model has proved flexible enough to adapt itself to a variety of local circumstances. Many CNPs are still relatively young, and all are still evolving. This research therefore suggests that despite the challenges, they are potentially very effective, and should be considered for situations where land of conservation value is privately or communally owned.

Nevertheless, CNPs should be implemented with caution because more factors threaten their sustainability than that of state-owned state-managed national parks. Many other CBNRM models can also be effective. For example, several people suggested Kempiana should be

divorced from KNP,¹ and some KGNP stakeholders felt a CNP was not necessarily the best option.² Haire (1995) states that Australian joint management only captures a little middle ground between Aboriginal desire to protect and care for country, and non-Aboriginal interest in national park establishment. He suggests re-directing current national park funding to Aboriginal groups who would act as managers and contractors, consulting with non-Aboriginal experts rather than vice versa. CNPs are compatible with current community-based conservation rhetoric, which prioritises ownership, but this rhetoric masks the potential of initiatives such as those recognising community rights to run businesses in protected areas. Such initiatives can provide community empowerment and benefits without the need for land ownership.

9.2 CONTRACTUAL NATIONAL PARKS AND CURRENT CONSERVATION DEBATES

Many new conservation models seek to benefit local communities but are often essentially top-down approaches. These include paying communities to ensure that effective conservation occurs (Kiss 2001; Ferraro and Simpson 2000), debt-for-nature swaps where companies purchase part of a developing country's debt in exchange for conservation activities, and carbon emission trading where polluting companies offset emissions by paying for the preservation of threatened areas (Oates 1999). Some developing country governments are also withdrawing from community-based approaches. For example, the Ministry of Local Government in Botswana issued a directive in 2001 to pass all income earned from the use of natural resources to district councils as opposed to local communities, and in Nepal, a new Forest (Second Amendments) Bill, 2001, strips the autonomy of communities to manage forests (Mahapatra 2001).

A return to preservationist approaches has been advocated for a number of reasons. Many argue that the focus of participatory approaches on economic benefits and development has been a conservation disaster, and that allowing sustainable use stimulates demand for natural resources rather than conservation (Oates 1999; Terborgh 1999; Brandon et al. 1998; Kiss 2001; Gibson 1999). Population growth rates and the current focus on economic development further reduce the likelihood of sustainable use (Attwell and Cotterill 1999; Hackel 1998; Terborgh 1999). Preservationists argue that their approaches have ensured effective conservation, and many emphasise the importance of protected areas as last safe havens for biodiversity (Bruner et al. 2001; Oates 1999; Terborgh 1999). Few African national parks have been de-gazetted and many now carry higher animal densities than when created (Spinage 2002). Many preservationists express deep concerns about handing over areas of national or international biodiversity value to local community management (Attwell and Cotterill 1999; Spinage 1998). Community conservationists are often accused of being unscientific and of misrepresenting the facts in order to promote a political agenda (Attwell 2000; Attwell and Cotterill 1999; Spinage 1998). For example, they are accused of linking the establishment of African national parks and reserves with the forcible eviction and maltreatment of local people, when these protected areas were in fact established in areas which were mostly uninhabited, climatically unsuited to agriculture and infested with tsetse fly (Oates 1999). Preservationists believe that "*ultimately, nature and*

biodiversity must be conserved for their own sakes, not because they have present utilitarian value" (Terborgh 1999), and some feel that animals themselves should have rights (Mercer and Pervan 2000). The notion of ecologically friendly local people has been widely challenged, and Oates (1999) states that *"there is little robust evidence that traditional African societies (or indeed 'traditional' societies anywhere in the world) have been natural conservationists. On the contrary, wherever people have had the tools, techniques, and opportunities to exploit natural systems they have done so."* Sustainable use may have occurred where communities lived at low population densities, had limited technology, and practised subsistence rather than commercial utilisation, but such situations no longer exist, traditional management regimes often no longer function, and local capacity has gone (Attwell 2000; Attwell and Cotterill 1999; Kramer and van Schaik 1997; Spinage 1998).

Reductions in donor funding have paralleled this resurgence in preservationist approaches. Many now feel that participatory approaches are a cover up for other processes, that they have failed to deliver on their promises of genuine local participation, and that funding is inefficient when viewed in conservation terms (Duffy 2002). Participatory approaches are processes rather than projects with pre-determined outputs. This, and their need for long-term donor commitment, does not necessarily suit donor requirements for quick results and meeting set targets (Adams and Hulme 2001a).

Those defending participatory approaches point out that such approaches have not been a conservation failure (Agersnap and Funder 2001; Roe et al. 2000; Roe and Jack 2001; Roe 2001), and that they are still in their infancy and have only just begun to generate scholarship from experiences in the field (Adams and Hulme 2001b; Jeanrenaud 2002). Expectations have been unduly high (Brown 1998; Roe 2001), and lessons should be built upon, rather than undermined by a reversion to preservationism (Adams and Hulme 2001b; Wilshusen et al. 2001). The proclaimed efficacy of preservationist approaches at conserving biodiversity has been questioned and community conservationists argue that their approaches were originally designed to complement rather than replace protected area approaches in any case (Murphree 2000; Roe 2001). Preservationism may have led to the survival of certain species and the prevention of biodiversity loss in protected areas, but such approaches are more easily viewed as 'successful' when a western point of view is taken. In general, the western world emphasises the aesthetic and amenity values of the environment, whereas the southern perspective focuses more on the value of natural resources for survival and contribution to livelihoods (Fairhead and Leach 2001). Through a southern lens, preservationist approaches are therefore less 'successful' as access to natural resources is greatly reduced (Adams and Hulme 2001b). Community conservation may de-emphasise conservation objectives, but this is not inappropriate. Societies now challenge their governments more, civil society is growing and landowners are increasingly conscious of their rights (Western 2001). Those promoting renewed preservationism ignore these political and social science perspectives (Brechtin et al. 2001; Pimbert and Pretty 1995; Wilshusen et al. 2001). The moral argument for nature preservation also views natural resources

through a western lens. People appreciate nature in different ways, thus preservation for the 'common good' is actually preservation for the interests of those who value nature from an aesthetic perspective (Wilshusen et al. 2001). Whilst human welfare should not necessarily take moral precedence over biodiversity conservation, the morality of prioritising biodiversity conservation is equally questionable (Brechtin et al. 2001). The conditions under which sustainable natural resource use occurred may have changed, and communities may indeed not all be natural conservationists, but generalising in the opposite direction and abandoning all bottom-up approaches is equally inappropriate. To assume that communities cannot adapt to more sustainable pathways is wrong (Wilshusen et al. 2001).

In practice, community-friendly approaches have varied in their level of anthropocentricity and the degree to which genuine participation occurs (Adams and Hulme 2001a). Such approaches are often paid lip-service and adopted as a secondary strategy when 'preferred' strategies have failed (Adams 2001; Jeanrenaud 2002). Many initiatives remain externally initiated and imposed, many are used as political tools by various stakeholder groups in their quest for power, and some are used as mechanisms for the indirect re-establishment of state or elite control (Adams and Hulme 2001b; Ite and Adams 2000; Gibson 1999; Murphree 2000). Few genuine systematic attempts by conservation authorities to adopt participatory planning methods have occurred (Adams and Hulme 2001b; Malleson 2001; Pimbert and Pretty 1995; REDDA/NESDA 1995), and those implementing community conservation approaches are often game guards or wardens trained in preservationist techniques (Adams 2001). Participation often remains goal orientated rather than open-ended and is used as a tool to improve public relations rather than devolve any genuine decision-making powers (Gibson and Marks 1995; Pimbert and Pretty 1995). International statutes promoting community-friendly policies have been applied equally selectively. For example, the rhetoric of trade liberalisation has not stretched to include trade in endangered species, which remains controlled by CITES (Pearce 1997). In summary, Murphree (2000) states that community conservation "*has to date not been tried and found wanting; it has been found difficult and rarely tried.*"

CNPs studied for this research provide examples of genuine attempts at community conservation (although the process has usually been driven by external stakeholders as opposed to the landowners themselves). The evidence gathered in this research indicates that CNPs have not failed, and in fact have considerable potential. Whilst they face many enduring challenges as a model of community conservation, the experience from implementing CNPs nevertheless generally provides more support for those advocating participatory approaches to conservation than those advocating a reversion to protectionist approaches.

