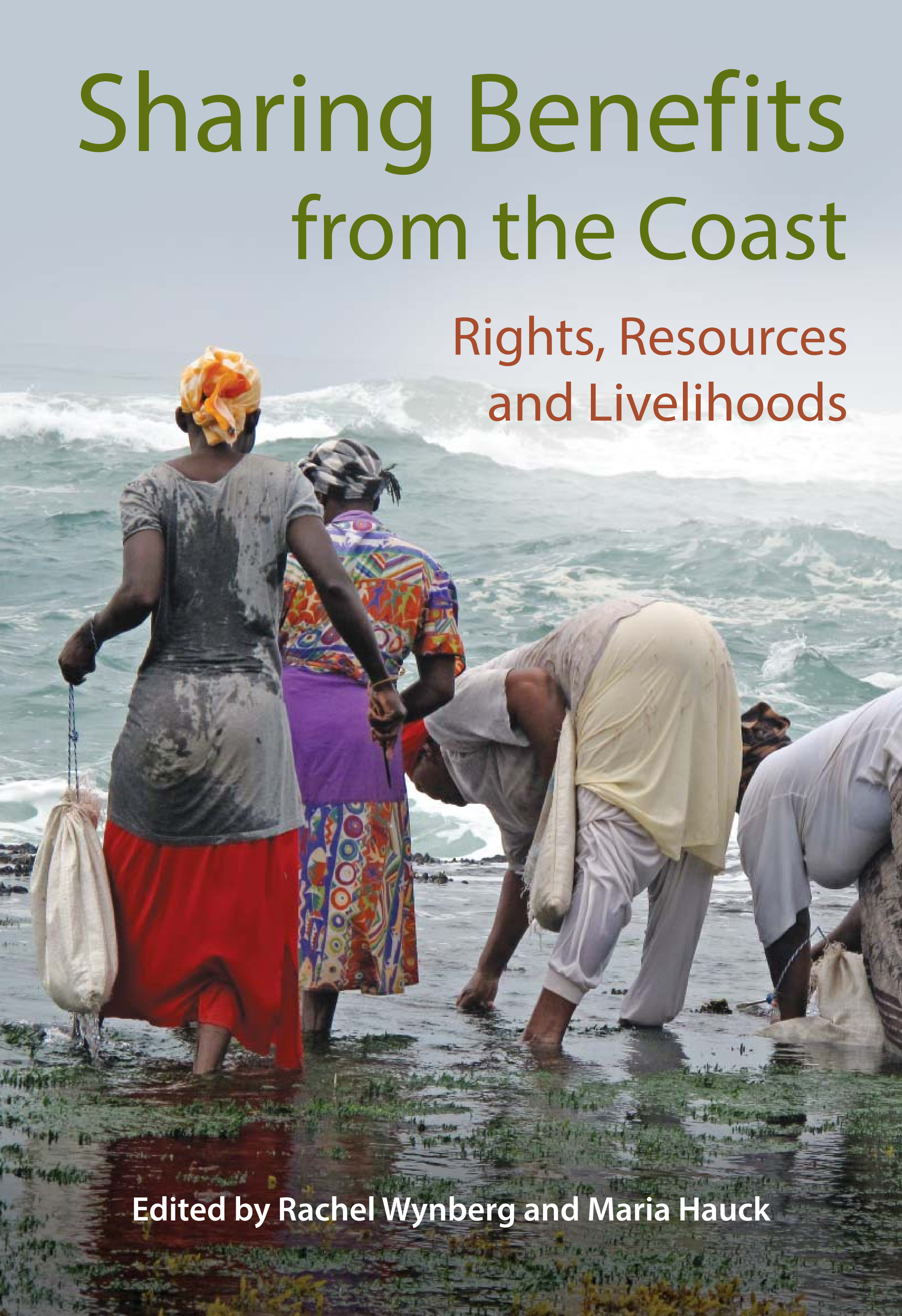
Sharing Benefits from the Coast

Rights, Resources and Livelihoods



Edited by Rachel Wynberg and Maria Hauck

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List of acronyms

B-BBEE	Broad-Based Black Economic Empowerment
CBNRM	community-based natural resource management
CSR	corporate social responsibility
DUAT	direito de uso e aproveitamento da terra
FRELIMO	Frente de Libertaçao de Moçambique
GG	Government Garage
GIS	geographic information system
GDP	gross domestic product
GNP	gross national product
KZN	KwaZulu-Natal
MASMA	Marine Science for Management
NGOs	non-governmental organisations
PES	payment for environmental services
RBM	Richards Bay Minerals
REDD	reducing emissions from deforestation and forest degradation
RENAMO	Resistência Nacional Moçambicana
WIOMSA	Western Indian Ocean Marine Science Association

Foreword

The coastal areas of South Africa and Mozambique are well known for their remarkable natural beauty, spectacular biodiversity and rich natural resources. These coastal areas are the homes of communities of people living in households, villages, towns and cities. Many have long and rich cultural traditions of interacting with and shaping the coastal and marine environments, and of governing the land and sea areas, as well as utilising the resources therein.

The history of the past century was dominated by oppressive and brutal policies of apartheid in South Africa and Portuguese colonialism in Mozambique, under which the vast majority of the peoples of the coast largely lost their rights to land and resources, and were subjected to gross injustices. Finally, after long and protracted struggles, liberation and independence were won in Mozambique in 1975 and in South Africa in 1994.

Post-liberation South Africa and post-independence Mozambique have witnessed efforts to redress the injustices of the past and to tackle the problems of poverty and inequality inherited from these histories. Simultaneously, there have been efforts by powerful and privileged actors to maintain their unequal strengths and control, and also interventions by new rich and influential actors to gain advantages in the changing political landscapes. National and international investments in coastal tourism, fisheries and mining often marginalise and further impoverish local households and communities, frequently denying them their rights, although in some instances new opportunities for production, trade or employment have been created. Attempts to address the issues of poverty and denial of people's rights have met difficulties due to conflicts of interest and power imbalances relating to control over coastal lands and access to coastal resources.

There are major gaps in knowledge about the status of the coastal situation, and especially regarding social, economic and political processes that influence the distribution of wealth, power and benefits in coastal areas. The struggles of coastal peoples for their rights are not well documented or understood in South Africa, Mozambique or the rest of eastern and southern Africa.

This book is appropriately titled *Sharing benefits from the coast*, and has been ably edited by Rachel Wynberg and Maria Hauck, both of whom are highly qualified researchers based at the Environmental Evaluation Unit of the University of Cape Town in South Africa. The book sets out to address some of the gaps in knowledge and understanding mentioned above. The editors are both ideally suited to write on these issues, based upon their own empirical research and accumulated experience, in addition to their active collaboration with other competent researchers in South Africa and Mozambique who have contributed to various chapters. They have assembled a collection of interesting and relevant accounts, and have provided an innovative conceptual approach to analyse their findings. They explore and present systematic assessments of issues of appropriation or sharing of benefits from coastal resources, and provide astute insights into mechanisms that prevent the achievement of greater equality or of a significant reduction of poverty in coastal areas of South Africa and Mozambique. They conclude with useful policy recommendations towards more sustainable use of resources, fairer distribution of benefits and improved governance in the coastal context.

It is an honour and privilege to be able to recommend this book to scholars, practitioners and policy-makers who are concerned about the status and processes of change in coastal South Africa and Mozambique. The book is also most definitely relevant to a much wider audience of readers throughout eastern and southern Africa and the entire western Indian Ocean, and internationally, and is likely to stimulate debate and engagement concerning questions of the grabbing or sharing of benefits from coastal resources.

Ian Bryceson
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Chair of the Marine Science for Management Programme Committee of the Western Indian Ocean Marine Science Association

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Maria Hauck was a senior researcher at the Environmental Evaluation Unit in the Department of Environmental and Geographical Science at the University of Cape Town for 11 years and during the course of this research, focused on diverse issues related to coastal and fisheries governance. She is now affiliated with the University of Cape Town as an Honorary Research Associate. Her background in criminology informed her PhD, which explored new methods of achieving fisheries compliance and instituting partnership arrangements between resource users and government. This work on small-scale fisheries compliance led to a wide range of international collaborations, publications and projects that challenge existing governance strategies. In addition, Maria has been engaged in various research projects concerning coastal and fisheries co-management and policy development, in which she has collaborated with international institutions and published two edited volumes: *Waves of change: Coastal and fisheries co-management in South Africa* (UCT Press, 2003) (with Merle Sowman) and a special edition of the journal *Marine Policy* (with Lance van Sittert) in 2006.

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Mayra Pereira holds an MSc in Environmental and Geographical Science from the University of Cape Town. She is also a member of the Golden Key International Honour Society. Mayra's Master's project focused on benefit sharing and tourism, and she was responsible for coordinating activities in Mozambique for the work described in this book. The MASMA programme of WIOMSA funded her project. Mayra was an assistant programme manager for the International Union for Conservation of Nature in Mozambique, and now works for Impacto, a consultancy based in Mozambique, where she focuses on strategic impact assessments and is project manager of oil and gas projects.

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Sharing benefits from the coast

chapter 1

Rachel Wynberg and Maria Hauck

The need for this book

Coastal ecosystems — by which we mean coastal lands, areas where fresh water and salt water mix, and near-shore marine areas (Agardy et al., 2005) — are vital for communities in developing countries, many of whom live in abject poverty. Not only do they provide direct benefits such as jobs, food, fuelwood, medicines, building materials and ornamental products (Wilson et al., 2004; Agardy et al., 2005; Brown et al., 2008), but they also deliver a host of sometimes intangible social benefits such as greater food security and social cohesion, as well as the higher level of well-being ascribed to living along the coast (Wilson et al., 2004).

The coast also performs a multitude of so-called ecosystem services, helping to attenuate floods, giving protection from storm surges, assisting with waste assimilation, offering habitats for diverse organisms and providing amenity services such as tourism and recreation (Costanza et al., 1997; Agardy et al., 2005; Brown et al., 2008; TEEB, 2010). These services, many of which remain outside of the market system, are estimated to contribute up to US$ 10.6 trillion a year,[1] equating to 43 per cent of the estimated total value of global ecosystem services (Costanza et al., 1997). Although the specific figures are debatable, it cannot be denied that the coastal zone, although it covers just 8 per cent of the world's surface, makes vital contributions to human well-being and ecological functioning (Agardy et al., 2005).

Coastal ecosystems rival tropical rainforests in their productivity (Barbier, 1994), and their resources underpin the profitability of a wide range of economic sectors such as mining, fisheries and tourism, which supply expanding global consumer markets. For example, the value of the worldwide industry in titanium dioxide, extracted from heavy mineral sands on coastal dunes, has been estimated at $US 7 billion (Tyler & Minnitt, 2004); capture fisheries in coastal waters alone generate some $US 34 billion

[1] In 1997 US dollars.

per annum (Agardy et al., 2005); and tourism linked to the scenic beauty and recreational opportunities of the coast has been estimated at nearly $US 30 billion for nature-based and dive tourism in coral reefs alone (Cesar et al., 2003).

These activities provide significant opportunities for economic and income growth, reflected in the fact that more than 2 billion people live within 100 kilometres of a coastline (Agardy et al., 2005). Moreover, coastal areas generate 61 per cent of the world's total gross national product (GNP), and the greatest concentration of wealth, as measured by GNP, also occurs in these areas (Agardy et al., 2005). At the same time, however, industrial and other economic activities are often the chief culprits of over-exploitation, habitat degradation and pollution (Agardy et al., 2005), with the poor often the victims of resource degradation, living among the 'effluents of industry', as Brown et al. (2008: 7) describe it.

Global patterns indicate growing levels of economic inequality between custodians of coastal resources and those exploiting them (Agardy et al., 2005), as well as an increasing incidence of absolute poverty among coastal communities that lack even the minimal income required for basic needs such as food, shelter, health care and clothing (Campbell et al., 2006; Brown et al., 2008). Moreover, many coastal communities remain politically and economically marginalised, which leads to conflict over access to the resources and benefits of the coast (Newton et al., 2007; Brown et al., 2008). This has been exacerbated by the increased vulnerability of such communities to the impacts of ecosystem degradation and environmental change (Brown et al., 2008), and by the distorted way in which coastal ecosystem services are distributed and degraded, the costs of which are borne disproportionately by the world's poor (Newton et al., 2007; Srinivasan et al., 2008; Turner & Fisher, 2008).

Increasingly, therefore, coastal areas are sites of contestation by different stakeholders. Technological advances and increased consumer demand for seafood, for example, have pushed many coastal resources beyond sustainable limits, leading to increased conflicts between small-scale and industrial fisheries (Ghee & Valencia, 1990; Graham, 2009), while the human health effects of living in degraded or polluted ecosystems often afflict the poor most heavily (Creel, 2003; Agardy et al., 2005; Newton et al., 2007; Srinivasan et al., 2008).

Resolving these issues means approaching inequality, poverty and ecological sustainability as parts of an inextricably connected triage. This is not easy. Like many other landscapes, coastal areas are complex social-ecological systems that form part of a composite, dynamic and diverse mosaic of landforms, human uses, weather phenomena and ecosystems (Holling, 2001; Berkes et al., 2003). Moreover, the coast epitomises the way in which different sectors interact in a common space, often pursuing similar resources, with interlinking implications for benefit distribution. Coastal systems have the added complexity of being the interface between land and sea, and thus present a suite of intricate governance challenges. As Jentoft and Chuenpagdee (2009: 553) remark, fisheries and coastal governance are a 'wicked problem … confronting governors with a daunting task where no simple solution may be found and where no single management tool will suffice'. Adding justice and equity to this mix is almost guaranteed to present intractable challenges.

This book presents novel analyses of these issues, drawing from empirical research in South African and Mozambican coastal communities. Through sharing these research findings and presenting a new conceptual approach, the book aims to enhance understanding about the way in which greater equity and reduced inequalities could reduce conflicts, protect coastal ecosystems and ensure greater social justice. As the findings emphasise, the book is as much about sharing benefits from coastal resources as about minimising and distributing the costs and losses of using and degrading these resources. It also aims to deepen our knowledge about coastal resource use, who benefits and who loses and in what circumstances, why benefits and losses are distributed in the way that they are, the main blockages that prevent greater equity, and strategies to enhance more equitable benefit sharing in coastal communities. The findings have relevance and application for coastal livelihoods, rural governance and resource sustainability — not only in the research sites, but across a world in which community rights are increasingly undermined through land grabbing, unequal power relations and externally driven development interventions.

Benefits, losses and business as usual

So what is benefit sharing and how does it differ from what we call 'business as usual'? Perhaps it is easier to understand the concept once one has grasped what it is not. As is now well recognised, economic growth has not only ignored the finite nature of the natural resource base and the planet's limited ability to absorb pollution and waste, but has also encouraged maximised consumption of natural resources (Daly & Cobb, 1990; Korten, 1995; Bakan, 2002). Capitalism is driven by the individual maximisation of company profit, while the famous invisible hand of the market has not delivered the requisite public welfare benefits (Daly & Cobb, 1990; Chomsky, 1999; Newell, 2011). The consequences of this approach are well known: runaway climate change, accelerated biodiversity loss and deforestation, a decline in well-being for billions of people, and a planet that many describe as being at a tipping point of irreversible change (WHO, 2005; Rockström et al., 2009; Biermann et al., 2012; OECD, 2012). The underlying stimulus of this is consumption, which has spiralled in response to ever-increasing consumerism among more and more people, and the rapid growth of economies such as China, India and Brazil. This, then, is the 'business as usual' scenario depicted in Figure 1.1, where the losses associated with acquiring economic benefits — including habitat destruction, ecological degradation and pollution, social conflict, economic marginalisation and reduced access to resources — may well exceed any benefits secured by firms, individuals, governments or communities. We use the term 'losses' as opposed to 'costs' here in a deliberate attempt to embrace a wider social meaning that moves away from the economic language of cost–benefit analysis.

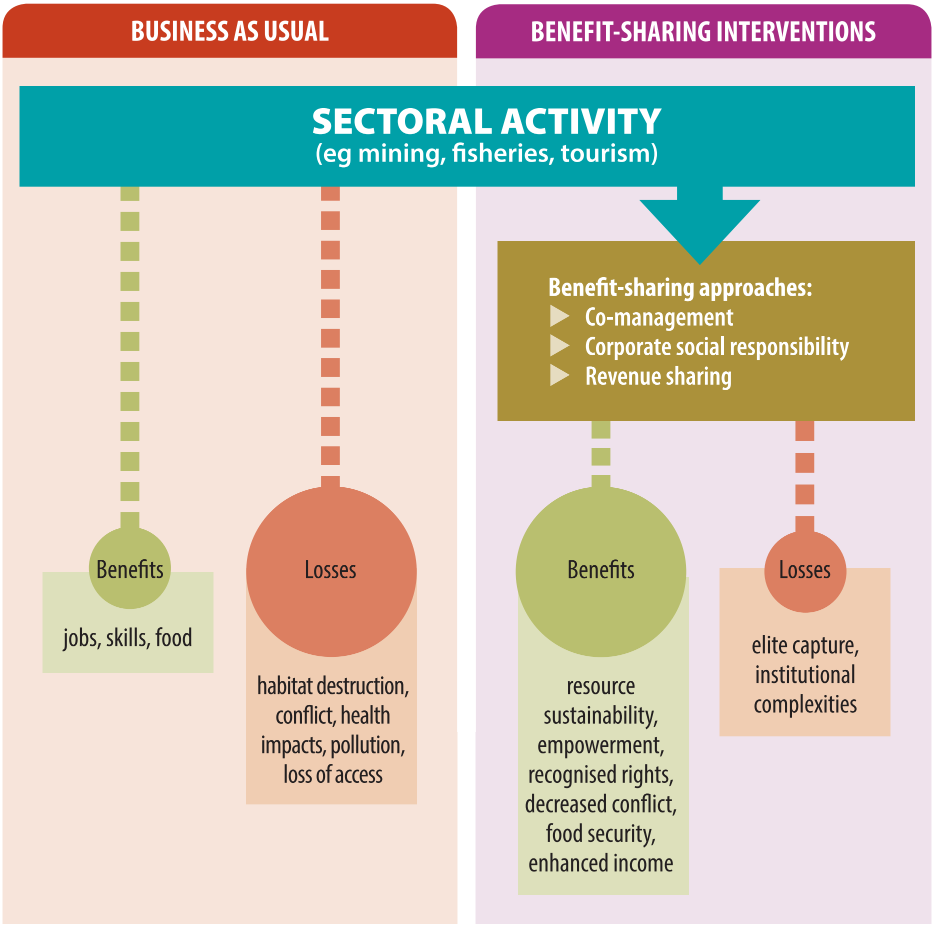

Figure 1.1

'Business as usual' and benefit-sharing interventions in the context of activities pursued by different economic sectors

Mining, for instance, creates jobs, generates significant tax revenues for governments and produces phenomenal profits for companies, but these benefits are typically based on short-term economic gain, with longer-term costs for communities and the environment that can be devastating (Kapelus, 2002; Jenkins, 2004; Altman, 2009). Along the coast, mining activities can have wide-ranging negative impacts on indigenous forests, dune dynamics, and the hydrology and physical topography of rivers, estuaries and beaches (Sibaud, 2012). Not only do these activities lead to habitat fragmentation, but they may also reduce soil fertility and increase pollution (see, for example, Lubke et al., 1996; Ramirez et al., 2005). At the same time, mining activities catalyse substantial social disruption, change and, in some cases, conflict; diminish access to the natural resources upon which people depend; and may also cause significant health impacts (Boele et al., 2001; Madihlaba, 2002; Twerefou, 2009).

In South Africa, for example, coastal diamond mining in the Northern Cape province has reduced public access to the coast and has caused significant environmental degradation and habitat loss (Blair, 2011). As Chapter 4 of this book describes, titanium mining at Richards Bay on the KwaZulu-Natal coast of South Africa has caused the wholesale destruction of almost all coastal indigenous forest upon which communities rely for medicines and food, led to the flooding and pollution of subsistence agricultural lands, and changed fundamentally the hydrology of the region (Vivier & Cyrus, 1999; Vivier, 2010). Such scenarios play themselves out again and again elsewhere in the world.

Similarly, there are challenges with securing benefits for small-scale fishers. Some 90 per cent of the world's fishers operate on a small scale, with a major component harvesting coastal resources and residing in developing countries (FAO, 2005). Approximately one billion people rely on fish as a major source of animal protein (Ziegler, 2004). According to Berkes et al. (2001: 223), 'the importance of the world's fisheries, and especially the small-scale fisheries, in providing food, income and livelihood cannot be overemphasised, especially in developing countries'. However, despite the importance of these small-scale fisheries in providing food security and livelihoods in coastal communities, they are largely marginalised throughout the world (Berkes et al., 2001). This is particularly evident in fisheries management policies that favour the capitalist interests of large-scale industrial fisheries over small-scale traditional ones (Ghee & Valencia, 1990; De Graaf et al., 2003; Crosoer et al., 2006).

Ironically, threats have also emerged from the conservation sector: conservation objectives are increasingly being favoured over the social, cultural and economic needs and rights of fishers and coastal communities (Pomeroy et al., 2007; Ruddle & Hickey, 2008). International pressure to expand marine protected areas, for example, highlights a growing concern about the negative consequences of these conservation measures for communities, with fishers often dispossessed of their rights to access and use coastal resources and marine areas (Charles, 2001; Christie, 2004; Ruddle & Hickey, 2008; Sowman et al., 2011). Not only does this affect fishers' abilities to secure food and income, it also often leads to social conflict, the erosion of cultural attachment to 'place', ecological degradation due to resource over-exploitation and sometimes violent clashes between stakeholder groups (Charles & Wilson 2009; Sowman et al., 2011). Inequitable fisheries and conservation policies, coupled with growing tourism in the coastal zone, are thus progressively encroaching on the rights and benefits of small-scale fishers and exacerbating the losses felt by them.

A similar trend is evident for tourism, which is considered one of the fastest growing economic sectors in developing countries and is widely promoted as a powerful tool for poverty reduction and economic development (Scheyvens, 2007).

The potential of tourism to significantly benefit host communities has been recognised, particularly for generating employment and income, improving infrastructure inside the community, and enhancing knowledge and skills (Spenceley, 2008; Saarinen et al., 2009). Increasingly, however, the negative impacts associated with tourism are being acknowledged. As Mitchell and Faal (2008: 4) state, ‘reduced access to resources and negative social and cultural impacts sometimes threaten to overshadow the benefits that a vibrant tourism industry can generate’. In the coastal sector, for example, protected areas or large tourist developments established to promote tourism and/or conservation have often, at the same time, marginalised local fisher groups and adjacent coastal communities by creating conflict and limiting access to the coast and its resources (Masalu, 2000; Fabinyi, 2008; Ruddle & Hickey, 2008). These developments take little or no account of the economic, social and cultural well-being of local communities, the protection of the natural environment and/or the inclusion of host communities in decision-making. Thus, notwithstanding the economic benefits that may accrue from tourist initiatives, the losses that such initiatives cause for coastal communities can be significant (Mitchell & Ashley, 2010).

As understanding of these interlinkages between the benefits generated and the costs incurred in the process grows, new approaches are emerging that urge more equitable solutions — a move away from ‘business as usual’. Questions are being asked about the ultimate beneficiaries of resource use, especially in light of an ever-increasing gap between rich and poor, and the extent to which benefit distribution is fair and equitable. Some governments, companies and development agencies are introducing new ways of working with communities, and are intervening in interesting and innovative ways to reduce inequality and ecological degradation and to promote improved benefits for the common good, with particular attention to poorer communities negatively affected by economic activities. As Figure 1.1 illustrates, such so-called benefit-sharing interventions may use a range of different approaches to achieve these goals, such as co-management, corporate social responsibility or revenue sharing, each having varied outcomes and ideological bases (Wynberg & Hauck, forthcoming).

Although some recent attempts have been made to offer a definition for benefit sharing (Schroeder, 2007), a typology of different benefit-sharing arrangements (Nkhata et al, 2012) or a political framework for understanding access to benefits (Ribot & Peluso, 2003), the conceptual underpinnings of benefit sharing remain poorly articulated and explored (Schroeder, 2007). In some cases the terminology is used simply to indicate attempts to introduce greater social responsibility, but remains embedded in a neoliberal discourse that is instrumentalist, reactive or self-serving (Jenkins, 2004; Merino & Valor, 2011). In others, benefit sharing may be adopted as a development tool, but without an interrogation of the roots of the problem (Altman, 2009). Other approaches may be more normative, signifying a new way of approaching natural resource management and spreading the costs and benefits of using and conserving ecosystems and their resources across actors (Schroeder, 2008; Sommerville et al., 2010; Ha et al., 2012).