9.3. JOINT MANAGEMENT DEFINED

The definition of joint management, and what stakeholders can expect from it, vary. For example, what is claimed to be joint management at Lake Mburo National Park, Uganda, is more like passive participation or community outreach (Hulme 1997b). Lawrence (2000) notes that the

term "joint management may be used imperfectly to describe... (various)... forms of decision-making or advisory arrangements." Joint management in Australia, by contrast, aims for mutuality in CNP management policy, planning and implementation, and formal statutory structures just establish minimum policy requirements for effective joint management (Lawrence 1999). Aboriginal involvement at all levels is assured through a hierarchy of measures from national legislation and lease agreements to daily management arrangements (Anon 1996b). However, not all landowners want involvement at all joint management levels. Joint management means different things to different stakeholders, and expectations and objectives may vary (Hill and Press 1994). Joint management may therefore require a broader definition. Lawrence (2000) defines it as a process "*where equal powers have been delegated to the community,*" and states that it should ensure mutuality, Aboriginal empowerment, equity and social justice (Lawrence 1995). Kothari et al. (1996), by contrast, define it in terms of objectives, and state it "*is the management of protected areas and their surrounds, with the objective of conserving natural ecosystems and their wildlife, as well as of ensuring the livelihood security of local traditional communities, through legal and institutional mechanisms which ensure an equal partnership between these communities and government agencies.*" This research suggests joint management is best defined as a process which facilitates an equitable power balance between the landowners and conservation authority, through which the social and economic objectives of the landowners, and the ecological and economic objectives of the conservation authority are met.

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APPENDICES

APPENDIX 1: STANDARDISED INTERVIEW QUESTIONS

1. Who is the landowner of the CNP (IIED 1994; Kiss 1990; Hulme 1997b)?
2. Is it clear (Thomas 1995b; Hulme 1997b; Kiss 1990)?
3. Who can use the natural resources in the CNP (Hardin 1968; Bird et al. 1995; Child 1989; Kiss 1990; Hassler 1995; Lusiola 1996; Murphree 1996b; Murphree 1998; Rudge et al. 1997)?
4. Is it clear (Murphree 1996b)?
5. Who receives the benefits from having a CNP on the land (IIED 1994; McNeely 1994; Emerton 1998)?
6. In what form are the benefits for the conservation authority?
7. In what form are the benefits for the landowners (Fourie 1994)?
8. Are the benefits for the landowners in the form of revenue from the CNP (are benefits directly linked to the CNP) (Owen-Smith 1996; Aribeb 1996; Taylor 1995; Emerton 1998; Murphree 1995; IIED 1994; Murphree 1997)?
9. Are the benefits distributed equitably amongst the landowners (IIED 1994; Thomas 1995; REDDA/NESDA 1995; Nabane 1995; IIED 1994; Aribeb 1996; Murphree et al. 1998; Murphree 1997)?
10. Do the benefits outweigh the costs of the CNP for the conservation authority?
11. Do the benefits outweigh the costs (including the opportunity costs) of the CNP for the landowners (IIED 1994)?
12. What are the responsibilities of the conservation authority in the CNP?
13. What are the responsibilities of the landowner in the CNP?
14. Are these responsibilities clear (Rudge et al. 1997; Hanekom 1996)?
15. Does the level of responsibility in the CNP match with the level of benefit (Murphree 1995; Murphree 1996; Murphree 1996b; Murphree 1997; Murphree 1998)?
16. Do landowners have the capacity to carry out their responsibilities in the CNP (Kothari et al. 1996; Fourie 1994; Carnegie et al. 1998; IIED 1994; Lewis and Carter 1993; Murphree 1996; Cousins 1995; Rudge et al. 1997; Wood 1997)?
17. Are there good relations between the conservation authorities and the landowners (Newmark et al. 1993; Fourie 1994; Loader 1994; IIED 1994; Lewis and Carter 1993; REDDA/NESDA 1995; Kiss 1990; Murphree 1996; 1997; Hulme 1997; de Villiers 1998; 1999a; Boonzaier 1996; Talbot and Olindo 1990)?
18. Are the conservation objectives of the CNP met (Kiss 1990; Woodroffe 1997; Hanekom 1996; Mugisha and Infield 1996; Cousins 1995; Lusiola 1996)?
19. Is there an enabling macro-economic framework in which the CNP can become profitable (Carnegie et al. 1998; Child 1990; Crowe et al. 1996; Murphree 1997; Rudge et al. 1997; Africa Resources Trust 1996; Munthali 1996; IIED 1994)?

20. Is the joint management board legitimated by the government in terms of legislation and devolution of power (is the joint management board powerful) (ODA 1996; IIED 1994; Carnegie et al. 1998)?
21. Is the joint management board legitimate in the eyes of the conservation authority (Thomas 1995b)?
22. Is the joint management board legitimate in the eyes of the landowners, for example, how often are elections and how effective is feedback to the community at large (Leader-Williams et al. 1996; REDDA/NESDA 1995; Hulme 1997b; Thomas 1995b)?
23. Do landowner representatives on the joint management board truly represent the needs of the landowners (Bird and Metcalfe 1995; Murphree 1996b)?
24. Is there government support for the process, for example with conflict resolution and sanction imposition (Leader-Williams et al. 1996; IIED 1994)?
25. Is there non-governmental and donor support for the process, for example with conflict resolution and sanction imposition (Leader-Williams et al. 1996; IIED 1994)?
26. Are there good conflict resolution mechanisms within the terms of the contract or the joint management plan?

APPENDIX 2: IUCN PROTECTED AREA MANAGEMENT CATEGORIES

Category I: Strict Nature Reserves and Wilderness Areas, the former of which is managed primarily for science, and the latter of which is managed mainly for wilderness protection, and is largely unmodified and without permanent human habitation.

Category II: National Parks which are managed mainly for ecosystem protection and recreation, and exclude exploitation or occupation inimical to the purposes of designation of the area. Spiritual, scientific, educational, recreational and visitor opportunities must, however, be environmentally and culturally compatible.

Category III: Natural Monuments, including cultural features.

Category IV: Habitat or Species Management Areas which are maintained through management intervention.

Category V: Protected Landscapes or Seascapes which are managed mainly for conservation and recreation.

Category VI: Managed Resource Protected Areas which are managed mainly for the sustainable use of natural ecosystems and aim to maintain biological diversity, while also providing a sustainable flow of natural products and services to meet community needs.

Source: http://www.unep-wcmc.org/protected_areas/categories/

APPENDIX 3: GLOSSARY OF LATIN SPECIES NAMES

Aardwolf	<i>Proteles cristatus</i>
African buffalo	<i>Syncerus caffer</i>
African elephant	<i>Loxodonta africana</i>
African wild cat	<i>Felis lybica</i>
Angulate tortoise	<i>Chersina angulata</i>
Antarctic tern	<i>Sterna vittata</i>
Barramundi	<i>Lates calcarifer</i>
Barren-ground caribou	<i>Rangifer tarandus granti</i>
Bastard quiver tree	<i>Aloe pillansii</i>
Bat-eared fox	<i>Otocyon megalotis</i>
Black eagle	<i>Aquila verreauxii</i>
Black oystercatcher	<i>Haemotopus moquini</i>
Black rat	<i>Rattus rattus</i>
Black rhinoceros	<i>Diceros bicornis</i>
Black stork	<i>Ciconia nigra</i>
Black wallaroo	<i>Macropodus bernardus</i>
Black wildebeest	<i>Connochaetes gnou</i>
Blesbok	<i>Damaliscus dorcas phillipsi</i>
Blue wildebeest	<i>Connochaetes taurinus</i>
Bontebok	<i>Damaliscus dorcas dorcas</i>
Boom slang	<i>Dispholidus typus</i>
Bottle-nosed dolphin	<i>Tursiops truncatus</i>
Brown hyaena	<i>Hyaena brunnea</i>
Bryde's whales	<i>Balaenoptera edeni</i>
Buffel grass	<i>Cenchrus ciliaris</i>
Burchell's zebra	<i>Equus burchelli</i>
Camel	<i>Camelus spp.</i>
Cane toad	<i>Bufo marinus</i>
Cape buffalo	<i>Syncerus caffer</i>
Cape cobra	<i>Naja nivea</i>
Cape fur seal	<i>Arctocephalus pusillus</i>
Cape gannet	<i>Sula capensis</i>
Cape girdled lizard	<i>Cordylus cordylus</i>
Cape grysbok	<i>Raphicerus melanotis</i>
Cape Mountain zebra	<i>Equus zebra zebra</i>
Cape vulture	<i>Gyps coprotheres</i>
Caracal	<i>Felis caracal</i>
Cat	<i>Felis catus</i>