Byström et al. (1999: 17) describe how benefit sharing is 'something that should result from the totality of legal, economic, political and other factors which decide, in combination, how these benefits are divided', while Schroeder (2007: 2) defines benefit sharing for non-human genetic resources as 'the action of giving a portion of advantages/profits derived from the use of genetic resources or traditional knowledge to resource providers'. Both of these definitions have as their reference point the Convention on Biological Diversity (UNEP, 1992), which for the first time introduced 'access and benefit sharing' as a legal expression. This formulation arose from the unequal distribution of biodiversity throughout the world, the desire of biodiversity-poor but technology-rich industrialised countries to have continued access to these resources, and the determination of biodiversity-rich but technology-poor developing countries to benefit from the exploitation of their resources (Reid et al., 2003; Wynberg & Laird, 2007). An agreement was reached requiring user countries to share benefits with provider countries, which in turn were required to facilitate access to their genetic resources (UNEP, 1992, 2010).

Over and above genetic resources, notions of access and benefit sharing have progressively found expression in other sectors and disciplines. In the water sector, for example, benefit sharing is increasingly used to describe the way in which the risks and benefits are shared among different users of a catchment, or those affected by dam construction (Mokorosi & Van der Zaag, 2007; Bazin et al., 2011). In this sector, benefit sharing is used as a practical policy tool to achieve greater social inclusiveness, improve local livelihoods and reinforce social equity as an approach to promoting sustainability (Mokorosi & Van der Zaag, 2007; Bond & Mayers, 2010; Bazin et al., 2011). Literature analysing the mining sector describes how companies have attempted to counter the detrimental social and ecological impacts of mining by setting in place, rarely with success, benefit-sharing schemes, often within the rubric of corporate social responsibility (Altman, 2009).

Over the past two decades new people-based approaches towards conservation have also embraced benefit sharing as a principle in the form, among others, of community-based natural resource management, devolution of management responsibility, payment for ecosystem services, co-management and recognition of the need for conservation to deliver concrete benefits to people in order to survive as a strategy (Fabricius et al., 2004; Schroeder, 2008; Nelson, 2010; Sommerville et al., 2010). Similarly, in the small-scale fisheries arena, such approaches have been implemented to promote the equitable distribution of rights for coastal resources, reduce conflicts, enhance food security and empower fishers and communities to engage actively in coastal governance (Berkes et al., 2001; Wilson et al., 2003; Pomeroy & Rivera-Guieb, 2006). In the climate change and conservation finance discourse, benefit sharing is being explored as a policy incentive in reducing emissions from deforestation and forest degradation (REDD) programmes, which incorporate approaches such as payment for environmental services (PES), participatory forest management, and forest concession revenue-sharing arrangements (Costenbader, 2011).

Finally, in the tourism sector, benefit sharing is explored through a range of approaches that acknowledge existing inequities between tourism stakeholders, including 'rich' tourists and 'poor' locals, and the increasing losses experienced by host communities (Ashley et al., 2001; Scheyvens, 2002; Saarinen et al., 2009). Alternatives to conventional tourism, which has been much criticised, help counter uncontrolled tourism development and instead promote land tenure, sustainable resource use, secure livelihoods and empowerment as critical to a fair and just tourism industry (Cole & Morgan, 2010).

As these initiatives grow and develop, it will become increasingly important to review their efficacy, to revisit their objectives, and to critique their implementation. This book sets out to be at least a small step towards doing just that.

An overview of the book

Benefit sharing — which we understand to mean the division and distribution of monetary and non-monetary benefits in a way that has equitable outcomes and which is procedurally fair — is particularly important in southern Africa. The 6 350 kilometre coastline of South Africa and Mozambique is biologically unique, encompassing a range of temperate and tropical climates, two major current systems, the Agulhas and Benguela, and a diversity of biomes (USAID, 2008; Griffiths et al., 2010). The remarkable array of biomes, many of which are of global significance, include mangrove forests, coastal dunes and forests, coral reefs, island habitats, seagrass beds, estuaries, rocky shores and sandy beaches, all of which play a significant role in supporting the livelihoods of marginalised communities (Griffiths et al., 2010).

Yet, in common with other developing countries, the region is also characterised by stark inequalities and extreme poverty. More than 3.1 million people along the Mozambique coast alone are considered to be poor, many struggling to cope with multiple human and natural stressors (Brown et al., 2008). Despite its attraction as a tourist destination, the coastal province of Inhambane in Mozambique, one of the study areas for this research, is considered to be the poorest province in the country, with approximately 80 per cent of the population living in extreme poverty (SNV, 2007). In the South African coastal provinces of KwaZulu-Natal and the Eastern Cape, where much of this research took place, poverty levels have been estimated at 33 per cent and 40 per cent, respectively (Glavovic & Boonzaier, 2007). In both countries, the social and economic histories of colonisation — and, in South Africa, segregation and apartheid — have been characterised by deeply institutionalised inequalities in the distribution of power, property and opportunities (Schafer & Black, 2003; Terreblanche, 2002). These circumstances have set the stage for even deeper entrenchments of poverty and inequality.

Coastal communities in South Africa and Mozambique have suffered a seemingly endless series of wars, forced removals and dispossessions, and it could well be argued that the development and intensification of the coastal zone in these countries through fishing, tourism and mining represents yet another onslaught against local livelihoods. This book reveals that interventions to address inequality and reduce poverty, despite having increased in number, have often gone awry, or have failed to address real needs on the ground. We need to ask whether benefit sharing is indeed possible, whether it is desirable, how to prevent it from turning into benefit grabbing, as Ian Bryceson puts it so clearly in his foreword, and how best to achieve equitable and sustainable solutions.

Chapter 2 gives an overview of the diversity of rural coastal livelihoods in South Africa and Mozambique, drawing on detailed case study material from the six communities involved in this study: in South Africa, Sokhulu and Mbonambi in KwaZulu-Natal and Mankosi in the Eastern Cape, and, in Mozambique, Gala in Maputo Province and Conguiana and Josina Machel in Inhambane. All are marginalised or poor and reliant on coastal resources, and most are involved in diverse initiatives by the state, community, non-governmental organisations (NGOs) and/or the private sector that aim to redistribute benefits. The history of each community is narrated on the basis of research conducted in these areas, supplemented with demographics of the community and its region, in order to explain the socio-economic and political context of the study areas. This chapter also discusses relevant national, regional and local institutional arrangements to highlight the extent to which indigenous and local communities have the right to access and own coastal resources and the existence of appropriate institutional arrangements that promote benefit sharing. The methods and approach adopted for the research are described in the Appendix.

Coastal resources play a significant role in supporting the livelihoods of marginalised communities in the Eastern Cape and KwaZulu-Natal provinces of South Africa (Branch et al., 2002). Marine resources, for example, have historically been an important livelihood strategy in coastal communities for both food and basic income. People were formally denied access to these resources during the apartheid era, however, when many small-scale fishers were considered 'poachers' (Hauck et al., 2002). New fisheries laws and policies, implemented since 1998, have attempted to redress these inequities, and new institutional arrangements have been implemented to facilitate greater benefit sharing among local fishers.

The benefits that small-scale fishers obtain from coastal resources are explored in Chapter 3, which reviews the implementation of various benefit-sharing interventions, including fisheries co-management arrangements in KwaZulu-Natal and tourism initiatives in the Eastern Cape. The findings reveal that although communities secured a range of benefits from these interventions, these were matched by significant losses that negatively affected the livelihoods of fishers. While institutional arrangements and benefit-sharing interventions differ from province to province, there is an overarching mismatch between fishers' realities and needs, on the one hand, and the fisheries management systems that are being introduced, on the other. The linkages between fisheries and other livelihood strategies, such as tourism, are explored in this chapter, as is the need to embark on decentralised and participatory institutional arrangements if fishers are to maximise benefits.

Mining is one of the major activities in the vicinity of many marginalised communities in developing countries. However, the impacts of this industry on local communities have been questionable. In South Africa, mining companies have a history of disregarding the social impacts of mining operations, typically leaving communities more marginalised and worse off than they were before mining began, or implementing ineffective strategies to benefit them (Kapelus, 2002; Hamann, 2004). Corporate social responsibility (CSR) is one approach that has emerged to deal with these concerns, and is a dominant discourse in the mining sector as companies are pressed to adhere to sustainable development practices. Through legal requirements for broad-based black economic empowerment, mining companies are also now obliged to make efforts to redistribute monetary benefits to their workforce. But how effective are these approaches and are they enough? Chapter 4 charts the history of two coastal communities in KwaZulu-Natal, South Africa, residing amid some of the richest titanium deposits in the world. Findings demonstrate that the benefits attributed to mining, such as employment, are believed by affected communities to be overshadowed by social, economic and ecological losses. The significant monetary benefits that have been secured through royalties and empowerment deals have not reached communities, largely because institutional blockages have skewed benefit distribution and led to elite capture and political patronage by tribal authorities. This chapter describes the constraints on benefit sharing in rural South Africa, locating the discussion within dialogues about rural governance, the multiplicity of institutions operating in rural areas, and the diverse roles played by the state and private sector in delivering basic services.

Tourism is a mainstay of the Mozambican economy (UNEP, 2007), but has often had negative impacts on local communities that have severely undermined livelihoods and access to critically important resources. Chapter 5 assesses the extent to which coastal communities in Mozambique are benefiting, or losing, as a result of various tourism initiatives, and how tourism affects other livelihood sectors such as fisheries. A range of benefit-sharing interventions in the tourism sector are explored in this chapter, including collaborations between communities, government, non-governmental organisations (NGOs) and the private sector that aim to enhance monetary and non-monetary benefits to host communities. In one of the case study sites there were no benefit-sharing initiatives: this location was chosen specifically to highlight, and compare, the impact of tourism in the absence of any interventions. The findings suggest that the contribution of tourism to the livelihoods of local communities is greater in areas where benefit-sharing interventions are being developed, although a number of institutional and social challenges remain. This chapter explores and discusses these challenges, as well as the opportunities for promoting greater equity in the tourism sector in Mozambique.

Chapter 6 moves away from the results of the empirical research and explores the wider context of benefit sharing by outlining the paramount role that policies and laws play in determining both the nature and extent of benefit sharing. Through a review of the national policy context in Mozambique, this chapter reveals that the extent of economic, social and ecological benefits derived from Mozambique's coastal resources is inextricably linked to the ability of coastal communities and other stakeholders to gain, secure and control use and access rights to these resources. The tourism and fisheries sectors are explored specifically to highlight the role of the state in owning and managing coastal resources and the importance of policies and laws in protecting the rights and livelihoods of local communities. While Mozambique has been hailed as a leader in southern Africa for its progressive laws on land rights and tenure (Jones & Murphree, 2004), the practical implementation of such laws poses challenges, which this chapter highlights. The inequitable power relations and expectations of the respective actors have an impact on implementation, as does the fact that coastal resources are guided by potentially conflicting laws in the land-based and marine sectors. Understanding the legal context and the implementation of the laws is highlighted here as being critical to understanding benefit sharing in Mozambique and beyond.

Chapter 7 synthesises the book's findings, with a view to charting new integrated, just and holistic approaches for the governance of coastal livelihoods. The findings are relevant and applicable to coastal livelihoods and resource sustainability, not only in South Africa and Mozambique but also in other developing countries. A key conclusion points to the variable nature of coastal resource benefits and the different values placed on these benefits. These are not only realised as economic opportunities, but also encapsulate broader non-monetary benefits such as the recognition of rights, the sharing of power, greater dignity, capacity development and empowerment, decreased conflict, increased food security and enhanced social cohesion. In addition, the findings show that an understanding of benefits is not complete without an understanding of losses, which are sometimes significant and have important implications in our analysis of benefit-sharing arrangements.

Combined, these findings affirm the growing number of studies (Sen, 1999; Newton, 2007; Coultard et al., 2011) that challenge conventional frameworks for understanding human well-being — frameworks that focus on money, commodities and economic growth — and point towards the need for a more nuanced and complex approach to development in general and benefit sharing in particular. The multifaceted nature of benefits, the reliance of communities on a diverse range of sectors for their livelihoods, and the inter-connectedness of benefits and losses between these sectors, further underline the importance of viewing coastal livelihoods in an integrated and holistic manner.

This chapter also presents conclusions and recommendations. One conclusion is that understanding economic and power imbalances between stakeholders, and identifying strategies to distribute more fairly benefits arising from coastal resource use, can provide an important avenue to reduce poverty and enhance the governance and sustainable use of natural resources. A number of policy recommendations are outlined, based on the need to:

- ensure that decisions are informed by the interlinking benefits and losses between sectors;
- clarify rights and facilitate access to the coast and its resources;
- support external interventions to share benefits but not rely on them to supply basic services;
- get the institutions 'right'; and
- recognise the value of both monetary and non-monetary benefits.

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Coastal communities and livelihoods in South Africa and Mozambique

chapter 2

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Histories and contexts of coastal resource use: Injustices, marginalisation and conflict

South Africa and Mozambique have been shaped by their histories of colonial oppression and, respectively, apartheid and civil war. From the nineteenth century, colonialism resulted in the exploitation of indigenous people and had a significant impact on the way in which natural resources were governed. The colonial era was characterised by a change in institutional authority that allowed the state legally to appropriate land and natural resources from local communities (Murphree & Taylor, 2009; Roe & Nelson, 2009). This centralisation of resource governance systematically led to extensive conflicts over rights to resource access and use, and resulted in the criminalisation of local harvesting and the widespread degradation of natural resources (Murphree & Taylor, 2009; Nelson, 2012). Apartheid in South Africa and three decades of war in Mozambique further displaced people and heavily impacted on the social and economic well-being of local communities (Glavovic & Boonzaier, 2007; Hanlon, 2012).

The case studies in this book all testify to this history: the forced removal of the Sokhulu and Mbonambi communities on the KwaZulu-Natal coast in South Africa to make way for plantations, and later mining; the denial of legal access to coastal resources for members of the Mankosi community in South Africa's former Transkei homeland;[1] the forced relocation of communities in Mozambique such as Gala, due to protected areas measures and security issues during the war; and the closing of access to the coast for other Mozambican communities such as Josina Machel and Conguiana in Inhambane Province.

[1] An instrument of the apartheid government, 'homelands' were designated rural areas, governed under traditional authority leadership, to which black South Africans were given obligatory citizenship (Koelble, 2005). It was only in 1994, with the commencement of South Africa's democratic government, that the homeland system was abolished and the homelands constitutionally returned to South Africa's newly demarcated provinces (Porter & Phillips-Howard, 1997).

In South Africa, historical evidence suggests that people have been harvesting coastal and marine resources for many thousands of years (Clark et al., 2002), and yet various policies and laws during the colonial and apartheid eras denied the majority of black South Africans access to and ownership of vast stretches of the coast and its resources (Hauck & Sowman, 2005). In their discussion of coastal livelihoods in South Africa, Glavovic and Boonzaier (2007: 4) emphasise the significant impact that apartheid had in denying black South Africans political power, deliberately subjecting them to forced relocation and dispossessing them of their land and access to coastal resources.

This institutionalisation of inequality and dispossession resulted in blatant disregard for local people's rights and led to significant, and sometimes violent, conflict (Kepe, 2001). In fisheries, for example, commercial and recreational fishers were the only sectors formally recognised in law, which effectively criminalised subsistence and small-scale fishing undertaken by indigenous communities (Sowman, 2006). Local people continued to harvest marine resources as an important source of food and income, but this was considered 'illegal' by the authorities and resulted in fines, arrests and extreme conflict in many areas (Hauck et al., 2002). As the Mankosi fishers explained:

> *Conservation police lived on the coast and said we were supposed to have permits to harvest resources. We needed permits not just to harvest resources but also to have access to the sea but we couldn't buy them because they were too expensive. Only white people could have access to the coast and resources … so we would harvest illegally.*
>
> (Mankosi fishers focus group, November 2009)

In addition, marine protected area legislation led to the relocation of local residents and denied them access to resources they had historically harvested (Sunde & Isaacs, 2008; Sowman et al., 2011). In Sokhulu, for example, the Maphelane Nature Reserve was established in 1984 to protect and conserve forest and marine biodiversity in the area (UNDP et al., 2003), but this resulted in the community losing access to and control of the land and coast, with subsistence fishing deemed illegal.

Similar stories abound in other sectors. For example, the apartheid government forcibly removed rural communities along the coast of northern KwaZulu-Natal from their dwellings for commercial forestry, mining and conservation purposes (Cairns, 2000; Karumbidza, 2006). The communities of Sokhulu and Mbonambi were dispossessed of their land in 1933 by commercial forest plantations and in 1976 by the introduction of mining. Both communities have since lodged land claims with the Commission on Restitution of Land Rights (Parliament, 2010). Similarly, along the coast of the former Transkei homeland, policies on conservation that were 'obsessive' about protecting nature had brutal consequences for local communities and even led to 'violent revolts against the state' (Kepe, 2001: 31).

Notwithstanding the new political dispensation in South Africa, this historical context continues to influence patterns of coastal development, by which coastal land is used for protected areas, industrial development, property estates (often for the second homes of the affluent) or recreational and tourism facilities, which are largely privately owned or owned and managed by government authorities (EEU, 2011a, 2011b).

Narratives in Mozambique are shaped equally by colonialism and the conflicts of civil war, during which indigenous people were exploited and ‘treated as subjects and subservient to the interests of the empire’ (Phiri, 2012: 239). In the early 1900s, forced labour, or *chibalo*, was instituted by the Portugese colonialists, forcing indigenous people to work on the construction of railroads and on European-owned plantations (Newitt, 1995). Women in Josina Machel explained:

> *Here, colonialism was very cruel to us; the régulos* [traditional authorities] *and cabos* [indunas] *were appointed by the whites to control and recruit the people, ensure that everyone would follow the rules and pay their taxes, and sell some of the agricultural products within the area. Sometimes the whites would come during the harvesting of cotton or cashew nuts. Our brothers, sisters and cousins were obliged to work on the cotton farms and others were forced to work on road construction. I remember that the men would come from chibalo to see their families and three days later they were forced to go again; they were beaten if they refused to go back to the farms.*
>
> (Women working in tourism, Josina Machel focus group, September 2010)

Furthermore, in the 1950s and 1960s, the colonial powers introduced a ‘hut tax’ (*imposto de palhota*) (Newitt, 1995), which kept Mozambicans in debt so that *chibalo* was easily enforced. Men were sent to South Africa to work on the gold mines and plantations, and women were employed as agricultural labourers. Non-payment of the tax or any other offence would be punished by forced labour, enforced by the traditional authority (Newitt, 1995). Forced labour ended in the 1960s, but rights remained severely restricted. Even in areas where tourism was developing, local communities were forbidden to access the coast:

> *Tourism was not for the black people, only for the white people. Black people could not bathe in the sea or they would be beaten. The only day black people could visit the beach was on the 5th of November from 9 am to 4 pm.*
>
> (Tourism focus group, Josina Machel, September 2010)

The war of liberation from 1964 to 1972 and the post-independence war from 1974 to 1992 resulted in the destruction of economic and social infrastructure in Mozambique (Hanlon, 2012). Even after independence in 1975, communities were forced to move to communal villages, which were initially created to address security concerns (Manning, 2002), but were not readily accepted by the people, who felt they were being ‘herded’ in a form of racial discrimination (Newitt, 1995). Many people who refused to move to the communal villages migrated to South Africa, Zimbabwe and other neighbouring countries, but some were violently attacked:

> *I saw my house burning, right in front of my eyes. They would not care who would be inside, they would just burn. They burnt everything, killed our animals.*
> (Gala fisher, key informant interview, May 2010)

The legacy of these historical experiences is embedded in stories of dispossession, inequality and conflict among coastal communities in South Africa and Mozambique, with repercussions continuing to this day. Indigenous and local communities with high levels of poverty, poor infrastructure and services, and growing social and income inequalities still epitomise the injustices of the past (Glavovic & Boonzaier, 2007; Phiri, 2012).

Socio-economic context

The current socio-economic context of coastal communities in South Africa and Mozambique has been shaped by the histories outlined above. Poverty can be both geographically and racially defined in South Africa, being concentrated in the coastal areas of the former homelands and informal settlements primarily populated by black people (Glavovic & Boonzaier, 2007). Economic opportunities are limited in many of South Africa's coastal communities, with some appraisals considering 55 per cent of rural fishing households 'poor' and 27 per cent 'ultra-poor' (Branch et al., 2002), and others estimating unemployment in the former homelands of the east coast at 70 per cent (Andrews & Jacobs, 2009).

Similarly, in Mozambique, one of the poorest countries in the world for more than two decades (UNDP, 2010), more than 70 per cent of the poor population resides in rural areas (IFAD, 2012). Migration to the coast was particularly acute during the civil war (1981–92), when people sought refuge and food security in a time of extreme social and economic upheaval (Menezes et al., 2011). The war exacerbated poverty, with two thirds of all Mozambicans living below the poverty line in 1996, and 38 per cent estimated to be 'ultra-poor' (Datt et al., 2000).

Although coastal zones around the world are known to be significant for providing employment, food and enhanced human well-being (Agardy et al., 2005), rural coastal communities in South Africa and Mozambique remain largely marginalised and poor (Branch et al. 2002; Hanlon, 2012). When they have access to varied natural resources, however, coastal communities adopt livelihoods characterised by diversity, engaging simultaneously in different economic activities (Allison & Ellis, 2001; Brugère et al., 2008). Livelihood diversification is a strategy often pursued by rural communities to reduce vulnerability to poverty, in order to enhance income and food security at the same time as minimising risk (Allison & Ellis, 2001). This has been well documented in the small-scale fisheries arena, for example, where fishing communities are known to be among the poorest communities in developing countries (Mills et al., 2011). Households therefore engage in fishing as an important source of protein and income (Walmsley et al., 2006), but are also active in other sectors, depending on resource availability, seasonality or opportunity (Bene & Friend, 2011; Rosendo et al., 2011). In fact, as Brugère et al. (2008: 11) explain:

> *Sole reliance on marine resources is not a characteristic of coastal economies now nor in the past. Instead, there is overwhelming archaeological evidence dating back to the Late Stone Age (Neolithic) of the contrary. Back then, coastal communities exploited marine foods in conjunction with wild and domestic plants and animals on a seasonal basis, giving rise to diverse economies supporting complex societies.*

The case study communities in South Africa and Mozambique are also characterised by such diversity, engaging in different activities to provide food or income for the household. Table 2.1 outlines some of the most important livelihood activities. The small-scale fisheries and agriculture sectors are important mainly for food consumption, but also generate basic income in most areas through local sale. In the KwaZulu-Natal case study sites (Sokhulu and Mbonambi), however, the sale of marine resources is forbidden by fisheries regulations, a restriction that is a matter of contention among fishing households. Nevertheless, both fishing and agricultural activities are considered important for food security, with communities drawing on different resources as the need arises. As one fish seller in Josina Machel, Mozambique, explained:

> *If the fishers can't find fish, we won't sell, therefore none of us will have food to put on the table. If we don't have dried fish to eat, we will get products from the fields we cultivate, just enough food to make caril* [curry] *for the family.*
>
> (Josina Machel fish seller, key informant interview, October 2010)

The harvesting of forests is also an important activity for sale and household use, often incorporating non-timber forest products into building and construction materials. Tourism activity, particularly in Mankosi and the communities in Mozambique, provides a market for marine resources, as well as agricultural and forestry products, and is considered an important source of income, even outside of employment opportunities.

> *The Backpackers Lodge provides a tourist market for us as they buy our mussels, our oysters and our fish. We are able to gain some income and without them we couldn't survive.*
>
> (Mankosi focus group with women harvesters, November 2009)

This is further illustrated in Figure 2.1, which provides an example of the economic activities taking place in the Mbonambi and Sokhulu case studies in South Africa, where the region is involved in mining, agriculture, forestry, fisheries and tourism. The extent to which households have access to these sectors is varied, however, with greater participation in small-scale and subsistence activities (such as small-scale fisheries, forestry and agriculture), as opposed to employment in formal sectors such as tourism and mining (Table 2.1).