Cheetah	<i>Acinonyx jubatus</i>
Chestnut quilled rock pigeon	<i>Petrophassa rufipennis</i>
Common duiker	<i>Sylvicapra grimmia</i>
Cow	<i>Bos taurus</i>
Crowned cormorant	<i>Phalacrocorax coronatus</i>
Damara tern	<i>Sterna balaenarum</i>
Dingo	<i>Canis familiaris dingo</i>
Donkey	<i>Equus asinus</i>
Eland	<i>Taurotragus oryx</i>
Estuarine crocodile	<i>Crocodylus porosus</i>
European honeybee	<i>Apis mellifera</i>
European rabbit	<i>Oryctolagus cuniculus</i>
Flightless dungbeetle	<i>Circellium bacchus</i>
Fox	<i>Vulpes spp.</i>
Freshwater mullet	<i>Myxus capensis</i>
Gannet	<i>Morus capensis</i>
Gemsbok	<i>Oryx gazella</i>
Giant cave gecko	<i>Pseudothecadactylus lindneri</i>
Goat	<i>Capra spp.</i>
Gouldian finch	<i>Erythrura gouldiae</i>
Great desert skink	<i>Egernia kintorei</i>
Great white shark	<i>Carcharodon carcharias</i>
Grey rhebuck	<i>Pelea capreolus</i>
Greywing francolin	<i>Francolinus africanus</i>
Half-human	<i>Pachypodium namaquanum</i>
Hartmann's mountain zebra	<i>Equus zebra hartmannae</i>
Hippopotamus	<i>Hippopotamus amphibius</i>
Horse	<i>Equus caballus</i>
House mouse	<i>Mus domesticus</i>
Humpback dolphin	<i>Sousa plumbea</i>
Impala	<i>Aepyceros melampus</i>
Jackass penguin	<i>Spheniscus demersus</i>
Klipspringer	<i>Oreotragus oreotragus</i>
Kraalbos	<i>Galenia africana</i>
Kudu	<i>Tragelaphus strepsiceros</i>
Leopard	<i>Panthera pardus</i>
Lion	<i>Panthera leo</i>
Loggerhead turtle	<i>Caretta caretta</i>
Ludwig's bustard	<i>Neotis ludwigii</i>
Magpie goose	<i>Anseranas semipalmata</i>

Martial eagle	<i>Polemaetus bellicosus</i>
Mimosa	<i>Mimosa pigra</i>
Mole snake	<i>Pseudaspis cana</i>
Mulgara	<i>Dasycerus cristicauda</i>
Mulga tree	<i>Acacia aneura</i>
Nyala	<i>Tragelaphus angasii</i>
Oenpelli python	<i>Morelia oenpelliensis</i>
Openbilled stork	<i>Anastomus lamelligerus</i>
Ostrich	<i>Struthio camelus</i>
Para grass	<i>Brachiaria mutica</i>
Pel's fishing owl	<i>Scotopelia peli</i>
Pig	<i>Sus scrofa</i>
Pig-nosed turtle	<i>Carettochelys insculpta</i>
Prickly pear	<i>Opuntia ficus-indica</i>
Puff adder	<i>Bitus arietans</i>
Red hartebeest	<i>Alcelaphus buselaphus</i>
Reedbuck	<i>Redunca arundinum</i>
Roan antelope	<i>Hippotragus equinus</i>
Rooikrans	<i>Acacia cyclops</i>
Roseate emperor moth	<i>Eochroa trimenii</i>
Roseate tern	<i>Sterna dougallii</i>
Rufous hare wallaby	<i>Lagorchestes hirsutus</i>
Sable antelope	<i>Hippotragus niger</i>
Salvinia	<i>Salvinia molesta</i>
Samango monkey	<i>Cercopithecus mitis</i>
Sandhill mulga	<i>Acacia ammobia</i>
Scarlet-chested parrot	<i>Neophema splendida</i>
Sea turtle	<i>Lepidochelys olivacea</i>
Serval	<i>Felis serval</i>
Sheep	<i>Ovis spp.</i>
Small grey mongoose	<i>Galerella pulverulenta</i>
Southern blackbacked gull	<i>Larus dominicanus</i>
Southern right whales	<i>Eubalaena glacialis</i>
Spear grass	<i>Sorghum spp.</i>
Spekboom	<i>Portulacaria afra</i>
Spotted hyaena	<i>Crocuta crocuta</i>
Springbok	<i>Antidorcas marsupialis</i>
Steenbok	<i>Raphicerus campestris</i>
Striped polecat	<i>Ictonyx striatus</i>
Swift tern	<i>Sterna bergii</i>

Tsessebe	<i>Damaliscus lunatus</i>
Turnstone	<i>Arenaria interpres</i>
Vicuña	<i>Vicugna vicugna</i>
Water buffalo	<i>Bubalis bubalis</i>
White rhinoceros	<i>Ceratotherium simum</i>
White-striped sheath-tail-bat	<i>Taphozous kapalgensis</i>
White-throated grasswren	<i>Amytornis woodwardi</i>
Wild aloe	<i>Aloe ferox</i>
Wild dog	<i>Lycaon pictus</i>
Yellow-billed stork	<i>Mycteria ibis</i>
Yellow mongoose	<i>Cynictis penicillata</i>

APPENDIX 4: CHECKLIST FOR JOINT MANAGEMENT STAKEHOLDERS

This list aims to provide those involved with joint management implementation with issues to consider when assessing whether CNP application is appropriate, and factors to try and implement to ensure the process proceeds smoothly if chosen.

Ecological Factors

1. Conservation objectives should be clearly defined and some assessment made as to whether a CNP can fulfil them.
2. It should be anticipated that conservation objectives will probably be compromised to varying degrees by joint management. If this is unacceptable, a CNP may be inappropriate.
3. Key CNP conservation objectives must be identified and defined before signing an agreement. This may require prior knowledge, for example of levels of sustainable natural resource use.
4. CNPs may be inappropriate where persistence is a key conservation objective. Where contracts are signed for a finite number of years, and fencing is erected or the CNP is small, persistence may not increase or may be compromised.
5. Contracts and management plans should dictate natural resource use principles in CNPs. This may include limits on human habitation, and commercial or unsustainable use.
6. It should be recognised that natural resource use in existing CNPs is rarely unsustainable, human habitation in CNPs does not necessarily compromise their conservation objectives, and joint management rarely fundamentally compromises key conservation objectives.
7. If objectives include conservation of cultural heritage and natural beauty, stakeholders should ensure contractual arrangements account for this.

Economic Factors for the Landowners

1. Landowner economic objectives should be clearly defined and some assessment made as to whether a CNP can fulfil them.
2. It should be recognised that CNPs economically benefit landowners much more than communities around state-owned protected areas.
3. CNPs should provide their owners with more benefits than costs, including opportunity costs.
4. It should be recognised that CNP owners generally suffer few costs, including opportunity costs, and that costs accrued are less than those accrued by communities around state-owned protected areas.
5. Lease payments may help ensure CNP benefits outweigh costs for the landowners, thereby making CNPs an attractive land use option.
6. Paying a percentage of CNP income to landowners may be appropriate. This provides landowners with greater incentives to make the CNP successful.
7. CNP tourism operations can generate large economic benefits for landowners at little cost to the conservation authority. Conservation authorities should therefore consider providing landowners with full control over CNP tourism operations.

8. It should be recognised that the private sector can employ significantly more people than the conservation authority.
9. Landowners should benefit from employment by the conservation authority. Recognising and valuing traditional skills, and innovative schemes such as job sharing, work experience, and preferential community employment for contract work and day labour can raise employment levels.
10. However, it should be recognised that introducing a flexible working environment to accommodate traditional lifestyles may lead to escalating joint management costs and resentment against community employees.
11. Conservation authorities can facilitate community involvement with tourism, for example by providing contract preferences to community-owned tourism operations.
12. The skills of poor landowners should be applied where possible to outsourced CNP operations with conservation authority support, for example through access to transport or communication facilities.
13. Landowners should know from where benefits from the CNP derive, to provide them with an incentive to make the CNP successful.

Economic Factors for the Conservation Authority

1. Conservation authority economic objectives should be clearly defined and some assessment made as to whether a CNP can fulfil them.
2. To secure the future of CNPs, conservation authorities should aim to cover management costs with income.
3. It should be recognised that CNPs are rarely economically viable and that the additional costs of joint management are generally 25% to 50% of CNP budgets. Alternative funding from government or high-earning national parks will therefore probably be necessary.
4. Various contract clauses and income generating options should be explored to ensure economic viability.
5. Where landowners have commercial rights in potentially lucrative CNPs, proposals for them to pay for a proportion of management costs should be considered.
6. The significant economic potential of cultural tourism should be explored.

Social Factors

1. Landowner social objectives should be clearly defined and some assessment made as to whether a CNP can fulfil them.
2. CNPs require relatively clear definitions of ownership and natural resource use rights. These are advantageous in any CBNRM initiative.
3. It should be recognised that CNPs provide landowners with strong tenure rights with no time limitations, few transfer restrictions, and clear boundaries.
4. CNPs should allow for ownership self-determination where possible.

5. Ownership is usually defined according to western legislative constructs, and it should be recognised that this can undermine the traditional values and management systems of landowners.
6. CNPs should provide landowners with significant intangible benefits. These include capacity-building and environmental education.
7. Where landowners retain strong traditions and culture, it should be recognised that benefits relating to identity, culture, self-esteem and pride are very important.
8. CNPs should be considered when trying to redress the injustices of past racially orientated policies.
9. Careful analysis of landowner needs should be undertaken before contract signing, as intangible benefits may be as valuable as quantifiable benefits to landowners.
10. CNPs should try to limit damage to traditional culture by limiting the imposition of non-traditional culture and management styles.
11. It should be recognised that landowner subsistence and commercial natural resource use need not fundamentally compromise conservation objectives if guided by principles, which are clearly defined in a management plan.
12. The state usually retains CNP mineral rights and it should be recognised that exercising these rights can severely compromise conservation and development objectives.
13. Contracts must recognise and accommodate the fact that landowners are not necessarily the same people as those who traditionally use natural resources. Management plans should define such user groups.
14. The conservation authority should enforce use rights, but specifics regarding use levels and user groups must be determined by the joint management board and dictated in the management plan to ensure genuine 'joint' management occurs.
15. It should be acknowledged that CNPs can provide relatively good equity in benefit distribution compared to other CBNRM initiatives.
16. It should be recognised that community benefits may be more long-term if spent on development projects rather than cash handouts.

Management Criteria

1. CNPs should provide a clear framework for decision-making and management responsibilities, even when several stakeholders are involved.
2. The joint management board and management plan should increase clarity regarding where management responsibilities lie.
3. Levels at which responsibilities lie should equate to benefit accrual levels. Try not to locate responsibilities for activities with those who benefit little from the activities. Conservation authorities should be responsible for conservation management, and communities should be responsible for cultural conservation and community development.
4. CNPs should provide a framework in which responsibility levels equate to benefit accrual levels. Conservation authorities may need to relinquish management responsibilities and power to achieve this.

5. It should be recognised that community development and cultural conservation projects are more prone to failure when managed by conservation authorities. Where conservation officials responsible for such projects are specifically dedicated to community development this occurs less.
6. Stakeholders other than the landowners or conservation authority often have fewer incentives to meet CNP objectives, so it is important to ensure reliance on third parties will not undermine the contract should they fail to implement their responsibilities.
7. Where economic benefits are important for the conservation authority and the landowners, the contract should provide each with the appropriate responsibilities to allow for benefit realisation.
8. When determining landowner responsibilities, remember that their objectives vary and are usually qualitative as well as quantitative.
9. Provide landowners with management responsibilities in order to reduce disempowerment and increase interest in the CNP and commitment to sustainable management.
10. Try to ensure stakeholders with certain responsibilities have the authority and capacity to implement those responsibilities. CNPs provide a framework in which this can occur, but conservation authorities may need to relinquish considerable management authority to achieve it.
11. Recognise that third party involvement can inhibit this. For example, where the state executes mineral use rights, the conservation authority may not be able to implement effective conservation management.
12. The conservation authority should not make promises it does not have the authority or capacity to keep.
13. The conservation authority should not take on responsibilities, which another stakeholder has more authority or capacity to implement.
14. Problems arise when stakeholders do not exercise their full authority to execute their responsibilities. Encourage scrutiny from other primary stakeholders or external parties to prevent this, but remember that external party involvement can reduce clarity regarding where responsibilities lie.
15. Encourage external agencies to help landowners with low capacity to implement their responsibilities.
16. CNPs should improve relations between the landowner and the conservation authority, as good relations are important for joint management.
17. Maintaining good relations between the landowner and the conservation authority needs more effort where landowners are poor and their history involves incidents such as forced removals.
18. High community expectations can damage relations so conservation authorities should ensure expectations are realistic. This may require considerable effort.
19. Conservation authorities entering contracts should ensure that awareness and support for community issues occurs throughout the organisation.

20. Conservation officials involved in joint management require good social skills, cultural understanding and commitment to community issues. Such skills are as important as conservation skills. This may require broadening job descriptions for new positions or providing training and educational trips for existing staff.
21. Joint management boards should meet regularly, as they are a key forum for consultation and negotiation.
22. Consultation outside boards is important, so stakeholders should consider employing staff with this mandate and establishing committees and organisations for this purpose.
23. Joint management requires an even power balance between the conservation authority and the landowner.
24. It should be recognised that power imbalances occur when a western management framework is imposed on a landowning community with different traditions and a different culture and first language.
25. Allowing landowner board majorities, landowner meeting chairing, and landowner approval of non-landowner board members can even out joint management board power imbalances. Non-landowner board members need not necessarily be conservation authority representatives.
26. Joint management board meeting power imbalances can be evened out by allowing landowner advisors and supporters to attend meetings, removing non-indigenous people from meetings for short periods, covering agenda items slowly so board members can grasp issues, and acquainting board members with issues before board meetings so they have time to discuss issues amongst themselves.
27. Conservation officials and non-indigenous board members should be sensitive to issues creating power imbalances, and committed to avoiding these issues.
28. Power imbalances outside joint management boards can be evened out by prioritising landowner issues in CNP management, choosing conservation officials sympathetic to landowner issues, employing more landowners, giving landowners final decision-making authority on major management issues, and allowing conflict resolution mechanisms to favour landowners.
29. Contract, management plan and national legislative renewal is important for CNPs to retain legitimacy and remain true to the spirit of joint management.
30. Avoid excessive legislative renewal as this inhibits development of landowner understanding of joint management thus reducing opportunities for them to predict and participate in the process.

Institutional Criteria

1. Official documents and legislation should be clear about joint management board constitution and area of jurisdiction.
2. National legislation, contracts and management plans should reinforce board powers and responsibilities.
3. The conservation authority should feel the board is legitimate.

4. Landowners should support the processes by which their board representatives are chosen. Such processes may be traditional or modern and democratic, depending on which is more locally legitimate.
5. Conservation authorities should consider supporting such processes by ensuring they are locally appropriate, facilitating elections and encouraging community involvement. This will facilitate genuine community representation.
6. Where the community is large and diverse, try to ensure all villages, clans, language groups, sexes, et cetera are represented on the joint management board.
7. Joint management boards should operate in conjunction with key local organisations to retain legitimacy.
8. It should be recognised that joint management boards are often more effective and their members more accountable when backed by a strong landowning institution.
9. Conservation authorities should therefore help build institutional capacity, or facilitate external agency involvement to this end. The latter may be more appropriate and less costly.
10. It should be recognised that new landowning institutions can be as effective as well-established ones, with incentives and support.
11. It should be recognised that joint management boards are relatively robust, and can accommodate a degree of traditional culture and values.
12. However, alternative traditional management structures should also be considered, as they may be more appropriate where landowners retain strong traditional culture and management practices.
13. Where landowners are previously disadvantaged communities or communities with strong traditions and culture, it should be anticipated that community joint management board member capacity could be low.
14. Joint management meetings help raise landowner board member capacity, but the conservation authority should consider taking additional steps to raise capacity levels.
15. Joint management board member capacity-building must be ongoing due to member turnover. It can involve awareness raising trips, training courses and sourcing external agency capacity-building support.
16. Board responsibilities should not be unrealistically large unless support is provided to implement them.
17. Board members may need financial assistance to attend meetings. Sourcing this from external agencies will discourage dependency on the conservation authority.
18. Government, particularly ministerial support should be sourced, as it can increase board effectiveness.
19. It should be recognised that government retention of mining and other rights can disempower boards.
20. Conservation authorities should consider supporting effective community feedback through newsletters, visits from dedicated conservation officials, or institutions responsible for improving communication.

21. It should be recognised that low community professional skill levels limits the realisation of potential joint management benefits.
22. The conservation authority should address this by capacity-building, or by facilitating external agency involvement to this end, which may be more appropriate and less costly.
23. The conservation authority should consider providing training for specific CNP jobs to raise community capacity. Training must be an ongoing as employees may leave or get promoted.
24. Strong commitment to and investment in community capacity-building will be needed to achieve community CNP management.
25. Contracts and management plans should be detailed and considered to help avoid conflict.
26. Contracts, management plans and national legislation should detail conflict resolution mechanisms to avoid protracted disputes and facilitate swift conflict resolution.
27. Joint management boards are an essential conflict resolution forum, but less formal mechanisms such as external mediators, arbitrators, facilitators or organisations, forums and additional meetings with relevant stakeholders can also help resolve conflict.
28. Landowners and conservation authorities should not get involved in disputes of no direct relevance to them. Conservation authorities should not involve themselves in internal landowner disputes.