Table 2.1

Livelihood activities identified by case study communities

	SOKHULU	MBONAMBI	MANKOSI	JOSINA MACHEL	CONGUIANA	GALA
Small-scale fisheries	Harvesting mainly line fish and mussels, mostly for subsistence	Harvesting mainly line fish and mussels, mostly for subsistence	Harvesting mainly line fish, shellfish and crayfish for both subsistence and sale	Harvesting mainly line fish for both subsistence and sale	Harvesting mainly line fish for both subsistence and sale	Harvesting mainly line fish for both subsistence and sale
% of households that participate	79%	25%	64%	94%	96%	63%
Forestry	Employment on gum plantations as well as establishing own plantations; harvesting of products from indigenous forests and grasslands for household use	Employment on gum plantations as well as establishing own plantations	Harvesting of products from indigenous forests and grasslands for household use	Harvesting of products from indigenous forests and grasslands for household use	Harvesting of products from indigenous forests and grasslands for household use	Harvesting of products from indigenous forests and grasslands for household use and sale
% of households that participate	Indigenous forest: 31% Plantation forest: 83%	Indigenous forest: 1% Plantation forest: 52%	Grassland and indigenous forest: 97%	Grassland and indigenous forest: 71%	Grassland and indigenous forest: 65%	Grassland and indigenous forest: 28%
Agriculture	Planting fruits and vegetables for household use in communal and household gardens	Planting fruits and vegetables for household use in communal and household gardens	Planting household gardens	Planting household gardens	Planting household gardens	Planting fruits and vegetables for household use in communal and household gardens; involvement in agriculture projects for tourism
% of households that participate	96%	82%	87%	91%	97%	78%
Tourism-related activities	Tourism at Maphelane Nature Reserve	n/a	Tourism at Mdumbi Backpackers	Tourism along Tofo beach	Tourism along Barra beach	Tourism at Tinti Gala Lodge
% of households that participate	<1%	n/a	44%	33%	33%	37%
Coastal mining	Employment by mining company	Employment by mining company	n/a	n/a	n/a	n/a
% of households that participate	19%	30%	n/a	n/a	n/a	n/a

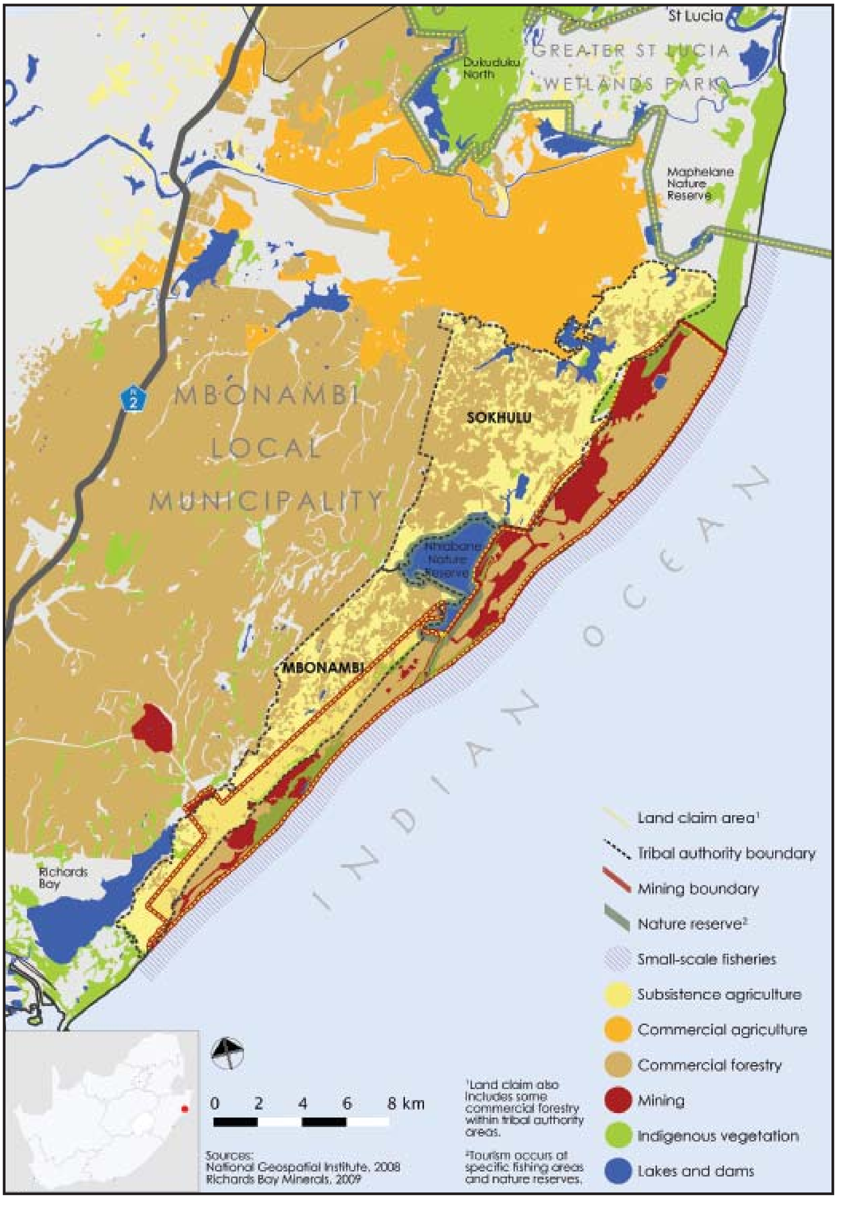

Figure 2.1

Key geographic features and economic activities in Mbonambi and Sokhulu, KwaZulu-Natal, South Africa

Rural communities in South Africa and Mozambique struggle with low education levels, high unemployment, low monthly incomes and poor access to water, sanitation and other basic services (Seekings, 2007; Hanlon, 2012). Table 2.2 highlights the demographics of the case study sites and the marginalisation of households in terms of access to income and services. For example, the South African households surveyed in Sokhulu and Mankosi did not have any running water, while the Gala community in Mozambique had neither running water nor electricity.

Table 2.2

Profile of households in case study sites

	Sokhulu	Mbonambi	Mankosi	Josina Machel	Conguiana	Gala
Estimated homesteads	540	2494	800	1514	774	36
Household monthly income[1]	<US$ 125 20%	<US$ 125 22%	<US$ 125 34%	<US$ 45 35%	<US$ 45 38%	<US$ 45 52%
	US$ 126–212 52%	US$ 126–212 30%	US$ 126–212 47%	US$ 46–90 45%	US$ 46–90 48%	US$ 46–90 17%
	US$ 213–250 16%	US$ 213–250 28%	US$ 213–250 19%	US$ 91–150 17%	US$ 91–150 11%	US$ 91–150 12%
	US$ 251–937 10%	US$ 251–937 17%	0	US$ 151–300 2%	US$ 151–300 3%	US$ 151–300 12%
	>US$ 938 2%	>US$ 938 3%	0	US$ 300–900 1%	0	US$ 300–900 7%
Per cent female-headed households	23%	31%	42%	7%	10%	26%
Average number of people per household	11	9	8	5	7	2
Main material for dwelling construction	Walls: brick and block Roof: corrugated iron		Walls: mud brick/ clay Roof: thatch	Walls: reeds Roof: corrugated iron		
Household energy source	Firewood 98% Electricity 22%	Firewood 66% Electricity 42%	Firewood 91% Paraffin 26%	Firewood 97% Electricity 46 %	Firewood 99% Electricity 47%	Firewood 94% Other 6%
Main drinking water source	Water from flowing rivers/ streams 35% Hand pumps 10%	Water from mobile municipality water truck 31% Piped public stand posts 23%	Piped public stand post 89%	Open unprotected well 34% Open but lined well 29% Piped public stand posts 26%	Open unprotected well 46% Piped public stand posts 25%	Open unprotected well 66% Groundwater 28%

[1] Different income ranges were used in South Africa and Mozambique during the data collection in the household surveys, hence the different income ranges presented in the table

Income levels are low in all the case study sites, but vary according to economic opportunities available in each area. In Sokhulu and Mbonambi, more than half of the households earn between US$126 and US$212 (Sokhulu) or US$250 (Mbonambi) per month, with only 3 per cent earning more than US$ 938. This is an area where formal jobs are available in forestry and mining, which employ between 19 per cent and 30 per cent of household members surveyed. In Mankosi, however, there are few such formal employment opportunities and therefore very low income levels: 34 per cent of households there earn less than US$ 125 per month, while 47 per cent earn between US$ 126 and US$ 212. The inadequacy of these income levels is exacerbated by the large size of households, which include up to 11 persons in the South African case study sites.

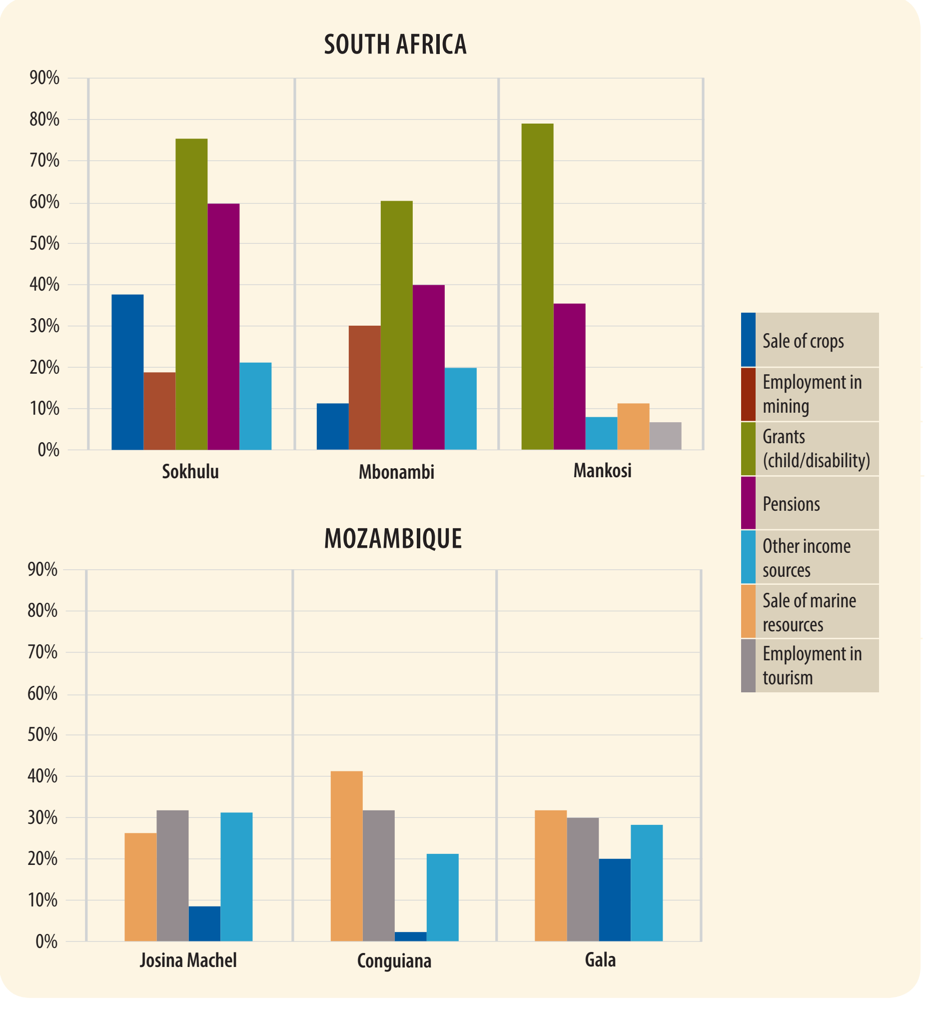

Figure 2.2

Source of household monthly income in case study sites (other income sources include temporary employment, small businesses and informal activities such as carpentry, thatch making and construction)

Similar income trends are evident in Mozambique, where, while income levels are lower, households are also smaller, ranging from two to seven persons each. In Josina Machel and Conguiana, the vast majority of households (80 per cent and 86 per cent, respectively) earn less than US$ 90 per month, while in Gala more than half earn less than US$ 45 per month, and another 17 per cent earn between US$ 46 and US$ 90.

The most significant difference between the two countries in terms of income is that the South African government provides social grants and the Mozambican government does not. These grants offer significant economic relief to households in South Africa (Glavovic & Boonzaier, 2007; Van der Berg et al., 2007), with government child and disability grants contributing to 75 per cent of households in Sokhulu, 61 per cent in Mbonambi and 79 per cent in Mankosi (Figure 2.2).

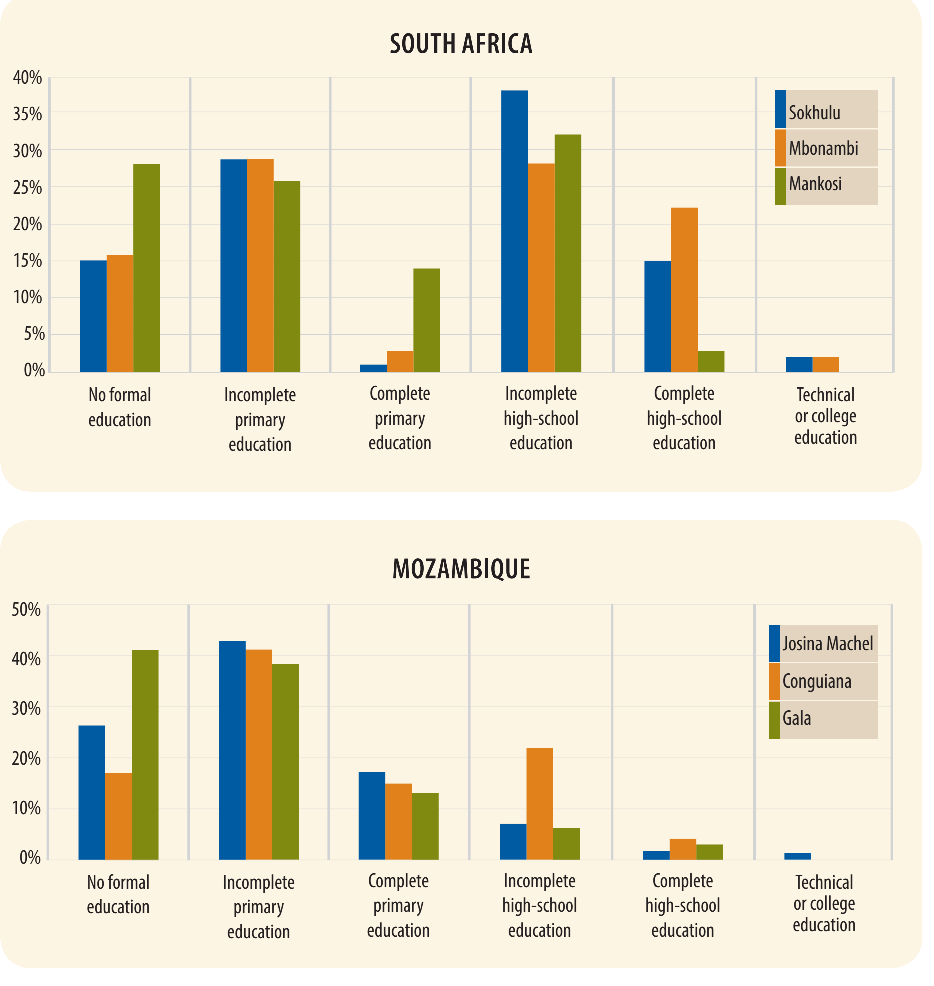

Figure 2.3

Education levels in case study sites

Low-income levels can also be attributed to incomplete education, which is common in the rural communities of South Africa and Mozambique (Bilale, 2007; Seekings, 2007). As Figure 2.3 highlights, more than a third of respondents in South Africa either had no formal education or had not completed their primary education, and the corresponding figure was even higher in Mozambique, reaching 79 per cent in Gala. Various factors contribute to these low levels, such as the fact that Gala has no secondary school, so local children have to travel to adjacent communities for further education. In addition, households may require children to contribute to their livelihoods, or the children themselves may choose to leave school in order to engage in economic activities. Participants in the tourism focus group in Josina Machel explained:

> *Kids are now leaving school to come and sell on the beach; sometimes they don't go back home because they like to hang out with foreigners. It is also a way that they can get money and free food.*
>
> (Josina Machel tourism focus group, October 2010)

Rural communities are also affected by poor service delivery (that is, water, electricity and sanitation) and the undeveloped state of infrastructure such as roads, schools, community facilities and health-care facilities (Datt et al., 2000; Seekings, 2007). In Sokhulu, there is only one clinic serving the entire community and Mankosi has no clinic at all. Road systems are poor in all the case study sites. There is no running water inside houses and electricity is scarce. Even where households have access to electricity, it is often too expensive to use, and other energy sources such as firewood are therefore preferred.

The lack of government investment and support in rural communities increases the pressure on other actors to play a developmental role at community level. This is described by Manor (1997: 3) as 'decentralisation by default', which occurs when government institutions so abjectly fail to fulfil their duties at local level that non-governmental organisations and the private sector are obliged to step in and play a developmental role (Risse, 2010). This phenomenon has been identified in all of the case study sites, largely in the form of involvement by actors in the mining, tourism, forestry and conservation sectors.

Governance

Following the signing of a peace accord in Mozambique in 1992 and the first democratic elections in South Africa in 1994, a flood of new legislation in both countries promoted equity and poverty alleviation (Johnstone & Johnstone, Chapter 6; Reitzes, 2009). This was underpinned by democratic constitutions (Mozambique, 1990a; South Africa, 1996) in an attempt to redress the inequities of the past and to promote growth and development. Both constitutions indicated that all natural resources were owned by the state, but highlighted for the first time that indigenous and customary rights to access and use these resources would be recognised (Glazewski, 1999; Norfolk, 2004).

In South Africa, the post-apartheid coastal zone policy and legislation (CMPP, 2000; South Africa, 2008) was geared towards a pro-poor integrated coastal management approach, promoting 'the pivotal role that coastal resources can play in addressing poverty and transforming South African society and the economy' (Glavovic & Boonzaier, 2007: 5). This dovetailed broadly with other policy and legal developments, and within specific sectors (such as water, forestry, fisheries and minerals) that recognised the need for economic growth, equitable access to resources, decentralisation, participation and partnerships between resource users and the government (ANC, 1994; South Africa, 1998b, 1998c, 1998d, 2002, 2008; Reitzes, 2009). In fisheries, for example, the new democratic government promised 'the upliftment of impoverished coastal communities through improved access to marine resources' (ANC, 1994: 104). In mining, the government asserted the need to prioritise black economic empowerment, employment equity and rural development (DMR, 2009). In the water and forestry sectors, participatory processes and institutions required the involvement of user groups in all aspects of resource management and decision-making (South Africa, 1998d, 1998e).

In Mozambique, similar principles prescribed in policy and law promote the rights of indigenous groups to access and use natural resources, decentralise systems of governance, establish participatory processes with local resource users and communities, and promote economic development and poverty alleviation (Norfolk, 2004). In particular, the Land Law (Mozambique, 1997a) was instrumental in securing use and access rights to coastal resources and determining how benefits could be derived (Johnstone & Johnstone, Chapter 6). As Jones and Murphree (2004: 85) argue, 'Mozambique has leapfrogged most other countries in the region with its land policy and legislation', addressing issues of land rights, access to resources and tenure. The Forestry and Wildlife Law (Mozambique, 1999) has also been recognised for its importance in promoting the involvement of communities in natural-resource management, as have the Environment Law (Mozambique, 1997b), the Fishery Law (Mozambique, 1990b) and the Tourism Law (Mozambique, 2004). Supportive policies have also been put in place, such as Mozambique's Poverty Reduction Action Plan (Mozambique, 2011), which emphasises the importance of social and cultural issues, the distribution of benefits from natural resources to local communities, and the importance of coastal assets to poverty reduction and economic growth.

However, while there has been significant policy and legal reform in both countries, effective implementation on the ground has been problematic and remains plagued by a host of challenges. One such challenge is the range of organisations and institutions that span coastal sectors and affect coastal livelihood opportunities, including government agencies, NGOs, private-sector companies, community-based groups and traditional leaders (Norfolk, 2004; Glavovic & Boonzaier, 2007). This has led to confusion, as the roles and responsibilities of the different actors are not clearly defined, and to conflict because of competing objectives and interests, which has hindered community processes and benefits (Glavovic & Boonzaier, 2007; Johnstone & Johnstone, Chapter 6). The difficulties are exacerbated by the roles of actors at different levels, including national, provincial and local institutions, which are also governed by sometimes competing policies and laws. Table 2.3 highlights some of the institutions involved at different levels in coastal resource use and management in KwaZulu-Natal, South Africa. There is a similar diversity of structures in Mozambique, and despite decentralisation legislation (Mozambique, 1996), many provincial and local-level government institutions are weak (Norfolk, 2004).

Table 2.3

Institutions involved in coastal resource use and management in Sokhulu and Mbonambi

	ACTORS	RESOURCE USE OR MANAGEMENT MANDATE	ROLES OF ACTORS
Fisheries sector: Sokhulu and Mbonambi	National: Fisheries Branch, Department of Agriculture, Forestry and Fisheries	Marine resources	Responsible for managing access to and use of marine resources
	Provincial: Ezemvelo KZN Wildlife	Coastal resources: marine and terrestrial	Responsible for resource conservation and managing subsistence fisheries
	Local: co-management committees (Ezemvelo KZN Wildlife and community representatives)	Marine resources	Co-manage use of subsistence resources
Mining sector: Sokhulu and Mbonambi	National: Department of Mineral Resources	Mineral resources	Responsible for managing mineral resources
	Local mining company: Richards Bay Minerals	Titanium	Holds rights to mine titanium along specific areas of the coast
	Local: corporate social responsibility committees and broad-based black economic empowerment trusts	Richards Bay Minerals, community representatives	Distribute benefits from Richards Bay Minerals' interventions to wider communities
Forestry sector: Sokhulu and Mbonambi	National: Department of Agriculture, Forestry and Fisheries	National forests	Responsible for managing forest resources
	Provincial and local: Department of Agriculture, Forestry and Fisheries	Indigenous and commercial forests	Responsible for managing indigenous and commercial forests
	Forestry companies: Mondi, Sappi, Siyaqhubeka	Commercial forests	Leaseholders of commercial forestry land
Conservation and tourism sectors: Sokhulu	National: Department of Environmental Affairs	Biodiversity and protected areas	Responsible for ensuring conservation and sustainable use of biodiversity in South Africa
	Provincial: Ezemvelo KZN Wildlife	Coastal resources: marine and terrestrial	Managing the conservation of coastal resources and protected areas
	iSimangaliso Authority	iSimangaliso Wetland Park, including Maphelane Nature Reserve	Managing various activities in areas falling under iSimangaliso

Related to this issue of multiple actors is the specific conflict that has emerged between traditional leaders and democratically elected structures in rural communities in both South Africa and Mozambique. The presence of traditional authority leadership and the inability of governments to clarify their role at local level have detrimentally affected people's access to resources and the equitable distribution of benefits. With weak national government support for locally elected democratic structures, Koelble (2005: 9) argues that opportunities arise for 'traditional leaders to re-affirm their cultural, social, economic and ultimately political power in all sorts of manners'. Thus, examples of corruption and elite capture of benefits are prevalent in rural communities throughout Africa (Roe et al., 2009).

In South Africa, traditional authorities used to have a significant institutional impact in former homeland areas, including the case study sites (Koelble, 2005). During the apartheid era, traditional authorities in South Africa were given land administration roles and had uncontested powers in rural areas, but were unaccountable and undemocratic (Ntsebeza, 2002). The new democratic South African government, on the other hand, has made efforts to decentralise local government, land ownership and administrative powers to local-level institutions that are accountable to the public. The Municipal Structures Act (South Africa, 1998a) and the Municipal Systems Act (South Africa, 2000) were developed by the post-apartheid government in order to dissolve traditional authority powers in rural areas under a democratic dispensation (Koelble, 2005).

Although these laws have been critical in promoting democratic decentralisation in rural South Africa, the government has undermined its own efforts by simultaneously uplifting traditional authority power, instead of weakening it, through the Communal Land Rights Act (South Africa, 2004) and the National House of Traditional Leaders Act (South Africa, 2009), which give traditional leaders administrative powers at both provincial and local levels (Ntsebeza, 2002; Koeble, 2005). This came about because the democratic South African government recognised traditional authorities as being prime customary institutions in rural areas, and has since been ambiguous about clarifying their roles, functions and powers in the local government sphere. Some would argue that this anomaly has been exacerbated by the government's encouragement of traditional authorities to maintain power at local level, as during the apartheid era (Ntsebeza, 2002). An Eastern Cape provincial government official described the local impact as follows:

> *Benefits are not yet reaching everyone in the community because the local institutional structures for benefit sharing are flawed. For instance, in Mankosi, there is a power struggle between the community trust* [whose members were democratically elected] *and the headman* [the traditional authority] *over money for development, and this delays any other development processes under way for the community's benefit, because whoever has to deposit money on the community's account gets confused as to whom to give it to.*
>
> (Official in provincial Department of Rural Development and Land Reform, key informant interview, May 2010)

The history of dual governance in rural Mozambique has similar elements. One can trace the prevalence of traditional authorities in Mozambique from the period of occupation by the Portuguese before and after colonisation (1498–1884) (West & Kloeck-Jenson, 1999; Cau, 2004). Just like the apartheid government in South Africa, the colonial government in Mozambique used traditional authorities as land administrators in rural areas. This limited the exercise of democracy because traditional authorities, which were enthroned through processes based on heredity and patriarchy, dictated land allocation and governance (Cau, 2004).

After independence in 1975, however, the new democratic government of Mozambique, led by the *Frente de Libertaçao de Moçambique* (FRELIMO), abolished the privileges and powers of traditional authorities on the grounds that traditional authorities in Mozambique had been oppressors of rural communities, cooperating with the colonial government in non-democratic forms of rule (Cau, 2004). FRELIMO then instituted democratically elected administrative structures in rural communities in order to promote democracy at local level (Lundin, 1994; West & Kloeck-Jenson, 1999; Cau, 2004).

However, international pressure to promote decentralisation persuaded the Mozambican government to reinstate the administrative powers of traditional authorities, as they were still influential in many rural communities (Abrahamsson & Nilsson, 1995; West, 1998; Cau, 2004). Thus the postcolonial Mozambican government recognised traditional authorities as legitimate institutions for rural administration through Decree 15/2000 (West & Kloeck-Jenson, 1999; Cau, 2004). As a result, people came to be governed by secretaries of neighbourhoods, representing democratic structures, and, at the same time, by traditional authorities, all of which has contributed to confusion and a lack of accountability at local level (Cau, 2004; Johnstone & Johnstone, Chapter 6).

Conclusion

This chapter has described the histories and context of coastal resource use, locating the case studies within the wider political and economic milieu of the region, and the legacy of deep inequality and dispossession. It is a history that has not only shaped the way in which coastal resources are used today, but also played a central role in maintaining the high levels of poverty found in rural coastal communities in South Africa and Mozambique.

The case study sites are typical of such communities, with people suffering from poor basic service delivery, few economic opportunities and low education levels (Norfolk, 2004; Seekings, 2007). Coastal communities remain dependent on a portfolio of diverse livelihoods to supplement their incomes and to secure access to food, employment and money. Many of these opportunities are linked to the use of natural resources, often at different times of the year. Inequalities remain rife, however, and local communities continue to be marginalised (Terreblanche, 2002; Hanlon, 2012). In Mozambique, for example, Hanlon (2012: 90) argues that in fact ‘the non-poor [are] becoming better off, but the poorer [are] becoming poorer’, with poverty particularly acute in rural areas. Similar sentiments have been expressed in South Africa (Van der Berg et al., 2007; Reitzes et al., 2009). This is directly related to the insecure tenure of land and resources, conflicts between different stakeholder groups and the repercussions of a history shaped by colonialisation, war and apartheid. Coupled with poor government interventions in rural areas, this has led to the ongoing marginalisation and fragile livelihoods of coastal communities.

Despite ongoing efforts to reform policy and law in favour of the poor, implementation remains hampered by the multiplicity of actors involved in coastal management, conflicts between and within traditional leadership and democratically elected local government, and a lack of accountability and transparency within governance structures. These tensions are well illustrated in the following three chapters through analysis of the specific sectors of fisheries, mining and tourism, and the challenges they face in achieving equitable benefit sharing.

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Enhancing benefits to small-scale fishers along the east coast of South Africa

chapter 3

Maria Hauck, Philile Mbatha and Serge Raemaekers

Introduction

Small-scale fisheries are a key sector contributing to poverty alleviation and food security in developing countries (Béné, 2006). Small-scale fisheries have not been universally defined, but generally embrace the terms 'subsistence', 'traditional' and 'artisanal' (Sowman, 2006; Schumann & Macinko, 2007). This sector has been defined and debated in the South African context (Branch, et al., 2002a), with a growing understanding of the need to define small-scale fishers along a continuum that extends from subsistence to small-scale commercial (Sowman, 2011). It is the latter definition that was adopted for the purpose of this study. Fishers are therefore defined not only by the type of resources they harvest, but also by their harvesting practices and post-harvest activities, which are dynamic and change over time.

Although each context is different, small-scale fisheries can be broadly characterised as employing labour-intensive methods to exploit marine resources by operating from shore or from small fishing vessels, ranging from full time to occasional activity (Bavinck, 2005; FAO, 2005). Despite the significant contribution that small-scale fisheries make to the food, income and livelihoods of coastal communities, this is a sector that has historically been marginalised around the world (Berkes et al., 2001). As a result, there is increasing international support for exploring new governance arrangements that protect and promote the needs and rights of small-scale fishers (McClanahan & Castilla, 2007; Pomeroy & Andrew, 2011). For example, fisheries institutions that aim to enhance benefits to local fishers are shifting towards decentralised and context-specific management practices that facilitate the implementation of policies and take account of poverty and food security (Jentoft et al., 2010).

Along the coast of South Africa, marine resources play a significant role in supporting the livelihoods of marginalised rural communities, particularly in areas of extreme poverty (Hersoug & Holm, 2000; Branch, et al., 2002b). Rural inhabitants of the east coast of South Africa, which includes the provinces of the Eastern Cape and KwaZulu-Natal, have relied on small-scale fishing as a source of food for hundreds of years (Feely, 1987; Hockey et al., 1988; Lasiak, 1992). While cropping and cattle farming are often the main livelihood activities in these rural areas, members of many households harvest marine resources for extra food.

Fisheries on the east coast of South Africa, however, differ significantly from fisheries on the west coast, a difference largely attributed to biodiversity and resource abundance (Branch & Clark, 2006). The west coast is bathed by the cold Benguela Current, derived from the periodic upwelling of cold bottom water as it flows northwards along the coast. The upwelled water is rich in nutrients that result in high biological productivity, with relatively few species but a great abundance of fish and rock lobster. It is in this region that most of South Africa's large commercial fisheries have developed (Branch & Clark, 2006). On the east coast, the Agulhas Current flows southwards from the tropical waters off Mozambique. It has relatively low nutrient levels, so there is much less biomass than on the west coast, but many more species.

From a community perspective, fishing activities on the east coast originally operated under customary governance arrangements that managed access to community members (Raemaekers, 2009; Sunde et al., 2011). With the advent of tourism, including the establishment of holiday resorts in the twentieth century and an increased number of holidaymakers, the commercial value of local marine resources became apparent. Since the 1950s, people from traditional rural communities, specifically in the Eastern Cape, have been selling resources such as line fish, rock lobster and oysters to local — and, more recently, even national and international — markets (Fielding et al., 1994; Raemaekers, 2009). Nevertheless, these activities are still considered small-scale, and no large-scale boat-based fishing activities take place along the Eastern Cape coast. In KwaZulu-Natal, there are commercial prawn fisheries operating from the ports of Durban and Richards Bay, but most rural coastal inhabitants engage only in small-scale fisheries activities, largely harvesting intertidal resources (Cockroft et al., 2002), depending on availability and cultural preference. In comparison with South Africa's west coast, therefore, resource characteristics and low productivity on the east coast have contributed to the type of fisheries in place, and coastal communities have not been able to derive the same economic benefits from fishing activities.

Current fisheries activities have also been significantly affected by the laws of the past. The colonial and apartheid eras in South Africa were marked by pervasive racial and social inequalities that denied black citizens access to, use of and ownership of natural resources along the coast (Hauck & Sowman, 2005; Glavovic & Boonzaier, 2007). For decades under the apartheid government, fisheries policy and legislation focused on the recreational and/or large-scale commercial fisheries, while criminalising the activities of small-scale fishers (Hauck & Sowman, 2005). In the Eastern Cape and KwaZulu-Natal, rural communities continued to harvest resources despite their traditional livelihood practices being deemed illegal by the authorities (Hauck et al., 2002). However, new fisheries laws and policies implemented since 1998 began to redress these access inequities, and new governance arrangements have been implemented to facilitate greater benefit sharing within local fishing communities. The first democratic fisheries law, the Marine Living Resources Act (South Africa, 1998), explicitly promoted equity as a key objective of new fisheries laws and policies, while recognising the need to pursue it within the sustainable limits of resources (Witbooi, 2006).

New legislation provided an impetus for novel approaches to small-scale fisheries governance in South Africa and contributed to a variety of initiatives in local communities to enhance benefits to this previously marginalised sector. Some of these benefit-sharing interventions will be described in this chapter. Taken together, they illustrate important links between the fisheries and tourism sectors, highlight the critical role of participatory co-management arrangements and demonstrate that small-scale fisheries cannot be understood in isolation of broader livelihood strategies.

Extensive fieldwork undertaken to inform this study during 2010 and 2011 included 270 household surveys, 23 focus group discussions (involving 241 participants) and 30 key informant interviews in three case study communities.[1] Three communities were selected, two in KwaZulu-Natal and one in the Eastern Cape, to highlight examples of benefit sharing undertaken by different actors and governed by different institutional arrangements. The study aimed to explore benefit-sharing interventions and assess their outcomes, particularly the benefits and losses as perceived by rural community members and fishers. The chapter ends with recommendations and key lessons for enhancing benefit sharing in the small-scale fisheries sector through a modified fisheries governance framework.

[1] More detailed information on the methods used can be found in Wynberg et al. Appendix. All of the findings discussed in this chapter were derived through these methods and can be found in more detail in Mbatha (2011).

Case studies: Background and context

The three case study communities identified were Sokhulu and Mbonambi in KwaZulu-Natal and Mankosi in the Eastern Cape (Figure 3.1).

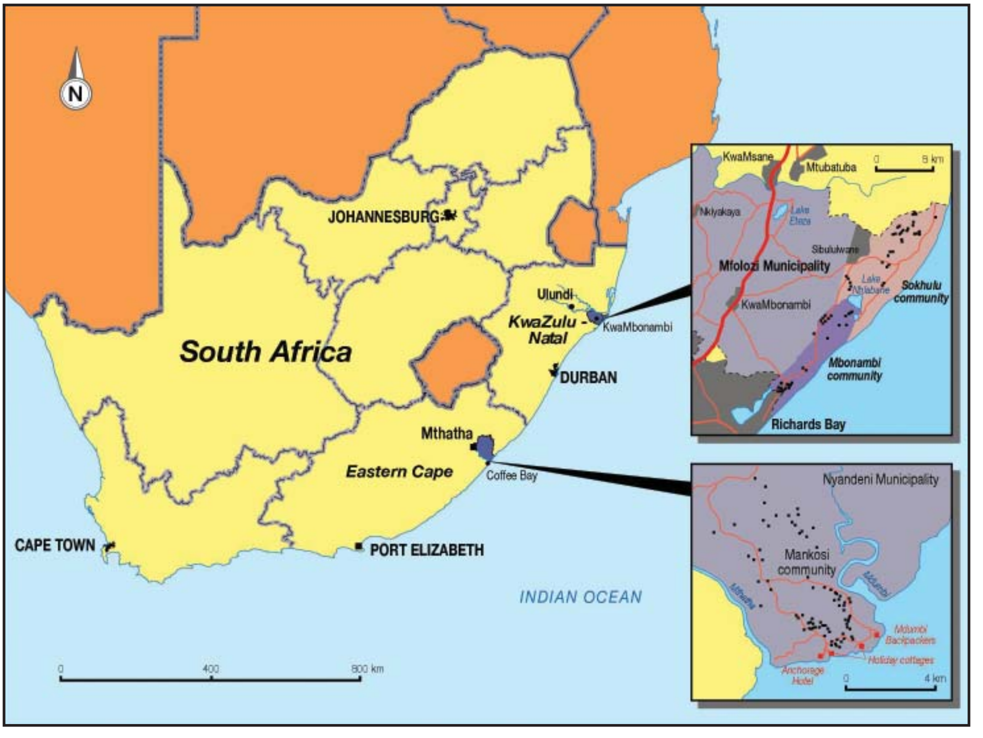

Figure 3.1

Location of case study communities (black dots indicate location of household surveys)

These communities have a long history of harvesting marine resources, largely for food but also for basic income (Branch et al., 2002b). As noted in several focus group meetings, traditional harvesting practices include individuals targeting a 'basket' of resources (that is, more than one species). In Sokhulu and Mbonambi this includes mussels, line fish, rock lobster and crab, and in Mankosi it includes mainly mussels, line fish, rock lobster, oysters and octopus. Fishers[2] include women, who largely harvest the intertidal resources, and men, who tend to target the line fish and lobster, the latter harvested from shore or by free-diving. In all three communities, both old and young harvest marine resources, a practice that allows fishing traditions to be passed down from one generation to the next. Table 3.1 presents a socio-economic profile of fishers in each of the case study sites, highlighting their economic fragility and the importance of marine resource use.

[2] This chapter uses the term 'fishers' to refer to all people who harvest marine resources, irrespective of gender, including those commonly known on the east coast as intertidal harvesters, line-fishers and lobster divers.

Table 3.1

Summary profile of fishers in Sokhulu, Mbonambi and Mankosi (based on household surveys)

		SOKHULU (n=38)	MBONAMBI (n=36)	MANKOSI (n=51)
Gender breakdown		Females: 74% Males: 26%	Females: 61% Males: 39%	Females: 76% Males: 24%
% Fishers in the community		79%	27%	64%
Monthly household income	<US$ 125	16%	17%	37%
	US$ 126–$ 213	55%	33%	47%
	US$ 214–$ 375	13%	30%	10%
	US$ 376–$ 938	13%	8%	0
	>US$ 938	3%	3%	0
Education level	No formal education	13%	11%	22%
	Incomplete primary school education	34%	30%	33%
	Incomplete high school education	34%	39%	31%
	Complete high school education	16%	14%	4%
	Tertiary/College education	3%	3%	0
% Fishers who are household heads		Females: 29% Males: 13%	Females: 19% Males: 14%	Females: 25% Males: 18%

In Sokhulu and Mankosi, where 79 per cent and 64 per cent of respondents, respectively, harvest marine resources to support their livelihoods, there are few economic opportunities, households are large[3] and the vast majority of these households live on less than US$214[4] per month (71 per cent in Sokhulu and 84 per cent in Mankosi). In Mbonambi, where half of the fisher households earn less than US$214 per month, some household members have employment opportunities due to the presence of a mining company in the area and the location of some villages close to the urban centre of Richards Bay. Although the mining company has recently moved into the Sokhulu area, both Sokhulu and Mankosi are more geographically isolated.

Each community represents trends identified in other small-scale fishing communities along the east coast: high levels of poverty, high unemployment rates, poor basic service delivery and low levels of education (Branch et al., 2002b; Calvo-Ugarteburu & Raemaekers, 2008; Raemaekers, 2009). For example, 47 per cent of fishers in Sokhulu, 41 per cent in Mbonambi and 55 per cent in Mankosi have either had

[3] On average, there are approximately 11 people per household in Sokhulu and nine people per household in Mbonambi and Mankosi.

[4] This chapter uses an exchange rate of eight South African rand to one US dollar.

no formal schooling at all or have not completed primary school. This is attributed to the poor availability of education services in these areas and has an impact on training and employment opportunities. Many of the fishers in the household survey indicated that they were household heads (42 per cent in Sokhulu, 33 per cent in Mbonambi and 43 per cent in Mankosi), highlighting their reliance on marine resources for sustenance, which was also emphasised in focus group discussions. Many of these fishers are also involved in agriculture, while some residents of Sokhulu and Mbonambi work in the mining and commercial forestry sectors.

The mining company's social-responsibility programmes support some basic services in Sokhulu and Mbonambi, such as road maintenance, and assistance with schools and clinics. A NGO[5] in Mankosi involved in a community-based backpackers' lodge provides a similar role through health, education and skills training and support.

Local circumstances have also been influenced by historical policies and laws, as well as government and private-sector initiatives that have economically marginalised these communities by limiting local access to resources (Cairns, 2000; Walker, 2005). For example, the introduction of commercial forest plantations in 1933 by the national government (mostly eucalyptus) and, since 1976, by mining companies (mostly casuarinas), resulted in land dispossession of many people in Sokhulu and Mbonambi, respectively, (Cairns, 2000; Walker, 2005). As focus group discussions confirmed, this resulted in the communities losing not only land but also access to coastal resources. The establishment of a protected area adjacent to Sokhulu in 1984 exacerbated this deprivation, because it prohibited subsistence access to the forests and marine resources (UNDP et al., 2003).

Similarly, the effects of apartheid policies intensified in Mankosi after Transkei independence[6] in 1976, as the state began buying out white businesses in the region that provided a market for fishers in the community. At the same time, a coastal law enforcement policy was introduced in the form of the Transkei Coastal Development Control Plan (Rosmarin et al., 1979), which monitored fishing activity more closely and required local people to obtain recreational permits in order to harvest marine resources — permits which most could not afford. Access to the coast was further limited in the 1990s by the Transkei Environmental Conservation Decree (Republic of Transkei, 1992), which prohibited the establishment of local settlements within two kilometres of the high-water mark. All Mankosi residents in this area — with the exception of outsiders owning holiday cottages — were removed by government law enforcers.

This history of marginalisation, which was discussed at length in many of the focus groups, coupled with ongoing poverty, has left household livelihoods in these communities in a vulnerable state and has highlighted the importance of marine harvesting to provide fishers and their families with food and other basic needs.

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[5] In this context 'NGO' refers to any non-state, not-for-profit organisation.

[6] The Transkei was one of the three largest government-proclaimed 'homelands' in South Africa. In 1913, the colonial government set apart the Transkei area as a native reserve for Xhosa-speaking people, and in 1976, under the apartheid government, it became an 'independent' homeland. It was only in 1994, with the commencement of South Africa's democratic government, that the homeland system was abolished and the Transkei constitutionally returned to South Africa as part of the Eastern Cape province (Porter & Phillips-Howard, 1997).

Enhancing fishers' benefits

Following the transition to a democratic dispensation in South Africa and, in 1988, the promulgation of new fisheries legislation that promoted broader and more equitable access to marine resources, various initiatives were implemented to formally recognise small-scale fishers and manage resources more sustainably. Although the fisheries sector is a national competence, as set out in the Constitution of South Africa (South Africa, 1996), laws and policies were not implemented the same way in every province. Whereas responsibility for small-scale fisheries management was devolved to the provincial conservation agency in KwaZulu-Natal, this was not the case in the Eastern Cape, where management remained centralised. In the Eastern Cape, however, there were opportunities for commercialisation and economic development in fisheries, and actors outside of government became increasingly interested in the sector.

This study highlights a range of benefit-sharing interventions that have been introduced to enhance benefits to local fishers. These interventions vary considerably, depending on their objectives and the extent to which benefits are maximised (see Wynberg & Hauck, Chapter 1). Three key actors that have established linkages and partnerships with the communities are the state, the private sector and NGOs. They have initiated benefit-sharing interventions in both the fisheries and tourism sectors, including fisheries co-management arrangements, livelihood projects, a commercial market for rock lobster and interaction between the tourism and fisheries markets to promote local development and empowerment. Table 3.2 summarises these benefit-sharing interventions and the actors driving them, with more detailed discussion below.

Table 3.2

State, private and NGO-driven interventions for enhancing benefits to fishers

	STATE INTERVENTIONS	PRIVATE SECTOR INTERVENTIONS	NGO INTERVENTIONS
Fisheries	Co-management arrangements Livelihood projects	Licensed lobster buyer	Tourism market
Tourism			Mdumbi Backpackers Livelihood projects

Co-management arrangements

'Fisheries co-management' is defined as a partnership between government, resource users and other relevant stakeholders to jointly manage a fishery (Jentoft, 1989). It is argued that co-management can maximise the benefits from small-scale fisheries to poor fishing communities through management strategies that are context-specific and can meet the needs of the community (Dey & Kanagaratnam, 2008). However, co-management represents a continuum that ranges from high levels of government control and decision-making to high levels of fisher control and decision-making. The degree of co-management depends on local contexts and capacities, as well as political interests (Berkes et al., 2001). In South Africa, following the promulgation of the Marine Living Resources Act (South Africa, 1998), fisheries co-management was recommended as a promising management strategy for small-scale fishers, in particular to formalise the sector and allocate use rights (Harris et al., 2002).

However, co-management was implemented very differently in these provinces. In KwaZulu-Natal, the conservation authority, Ezemvelo KZN Wildlife (Ezemvelo), was contractually mandated by the national government in 2000 to implement co-management arrangements in small-scale fishing communities in the province (Harris

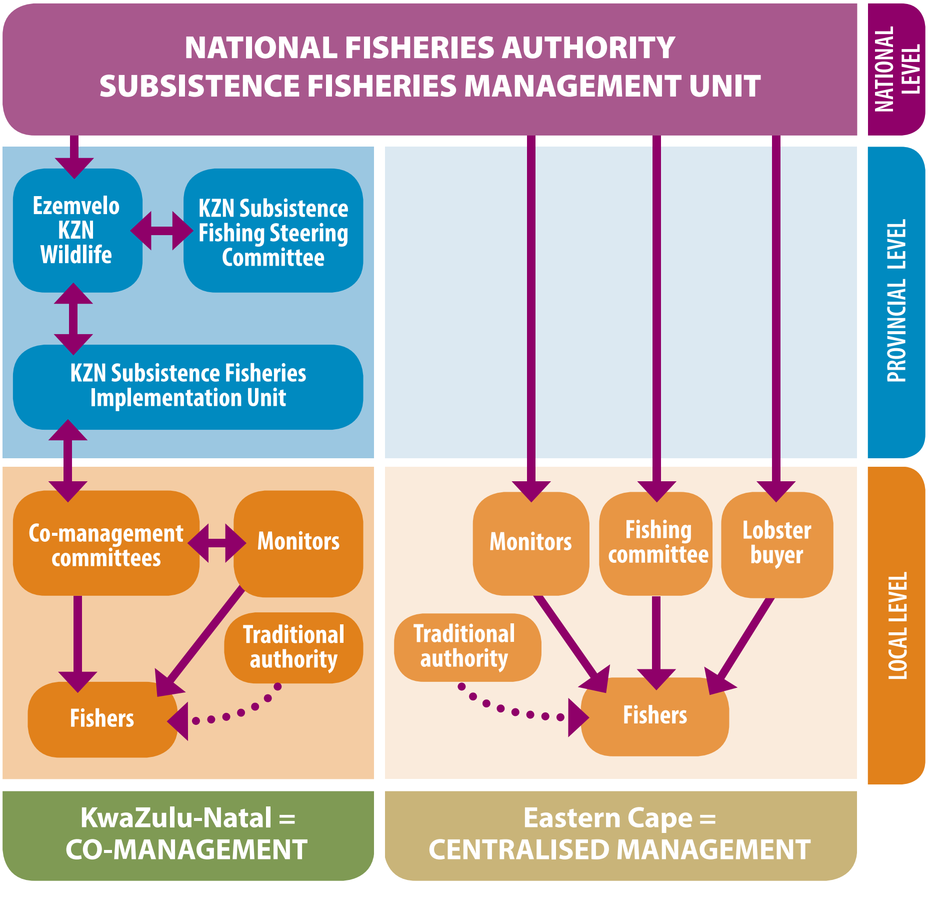


Figure 3.2

The formal institutional arrangement for small-scale fisheries management in KwaZulu-Natal and the Eastern Cape in 2011. (In both provinces traditional authorities oversee all activities taking place in all sectors of a community, but in the case study communities specifically, they have had limited involvement in the fisheries sector.)

et al., 2007). The national fisheries authority devolved to the provincial level specific management functions that were then funded cooperatively by both national and provincial authorities. In the Eastern Cape, however, although local fishing committees were established, management decision-making remained at national level (Figure 3.2). In 2002, independent consultants were appointed in this province to identify fishers and establish management procedures for allocating permits to small-scale fishers.

A key driver in the implementation of co-management in both provinces was the legal mandate, through the Marine Living Resources Act (South Africa, 1998), to formalise and regulate small-scale fishing activities. In addition, co-management was initiated in KwaZulu-Natal as an intervention to address resource over-exploitation and minimise ongoing conflict between fishers and conservation law enforcement (Harris et al., 2003). In the Eastern Cape, on the other hand, with its lack of government capacity, the establishment of local fishing committees was also seen as a strategy to build partnerships with fishers and other stakeholders that could enhance marketing channels and provide local development opportunities. Thus the objectives of the various actors were different from the outset, and while KwaZulu-Natal developed a provincially based co-management implementation plan (Ezemvelo, 2001), no such co-management strategy was developed, or implemented, in the Eastern Cape (Sowman, 2006).

In KwaZulu-Natal, a multi-tiered institutional structure was developed at different levels to promote co-management between national and provincial government departments and between Ezemvelo and community fishers. Programme managers, data analysts and extension officers in Ezemvelo were responsible for support to and ongoing liaison with co-management committees and appointed community catch monitors. Elected joint committees comprising Ezemvelo conservation officers and community fishers were formed to implement the co-management arrangement. A variety of activities, including training and capacity development, were undertaken to promote joint decision-making. While the national fisheries authority issues the fishing permits,[7] the co-management committee jointly agrees on the harvesting system and the harvesting zones, the resource quotas and the criteria for permit allocation, and its members participate jointly in research and resource monitoring (Harris et al., 2003; Ezemvelo, 2010).

These arrangements led to the allocation, for the first time in South Africa, of fishing permits for line fish and intertidal resources, with a particular focus on legalising fishing practices rather than relying on fishing 'as a solution to unemployment and poverty' (Harris et al., 2007: 126). The rationale for this was that existing fishing activities should be recognised and formalised within the limits of resource sustainability.

[7] The term 'permit' is loosely defined here as a legal authorisation for an individual to harvest specific resources. As of 2011, in accordance with the Marine Living Resources Act (South Africa, 1998), only renewable (annual) subsistence fishing permits have been issued, primarily because the national government has not approved an allocation policy. While policies are being negotiated, the government minister responsible for fisheries has allocated 'exemption permits' allowing the harvesting of resources in KwaZulu-Natal and the Eastern Cape (Sowman, 2006). These need to be reviewed and allocated annually, and therefore do not constitute a long-term 'right' and do not provide secure tenure. For the purpose of this chapter, however, the term 'permit' will be used to indicate formal permission for a fisher to harvest resources under certain conditions.

While Ezemvelo acknowledged that it was necessary to promote alternative livelihood options for fishers, this was considered a ‘challenge’ (Harris et al., 2007: 126) and not an initial focus of the co-management arrangement. Furthermore, while there were other small-scale fisheries in KwaZulu-Natal, significant effort was put into formalising the harvesting of ‘subsistence resources’, which Ezemvelo considered too small to support commercial exploitation and scientists identified as largely of low cash value, easily accessible, harvested with low-technology gear and ecologically sustainable (Cockroft et al., 2002).