Enabling Policies and Support Agencies

1. CNP stakeholders should involve all government levels and solicit personal links with government officials at all levels to capitalise on available government support and reduce the effects of inhibitory government involvement.
2. Some government agencies may lack capacity or may not support joint management. Thus, it may not be appropriate to devolve management authority and responsibility to what may seem to be the most appropriate government agency.
3. Locating overall CNP co-ordination responsibility with one government agency can ensure stakeholder involvement and support is integrated, and clarity exists regarding where responsibilities lie.
4. Locating overall CNP co-ordination responsibility with one government agency requires this agency to have enough power and capacity to ensure co-ordination is effective.
5. Locating overall CNP co-ordination responsibility with one government agency is problematic if the agency lacks capacity. Failure or delay may also occur following agency changes.
6. Conservation officials involved with CNPs should have the skills to ensure engagement with government agencies is effective.
7. South African conservation legislation should include more opportunities for community involvement. It should support joint management boards, management plans, community natural resources use and cultural heritage protection.
8. South African conservation legislation should be updated more regularly to keep pace with international trends. These support community development and detail conservation objectives more.

9. CNP stakeholders should seek 'championship' by prominent government officials, as this draws public attention and pushes the process forwards, particularly during CNP establishment.
10. Government grants should be sought for joint management related issues such as small business support, education, training, cultural heritage maintenance and tourism development.
11. CNP stakeholders should seek support from NGOs which are small, locally experienced and familiar with key issues.
12. It should be recognised that donor funding is often most effective when applied through such organisations. Donors can also implement their own strategies or support government agencies or the conservation authority, but this tends to provide less support to communities and joint management at the ground level and can be less sustainable and cost-effective.
13. Conservation officials involved with CNPs should be able to deal with a variety of NGOs and donors and ensure their involvement is constructive. Some NGOs and donors may not support the process, and others may actively try to stop joint management operating effectively.
14. Where funding is available, consider establishing an organisation with semi-autonomy from government to monitor and support joint management and landowners. Such organisations can provide controlled, co-ordinated support whilst ensuring independent help and monitoring occurs. However, a lack of full independence from government means genuine external process scrutiny will be absent.
15. National or international policies on taxation, alternative land use subsidisation or use of wildlife and wildlife products should not prevent realisation of economic benefits and effective joint management.

Chapter 1

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- ² Dr David Fig pers. com. 2001
- ³ Dr Robbie Robinson pers. com. 1999
- ⁴ Dr Gertenbach pers. com. 1999
- ⁵ David Fig pers. com. 2002
- ⁶ Johan van de Merwe pers. com. 2000
- ⁷ David Fig pers. com. 2002
- ⁸ Richard Cowling pers. com. 2000
- ⁹ Richard Cowling pers. com. 2000
- ¹⁰ Richard Cowling pers. com. 2000
- ¹¹ Anthony Hall-Martin pers. com. 2000; Johan van de Merwe pers. com. 2000
- ¹² Richard Cowling pers. com. 2000
- ¹³ Johan van de Merwe pers. com. 2000
- ¹⁴ Sam Kariuki pers. com. 2001
- ¹⁵ Dr Robbie Robinson pers. com. 1999
- ¹⁶ Johan van der Merwe pers. com. 2000
- ¹⁷ Johan van der Merwe pers. com. 2000
- ¹⁸ Dick Parris pers. com. 1999
- ¹⁹ Johan van der Merwe pers. com. 2000
- ²⁰ Willem Gertenbach pers. com. 1999
- ²¹ Anthony Hall-Martin pers. com. 2000
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- ²⁴ Anthony Hall-Martin pers. com. 2000
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- ²⁷ Johan van de Merwe pers. com. 2000
- ²⁸ Anthony Hall-Martin pers. com. 2000
- ²⁹ Norman Owen-Smith pers. com. 2000
- ³⁰ Anthony Hall-Martin pers. com. 2000; Johan van de Merwe pers. com. 2000
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- ³² Paul Josif pers. com. 2000
- ³³ Chapter 26 of Agenda 21 in the Rio Declaration on Environment and Development
- ³⁴ Peter Sharp pers. com. 2000
- ³⁵ Fraser Vickery pers. com. 2000
- ³⁶ Adam Millar pers. com. 2000; Paul Josif pers. com. 2000
- ³⁷ Manfred Haala pers. com. 2000; Adam Millar pers. com. 2000
- ³⁸ Fraser Vickery pers. com. 2000
- ³⁹ Peter Cochrane pers. com. 2000
- ⁴⁰ Peter Cochrane pers. com. 2000; Peter Wellings pers. com. 2000
- ⁴¹ Manfred Haala pers. com. 2000; Peter Wellings pers. com. 2000
- ⁴² Fred Baird pers. com. 2000
- ⁴³ Manfred Haala pers. com. 2000
- ⁴⁴ Peter Wellings pers. com. 2000
- ⁴⁵ Zig Madycki pers. com. 2000; Greg Miles pers. com. 2000; Manfred Haala pers. com. 2000
- ⁴⁶ Terry Bailey pers. com. 2000
- ⁴⁷ Zig Madycki pers. com. 2000
- ⁴⁸ Zig Madycki pers. com. 2000
- ⁴⁹ Greg Miles pers. com. 2000
- ⁵⁰ Manfred Haala pers. com. 2000

Chapter 2

- ¹ Andrew Spies pers. com. 1999
- ² Otto von Kaschke pers. com. 1999
- ³ Johan Taljaard pers. com. 1999
- ⁴ Johan Taljaard pers. com. 1999
- ⁵ Johan Taljaard pers. com. 1999
- ⁶ Johan Taljaard pers. com. 1999
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- ¹³ Johan Taljaard pers. com. 1999
- ¹⁴ Rod Rendall pers. com. 1999
- ¹⁵ Johan Taljaard pers. com. 1999
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- ¹⁷ Sarel Yssel pers. com. 1999
- ¹⁸ Tobie Lochner pers. com. 1999
- ¹⁹ Sarel Yssel pers. com. 1999
- ²⁰ Nic Geldenhuys pers. com. 1999
- ²¹ Pierre Kriel pers. com. 1999
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- ²³ Jan Nel pers. com. 1999
- ²⁴ Dr David Fig pers. com. 2001
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- ²⁷ Pierre Kriel pers. com. 1999
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- ³² Abe Koopman pers. com. 2001
- ³³ Richard Hill pers. com. 1999
- ³⁴ Dr David Fig pers. com. 2001
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- ³⁷ Dr Robbie Robinson pers. com. 1999
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- ³⁹ Andre van Rooyen pers. com. 1999
- ⁴⁰ Chris Spies pers. com. 1999
- ⁴¹ Roger Chennels pers. com. 2000; Nigel Crawhall pers. com. 2000
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- ⁴³ <http://www.biowatch.org.za>
- ⁴⁴ David Grossman pers. com. 1999
- ⁴⁵ Nigel Crawhall pers. com. 2000
- ⁴⁶ Nigel Crawhall pers. com. 2001
- ⁴⁷ Nigel Crawhall pers. com. 2000
- ⁴⁸ Dr David Grossman pers. com. 1999
- ⁴⁹ Professor Eugene Moll pers. com. 2000
- ⁵⁰ Frans Stroebel pers. com. 1999
- ⁵¹ Mike Fender pers. com. 2000
- ⁵² Frans Stroebel pers. com. 1999
- ⁵³ Frans Stroebel pers. com. 1999; Mike Fender pers. com. 2000
- ⁵⁴ Mike Fender pers. com. 2000
- ⁵⁵ See Table 2 for a summary of relevant contracts.
- ⁵⁶ Errol Pietersen pers. com. 2000
- ⁵⁷ Henk Smith pers. com. 1999
- ⁵⁸ Dr David Fig pers. com. 2001
- ⁵⁹ Nico Schwartz pers. com. 2000
- ⁶⁰ Dr David Fig pers. com. 2001
- ⁶¹ Andrew Davies pers. com. 2000
- ⁶² Peter Cochrane pers. com. 2000
- ⁶³ Graham Griffin pers. com. 2000
- ⁶⁴ Adam Millar pers. com. 2000
- ⁶⁵ Sam Rando pers. com. 2000; Graham Griffin pers. com. 2000; Peter Cochrane pers. com. 2000
- ⁶⁶ Graham Griffin pers. com. 2000
- ⁶⁷ Graham Griffin pers. com. 2000
- ⁶⁸ Graham Griffin pers. com. 2000
- ⁶⁹ Peter Cochrane pers. com. 2000; Paul Josif pers. com. 2000
- ⁷⁰ Peter Cochrane pers. com. 2000
- ⁷¹ Sean Moran pers. com. 2000
- ⁷² Graham Griffin pers. com. 2000
- ⁷³ Greg Miles pers. com. 2000
- ⁷⁴ Peter Wellings pers. com. 2000
- ⁷⁵ Greg Miles pers. com. 2000; Peter Wellings pers. com. 2000
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- ⁸³ Peter Wellings pers. com. 2000
- ⁸⁴ Ian Morris pers. com. 2000
- ⁸⁵ Peter Christopherson pers. com. 2000
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- ² Sian Sullivan pers. com. 1998; Katherine Homewood pers. com. 1998
- ³ Nic Geldenhuys pers. com. 1999
- ⁴ Johan Taljaard pers. com. 1999
- ⁵ Kevin Moore pers. com. 2000
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- ⁷ Rod Rendall pers. com. 1999
- ⁸ Johan Taljaard pers. com. 1999
- ⁹ Rod Rendall pers. com. 1999
- ¹⁰ Sarel Yssel pers. com. 1999
- ¹¹ Phil Hockey pers. com. 2000
- ¹² Pierre Kriel pers. com. 1999
- ¹³ Johan Taljaard pers. com. 1999
- ¹⁴ Sarel Yssel pers. com. 1999
- ¹⁵ Rod Rendall pers. com. 1999
- ¹⁶ Johan Taljaard pers. com. 1999
- ¹⁷ Pieter Haumann pers. com. 2000; Sarel Yssel pers. com. 1999
- ¹⁸ Sarel Yssel pers. com. 1999
- ¹⁹ Phil Hockey pers. com. 2000