KwaZulu-Natal’s co-management policy, implemented from 2001, led to the establishment of 43 democratically elected co-management structures for different fishery groups in 19 communities, which received permits, developed management plans and monitored fishing activities for newly formalised small-scale fisheries (Harris et al., 2007). In Sokhulu, mussel and line-fish co-management committees were established in 1995 and 2004, respectively, and in Mbonambi a line-fish committee was set up in 1996. A mussel committee was initiated in Mbonambi in 2011 after Ezemvelo acknowledged that historically there had been mussel harvesting in this community. Previously, the authorities had also been concerned that the mussel resource in this area was too small. All permits that are allocated stipulate fishing rules such as catch sizes, closed seasons and bag limits, which are decided by the co-management committee after annual stock surveys have been conducted by the community monitors, analysed by Ezemvelo’s ecologists and then reported to the committees. In addition, the main focus of the co-management policy in the case study sites was on ‘subsistence’ harvesting, highlighting the fact that these activities were to be conducted mainly for food and not for the purpose of sale (Harris et al., 2007).

In the Eastern Cape, co-management activities remained highly centralised, the main priority being permit allocations. Personnel from the national Subsistence Fisheries Management Unit, established in 2001, and appointed consultants, held meetings in identified fishing communities in order to elect fisher representatives to establish local fishing committees. These committees were tasked with helping extension officers compile and verify the lists of fishers who could potentially qualify for permits. The aim was to transform these fisher committees into co-management committees once sufficient local and government capacity had been achieved. However, this did not materialise during the course of the study. Instead, the fisheries authority used the fisher committees as mechanisms to communicate with the fishers and implement management decisions (Raemaekers, 2009).

Permits were first issued in the Eastern Cape in 2001, and since then annual permits have been allocated for both low-value resources (mussels and other intertidal resources) and high-value resources (such as rock lobster). In contrast to KwaZulu-Natal’s Ezemvelo, the national fisheries authority aimed to promote economic development in the Eastern Cape by encouraging small business development and promoting marketing channels for high-value resources such as rock lobster and oysters (Raemaekers, 2009). Individual permits were allocated for different resources, but this did not necessarily recognise the existing harvesting strategies of many fishers, who harvested a range of resources that included both high- and low-value species (Raemaekers, 2009). Externally imposed criteria for allocating permits, coupled with cumbersome annual application procedures, led to numerous challenges throughout the province. For example, as Raemaekers (2009) explains, though over 6 800 fishing permits were allocated in 2007, many small-scale fishers had not yet received formal rights to harvest resources that formed an important part of their livelihood. Thus, while the government was encouraging small business development and markets, weak local institutions hindered effective implementation.

The fishing committee in Mankosi was established in 2004. Although it does not have significant decision-making powers, it is responsible for agreeing on and identifying the local catch monitors and lobster buyer, and entering into negotiations with different buyers before voting on its preference. Thus the fishing committee facilitates a relationship between the community and the commercial buyer, but it lacks the additional skills, knowledge and capacity it needs to engage with the government on management decision-making.

In both provinces the process of engaging with fishers and initiating local community structures provided a mechanism to allocate harvesting permits and to begin to recognise traditional fishing practices. While these permits have been allocated in both KwaZulu-Natal and the Eastern Cape, participatory decision-making is more active in KwaZulu-Natal's co-management arrangements. However, the objectives of co-management in KwaZulu-Natal, which focus largely on regulating the use of subsistence resources, have shaped the opportunities for fishers within a more rigid conservation framework, which has limited the potential for broader livelihood support.

Livelihood projects

In KwaZulu-Natal, although it was recognised that alternative livelihoods should be encouraged, this was not a key focus of the co-management intervention. However, two specific initiatives were identified by the fishers as being important in terms of income generation. One was the employment of resource monitors from the community, who were appointed by the co-management committee to gather data and monitor harvesting activities. As Harris et al. (2003: 71) explain, this offered employment as well as skills training, 'providing a stepping stone for youths who had few prospects or no previous work experience'. A second intervention channelled through the co-management process was the initiation of one livelihood project, a craft project with the women of the Sokhulu mussel committee. The intention was to 'support and facilitate initiatives that seek alternative forms of income to reduce dependence on the resource' (Harris et al., 2003: 91). Although a change in Ezemvelo personnel resulted in this project being terminated almost a decade ago, the mussel collectors still perceived it as an important livelihood initiative.

In the Eastern Cape, there were two key interventions by government that involved the private sector and aimed to enhance benefits to local fishers. The first was the introduction of a regulated market for lobster, and the second was a shellfish holding facility. Both were intended to expand economic opportunities to the fishers. A market for marine resources emerged in the 1950s in the Eastern Cape, with the establishment of holiday resorts. Although it was not a consistent market, as demand was highest during the holiday season, lobster sales to tourists became an important livelihood strategy for small-scale fishers (Raemaekers, 2009). However, as the demand for lobster was highest during the summer tourist season, when the lobster fishery was officially closed, the fishers did not adhere to the regulations and often caught berried female lobsters in contravention of the regulations.

As a result, the fisheries authority set out to regulate the lobster market in order to shift fishing effort to the winter months and provide a more consistent market for the fishers, who would then be able to sell their catch at a higher price. In addition, an overarching goal of this strategy was to turn subsistence-fishing activity into a small-scale commercial enterprise that could promote local economic development (Raemaekers, 2009). Thus the fisheries authority set out to develop market channels for export and revenue generation through locally appointed lobster buyers, which were industrial fishing companies that had obtained rights from the national fisheries department to buy lobster exclusively from small-scale fishers. This was done in the hope of giving local fishers income-generating opportunities.

While such buyers have been present in the Eastern Cape since 2005, Mankosi fishers signed their first contract in 2008 stipulating that the fishers would sell exclusively to one particular company (Raemaekers, 2009). By regulating the market through local commercial buyers, lobster fishers have been able to sell their catch at a constant price to a stable market.

The government aimed to further enhance benefits to fishers by not only providing a constant market, but also establishing local holding and processing facilities. The intention was that these facilities for processing and packing locally harvested marine resources for export purposes would be co-owned by community trusts or local municipalities, thus promoting private–public partnerships (Raemaekers, 2009). This would move fishers beyond simply selling their catch to a local market to actively engaging in sustainable micro-enterprises.

Such a project was introduced in Mankosi in 2002 as a ‘poverty relief project’ through the national Department of Environmental Affairs and Tourism. Known as the ‘aquaculture project’, it employed a number of community members in the construction of a shellfish holding facility (Raemaekers, 2009). However, the facility remained unused after it was built. Community members claimed that this was because electricity was never installed. According to Raemaekers (2009), however, the holding facility never came into operation due to uncertainties about its sustainability, as the number of permits and bag limits allocated to the Mankosi and surrounding fishing communities would not make it economically viable. Nevertheless, in 2003 an oyster project was initiated in which a commercial buyer bought oysters from local women at market prices, and the shellfish holding facility was used as the trading point between the sellers and the buyer. The oyster project later came to an end for economic reasons. In 2010, the restructured Department of Environmental Affairs finally managed to re-launch the holding facility and installed electricity. The fisheries authority then licensed the lobster buyer chosen by the community to run the facility and purchase live and frozen lobster from the permitted fishers.

In the Eastern Cape, these government initiatives promoted the commercialisation of the lobster resource and provided enhanced economic opportunities for local fishers. This was in line with recommendations to the national government in 2000 that high-value species should be encouraged as small-scale *commercial* fisheries (Cockroft et al., 2002). In KwaZulu-Natal, on the other hand, while the provincial authority restricted marine harvesting to subsistence use in a number of communities (such as Sokhulu and Mbonambi), few attempts were made to explore supplemental livelihoods and to increase income to fishing households, as Ezemvelo possessed little capacity and resources to actively investigate and initiate such interventions.

Linkages with tourism

Ocean and coastal tourism is considered one of the fastest-growing areas of the tourism industry (Hall, 2001), with tourists attracted to beaches, landscapes and marine resources. Interactions between the tourism and fisheries sectors are often inevitable and can lead to both positive impacts and conflicts (Fellenius et al., 1999; Mahon, 2002; see also Pereira & Hauck, Chapter 5). Although the tourism interventions in the case study sites were initiated without the impacts on small-scale fishers having necessarily been considered, fishers have identified the spin-offs of these initiatives as very important (see also Raemaekers, 2009). The tourism interventions highlighted below, which were initiated very differently in the two provinces, reveal that the linkages between the tourism and small-scale fishery sectors are important to understand and explore in relation to benefit sharing.

In the Eastern Cape, coastal tourism linked to recreational fishing has been in place for decades. Although the region has tourism facilities such as hotels, cottages and backpackers' lodges, tourism is still considered underdeveloped there (Ashley & Ntshona, 2003). In 2002, the Mdumbi Backpackers' lodge was established in the Mankosi community, with the aim of attracting more tourism into the area and promoting local economic development (http://www.mdumbi.co.za). This tourism intervention, working closely with the community, has been instrumental in creating employment and improving livelihoods. In 2004, the owners of Mdumbi Backpackers established an NGO called TransCape, which sourced international funding and drew on the profits of the lodge to implement specific projects agreed upon with the community. A TransCape board, which included members of the community, was formed as the local institution that made decisions on planning and implementation. Projects included capacity building and training programmes, micro-finance to local entrepreneurs for small business development (some related to tourism ventures), an HIV/AIDS-prevention programme, village-based accommodation for a regional hiking trail and an education centre (TransCape, 2008). A percentage of the profit from the backpackers' lodge is allocated to the community monthly, although these funds have not yet been paid to the community, due to political conflict between the community trust and the tribal authority.

Another initiative of Mdumbi Backpackers is the creation of a market in which lobster fishers sell to the tourists staying at the lodge. A study by Raemaekers (2009) in the 2007/08 lobster season revealed that 159 lobster fishers brought their catch to sell at the lodge, because Mdumbi Backpackers is often the first point of sale for fishers in Mankosi.

Through tourism interventions, therefore, Mdumbi Backpackers and TransCape have played an important role in enhancing benefits to local people and to local fishers. Box 3.1 presents an example of a fisher in Mankosi whose livelihood has benefited from the presence of TransCape and Mdumbi Backpackers, as he obtains benefits from tourism to supplement his fishing livelihood.

A challenge that this initiative has posed to small-scale fisheries relates to the restrictions imposed by the national fisheries authority on the sale of lobster. From 2001, any buyer of lobster has been required to obtain a 'holding facility licence' if they intended to possess more than eight lobsters per day. This had a significant impact on tourist establishments, because these licences were difficult to obtain (Raemaekers, 2009). In addition, from 2005 permitted fishers were no longer allowed to sell their catch to tourists or to tourist facilities, as the fisheries authority aimed to regulate the market and allowed sale only to approved buyers.

While these government efforts were intended to regulate the lobster fishery and provide a constant market to the fishers, they also suppressed the potential for local economic development through the tourism value chain (Raemaekers, 2009). Some local sale continues in an informal manner (considered illegal by the authorities), but the growth of a local market through tourism is no longer possible under the existing fisheries management regime.

In KwaZulu-Natal, coastal tourism has been growing, particularly in relation to the iSimangaliso Wetland Park, a World Heritage Site (Gumede, 2009). In the Sokhulu and Mbonambi areas, however, tourism interventions have been limited, except for the establishment in 1984 of the Maphelane Nature Reserve, which is located adjacent to the Sokhulu community. This was not a tourism strategy initiated to enhance benefits to fishers, but is identified here to highlight the impacts that tourism can have on local resource users.

The reserve was established with the intention of protecting and conserving the forest and marine biodiversity in the area (UNDP et al., 2003). It also became

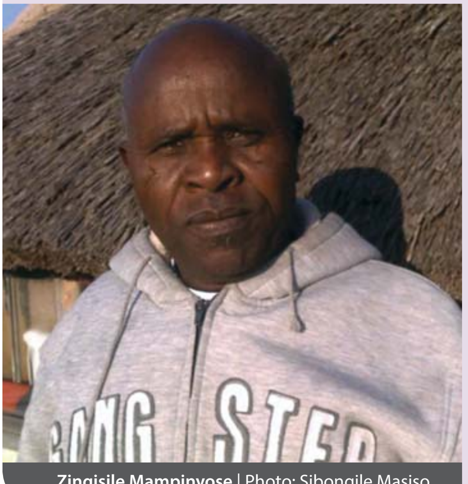
BOX 3.1 Zingisile Mampinyose

Fisherman from the Mankosi community

View of Mdumbi beach from Zingisile's backpacker accommodation | Photo: Rachel Wynberg

Zingisile Mampinyose, famously known as 'Tata Spargs' by his fellow community members, is a 58-year-old fisher who has lived in Mankosi all his life. He resides in the Tshani village with his mother, his wife and seven children. He started fishing when he was 12 years old, and marine resources have been the primary source of food for his family for generations. Zingisile is the breadwinner in his family as none of his family members are employed, and thus, marine resource harvesting is his main livelihood source.

Zingisile and his family have a history of harvesting fish, lobster, oysters and mussels. He used to be one of the prominent lobster divers in his community, but now that he is older, he is no longer able to dive. He currently holds a permit for harvesting fish, oysters and mussels for subsistence and sale to tourists and to Mdumbi Backpackers. Zingisile claims that marine resources are a fundamental source of food and income, which allows him to provide for his family and pay for the education of his children.



Zingisile Mampinyose | Photo: Sibongile Masiso

Although Zingisile has never received formal education, he has developed entrepreneurial skills over the years and he established his own backpacker accommodation in 2011. Like many budding small-business owners in the community, Zingisile obtained a micro-finance loan of US$ 4 750 from the NGO TransCape to establish his own backpacker business known as 'Vukani Backpackers'. He uses the rondavels within his homestead to provide a supplemental source of income.

Zingisile's homestead now consists of eight rondavels and two flat-roofed houses, most of which were built in recent years for the backpacker business. Zingisile uses mud and sand from the surroundings to build the houses in his homestead and thatch for roofing. In addition to approaching his own tourists, Zingisile is supported by Mdumbi Backpackers, who use his accommodation as 'overflow' when Mdumbi is fully occupied. While fishers have few livelihood opportunities in Mankosi, and rely heavily on marine resource use, the role of TransCape and the Mdumbi Backpackers has been significant in not only providing a market for their fish, but also building capacity, supporting small businesses and promoting community empowerment.

a tourist attraction, particularly for recreational fishers, who were allowed to fish within reserve boundaries. However, the provincial conservation authority established the reserve without consulting the local community. This led to significant conflict when the community lost control over the land and community access was restricted by conservation rules, with small-scale fishing deemed illegal (UNDP et al., 2003). Because of their history of marine harvesting in this area, local people continued to harvest illegally within the boundaries of the reserve, but this led to significant animosity and conflict between the small-scale fishers, recreational fishers and conservation authorities (Harris et al., 2003). Although some local employment has been generated through tourism activity and the initiation of a community tourism levy, the history of the reserve's establishment continues to engender deep-rooted resentment on the part of the local communities. Ironically, however, the recognition of these injustices also catalysed the initiation of fisheries co-management in the area (Harris et al., 2003).

Outcomes: Positive and negative impacts on fishers

Fish is often referred to as 'rich food for poor people', referring to the various social, economic, ecological and cultural benefits that accrue to small-scale fishers and coastal communities in developing nations (FAO, 2005; WorldFish Centre, 2005; Walmsley et al., 2006). The different benefit-sharing interventions that have been initiated in the case study communities highlight this range of outcomes, which has resulted in both positive and negative impacts on small-scale fishers in these areas. The research results clearly highlight that an understanding of 'benefits' is not complete without also an understanding of the 'losses', because both give insight into the fishers' experience.

A key aim of the research was to elicit the standpoint of fishers in relation to the benefit-sharing interventions, and to highlight their perspectives on the benefits and losses from these interventions. In addition, however, perspectives from other relevant stakeholders were drawn on, as well as broader references, to contextualise and elaborate on the fishers' viewpoint. A number of social, economic and ecological outcomes from the benefit-sharing interventions were identified, and these can be encapsulated into five main themes: income, formal access rights, food, empowerment and resource sustainability (Figure 3.3).

Income

There are few economic opportunities in the case study communities. The highest source of household income is government child grants and government pensions, ranging from a 50 per cent contribution in Mbonambi to 80 per cent in Mankosi. Fishers who gained a source of income from outside interventions therefore highlighted that this was a substantial benefit to them. Income was enhanced through employment (as local resource monitors or in the tourism sector), livelihood projects and the sale of marine

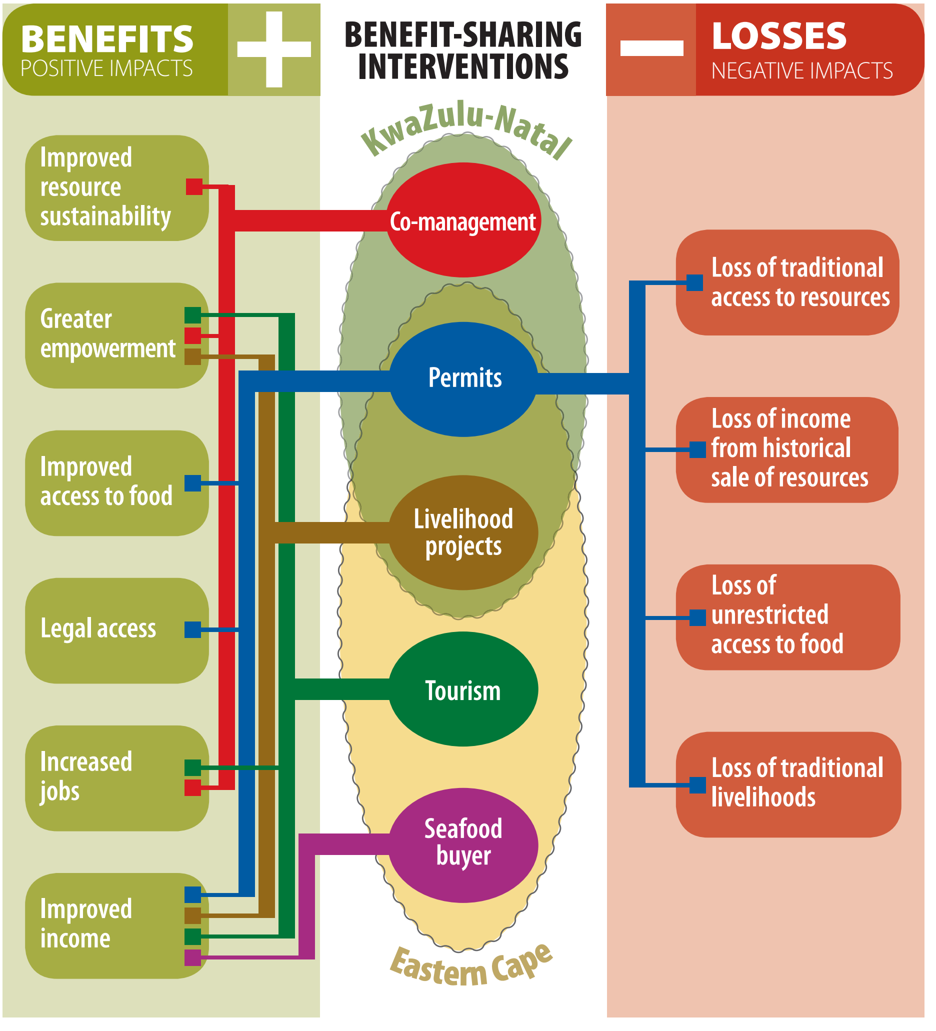


Figure 3.3

Fishers' perceptions of their benefits and losses from interventions aimed to enhance benefits

resources, particularly in the Eastern Cape. Community catch monitoring, established in both provinces as a means to monitor fisheries activities, was seen by the fishers as a rare employment opportunity in all three case studies (see also Raemaekers, 2009). Box 3.2 presents the story of a community monitor in Sokhulu, whose life has benefited from employment in the mussel co-management project there.

BOX 3.2

Philile Zwane

Community monitor supervisor for mussel and line-fish harvesters at Sokhulu

Mussel harvesters at Sokhulu | Photo: Rachel Wynberg

Philile is a 40-year-old woman who was born in Sokhulu and resides in the Holinyoka village with her family of 12. Her family includes her mother, who is a pensioner, two brothers employed at the local mining company, two unemployed siblings and six dependents. They live in a homestead with four flat-roofed houses made from brick, one rondavel and one mud house. They have access to electricity for lighting, but it is often too expensive to use, and they only use gas or firewood for cooking. They have no running water.

Philile monitoring the harvest of mussel collectors | Photo: Rachel Wynberg

Philile and one of her sisters were taught to harvest mussels by their mother, and they did so to provide what they perceive to be an important protein source for themselves and their family. Due to the fact that only one fishing permit is allowed per household in Sokhulu, Philile's mother is the permit holder in her family and she, or another person from the household, harvests mussels once per month.

Philile has been a community monitor since mussel co-management began in Sokhulu in 1995. For 22 days every month, she and other monitors from Sokhulu walk five hours to and from the sea to monitor community resource users and the state of the resources. The co-management committees appoint monitors from the community, creating much-needed employment for people like Philile. A respected member of the community, whose family has been involved in mussel harvesting for decades, Philile was appointed a monitor and later became a supervisor. As a monitor, Philile was trained extensively by Ezemvelo KZN Wildlife in fish identification, resource sustainability and other aspects of basic fisheries management.

From her work, Philile earns a monthly income of US$ 500 and she relies on this income to educate her 14-year-old son, who has just enrolled in high school. Moreover, because Philile never obtained an opportunity to pursue a tertiary education, the experience and training that she has received from her involvement in fisheries co-management has enabled her to share her knowledge with other members of the community and has inspired her to want to study further.

Employment through tourism, for instance in the Maphelane Nature Reserve or at Mdumbi Backpackers, was also recognised, although this was highlighted more significantly at Mdumbi. Furthermore, the community levies from Maphelane and Mdumbi Backpackers, which have been accumulating since the mid-2000s, are a potential source of income that could be allocated to community projects, but had not yet been utilised by the time the study ended. None of the fishers identified the levies as a benefit, presumably because these funds had not yet been paid by either Ezemvelo or by Mdumbi Backpackers due to political conflicts between local institutions. An Ezemvelo official stated that the funds had been frozen due to 'political unrest' within the tribal authority and concerns about corruption (key informant interview, June 2010).

In the Eastern Cape, income from the sale of marine resources to tourists, the lobster buyer and Mdumbi Backpackers was discussed in focus groups, and was considered a major benefit for the fishers. These marketing structures have not only provided an ongoing source of income, but also increased the final sale price, which has increased the economic benefit to the fishers. However, two key setbacks have had a negative impact on fishers' income. The first — the competition and politics between the private lobster buyers, and between them and the community fishers — has led to conflict and sometimes to significant delays in payments. While fishers recognised that this marketing channel had benefited them financially, they argued that relationships and administrative procedures could be improved to enhance these benefits. Furthermore, the top-down decision by the national government to ban the sale of marine resources to local hotels, lodges and backpacker hostels has impeded the potential for tourism development to enhance economic opportunities for fishers and other community members (Raemaekers, 2009). While the market continues informally (that is, illegally), there is little scope for income development in the current scenario. As one tourism stakeholder in Mankosi explained:

> *The law that prohibits us from buying fish from the locals is a blockage to benefit sharing. It doesn't make sense why we have to buy fisheries resources from outside when we can source them locally and benefit local people.*
>
> (Key informant interview, May 2010)

Income through livelihood projects was also considered important by those fishers who were affected by TransCape's interventions. In particular, micro-finance loans, which encouraged a diversification of livelihoods, were considered beneficial to small entrepreneurs linked to tourism. Income from the development of these local businesses was considered a significant benefit.

Fishers in KwaZulu-Natal also highlighted income as an important benefit, although opportunities for income generation were much more limited due to the permit restrictions on sale. The mussel harvesters in Sokhulu emphasised the Ezemvelo-initiated craft project as an alternative livelihood that enabled them to support themselves and their families when they were unable to harvest mussels. While this initiative was short-lived and, according to Ezemvelo personnel, actually did not generate much income, it was, considered from the harvesters' perspective, an important benefit — perhaps highlighting the significance of identifying alternative economic opportunities and skills provision.

What is interesting in the KwaZulu-Natal case studies is that fishers felt that they had lost income as a result of the allocation of permits and the strict restrictions on sales. Line-fishers and mussel harvesters indicated that in the past they had been accustomed to selling the resources they did not consume with their families. However, because permit regulations prohibited the sale of marine resources by subsistence fishers, they believed they had in fact lost a source of income that used to support their families.

> *Before fishing laws came, we used to get money from selling catch* [to tourists and surrounding communities], *now there is no alternative for getting money.*
> (Sokhulu line-fish committee focus group, February 2010)

Thus, while the formalisation of small-scale fisheries and the allocation of permits presented an opportunity to enhance markets (and thus income) in the Eastern Cape, this was not the case in KwaZulu-Natal, where the fishers saw economic opportunities to be more limited as a result of the new subsistence permits.