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- ²⁰ Phil Hockey pers. com. 2000
²¹ Phil Hockey pers. com. 2000
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²³ Kevin Moore pers. com. 2000
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²⁶ Johan Taljaard pers. com. 1999
²⁷ Kevin Moore pers. com. 2000
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³⁰ Rod Rendall pers. com. 1999
³¹ Kevin Moore pers. com. 2000
³² Pierre Kriel pers. com. 1999
³³ Kevin Moore pers. com. 2000
³⁴ Paddy Gordon pers. com. 1999
³⁵ Floors Strauss pers. com. 1999
³⁶ David Fig pers. com. 2001
³⁷ J J Links pers. com. 1999
³⁸ Paddy Gordon pers. com. 1999
³⁹ Eugene Brill pers. com. 1999
⁴⁰ Eugene Brill pers. com. 1999
⁴¹ Bernice McLean pers. com. 1999
⁴² Henk Smith pers. com. 2000
⁴³ Paddy Gordon pers. com. 1999
⁴⁴ Eugene Brill pers. com. 1999
⁴⁵ Willem Cloete pers. com. 1999
⁴⁶ Anthony Hall-Martin pers. com. 2000
⁴⁷ Klaas Van Zyl pers. com. 1999
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⁵⁰ Howard Hendricks pers. com. 1999
⁵¹ Paddy Gordon pers. com. 1999
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⁵³ Howard Hendricks pers. com. 1999
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⁵⁷ Howard Hendricks pers. com. 2000
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⁵⁹ Paddy Gordon pers. com. 1999
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⁶¹ Willem Gertenbach pers. com. 1999
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⁶⁵ Roger Chennels pers. com. 2001
⁶⁶ Andre van Rooyen pers. com. 1999
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⁶⁹ Johan van de Merwe pers. com. 2000; Frans Stroebel pers. com. 1999
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⁸³ Errol Pietersen pers. com. 2000
⁸⁴ Johan van de Merwe pers. com. 2000
⁸⁵ Les Carlisle pers. com. 2000
⁸⁶ Frans Stroebel pers. com. 2000
⁸⁷ Frans Stroebel pers. com. 2000
⁸⁸ Errol Pietersen pers. com. 2000
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⁹⁷ Fraser Vickery pers. com. 2000
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- 106 Sam Rando pers. com. 2000; Graham Griffin pers. com. 2000
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- 109 Joanne Willmot pers. com. 2000; Ngoingoi Donald pers. com. 2000; Johnny Tjango pers. cm. 2000
- 110 Graham Griffin pers. com. 2000; Sam Rando pers. com. 2000
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- 130 Peter Cochrane pers. com. 2000
- 131 Adam Millar pers. com. 2000
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- 154 Fred Baird pers. com. 2000
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- 157 Manfred Haala pers. com. 2000; Peter Cochrane pers. com. 2000
- 158 Zig Madycki pers. com. 2000
- 159 Greg Miles pers. com. 2000
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- 162 Peter Cochrane pers. com. 2000
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- 164 Zig Madycki pers. com. 2000
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- 166 Ian Irvine pers. com. 2000; Manfred Haala pers. com. 2000
- 167 Peter Cochrane pers. com. 2000
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- 177 Peter Cochrane pers. com. 2000; Mary Blyth pers. com. 2000
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- 195 Greg Miles pers. com. 2000
- 196 Sarah Pizzey pers. com. 2000
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- 200 Peter Fearnhead pers. com. 1999
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Chapter 4

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- ¹⁸ David Grossman pers. com. 2000
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- ²³ Roger Chennels pers. com. 1999
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- ³⁴ David Grossman pers. com. 2000
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- ¹⁶¹ Paul Josif pers. com. 2000
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Chapter 5

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⁵⁸ Ian Morris pers. com. 2000
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⁷² Peter Christopherson pers. com. 2000
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⁸⁷ Roger Chennels pers. com. 1999
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¹²³ Sharon O'Sullivan pers. com. 2000
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- 228 Zig Madycki pers. com. 2000
- 229 Peter Wellings pers. com. 2000
- 230 Greg Miles pers. com. 2000
- 231 Jo-Ann Mitchell pers. com. 2000
- 232 Mary Blyth pers. com. 2000
- 233 Greg Miles pers. com. 2000; Mary Blyth pers. com. 2000; Fred Baird pers. com. 2000; Peter Cochrane pers. com. 2000
- 234 Terry Bailey pers. com. 2000
- 235 Greg Miles pers. com. 2000; Zig Madycki pers. com. 2000
- 236 Terry Bailey pers. com. 2000
- 237 Fred Baird pers. com. 2000; Peter Wellings pers. com. 2000; Peter Cochrane pers. com. 2000
- 238 Peter Cochrane pers. com. 2000; Zig Madycki pers. com. 2000
- 239 Peter Wellings pers. com. 2000; Terry Bailey pers. com. 2000
- 240 Greg Miles pers. com. 2000; Peter Wellings pers. com. 2000
- 241 Peter Wellings pers. com. 2000
- 242 Fred Baird pers. com. 2000; Peter Wellings pers. com. 2000; Mary Blyth pers. com. 2000
- 243 Zig Madycki pers. com. 2000
- 244 Greg Miles pers. com. 2000
- 245 Zig Madycki pers. com. 2000
- 246 Zig Madycki pers. com. 2000
- 247 Terry Bailey pers. com. 2000
- 248 Zig Madycki pers. com. 2000
- 249 Peter Wellings pers. com. 2000
- 250 Peter Wellings pers. com. 2000
- 251 Fred Baird pers. com. 2000
- 252 Terry Bailey pers. com. 2000; Peter Wellings pers. com. 2000
- 253 Zig Madycki pers. com. 2000
- 254 Terry Bailey pers. com. 2000
- 255 Peter Wellings pers. com. 2000
- 256 Peter Christopherson pers. com. 2000; Peter Wellings pers. com. 2000
- 257 Greg Miles pers. com. 2000; Zig Madycki pers. com. 2000
- 258 Peter Wellings pers. com. 2000; Terry Bailey pers. com. 2000
- 259 Peter Wellings pers. com. 2000
- 260 Mary Blyth pers. com. 2000; Zig Madycki pers. com. 2000
- 261 Zig Madycki pers. com. 2000
- 262 Peter Wellings pers. com. 2000
- 263 Ian Irvine pers. com. 2000
- 264 Ian Irvine pers. com. 2000
- 265 Peter Cochrane pers. com. 2000
- 266 Peter Wellings pers. com. 2000
- 267 Terry Bailey pers. com. 2000
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- 272 Terry Bailey pers. com. 2000
- 273 Paddy Gordon pers. com. 1999
- 274 Floors Strauss pers. com. 1999
- 275 Johan Taljaard pers. com. 1999
- 276 Willem Louw pers. com. 1999
- 277 Paddy Gordon pers. com. 1999
- 278 Nigel Crawhall pers. com. 2001
- 279 Errol Pietersen pers. com. 2000
- 280 Paul Josif pers. com. 2000; Joanne Willmot pers. com. 2000; Graham Griffin pers. com. 2000; Malya Teamay pers. com. 2000;
- Ngoingoi Donald pers. com. 2000
- 281 Joanne Willmot pers. com. 2000
- 282 Joanne Willmot pers. com. 2000
- 283 Paul Josif pers. com. 2000
- 284 Andrea Martin pers. com. 2000
- 285 Jo-Ann Mitchell pers. com. 2000; Peter Wellings pers. com. 2000; Zig Madycki pers. com. 2000; Peter Cochrane pers. com. 2000
- 286 Peter Wellings pers. com. 2000
- 287 Peter Wellings pers. com. 2000
- 288 Greg Miles pers. com. 2000
- 289 Jo-Ann Mitchell pers. com. 2000; Greg Miles pers. com. 2000
- 290 Zig Madycki pers. com. 2000
- 291 Greg Miles pers. com. 2000
- 292 Greg Miles pers. com. 2000