Formal access rights

Formal recognition of the subsistence sector in fisheries law was a significant milestone in addressing the marginalisation of small-scale fishers in South Africa (Witbooi, 2006). While the allocation of such subsistence 'rights', which are known as annual 'exemption permits' in KwaZulu-Natal and the Eastern Cape, has been fraught with a host of implementation challenges (Raemaekers, 2009), there is no doubt that the small-scale fishers themselves have identified this formal recognition to legally harvest marine resources as a significant benefit. By providing priority access to resource users that live adjacent to the resources, the authorities were legitimising fishers who had previously been fishing illegally and had been considered poachers by the authorities (Hauck & Sowman, 2003). Not only did this minimise conflict with the authorities but the fishers felt that some aspect of their historical and traditional practices had been finally recognised.

Although this recognition was considered important from a socio-political perspective, it had a number of negative impacts on fishers. First, the permits imposed a variety of restrictions on people who were used to operating under a largely open-access system, and these restrictions were perceived to hinder the ability of fishers to benefit. For example, single-species permits (for lobster, mussels or line fish) impinged on fishers' historical practice of harvesting a 'basket' of resources, in which target species depended on resource availability, market demand and other livelihood strategies (Raemaekers, 2009). Other restrictions on resource use, such as catch limits, zones and seasons for harvesting, limited sale (in KwaZulu-Natal) and market constraints (in Eastern Cape), also contributed to the so-called 'losses' attributed to the permits.

On the other hand, the fisheries authorities, including Ezemvelo, considered these permit conditions important for enhancing resource sustainability. In KwaZulu-Natal, for example, the Sokhulu mussel committee was actively involved in establishing the rules of harvesting through a process of joint experiments and training, which also led to a greater understanding of the need to have such rules in place. Nevertheless, with strict rules determining the quantum of resources to be harvested and limiting sale, the impact on livelihoods was still considered severe. As the Sokhulu line-fish committee explained:

> *We lost access to free harvesting that we were doing for such a long time …* [permits] *destroyed our livelihood … We thought that because the government recognised that they are restricting our access to fisheries resources with permit regulations, they would make up for it by meeting us halfway through assisting us in developing other strategies to support our families, but this didn't happen.*
> (Sokhulu line-fish committee focus group, February 2010)

In the Eastern Cape and in Mbonambi, extension officers had paid less attention to raising awareness of the need for regulations to promote sustainable use, so there was little understanding about the need for strict permit conditions. Furthermore, fishers felt marginalised by the fact that recreational fishers were often allowed to operate in the same zone or in nearby waters, creating the impression that this group had fewer restrictions imposed on their activities (see also Raemaekers, 2009).

A second challenge relating to permits was the allocation process, through which permits were allocated on an annual basis, leading to erratic application procedures and extensive delays. In the Eastern Cape, there was no functional platform for local fishers to contribute to setting the criteria for permit allocation, as government capacity was low and there were few local fishing committee meetings. It was observed that many bona fide fishers did not receive permits, and this was attributed to institutional failure and centralised processes that did not adequately engage with local people. In KwaZulu-Natal, on the other hand, the permit system enjoyed greater legitimacy because local co-management committees were actively involved in the allocation process.

Nevertheless, in all three case studies, harvesting continued without permits. Even in KwaZulu-Natal, where participation was high, focus groups with fishers affirmed that informal harvesting persisted as a result of household needs for food or basic income. Besides the mussel harvesters in Sokhulu, of whom 63 per cent had permits, only a third or fewer of the other fishers in all three case study sites[8] had permits, indicating that the majority continued to harvest informally. This lack of compliance shows that the legitimacy of the management system was being questioned by the fishers, and that food and livelihood needs affected harvesting activities (Raemaekers 2009; Hauck, 2011). One tourism stakeholder in Mankosi, who continues to buy marine resources from fishers without permits, explained: 'It is unreasonable to tell people from the community who are hungry not to sell … they need the money' (key informant interview, May 2011).

[8] In Sokhulu 26 per cent of all fishers had permits, in Mbonambi 27 per cent, and in Mankosi 39 per cent.

The findings of this study indicate that the losses fishers claimed to have incurred due to the introduction of permits were linked mostly to the socio-economic insecurities of their families and local communities. The permit regulations were evidently formulated without an adequate understanding of the socio-economic circumstances of fishers and their households. However, fishers' needs and expectations change over time, as we can see in the shift from an initial enthusiasm at gaining a legal right to harvest marine resources to a greater focus on livelihood support. Strategies to overcome livelihood constraints are very important to fishers, and there appear to be high expectations of the developmental role that fisheries authorities should play. These expectations are exacerbated by the perceived power imbalances between the fishers and the authorities, with final decision-making still being seen to be in the hands of Ezemvelo and the national fisheries institution.

This is particularly the case in the Eastern Cape, where there are limited functioning local institutions and fishers are often simply informed of decisions. In KwaZulu-Natal, however, the fishers have acknowledged a far more participatory environment in which they have actively engaged in decision-making. Even so, there continues to be a mismatch in all the case studies between the resource-oriented model of individual fishing permits and the existing or traditional livelihood practices and needs of the fishers.

Food

Throughout the coastal areas of Africa, fish is a staple in rural communities, and is a major source of protein and important fatty acids (FAO, 2005). The importance of harvesting marine resources for food was identified by almost all of the fishers in the case study sites. Fishers indicated that marine harvesting had historically been an important community activity to obtain food for consumption in their own households and to share with, or sell to, neighbours and friends. This importance is underlined by the fact that many people continue to harvest marine resources even if they do not have a permit to do so, arguing the need to gather food for their families. For example, mussel harvesters in Mbonambi who did not have permits at the time of the research stated: 'Mussels give us health and healing — they provide a staple meal for us' (Mbonambi mussel harvesters/farmers focus group, February 2010).

Fishers also indicated that with the imposition of permits and strict rules, the availability of food resources had in fact decreased in some instances. Mussel harvesters in Sokhulu, for example, indicated that permit regulations had resulted in limited access to food such as lobster and sea lice, which they had historically harvested for food. Thus they believe that they have in fact 'lost access' to some of the resources that they historically harvested. Similar sentiments emerged in the other two case studies. In addition, while Sokhulu mussel harvesters acknowledge the benefit of their mussel permits in gaining legitimate access, they are permitted to harvest only once per month (determined as a sustainable harvest), which provides only one or two meals per month for their household. Focus group discussions affirmed that while access has provided an important benefit in food and protein, this is considered inadequate for household needs. As a result, informal harvesting without permits continues.

Empowerment

Building the capacity of local people through skills development and training has been identified as an important benefit by fishers in KwaZulu-Natal and those involved with TransCape in the Eastern Cape. Empowerment is secured when resource users gain the knowledge and confidence to participate actively as partners in decision-making and planning (Pomeroy & Rivera-Guieb, 2006).

In KwaZulu-Natal, through the co-management process, representative co-management committees and community resource monitors underwent significant capacity development through training workshops, 'learning by doing' research and exchange visits with other communities (Harris et al., 2002). During focus group discussions, community committee members acknowledged that they had gained skills and confidence that enabled them to play an important role in making decisions about resources. Increased confidence and improved skills among fishers have not only empowered them in decision-making, but also led to more positive relationships between them and Ezemvelo. While empowerment has been perceived as an important outcome of co-management in KwaZulu-Natal, focus groups highlighted that there remains a desire by the fishers for more equitable sharing of power, as power is still perceived to lie ultimately with Ezemvelo and the national fisheries authority.

In the Eastern Cape, fishers felt that all management decisions were taken outside of the community by the fisheries authority, resulting in a lack of empowerment. Due to the failure to establish co-management in this province, there had been no meaningful attempt to capacitate fishers to become actively involved in decision-making, and management decisions were consequently largely imposed (Raemaekers, 2009). Fishers therefore perceived power as resting with central government. However, the focus groups saw empowerment as a positive benefit from the interventions of TransCape, which, through Mdumbi Backpackers, was facilitating various training and educational awareness programmes in the community. Furthermore, through the establishment of the TransCape board, which included trained community members, there was joint decision-making in development planning and implementation. Local people felt empowered by these opportunities, which they saw as affecting their everyday lives.

Resource sustainability

Resource sustainability is one of the core objectives of resource governance, including small-scale fisheries (Berkes et al., 2001). One of the key catalysts of co-management in KwaZulu-Natal was concern about over-harvesting and recognition of the need to establish sustainable harvesting practices among small-scale fishers (Harris et al., 2003). To contribute to this goal, Ezemvelo, through the co-management process, provided training to fishers in basic fisheries management and resource sustainability, initiated participatory research and joint experiments to determine quotas and evaluate harvesting methods, and established a mussel-rehabilitation project through reseeding. The mussel committee in Sokhulu identified this increased knowledge about resource sustainability, and the enhanced mussel stock, as one of the benefits of co-management:

> *Because of co-management, mussel resources started to be conserved because in other places mussels are depleted. We are only allowed to harvest once per month, and we plant back the small ones to enable them to grow and this has helped increase the availability of the resource.*
>
> (Sokhulu mussel committee focus group, February 2010)

This sentiment is confirmed by other research undertaken in the province (Napier et al., 2005), as well as the monitoring data and stock assessments undertaken by Ezemvelo, which indicate that mussel stocks in Sokhulu are healthy and that increased catch limits could be sustained. In fact, they are sometimes increased (Mkhize, 2010). In Mbonambi, however, the situation is quite different, as mussel harvesters were not given legal access to harvest mussels until 2011, whereas line-fish permits were allocated in 1996. The Mbonambi mussel harvesters therefore felt that they were being overlooked, and this resentment led to continuing informal harvesting, regarded as poaching by the authorities. In addition to increasing conflict, this had a negative impact on the sustainability of the resource, as mussel collectors did not harvest selectively and did not use sustainable harvesting gear. The line-fish committee confirmed this, stating that the loss of access to mussels caused mussel harvesters to become frustrated, leading them to harvest more than they needed and contributing to the depletion of mussel stocks.

In the Eastern Cape, fishers in focus groups also expressed concern about the status of resources, indicating that there was increased harvesting pressure with the involvement of more people and the introduction of buyers. Although the fisheries authority had aimed to shift fishing practices to a particular season only, fishers continued to harvest outside the legal season in order to supply local markets (such as tourism establishments) when demand was highest (Raemaekers, 2009). Both historical stock assessments (Fielding et al., 1994) and more recent observations (Raemaekers, 2009) have led researchers to express concern about the status of the lobster resource in the Eastern Cape. A number of fishers and other stakeholders in the Mankosi case study explicitly stated that top-down decision-making by a ‘far away’ fisheries authority had jeopardised the future of local resources, which were being managed without an understanding of local circumstances. In addition, local resource monitoring, which has the potential to provide much-needed fisheries data (as is the case in KwaZulu-Natal), has not been properly analysed and fed back to the community or informed the setting of local catch limits.

Thus, while resource sustainability is considered a key outcome of effective fisheries governance, there remain significant challenges, some of which have been tackled in KwaZulu-Natal through a variety of activities initiated during the co-management process.

Conclusion

Coastal communities benefit enormously from harvesting marine resources, particularly in relation to providing food and basic income to local households (Berkes et al., 2001; Walmsley et al., 2006). These benefits, however, have been threatened worldwide as a result of policies and laws that limit access, promote the interests of the commercial sector and prohibit traditional fishing practices (Chuenpagdee et al., 2005). New approaches to fisheries governance have been promoted to recognise and protect the rights of small-scale fishers (Berkes et al., 2001; De Young et al., 2008). A key objective of these approaches is to enhance benefits to local fishers, empowering them to participate in decisions that affect them and promoting management strategies that strengthen and sustain local livelihoods (Agrawal & Ribot, 1999; Larson & Ribot, 2004; Kooiman et al., 2005). These objectives are underpinned by the principles of social justice, in terms of which the distribution of power and access rights fundamentally influence the governance system (Chuenpagdee et al., 2005).

This chapter has highlighted some of the benefit-sharing interventions that have been implemented along the east coast of South Africa to enhance benefits to small-scale fishers, and have produced both positive and negative outcomes. Many of these interventions emerged out of new democratic legislation that promoted more equitable resource management and economic development. However, different institutional arrangements, and the involvement of different actors in implementation, have had a significant impact in bringing about different outcomes.

The biggest obstacle to greater benefit sharing has been the mismatch between fishers' realities and needs, on one hand, and the fisheries management systems that are being introduced, on the other. We argue that this research has deduced three key lessons that are fundamental to enhancing benefits to fishers and creating sustainable small-scale fisheries governance systems.

The first lesson is the overarching importance of *process* in identifying, developing and sustaining benefit-sharing interventions that acknowledge changing circumstances and ensure collaborative negotiations and partnerships between fishers and other key stakeholders. As Pomeroy and Rivera-Guieb (2006: 10) emphasise, cooperative management is an adaptive process that needs to be 'pursued, strengthened and redefined at different times', depending on, among other things, the needs, opportunities and capacities of the various partners. Co-management arrangements, livelihood projects and other interventions therefore need to evolve over time.

The second lesson is the recognition that small-scale fisheries cannot be understood and addressed in isolation from broader livelihood strategies. This is in line with international thinking that emphasises the need to understand small-scale fisheries within a wider livelihood framework embracing objectives relating to the socio-economic needs of fishers in addition to the more traditional objectives of conservation and resource sustainability (Berkes et al., 2001; Allison & Horemans, 2006). The identification of complementary livelihoods has been highlighted as a critical part of sound fisheries management, in order to sustain fishers' livelihoods, reduce pressure on diminishing resources and limit vulnerability during times of resource shortage or due to environmental variability (Allison & Horemans, 2006; FAO, 2005). This reflects the perspective of fishers in this study, who consistently highlighted the need to address broader livelihood challenges within a fisheries framework. For example, the allocation of formal access rights based on resource characteristics rather than on the socio-cultural practices adopted by fishers to sustain their livelihoods has been pointed to as a critical flaw in South African fisheries management (Isaacs, 2006; Sowman, 2006; Raemaekers, 2009). Such an approach results in a lack of legitimacy and a resistance to state-driven rules (Hernes et al, 2005), often leading to non-compliance with regulations (Hauck, 2011).

An underlying principle is that the objectives of local resource sustainability, which are often at the forefront of fisheries authority agendas, cannot be achieved without ensuring the sustainability of fishers' livelihoods (Sowman et al., 2008). Poverty reduction and food security in small-scale fishing communities are highly dependent not only on the benefits the fishers obtain from the resources, but also on other alternative basic services provided to supplement the livelihoods of the fishers (Jentoft et al., 2010). Such a perspective needs to be embraced by fisheries management authorities and incorporated into strategic partnerships for livelihood support (Berkes et al., 2001). An example is the linkages formed between fisheries and tourism, as outlined in this chapter. Through the development of partnerships and harnessing the capacity of different actors (such as NGOs), new opportunities were created to diversify livelihoods and provide much-needed local economic development to fisher households and to the broader community.

The third lesson is the importance of decentralisation in order to promote strong local-level institutional arrangements that include fishers as partners in decision-making. It is argued that institutions are legitimate to the extent that they have been created through participatory processes, ensuring that the fishers affected by them have also been directly involved in creating them (Jentoft, 1989; Ostrom, 2000; Berkes et al., 2001). The assumption is that by moving away from conventional, centralised management, stakeholders other than the government, including fishers, share decision-making power, which leads to a greater acceptance of rules and norms. Decentralisation and co-management therefore go hand in hand, as they have similar goals and attributes, including the strengthening of fishers' participation in decision-making processes and the enhancement of equitable power distribution in resource management (Pomeroy & Berkes, 1997). However, the outcomes of co-management will vary depending on the underlying objectives, capacities and political realities of the different stakeholder groups (Berkes et al., 2001; Sowman et al., 2003). Thus, if government authorities use co-management to reinforce their own objectives, their approach differs little from centralised management (Hara & Raakjaer Nielsen, 2003).

Although significant benefits have resulted from the co-management arrangements in KwaZulu-Natal, the fishers argue that these benefits could be further enhanced if decision-making were more equitably shared and if the management system more adequately reflected fishers' realities. Co-management arrangements that embrace active collaboration and equitable power sharing have been known to enhance fishers' access to resources, promote empowerment and joint decision-making, enhance fishers' livelihoods and establish resource sustainability (Pomeroy et al., 2001; Wilson et al., 2003; McClanahan & Castilla, 2007). Strong co-management institutions, coupled with a broader livelihood framework, therefore have the potential to significantly benefit small-scale fishers. However, such a strategy requires the political will of national fisheries authorities to decentralise power, adapt to changing circumstances and adopt a more integrated approach to fisheries governance that moves beyond the conservation paradigm to one that embraces the underlying principles of social justice (Hernes et al., 2005; Chuenpagdee et al., 2005).

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Mining and the myth of benefits in South African rural coastal communities

chapter

4

Philile Mbatha and Rachel Wynberg

Introduction

The inequalities of mining in South Africa have been brought to the fore starkly in recent years. The infamous massacre of 34 people at the Lonmin mine in Marikana in 2012, arising from a dispute over the dismal wages miners receive in contrast to the profits made by the mining company; widespread wildcat strikes based on demands for better pay (Herskovitz, 2012); and the recurrent discussion about nationalisation, aimed at ensuring that the country reaps better rewards from its mineral riches (Shivambu, 2010; Du Plessis, 2011) all paint a picture of an industry in which business as usual is no longer tolerated.

These trends also manifest at the global level, with questions increasingly raised over the past two decades about the environmental and social impacts of mining on local communities, particularly in developing countries, but also in developed countries such as Canada and Australia (Veiga et al., 2001; Hilson, 2002; Kapelus, 2002; Altman, 2009). Examples such as the environmental and social devastation of oil extraction in Nigeria and elsewhere (Boele et al., 2001; O'Rourke & Connolly 2003; Sibaud, 2012), the forced removal of communities in eastern Zimbabwe to make way for diamond mining (Katsaura, 2010) and the debilitating impacts of acid mine drainage on the health of inhabitants of the Witwatersrand (Fig, 2011; GDARD, 2012), to name but a few examples, all testify to the devastating effects that mining activities can have on people's livelihoods and also cast into serious doubt the reputation of many mining companies (Kemp, 2009).

These concerns, alongside an increase in the extent and scale of extractive industries that has been described as 'staggering' (Sibaud, 2012), have led to a growth in the prominence of civil society movements, which are increasingly globalising and teaming up with affected local communities. Together they are challenging mining corporations on issues such as benefit flows, participation in decision-making, representation in the companies' activities, mining rights, compensation measures and land claims (Kapelus, 2002). As a result, pressure is growing on mining companies around the world to address the social and environmental impacts of their operations. Examples include the Kimberley Process, a joint government, industry and civil society initiative to stem the flow of conflict diamonds;[1] the Extractive Industries Transparency Initiative (Bartlett & Rogan, 2013), and Revenue Watch (Esteves et al., 2013), aimed at ensuring host countries in the global South reap more of the financial benefits from mining; and the Alternative Mining Indaba (Masango, 2013), and the International Alliance on Natural Resources in Africa (IANRA, 2011), which place pressure on mining industries in Africa to behave more responsibly.

Mining is a key economic activity in South Africa. Although the contribution of mining to gross domestic product has dropped to below 5 per cent, the lowest in two decades due to declining production (Leon, 2012; IDC, 2013), in 2011 the sector earned R 447 billion[2] (approximately US$ 3 250 billion), contributing 17.2 per cent of total corporate taxes paid in South Africa (Chamber of Mines, 2012). The country contains some of the world's largest gold and platinum reserves and is the second-largest producer of titanium-bearing minerals alongside others that are concentrated in Kazakhstan, Japan and Russia (Crush et al., 1991; Hamann, 2004; Seong et al., 2009). Some of the major buyers of titanium products include industries associated with aerospace and industrial equipment, as well as commercial and military aircraft. In South Africa, Richards Bay Minerals (RBM) is the largest producer of titanium minerals and, due to the increasing global demand for titanium products, has become one of the largest producers of titania slag, rutile and zircon in the world, producing approximately 2 million tons of products annually (RBM, 2013). The company yields approximately 25 per cent of the world's market share from titania slag, rutile and high purity pig iron production, as well as 33 per cent of the world's zircon production (RBM, 2013). Much of this is mined on the coast of northern KwaZulu-Natal, South Africa. Rio Tinto, a mining transnational corporation, owns 74 per cent of RBM shares, having recently purchased BHP Billiton's 37 per cent equity stake for US$ 1.91 billion (BHP Billiton, 2012).

Mining is the foundation upon which much of South Africa's wealth was accumulated, a somewhat tarnished history given the explicit links between cheap black migrant labour and the growth of the minerals industry in South Africa (Terblanche, 2002). In addition to their history of exploitation, mining companies in South Africa have disregarded the social impacts of mining operations. Compensation has been non-existent or very weak, and notwithstanding the argument that these costs are largely outweighed by economic benefits, there is very little evidence to support such a claim.

Mining companies have typically either provided too few benefits to local communities, leaving them more marginalised and worse off than they were before the mining began, or implemented ineffective strategies to benefit communities adjacent to

[1] www.kimberleyprocess.com
[2] Approximately US$ 61.5 billion using an average US$:ZAR exchange rate of 7.27 for 2011.

mining operations (Kapelus, 2002; DMR, 2009). Pressures from affected communities, civil society and government have led to a realisation by South African mining companies that it is in their best interests to address issues affecting the communities on the land which they mine (Kapelus, 2002).

Key institutional changes have taken place in the South African mining industry since 1994, including the listing of large mining companies on international stock exchanges. This has had significant implications for those companies, as they are now required to meet the expectations of international — and local — investors. Other key changes in South Africa have been the institutionalisation of broad-based black economic empowerment (B-BBEE) and the adoption of the Broad-Based Socio-Economic Empowerment Charter for the South African Mining Industry, better known as the Mining Charter, to prepare social and labour plans linked to local economic development, to invest in community development and to guide company–community relations. As a result of these and other initiatives, a large number of black economic empowerment deals and joint ventures between mining companies and mining communities have been negotiated in an attempt to bring greater equity to the sector (DME, 2008). In several cases, however, this has not created greater equity but has led to the creation of a new black elite, some of whom are multi-billionaires linked to the mining industry (SAIRR, 2012).

An increasing body of knowledge aims to describe the way in which mining-affected communities benefit, or do not benefit, from the unfolding transformation of the mining industry (Terblanche, 2002; Bench Marks Foundation, 2012). This chapter adds to this understanding by investigating the social, economic and ecological benefits and losses arising from mining activities close to marginalised communities along the coast of South Africa. The analysis draws on research done in two coastal communities, Sokhulu and Mbonambi, situated adjacent to titanium-rich coastal dunes in northern KwaZulu-Natal, an area that has been mined by RBM for more than 30 years. Field work undertaken for this study during 2010 and 2011 is further described in the Appendix and included 190 household surveys in the two communities, 13 focus group discussions involving 135 participants and 17 key informant interviews.[3]

Mining at Sokhulu and Mbonambi

As described in earlier chapters, the coastal communities of Sokhulu and Mbonambi have suffered a long history of dispossession and human rights violations, beginning with the colonial allocation of land for Zulu settlement in the nineteenth century. In 1933, and again in the 1950s, the government forcibly removed these coastal communities to make way for commercial forestry, alienating the land from the people who had lived there — land that historically had been used for grazing, fishing and gathering fuelwood and medicines, among other activities. The government authorities responsible for these removals, known by the communities as 'Government Garage' (GG),[4] purportedly

[3] More detailed information on the methods used can be found in Wynberg et al., Appendix.
[4] The origin of this term arose from the 'GG' registration that used to appear on all government vehicles.

convinced the inkosi[5] that the dunes were unstable (UNDP et al., 2003; Sokhulu fishers focus group, February 2010; Mbonambi fishers focus group, February 2010). Once the sand dunes had stabilised, it was reasoned, the government would resettle people back on their land. Local people living alongside the beach were thus removed,

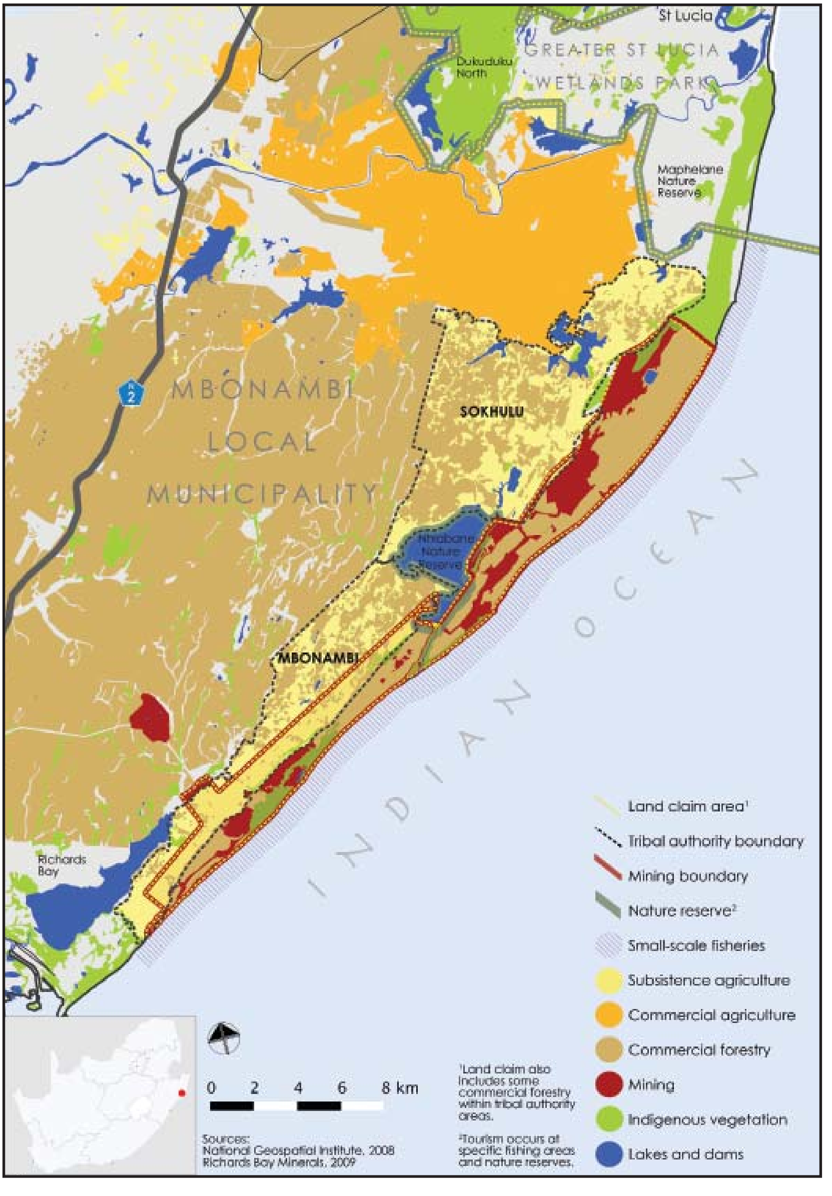

Figure 4.1

Economic activities and geographic features in Mbonambi and Sokhulu, KwaZulu-Natal, South Africa. The red line indicates mining concession areas.

[5] This is the title of the local chief who is leader of the tribal authority in the community.

losing access to this land and to the graveyards of their ancestors. The GG planted commercial plantations on the coastal dunes and put up fences to prevent local people from accessing this land.

The introduction of mining in close proximity to the communities of Sokhulu and Mbonambi represented a continued process of dispossession. Despite the people's hopes of returning to their indigenous land, RBM commenced mining at Mbonambi in 1976, without the knowledge or consent of the wider community (Sokhulu fishers focus group, February 2010; Mbonambi fishers focus group, February 2010). At the time, RBM represented a joint partnership between a titania slag-producing company from Canada, the Industrial Development Corporation, as well as the Union Corporation (now known as BHP Billiton). RBM's mining aspirations extended to the eastern shores of Lake St Lucia (now called iSimangaliso Wetland Park), and in 1989 the company applied for a lease to mine the shores of this conservation area. A highly controversial public debate ensued, pitching the short-term economic gains of mining against the longer-term benefits of tourism that would accrue if the area were conserved. Comprehensive environmental impact assessments and reviews ruled against mining on the grounds that it would result in irreparable environmental damage and proposed the promotion of eco-tourism development in the area (Kruger et al., 1997). In the meantime, RBM mining activities in Mbonambi continued to encroach northwards, reaching the coast of Sokhulu in 2004.

RBM's current operations occur just north of Richards Bay, in a strip of mineral-rich sand dunes 2 kilometres wide and 17 kilometres long (see Figure 4.1).[6] The mining is done using dredgers that burrow into the sand dunes, which collapse into artificially created freshwater ponds. The entire dune, typically composed of indigenous coastal forest, is thus removed (see photograph in Box 4.2). The slurry that results is sucked up and pumped into floating concentrators. These separate the heavy minerals, which are further processed into titanium dioxide slag and pig iron. Some 200 000 tons of sand per day are processed and just over a million tons of titanium slag per year (Creamer, 2011). The major market for these products are tiling and paint-related industries, while high-purity pig iron is used for automotive castings and in components for the storage of nuclear waste.

RBM mining creates significant economic benefits for its shareholders, generating some R8 billion per annum and contributing 2 per cent and 9 per cent through tax and royalty payments, respectively, to national coffers (Table 4.1). Most of the 1 800 jobs that it generates are reserved for skilled employees, however, usually outside of the host communities; about 700 jobs are held by inhabitants of Sokhulu

[6] In an attempt to maintain production at full capacity until anticipated mine closure in 2040, RBM applied to the Department of Minerals and Energy in 2010 for prospecting rights in the Zulti North extension and Zulti South extension mining lease areas. The application was strongly opposed by Ezemvelo KZN Wildlife, which is the provincial conservation authority, as well as the national Department of Agriculture, Forestry and Fisheries and the Dube traditional council (Ezemvelo, 2012).

and Mbonambi. About 1 000 contractors are also employed from local communities, costing some R130 million[7] per annum in total.[8]

On the face of it, therefore, mining is a major contributor to local economies in a region that is characterised by extremely high levels of poverty and unemployment. However, as the next section describes, mining activities have also entailed a range of ecological and social losses for local communities.

Table 4.1

Key economic benefits from RBM mining activities

Total number of permanent jobs directly created by RBM		1 800[1]
Number of permanent RBM jobs held by inhabitants of Sokhulu and Mbonambi		700[2]
Total contractors employed by RBM		2 000[3]
Number of contractors employed by RBM from local communities		1 000[4]
Percentage households obtaining income from RBM	Sokhulu	19%[5]
	Mbonambi	30%[6]
Direct economic value generated and distributed from RBM		R8 billion[7]
% tax payment from RBM to government		2%
% royalty payment from RBM to government		9%
% invested in communities by RBM		1%
Economic value retained by RBM		R0.5 billion[8]
Income spent by RBM on suppliers and contractors from local communities		R130 million[9]

1. *RBM Sustainable Development Report, 2010*
2. *RBM Executive Management member, pers. comm., 2010*
3. *RBM Sustainable Development Report, 2010*
4. *RBM Executive Management member, pers. comm., 2010*
5. *Mbatha, 2011*
6. *Mbatha, 2011*
7. *RBM Sustainable Development Report, 2011*
8. *RBM Sustainable Development Report, 2011*
9. *RBM Sustainable Development Report, 2011*

Ecological and social impacts of mining in Sokhulu and Mbonambi

Forest destruction and loss of land

RBM mining activities are accompanied by a slew of negative impacts on livelihoods, biodiversity and human well-being (Figure 4.2). About two thirds of the existing lease area comprised commercial forestry plantations and disturbed grasslands before mining commenced in 1976. However, at least 1 300 hectares of indigenous coastal dune forest has been removed through RBM activities (RBM ecologist, e-mail correspondence, 6 December 2012). While the company boasts a strong rehabilitation programme, it takes decades for climax ecosystems to be re-established (Van Aarde

[7] Approximately US$17.9 million using an average US$:ZAR conversion of 7.27 for 2011.
[8] Dates refer to 2010 and 2011; see Table 4.1.

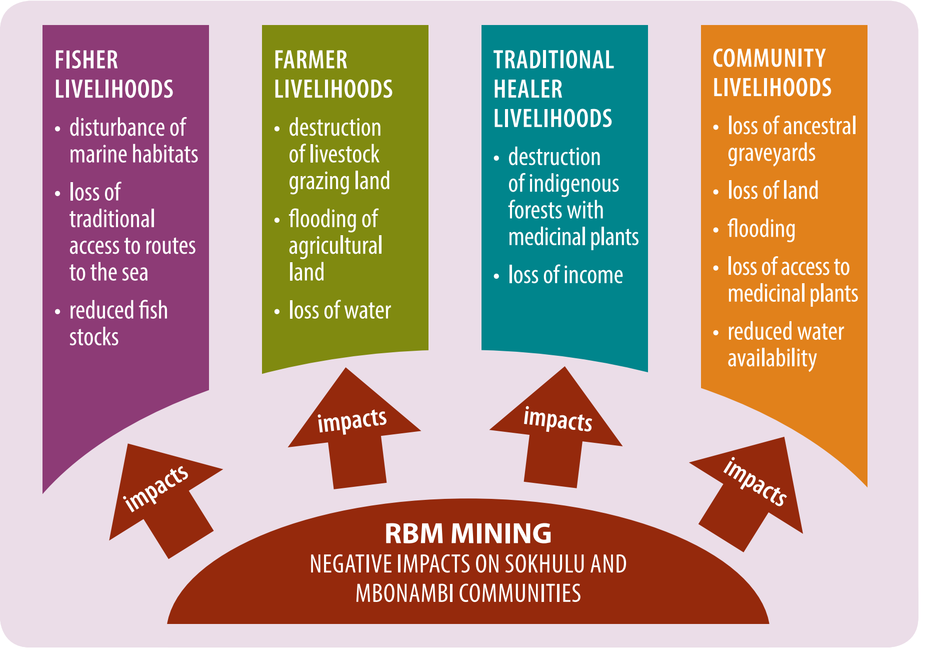

Figure 4.2

Impacts of RBM mining on livelihoods in Sokhulu and Mbonambi

et al., 1996; Wassenaar et al., 2005; Van Aarde & Guldemond, 2012) and the apparent success of rehabilitation has been strongly contested (Ezemvelo, 2012). Moreover, the interconnectedness of forest habitat with marine, estuarine and freshwater habitats makes the system highly complex, dynamic and vulnerable to changes in ecosystem structure and function, including the alteration of sediment and groundwater dynamics, and the quantity and quality of freshwater flow into estuaries (DAFF, 2012; Ezemvelo, 2012).

Forest destruction has not only had dramatic impacts on biodiversity and ecological function, but has also had significant health and social effects in the community. Most medicinal plant species that traditional healers previously used to treat people are no longer available, and rehabilitation efforts have not mitigated the situation, as many species are not found in rehabilitated forests, which have much lower biodiversity (Sokhulu traditional healers focus group, February 2010; Mbonambi traditional healers focus group, February 2010). Income-earning opportunities for traditional healers have diminished along with these plant species.

During the research, traditional healers reminisced about their devastation at losing control over the land, along with the continued destruction of their indigenous forests and ancestral land:

> *Before RBM started mining in 1976, there were abundant indigenous trees and forest here at Mbonambi that we used to harvest, but after mining began, we lost access to scarce tree species that were on the sand dunes, and from then on we had to go to the chemist.*

BOX 4.1 Amon Mlaba — Nursery owner at Sokhulu

Indigenous forest at Maphelane Nature Reserve | Photo: Rachel Wynberg

Amon Mlaba is a 45-year-old unemployed man from Sokhulu who started a nursery business in 2004 in order to support himself and his family, and also because he is passionate about conservation. In 2004, RBM started mining operations in Sokhulu. When he realised that mining was going to destroy a lot of indigenous forest species, Amon decided to start a nursery business on his land and obtained permission from the then provincial Department of Water Affairs and Forestry to collect certain indigenous plant species from the forests within RBM's mining lease area.

Amon Mlaba | Photo: Thulani Jobe

In order to start this business, Amon applied for sponsorship from the then forestry department, which organised donor funding for him from the Danish International Development Agency. This allowed him to build nursery infrastructure and receive the necessary training.

In 2006, managers at Maphelane Nature Reserve agreed to partner with Amon in his business by buying trees for replanting within the reserve. Because the nursery was growing, Amon needed assistance with an improved irrigation system for the nursery. Managers at the reserve suggested that Amon use funds from the community tourism levy, intended for community development projects. It was believed that this would lead to wide benefits for traditional healers and other farmers.

The Sokhulu traditional authority, which is in charge of administering these funds and all other funds coming into the community, did not approve this request.

RBM had also committed itself to partnering with Amon by buying trees from his nursery for rehabilitation. However, Amon was not able to benefit from this promise because RBM used another contractor to purchase indigenous trees, which had other preferred suppliers.

They [RBM] *destroyed the forest we rely on and did not give us an alternative solution. Because mining has destroyed the forest, we can't heal all the diseases we used to heal because those trees we used are now extinct. We are sometimes even forced to go all the way to Hluhluwe to harvest tree species we can no longer find here, and that travelling costs us a lot of money. Now people suffer when they are sick because we can't help them as easily as we used to.*
(Mbonambi traditional healers focus group, February 2010)

The destruction of the forests has had other complex ramifications for food security. As a community member from Mbonambi remarked,

We don't feel good about RBM mining … there were indigenous trees and animals that have all gone now. We don't feel well because of this. Animals now come and eat our crops as they have nothing else to eat. There were natural fruits before, and now there is no such thing any more. Animals can't eat the trees that are being used for rehabilitation. We want our forests back.
(Mbonambi community report-back, June 2011)

The loss of indigenous forests also has implications beyond the utilitarian. Forests have a deep cultural and spiritual significance for resident communities. The resettlement of communities, together with the destruction of ancestral graves and other sacred sites, has had a profound impact on the community, which continues to resist new mining activities such as the prospecting planned adjacent to existing areas (Ezemvelo, 2012). Traditional links to the forest have disintegrated, along with local knowledge, customs and deeper bio-cultural connections. Community members of Sokhulu and Mbonambi pointed this out in the focus group discussions. 'They have destroyed graveyards where they are mining and they don't even bring those bones to us' (Sokhulu farmers focus group, February 2010).

Water supply and impacts on Lake Nhlabane

Mining activities have also changed the Lake Nhlabane ecosystem. Vivier and Cyprus (1999), for example, describe how RBM built a dredger and concentrator across the Nhlabane Estuary in 1993 to allow for physical crossing, along with two berm walls. This caused a rapid decrease in the number and density of zoobenthic species resulting from sedimentation in the estuary (Vivier & Cyprus, 1999), and also influenced the movement of water to and from the Nhlabane River and the sea (Mbonambi fishers focus group, February 2010; Mbonambi fishers focus group, February 2010).

These changes, together with the large amounts of water that RBM draws from the lake for mining operations, have not only changed the ecological functioning of Lake Nhlabane but also had impacts on livelihoods. Local fishers in Mbonambi, for example, believe that the number of fish in the lake has declined, and with it a means of feeding themselves and their families (Mbonambi fishers focus group, February 2010).

Although RBM has since taken measures to reduce water abstraction, removed the berm walls and built a ladder to enable fish movement between river and sea, there remains a high level of discontent among local people. This is exacerbated by the fact that water supply to communities remains very limited: 54 per cent of Sokhulu households, for example, obtain water from public standposts, while others use underground water and water from rivers or streams.

Health impacts

Communities also feel aggrieved by pollution and health impacts. Dust blown into villages from the mounds of sand that remain after mining, prior to rehabilitation, are believed to cause respiratory problems (Sokhulu fishers focus group, February 2010). Communities are also concerned about the contamination of underground drinking water through chemical seepage from mining operations, and the hazards of air and water pollution caused by clarifier sludge (that is, mineral waste) dumped by RBM adjacent to the Mbonambi community. Although RBM is aware of these impacts and is working towards improving the situation, the fact remains that communities have borne their brunt for almost 30 years.

Impacts on livelihoods

Mining has also brought with it a broad suite of other livelihood impacts. Fishers in Sokhulu, for example, claim that since mining began there in 2004, the access routes to the coast, used for years by local communities, have been destroyed (Sokhulu fishers focus group, February 2010). Replacement routes to the coast are now too long and are controlled by RBM.

Mining operations have also posed major threats to community agricultural land and livestock because there is now limited land for livestock grazing. Furthermore, water draining from mining operations has led to flooding and has destroyed some agricultural land and dwellings. Reports of livestock deaths were also noted in grazing areas destroyed for mining (Sokhulu fishers focus group, February 2010).

The negative attitude of Sokhulu and Mbonambi residents towards mining is not surprising given this array of impacts. Although Table 4.1 shows that employment through mining contributed 19 per cent towards household monthly income in Sokhulu households in which someone in the family was employed in mining, Figure 4.4 illustrates that 40 per cent of these households believed that mining had negatively affected their livelihoods.

The result is even more striking for Mbonambi. Here, mining contributed 30 per cent of monthly household incomes, yet as many as 71 per cent of Mbonambi households indicated that mining had affected their lives negatively. Fishers, farmers and even RBM employees reported that the benefits that they had received from mining were outweighed by the ecological and social costs and losses.

Making amends: An overview of benefit sharing in Sokhulu and Mbonambi

RBM is no stranger to controversy, as this background reveals, and conflict has been further aggravated over the past 10 years by unresolved land claims and ongoing labour strikes (Mbatha, 2011). Conflict also characterises its managing and marketing company, Rio Tinto, which, as one of the world's largest private mining companies, has been severely criticised for its abysmal environmental, social and labour record (Kapelus, 2002; RepRisk, 2012).

Increased pressure to improve local benefits from mining in communities adjacent to RBM operations has led to the development of two broad approaches: corporate social responsibility (CSR) and B-BBEE. Both can broadly be defined as benefit-sharing approaches, although CSR is not distributive by nature. These approaches are described below.

Corporate social responsibility

CSR, also referred to as corporate citizenship, has emerged over the past 20 years as a central means used by mining companies to channel benefits to mining-affected communities and to 'frame their attitudes and strategies towards, and relationships with, stakeholders, be they investors, employees or … communities' (Jenkins, 2004: 24). As the term 'corporate' suggests, this is an approach driven predominantly by the private sector, but typically in response to government regulation, shareholder demand, or consumer or community pressure. Although not strictly a benefit-sharing intervention, CSR is about 'balancing the diverse demands of communities and the imperative to protect the environment with the ever present need to make a profit' (Jenkins, 2004: 24) and 'systematizing corporate contributions to development' (Merino & Valor, 2011: 165).

Increasingly, CSR has shifted towards 'new political methods of accelerating corporate investment' in community development (Blowfield, 2005), while more critical perspectives describe the increasingly selective use of CSR by mining companies in particular communities as a 'strategic investment to secure a social license to operate' (Heisler & Markey, 2013). An important trend throughout the world, contextualised through an advancing neoliberal economic development agenda, has seen growing reliance by the state on CSR to deliver public services that the state cannot (or will not) meet (Sadler & Lloyd, 2009), a point to which we shall return when analysing the findings of this research.

In the South African context, the shift towards CSR began in the late 1980s, as the government began to challenge businesses to support poverty alleviation (Kapelus, 2002). RBM, through its parent company Rio Tinto, developed a global corporate responsibility strategy, declaring its principles and values, and clarifying policy guidelines for their implementation. Part of the reason for developing the policy guidelines was to help the company build sustainable mutual relationships with host communities and to improve the access of affected communities to existing and new opportunities within the firm (Rio Tinto, 2001; Kapelus, 2002).

Rio Tinto has also been active in the United Nations Global Compact, which sets out principles (UN Global Compact, 2008) for the private sector to ‘embrace, support and enact’ through a set of core values in the areas of human rights, labour standards, the environment and anti-corruption (Rio Tinto, 2012). Many of these principles are, in turn, reflected in RBM’s code of conduct, *The way we work* (Rio Tinto, 2009).

Specific benefits from CSR in Sokhulu and Mbonambi have included education, health care and community-development schemes (Kapelus, 2002; RBM representative, personal communication February 2010). According to RBM (2010), the Sokhulu and Mbonambi communities have also benefited from the presence of the mining company in these communities through projects including infrastructure support for schools, the Treepreneur project (indigenous tree planting), rigging training for unemployed youth, and annual donations to 24 schools in the host communities. In addition to this, RBM prides itself on employing staff from the host communities (see Table 4.1), and on building clinics and roads for mining operations that are now used by the communities.

Broad-based black economic empowerment

B-BBEE has emerged as a second benefit-sharing approach in these communities. This has been driven primarily by the Mineral and Petroleum Resources Development Act (South Africa, 2002) and the Broad-Based Socio-Economic Empowerment Charter for the South African Mining Industry (DMR, 2004), or Mining Charter, which gives effect to section 100(2)*(a)* of the Act. The main purpose of these policy documents is to prioritise transformation, employment equity and rural development as redress for the historical exclusion of blacks, mining communities and women from participation in the mainstream economy (DMR, 2009). A minimum target of 26 per cent ownership by 2014 is set for historically disadvantaged South Africans. Broad criteria are also set for local procurement, beneficiation, community development and environmental management.

RBM’s compliance with these requirements has been effected through the establishment of a consortium with seven lead investor companies, four host communities (including Sokhulu and Mbonambi) and an employee share participation scheme (Figure 4.3). The consortium is 26 per cent owned by the B-BBEE structure, with the four host communities holding 10.8 per cent of the shares, lead investors 13.2 per cent and RBM employees 2 per cent (RBM, 2007; RBM, 2010; RBM executive management member, personal communication, 2010). This means that the communities now have a stake in the company through the shareholding, which acts as a mechanism for sharing benefits between RBM, the mining communities and the other shareholders. Rio Tinto owns the remaining 74 per cent.

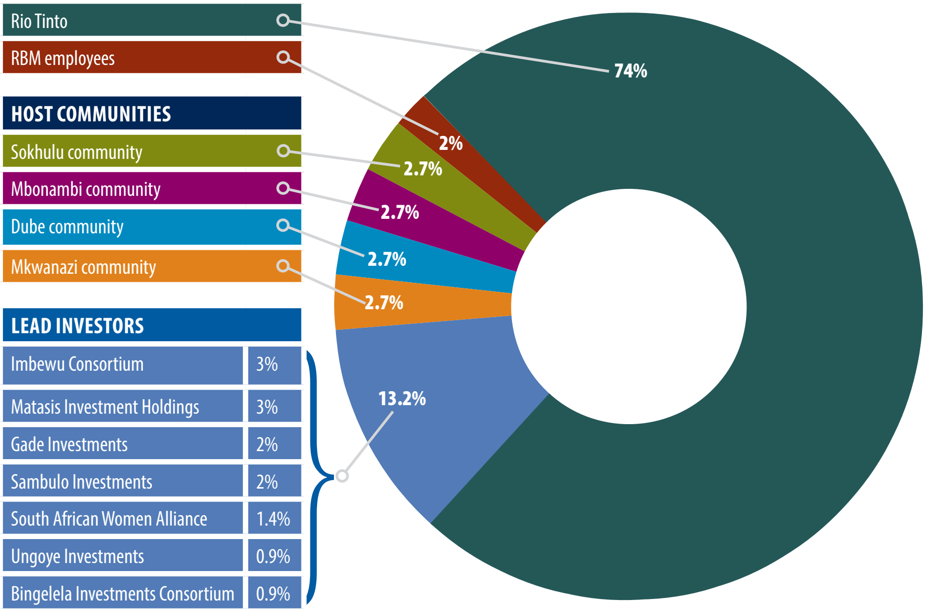

Figure 4.3

RBM's B-BBEE consortium structure showing percentages owned by shareholders

The effectiveness of benefit-sharing approaches in Sokhulu and Mbonambi

Community support for CSR and B-BBEE

National policies and laws support these benefit-sharing initiatives, but the situation on the ground seems quite different. Although RBM believes that communities are satisfied with its efforts to provide services and infrastructure that the government has failed to deliver in these areas (RBM, 2010), contrary perceptions were revealed in the research conducted for this chapter. Many of those surveyed did not think that RBM had done enough: they believed that the benefits from mining did not make up for what had been lost, and therefore that CSR efforts were not making a sufficient impact. It is difficult to verify concerns, and some may well be unquantifiable, but these perceptions emerged strongly throughout the research process, over a period of time. Few community members were aware of or affected by the B-BBEE consortium agreement, partly due to its newness at the time of the research, as binding agreements were signed only at the end of 2009.

Research revealed a clear gap between the benefits that RBM claims to give communities and the benefits perceived by residents. Table 4.1 records employment figures of 19 per cent and 30 per cent from mining in Sokhulu and Mbonambi, respectively, yet notwithstanding these economic benefits, 86 per cent and 77 per cent of households in the respective communities believed that they did not benefit at all from RBM or its benefit-sharing mechanisms.

However, the majority of households were aware of RBM's CSR projects.[9] Although RBM mining employees noted that the establishment of a job-seekers committee in Mbonambi had created local benefits by obliging RBM to hire more people from the community, there was a general sense that either the community was not benefiting from these interventions or the benefits were not adequate in relation to the wealth associated with RBM. Only 14 per cent and 23 per cent of households in Sokhulu and Mbonambi, respectively, believed they had benefited from RBM's CSR projects, and only 4 per cent and 13 per cent were satisfied with these benefits.