Chapter 6

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- ² By Hector Magome, 2001
- ³ Lynn Van Rooyen pers. com. 1999
- ⁴ Hector Magome pers. com. 1998
- ⁵ Robbie Robinson pers. com. 1999
- ⁶ Johan Taljaard pers. com. 1999
- ⁷ Willem Cloete pers. com. 1999
- ⁸ Howard Hendricks pers. com. 2000
- ⁹ Dennis Skalela pers. com. 2000
- ¹⁰ Mavis Hatlani pers. com. 2000
- ¹¹ Errol Pietersen pers. com. 2000, Mike Fender pers. com. 2000
- ¹² Mike Fender pers. com. 2000
- ¹³ Errol Pietersen pers. com. 2000

- ¹⁴ Mike Fender pers. com. 2000
- ¹⁵ Errol Pietersen pers. com. 2000
- ¹⁶ Errol Pietersen pers. com. 2000
- ¹⁷ Mike Fender pers. com. 2000
- ¹⁸ Les Carlisle pers. com. 2000
- ¹⁹ Eugene Moll pers. com. 2000
- ²⁰ Eugene Moll pers. com. 2000
- ²¹ Eugene Moll pers. com. 2000
- ²² Errol Pietersen pers. com. 2000
- ²³ Mike Fender pers. com. 2000
- ²⁴ Les Carlisle pers. com. 2000; Errol Pietersen pers. com. 2000
- ²⁵ Errol Pietersen pers. com. 2000
- ²⁶ Errol Pietersen pers. com. 2000
- ²⁷ Mike Fender pers. com. 2000
- ²⁸ Errol Pietersen pers. com. 2000
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- ³⁹ Fraser Vickery pers. com. 2000
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- ⁴¹ Peter Cochrane pers. com. 2000
- ⁴² Sam Rando pers. com. 2000
- ⁴³ Peter Cochrane pers. com. 2000; Graham Griffin pers. com. 2000
- ⁴⁴ Fraser Vickery pers. com. 2000
- ⁴⁵ Fraser Vickery pers. com. 2000
- ⁴⁶ Graham Griffin pers. com. 2000; Peter Cochrane pers. com. 2000
- ⁴⁷ Sam Rando pers. com. 2000
- ⁴⁸ Paul Josif pers. com. 2000
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- ⁵⁰ Terry Bailey pers. com. 2000; Ian Irvine pers. com. 2000
- ⁵¹ Peter Cochrane pers. com. 2000
- ⁵² Fred Baird pers. com. 2000
- ⁵³ Zig Madycki pers. com. 2000
- ⁵⁴ Jo-Ann Mitchell pers. com. 2000
- ⁵⁵ Greg Miles pers. com. 2000; Zig Madycki pers. com. 2000
- ⁵⁶ Greg Miles pers. com. 2000
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- ⁵⁸ Zig Madycki pers. com. 2000
- ⁵⁹ Peter Cochrane pers. com. 2000
- ⁶⁰ Peter Wellings pers. com. 2000; Jo-Ann Mitchell pers. com. 2000
- ⁶¹ Ian Morris pers. com. 2000
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- ⁷⁰ Paddy Gordon pers. com. 1999
- ⁷¹ David Grossman pers. com. 2000
- ⁷² Livingstone Maluleke pers. com. 2000; Gibson Maluleke pers. com. 2000
- ⁷³ Errol Pietersen pers. com. 2000
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- ⁷⁵ Errol Pietersen pers. com. 2000
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- ⁸³ Graham Griffin pers. com. 2000
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- ⁹⁸ Johan Taljaard pers. com. 1999

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- 103 Mike Fender pers. com. 2000
- 104 Errol Pietersen pers. com. 2000
- 105 Paul Josif pers. com. 2000
- 106 Kathy Bannister pers. com. 2000; Paul Josif pers. com. 2000
- 107 Sam Rando pers. com. 2000
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- 127 Hector Magome pers. com. 2000
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- 129 Howard Hendricks pers. com. 2000
- 130 Johan Taljaard pers. com. 1999; Miena Adams pers. com. 1999; Willem de Wet pers. com. 1999
- 131 David Grossman pers. com. 2000
- 132 Livingstone Makuleke pers. com. 2000; Gibson Maluleke pers. com. 2000
- 133 Dennis Skalela pers. com. 2000; Livingstone Maluleke pers. com. 2000
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- 137 Andre van Rooyen pers. com. 1999
- 138 Martin Engelbrecht pers. com. 2000
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- 142 Chris Spies pers. com. 1999
- 143 David Grossman pers. com. 2000
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- 147 Chris Spies pers. com. 1999
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- 165 Mike Fender pers. com. 2000
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- 168 Mike Fender pers. com. 2000; Les Carlisle pers. com. 2000
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- 171 Errol Pietersen pers. com. 2000
- 172 Les Carlisle pers. com. 2000
- 173 Frans Stroebel pers. com. 1999
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- 175 Henk Smith pers. com. 1999
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- 177 Fraser Vickery pers. com. 2000
- 178 Leroy Lester pers. com. 2000
- 179 Fraser Vickery pers. com. 2000; Peter Cochrane pers. com. 2000
- 180 Joanne Willmot pers. com. 2000
- 181 Peter Cochrane pers. com. 2000
- 182 Graham Griffin pers. com. 2000
- 183 Paul Josif pers. com. 2000; Peter Cochrane pers. com. 2000

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- ¹⁸⁴ Joanne Willmot pers. com. 2000
¹⁸⁵ Paul Josif pers. com. 2000
¹⁸⁶ Fraser Vickery pers. com. 2000
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¹⁸⁸ Sam Rando pers. com. 2000
¹⁸⁹ Paul Josif pers. com. 2000; Sam Rando pers. com. 2000
¹⁹⁰ Graham Griffin pers. com. 2000
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²⁰³ Sarah Pizzey pers. com. 2000
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²⁰⁵ Sarah Pizzey pers. com. 2000
²⁰⁶ Sarah Pizzey pers. com. 2000
²⁰⁷ Manfred Haala pers. com. 2000
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²¹⁰ Manfred Haala pers. com. 2000
²¹¹ Peter Wellings pers. com. 2000
²¹² Greg Miles pers. com. 2000
²¹³ Manfred Haala pers. com. 2000
²¹⁴ Peter Wellings pers. com. 2000; Zig Madycki pers. com. 2000
²¹⁵ Peter Wellings pers. com. 2000
²¹⁶ Greg Miles pers. com. 2000
²¹⁷ Greg Miles pers. com. 2000
²¹⁸ Greg Miles pers. com. 2000
²¹⁹ Mary Blyth pers. com. 2000; Greg Miles pers. com. 2000; Peter Cochrane pers. com. 2000; Zig Madycki pers. com. 2000
²²⁰ Greg Miles pers. com. 2000; Manfred Haala pers. com. 2000
²²¹ Peter Cochrane pers. com. 2000
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²³⁰ Ian Morris pers. com. 2000
²³¹ Zig Madycki pers. com. 2000; Peter Cochrane pers. com. 2000
²³² Ian Morris pers. com. 2000
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²³⁸ Zig Madycki pers. com. 2000
²³⁹ Greg Miles pers. com. 2000
²⁴⁰ Manfred Haala pers. com. 2000
²⁴¹ Ian Morris pers. com. 2000; Manfred Haala pers. com. 2000
²⁴² Manfred Haala pers. com. 2000
²⁴³ Ian Morris pers. com. 2000
²⁴⁴ Robbie Robinson pers. com. 1999

Chapter 7

- ¹ Roger Chennels pers. com. 1999
² Jan Nel pers. com. 1999
³ Paddy Gordon, ex Richtersveld National Park Warden, SANP, pers. com. 1999
⁴ Errol Pietersen pers. com. 2000
⁵ Errol Pietersen pers. com. 2000
⁶ Errol Pietersen pers. com. 2000
⁷ Les Carlisle pers. com. 2000
⁸ Errol Pietersen pers. com. 2000; Mike Fender pers. com. 2000
⁹ Willem Gertenbach pers. com. 2000; Mike Fender pers. com. 2000
¹⁰ Mike Fender pers. com. 2000; Eugene Moll pers. com. 2000
¹¹ Eugene Moll pers. com. 2000
¹² Mike Fender pers. com. 2000
¹³ Johan van de Merwe pers. com. 2000
¹⁴ Eugene Moll pers. com. 2000; Mike Fender pers. com. 2000
¹⁵ Errol Pietersen pers. com. 2000
¹⁶ Errol Pietersen pers. com. 2000
¹⁷ Adam Millar pers. com. 2000; Fraser Vickery pers. com. 2000
¹⁸ Paul Josif pers. com. 2000
¹⁹ Graham Griffin pers. com. 2000
²⁰ Fraser Vickery pers. com. 2000
²¹ Paul Josif pers. com. 2000; Adam Millar pers. com. 2000

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- ²² Johnny Tjango pers. com. 2000; Joanne Willmot pers. com. 2000
²³ Johnny Tjango pers. com. 2000
²⁴ Joanne Willmot pers. com. 2000
²⁵ Paul Josif pers. com. 2000
²⁶ Joanne Willmot pers. com. 2000
²⁷ Fraser Vickery pers. com. 2000
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³⁰ Joanne Willmot pers. com. 2000
³¹ Fraser Vickery pers. com. 2000
³² Paul Josif pers. com. 2000
³³ Fraser Vickery pers. com. 2000; Leroy Lester pers. com. 2000
³⁴ Andrew Davies pers. com. 2000
³⁵ Paul Josif pers. com. 2000
³⁶ Paul Josif pers. com. 2000
³⁷ Paul Josif pers. com. 2000
³⁸ Peter Wellings pers. com. 2000; Paul Josif pers. com. 2000
³⁹ Manfred Haala pers. com. 2000
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⁵² Zig Madycki pers. com. 2000
⁵³ Keith Taylor pers. com. 2000
⁵⁴ Zig Madycki pers. com. 2000; Mary Blyth pers. com. 2000
⁵⁵ Terry Bailey pers. com. 2000
⁵⁶ Peter Cochrane pers. com. 2000; Keith Taylor pers. com. 2000; Mary Blyth pers. com. 2000
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⁵⁸ Peter Wellings pers. com. 2000
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⁶⁷ Terry Bailey pers. com. 2000; Peter Cochrane pers. com. 2000; Zig Madycki pers. com. 2000
⁶⁸ David Lawrence pers. com. 2000
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⁷⁰ Terry Bailey pers. com. 2000; Manfred Haala pers. com. 2000; Jo-Ann Mitchell pers. com. 2000; Peter Wellings pers. com. 2000
⁷¹ Manfred Haala pers. com. 2000
⁷² Peter Christopherson pers. com. 2000; Greg Miles pers. com. 2000
⁷³ Peter Cochrane pers. com. 2000
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⁷⁵ Terry Bailey pers. com. 2000
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⁷⁷ Peter Wellings pers. com. 2000; Greg Miles pers. com. 2000
⁷⁸ Zig Madycki pers. com. 2000
⁷⁹ Jo-Ann Mitchell pers. com. 2000; Peter Wellings pers. com. 2000
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⁹⁴ Robbie Robinson pers. com. 1999
⁹⁵ Keith Taylor pers. com. 2000; Peter Cochrane pers. com. 2000; Mary Blyth pers. com. 2000; Terry Bailey pers. com. 2000; Manfred Haala pers. com. 2000; Peter Wellings pers. com. 2000
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¹⁰³ Howard Hendricks pers. com. 1999
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108 Paddy Gordon pers. com. 1999
109 Mavis Hatlani pers. com. 2000; Gibson Maluleke pers. com. 2000
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152 David Grossman pers. com. 2000; personal observation 2000
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244 Willem Louw pers. com. 1999
245 Mavis Hatlani pers. com. 2000
246 Les Carlisle pers. com. 2000
247 Errol Pietersen pers. com. 2000
248 Mike Fender pers. com. 2000
249 Errol Pietersen pers. com. 2000
250 Les Carlisle pers. com. 2000
251 Johan Van de Merwe pers. com. 2000
252 Graham Griffin pers. com. 2000; Peter Cochrane pers. com. 2000; Joanne Willmot pers. com. 2000; Paul Josif pers. com. 2000; Fraser Vickery pers. com. 2000
253 Peter Cochrane pers. com. 2000
254 Paul Josif pers. com. 2000; Fraser Vickery pers. com. 2000
255 Graham Griffin pers. com. 2000
256 Fraser Vickery pers. com. 2000
257 Peter Cochrane pers. com. 2000
258 Paul Josif pers. com. 2000
259 Peter Cochrane pers. com. 2000; Peter Wellings pers. com. 2000
260 Peter Cochrane pers. com. 2000
261 Peter Cochrane pers. com. 2000
262 Terry Bailey pers. com. 2000
263 Terry Bailey pers. com. 2000
264 Greg Miles pers. com. 2000
265 Terry Bailey pers. com. 2000
266 Peter Wellings pers. com. 2000
267 Fred Baird pers. com. 2000; Peter Wellings pers. com. 2000
268 Greg Miles pers. com. 2000
269 Peter Wellings pers. com. 2000
270 Greg Miles pers. com. 2000
271 Peter Wellings pers. com. 2000
272 Peter Wellings pers. com. 2000
273 Peter Wellings pers. com. 2000
274 Jo-Ann Mitchell pers. com. 2000

Chapter 8

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- ⁹ Johan Taljaard pers. com. 1999
- ¹⁰ Johan Taljaard pers. com. 1999
- ¹¹ Pierre Kriel pers. com. 1999
- ¹² Sandra Taljaard pers. com. 1999
- ¹³ Richard Hill pers. com. 1999
- ¹⁴ Paddy Gordon pers. com. 1999
- ¹⁵ Abe Koopman pers. com. 2001
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- ¹⁸ Willem Louw pers. com. 1999
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- ²⁰ Paddy Gordon pers. com. 1999; Kolie Farmer pers. com. 1999
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- ²² David Grossman pers. com. 2000
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- ²⁵ Chris Spies pers. com. 1999
- ²⁶ Nigel Crawhall pers. com. 2001
- ²⁷ Nigel Crawhall pers. com. 2001
- ²⁸ David Grossman pers. com. 1999
- ²⁹ Roger Chennels pers. com. 1999
- ³⁰ Roger Chennels pers. com. 2000
- ³¹ David Grossman pers. com. 1999
- ³² personal observation 1999
- ³³ David Grossman pers. com. 2000
- ³⁴ Nigel Crawhall pers. com. 2001
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- ³⁷ Frans Stroebe pers. com. 1999
- ³⁸ Eugene Moll pers. com. 2000; Mike Fender pers. com. 2000; Errol Pietersen pers. com. 2000
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- ⁴⁰ Eugene Moll pers. com. 2000
- ⁴¹ Errol Pietersen pers. com. 2000
- ⁴² personal observation 1999
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- ⁴⁴ Fraser Vickery pers. com. 2000
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- ⁴⁸ Fraser Vickery pers. com. 2000; Peter Cochrane pers. com. 2000
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- ⁵¹ Peter Cochrane pers. com. 2000
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- ⁶³ Terry Bailey pers. com. 2000
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¹¹⁰ Fraser Vickery pers. com. 2000
¹¹¹ Sam Rando pers. com. 2000
¹¹² John Kelly pers. com. 2001
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¹¹⁷ Jo-Ann Mitchell pers. com. 2000
¹¹⁸ Ian Irvine pers. com. 2000
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¹²¹ Mary Blyth pers. com. 2000
¹²² Manfred Haala pers. com. 2000; Terry Bailey pers. com. 2000
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¹²⁵ Zig Madycki pers. com. 2000
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Chapter 9

¹ Eugene Moll pers. com. 2000; Errol Pietersen pers. com. 2000

² Chris Spies pers. com. 1999; David Grossman pers. com. 2000