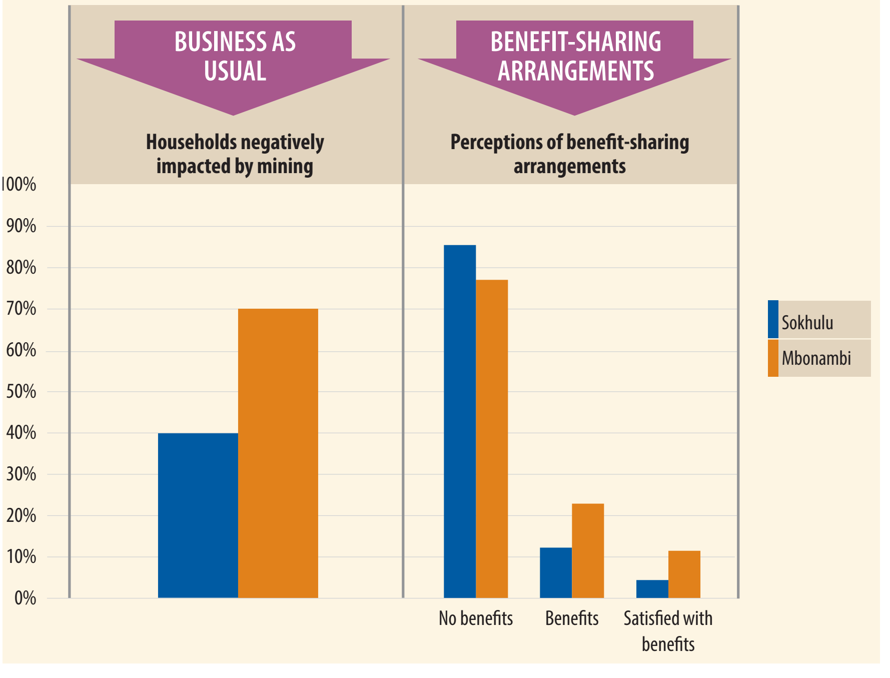

Figure 4.4

Benefits and losses from mining and benefit sharing, as perceived by Sokhulu and Mbonambi communities

It is also useful to reflect on the developmental role played by RBM in implementing CSR. Although RBM's CSR programmes contribute to developing infrastructure such as roads, health facilities and schools, these are functions that should be provided by local or national government. The government has, however, failed to deliver basic services such as water, electricity, sanitation, roads and clinics, a situation referred

[9] The B-BBEE deal had not yet been signed by Mbonambi when the household surveys were undertaken.

to by Risse (2006, 2010) as ‘limited statehood’, meaning the state’s lack of ability to implement and enforce rules and decisions.

This brings into question the relative roles and responsibilities of the government and the private sector in achieving community development. The history of CSR in this region has led community members to believe that RBM is responsible for basic service provision such as sanitation and electricity, as well as health and education infrastructure, which not only absolves government of its responsibility, but also compromises the potential of communities to benefit fully from the economic opportunities offered by RBM. If, for example, the government provided basic services, RBM could focus on providing other kinds of benefits to the local people, and not be under pressure to provide as ‘benefits’ services that rightfully fall within the government’s mandate.

Moreover, as described later, the role of RBM as ‘service deliverer’ creates ‘in-between’ policy spaces (see Sadler & Lloyd, 2009) that can be problematic when the situation is used to promote particular interests in the community.

Revegetation of mined dunes using the exotic commercial species *Casuarina equisetilfolia* (beefwood). | Photo: Rachel Wynberg

BOX 4.2 Thulani Mbhele — RBM contractor employee

Mining activities adjacent to Mbonambi | Photo: Rachel Wynberg

Thulani Mbhele is a 43-year-old married father of four who resides in the Nhlazini village in Mbonambi. His family has 12 members in total, and he is the main breadwinner. Thulani works for an RBM contractor called New Adventure, which was founded under RBM's B-BBEE initiatives, and has done so for three years. He is a 'general worker' for the company, and his job entails connecting pipes used for transporting mined sand containing minerals.

Thulani Mbhele | Photo: Thulani Jobe

Thulani is pleased with the fact that he has obtained employment from mining, but he is not satisfied with the amount he is paid as it is not enough to support his entire family. Thulani works nine hours per day, earning R16.54 per hour. He thinks he should be paid more, given the long hours and risks.

Thulani believes that mining has left the Mbonambi community worse off. Thirteen people in his neighbourhood have died due to mining-related activities since mining began. Many in his community have been displaced by RBM for the construction of roads, but have not been compensated. He does not think that the benefits received from mining make up for the losses incurred by himself and his loved ones.

Multiple institutions operating in a plural space

A number of factors have influenced or contributed to negative perceptions of RBM in the community. These include the conflictual and turbulent history of RBM in the region but by far the most significant factors relate to the complex and contested institutions that have been set up to administer CSR and B-BBEE. Figure 4.5 gives an overview of the institutional landscape in Sokhulu and Mbonambi, illustrating the establishment of a youth development committee in Sokhulu and a job-seekers committee in Mbonambi to implement CSR commitments to local employment creation.

In addition to these committees, two separate trusts have been established in the Sokhulu and Mbonambi communities, in partnership with RBM, to distribute and manage benefits for the wider communities. A community development trust is responsible for implementing community development strategies in each host community, while shareholding trusts manage the 2.7 per cent community shares. RBM supports community engagement in the consortium through capacity development. The mining company has also employed independent accountants to administer the shareholding of the communities in the consortium (RBM representative 1, February 2010, pers. comm.). The trusts work under the guidance of the traditional authorities, with limited involvement by the Mfolozi local municipality, which has little presence in these traditional authority-dominated communities.

This multiplicity of institutions, operating alongside multiple layers of traditional and statutory authorities, has been a central reason for the confusion and lack of coherence in communities. In Sokhulu, for instance, the youth development committee, traditional authority, community development trust and shareholding trust are all community institutions with which RBM works. Except for the traditional authorities, each of these institutional structures has a different mandate, so the structures work separately, even though all are accountable to traditional authorities at the local level. For example, the youth development committee and the community development trust have community upliftment roles, but use separate benefit-sharing strategies, namely CSR and B-BBEE, and thus do not work together. The multiple institutions set up by RBM therefore act as blocks on one another, as they confuse community members about who is actually responsible for distributing benefits.

This confusion creates, in turn, opportunities for abuse and corruption and the absorption of benefits meant for the wider community (Mbonambi mining focus group, February 2010; Sokhulu mining focus group, February 2010). As Lund (2006: 700) notes: 'Plurality of institutions may open alternative avenues for some — also for poorer people — but the more affluent, the better connected, and the more knowledgeable tend to have the upper hand in such contexts.'

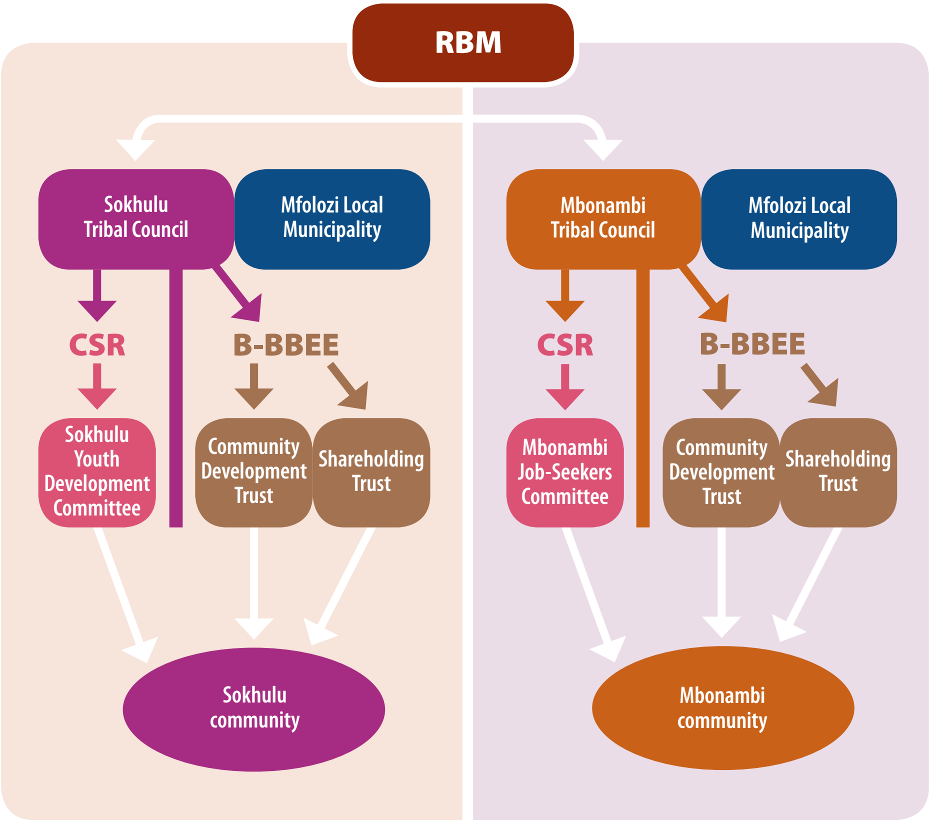

Figure 4.5

RBM's institutional arrangements for distributing CSR and B-BBEE benefits in Sokhulu and Mbonambi

Lack of downward accountability and transparency

The difficulties described earlier are aggravated by the perceived lack of downward accountability in RBM's community institutional arrangements. The research revealed that community members in Sokhulu and Mbonambi were unhappy about the fact that RBM had direct relationships with the traditional authorities and their committees, which were not believed to be representative of the communities at large. Figure 4.6 demonstrates that although almost all surveyed households were aware of CSR benefit-sharing arrangements, only 29 per cent and 18 per cent in Sokhulu and Mbonambi, respectively, believed these were representative. This is a finding that resonates with studies elsewhere in South Africa. Farrell et al. (2012), for example, highlight the complexities of legitimacy and community representation in the human rights controversies surrounding Anglo Platinum's Mogalakwena mine in the Limpopo province, and stress the need for corporate leaders to become more conscious of the 'cultural dimension of social management'.

In Sokhulu, the youth development committee comprises community members employed by RBM to recruit local workers on their behalf, as well as persons affiliated to the traditional authority. The two trusts comprise members of the Sokhulu tribal council and the Sokhulu ward councillor. Similarly, in Mbonambi, the job-seekers committee comprises community members employed by RBM or its contractors, while the trusts are similar to those in Sokhulu, comprising members of the tribal council.

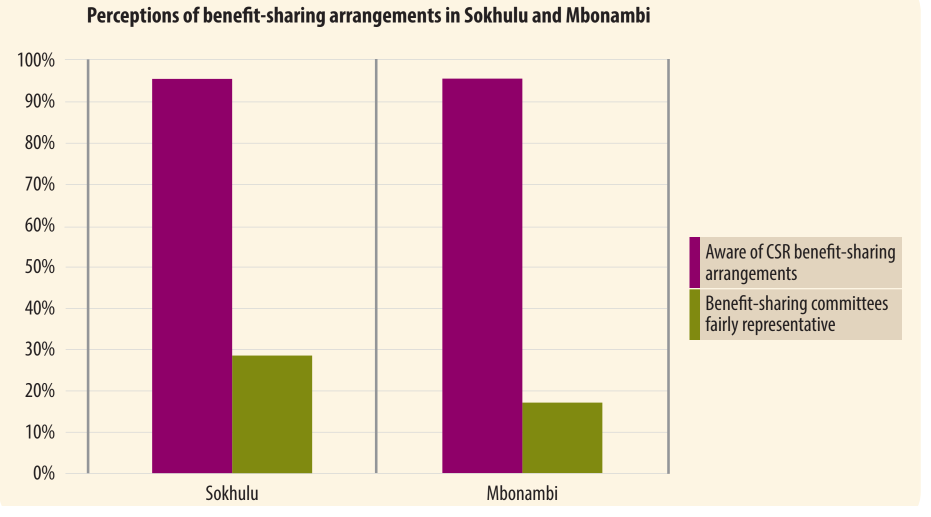

Figure 4.6

Community perceptions of RBM's benefit-sharing arrangements

These institutional structures and their representatives were not determined by the community as a whole. Moreover, the existing representatives lack legitimacy due to their stake in mining, through either employment or affiliation with the traditional authorities. Representatives are typically chosen based on affiliation with the traditional authorities and at the time of this research, there had not been any elections for the selection of representatives to local mining committees in the communities. The selection of the traditional authorities themselves is also not by popular vote, but based on heredity and for life (Beall et al., 2004). Combined, all these aspects constitute a flawed democratic process and inadequate accountability. As noted by Larson and Ribot (2004: 11), 'leaders who cannot be selected — or removed — by constituents have only limited downward accountability'.

Not surprisingly, community members were under the impression that no matter what benefits RBM delivered, these would be controlled by the traditional authority, which would also decide who in the communities could access benefits. Sokhulu mining-sector employees remarked:

> *RBM does something wrong by directing all benefits they have for the community to the tribal authorities. They should address what they are doing to the community*

as a whole, because now the benefits never reach the whole community, and only the people affiliated with the traditional authorities end up benefiting … there is a big gap between the benefits that RBM gives to the community and the amount of these benefits that actually reach the community on the ground.

(Sokhulu mining focus group, February 2010)

Figure 4.7, based on a social network mapping exercise with mining employees from Sokhulu in a focus group discussion on power and decision-making, graphically illustrates this concern, and demonstrates the exclusion of the wider community from decision-making processes between RBM, the traditional authority and other stakeholders.

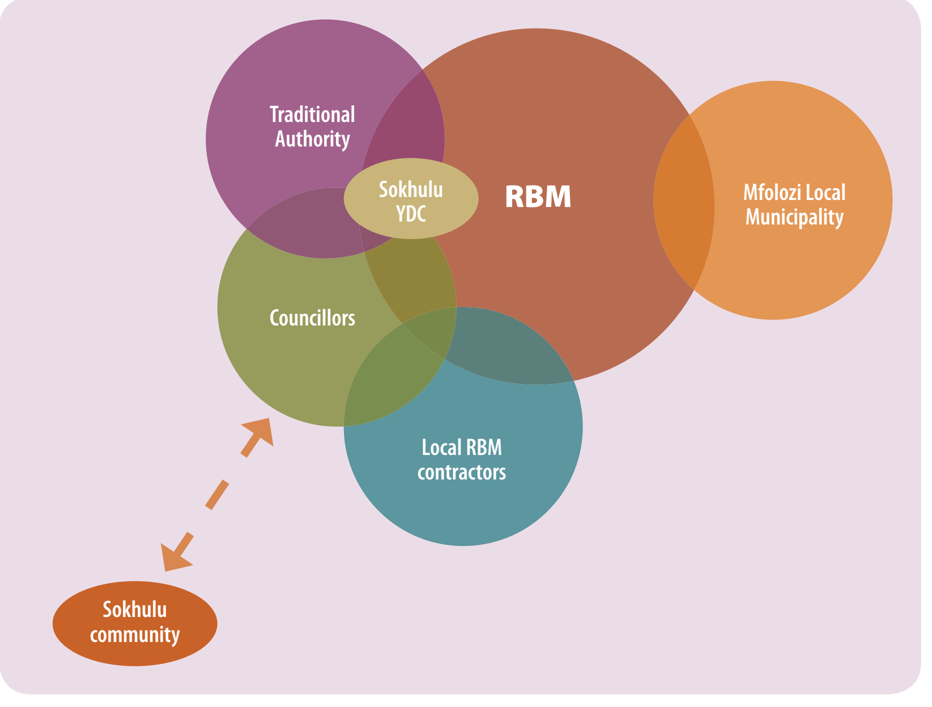

Figure 4.7

Sokhulu mining employees' perceptions of decision-making power. The size of the circle depicts the perceived decision-making power of each actor.

On the ground, this manifests in bias and favouritism, with reports of unfairness, for example, in the way in which the Sokhulu youth-development committee selected community members for jobs, and rumours of bribes in exchange for jobs. Attempts by the Mbonambi community trust to improve accountability in decision-making have led to frustration and concerns that RBM liaises exclusively with the traditional authority. In this context, RBM was referred to as 'the beast', implying that the company did as it pleased in the area and benefited the community only if it suited the company's interests (Mbonambi mining focus group, February 2010).

These concerns were not limited to the community. A representative from the municipality remarked:

> *There are a lot of things the community does not know and is not told about, such as incentives received by the community from different industries operating at Mbonambi … I don't know anything about the B-BBEE deal because issues concerning money are negotiated behind closed doors by the traditional authority. My suspicion is that all incentives meant for the community drown in the hands of the traditional authority.*
>
> (Mbonambi key informant, February 2010)

Elite capture of benefits and misuse of power

Concerns about the lack of accountability of traditional authorities in South Africa are not new and are widely reported in the literature. Beall et al. (2004), for example, remark that one of the key problems in rural areas of South Africa is that traditional authorities are antithetical to the ideals of democracy by using political, hierarchical and patriarchal systems to exclude others from obtaining benefits. The present study confirmed that it was widely believed that political patronage was used by traditional authorities in Sokhulu and Mbonambi to determine the distribution of benefits from RBM mining.

Sokhulu community members noted that successful candidates for RBM tenders were usually known to be members of the political party affiliated to the traditional authority and tribal council, or people who came from the villages in which the traditional leader and the councillor[10] resided. There was a belief that the traditional authority was using the R17.5 million B-BBEE endowment paid by RBM to the community, to curry political favour, by letting it be understood that if local people did not join a particular party, they would not get access to benefits. It was reported that local people in Sokhulu had begun to join that political party in desperation and out of fear that they would not access the benefits from the B-BEEE money. This appeared to be substantiated by the fact that the councillor had told community members of a decision by the tribal council to use some of the money for bursaries to enable local youth to study at tertiary institutions. There were reports that some young people in Sokhulu had been excluded from obtaining bursaries because the villages from which they came did not support the locally dominating political party affiliated with the traditional authority (Sokhulu mining focus group, February 2010).

Allocating powers to non-representative authorities constituted by private interests clearly aggravates a lack of accountability and undermines fairness in decision-making

[10] This refers to the incumbent councillor at the time this research was conducted (2009–2010). This councillor had a strong relationship with the traditional authority and, as a result, was included in tribal council affairs in the community.

about benefit distribution. Furthermore, a lack of accountability can slow down democratic processes at the local level, making other institutions such as RBM lose legitimacy in the eyes of the communities (Ribot, 1999, 2003). Concern about the powers of traditional authorities is, ironically, shared by RBM. An RBM official noted that communities no longer trust RBM and their leaders because

> *the royal family mostly wants special attention … they feel development should be for them and they feel that they are running the community and the people are just there ... people have been cheated so much that they don't believe there is good that can still happen.*
>
> (RBM representative, February 2010)

Analysis and conclusion

There are many lessons to be drawn from these initiatives to implement benefit sharing in mining-affected communities. First, it is apparent that the impacts of mining in poor coastal communities cannot be studied in isolation, especially if the context is one in which people rely upon a variety of sectors and natural resources, such as fisheries, forestry and agriculture. The impacts of mining are often overarching and affect a range of livelihoods in adjacent communities. Despite economic benefits, communities still believe that they are worse off as a result of the mining.

Second, while the affected communities acknowledge RBM's benefit-sharing efforts, the benefits are not filtering down to the communities at large due to the lack of accountability of traditional authorities. The multiple institutional arrangements for benefit sharing put in place by RBM in Sokhulu and Mbonambi do not support this objective and have become blockages in themselves, as they confuse community members about who is actually responsible for distributing benefits. Institutional plurality minimises accountability and exacerbates power struggles and misuse among community leaders, which prevents the distribution of benefits to the wider communities.

Indeed, the prevalence of traditional authorities is one of the main obstacles to democratic decentralisation in rural South Africa, undermining democratic processes in rural areas (Ntsebeza, 2002). This can be attributed primarily to the fact that in the current democratic dispensation, traditional authorities still have as much power as they did under the apartheid government, and still have dominant control in rural areas (Ntsebeza, 2002). Power thus remains a hugely significant factor that affects the ability of people to benefit from natural resources and, in particular, the degree to which the decision-makers involve people in deciding how benefits are shared. This is an issue that has been described elsewhere (for example, Ribot & Peluso, 2003; McDermott, 2009) and the present research affirms the centrality of power in determining the effectiveness of benefit sharing.

Third, it is clear that the institutional picture is much more complex than it seems. RBM, for example, is not a blameless partner, and to some extent appears to have followed the route of expediency in the way in which it has exploited local institutional fragilities. For example, RBM has failed (whether deliberately or out of ignorance) to follow up on the actions of traditional authorities and local mining institutional structures by ensuring that community members are, in fact, consulted on issues relating to benefit sharing and that the communities are benefiting as they should from black economic empowerment and CSR.

This finding echoes those of other studies that reveal how benefit sharing can be compromised by the failure of institutions to monitor situations in which power is decentralised to unaccountable local structures (Larson & Ribot, 2004; Hamann, 2004). An alternative interpretation is that the structures put in place by RBM represent a convenient way for the company to comply with the law and be considered socially responsible, thus improving both its reputation and its profit margins, while it actually has little interest in ensuring that benefits do, in fact, reach the ground (Jenkins & Obara, 2008).

A fourth lesson emphasises the importance of understanding and implementing transformation, redistribution and equity in a wider context, beyond an approach that simply seeks to achieve legal compliance and financial milestones, and with due consideration to the development needs of marginalised communities. Other similar critiques are emerging increasingly about the South Africa mining sector, alongside recognition that the application of B-BBEE has overemphasised equity ownership by mineworkers and mining-affected communities, at the expense of other principles in the Mining Charter, such as capacity building and infrastructure development, that are more supportive of immediate community needs (Leon, 2012; Sapa, 2012).

Indeed, as the results of this research affirm, B-BBEE in mining has in some cases led to the creation of a well-connected elite minority, instead of empowering marginalised mining communities (Matthews, 2012; SAIRR, 2012; Jeffery, 2013). Companies and the government are both to blame for this failure: companies, because of the 'tick-box' mentality that they seem to have applied in complying with the B-BBEE and social responsibility obligations in the Mining Charter and the Mineral and Petroleum Resources Development Act, rather than giving due attention to the context-specific details required in setting up appropriate local institutions that ensure the equitable distribution of benefits; and the government, because it has failed to adequately enforce and monitor B-BBEE implementation.

The tragedy of Marikana, the despair of the Sokhulu and Mbonambi communities, and calls to nationalise South African mines are all clear examples of the government's failure to ensure implementation of the regulations enshrined in the Mining Charter and Act, demonstrating both a lack of enforcement capacity and the absence of clear mechanisms to evaluate whether or not redistributive objectives are being achieved (Matthews, 2012; Pressly, 2012).

All of these factors point towards an overarching lesson and conclusion: failure to set in place robust, accountable, representative and trusted institutions for benefit sharing will ultimately undermine the effectiveness of benefit sharing, no matter how well intentioned the initiative. Adequate participation of all community members, in some way, in decision-making about benefit distribution is imperative in establishing equity in that distribution process. Suitable administrative and financial training and capacity building to develop and maintain resilient institutions is part of that process. So, too, is the establishment of governance arrangements between community and RBM, on mutually understood terms. As Ribot (2003: 61) notes, 'establishing accountable representative institutions is a priority — perhaps a precondition' for equitable benefit-sharing, and 'without systematic means for public participation and voice in local decisions, transfer of power to the local arena becomes deconcentration or privatization by default', which concentrates powers to unaccountable institutions at the expense of the communities.

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Sharing benefits from tourism in Mozambique: Pitfalls and possibilities

chapter 5

Mayra Pereira and Maria Hauck

Introduction

Tourism is one of the largest and fastest-growing industries in the world and is internationally recognised as an important development vehicle for the growth of a country's economy (Honey, 2008; Van der Duim et al., 2011a). In particular, tourism has shown growth in countries that are characterised by high levels of poverty. Developing countries are increasingly attracting tourists due to an abundance of tourism assets such as unique cultural and environmental experiences (Scheyvens, 2007). Governments have therefore adopted tourism as an integral part of their economic growth and development strategies because it has the ability to generate employment, improve infrastructure and serve as a source of financial resources, foreign exchange earnings and technical assistance (Spenceley, 2008a; Saarinen et al., 2009a).

However, there are also challenges in the tourism sector. These include inequitable distribution of benefits and negative social, economic and ecological impacts on local communities (Ashley & Roe, 2002; Cole & Morgan, 2010). In an attempt to counteract these negative impacts, the past two decades have seen a variety of approaches that recognise the need to think about tourism differently, including ecotourism, community-based tourism, pro-poor tourism, sustainable tourism and responsible tourism (Bramwell & Lane, 1993; Roe et al., 2002; Honey, 2008; Spenceley, 2008b). Particular credence has been given to the notion that communities can significantly benefit from the tourism sector, leading to tourism initiatives that place an emphasis on enhancing benefits to local communities (Scheyvens, 2002). Proponents of pro-poor tourism, for example, argue that the tourism sector can unlock opportunities for the poor, enhance economic and other livelihood benefits and promote engagement in decision-making (Ashley et al., 2001).

This study set out to contribute to the growing discourse on benefit sharing by exploring the tourism sector in three case study sites in Mozambique. We use the term ‘benefit sharing’ in this study to describe the way in which an economic sector, such as tourism, intervenes to redistribute benefits to different actors in order to achieve more equitable outcomes (see Wynberg & Hauck, Chapter 1). In particular, benefit sharing focuses on reducing inequalities, improving local livelihoods and promoting social justice. The aim of this research, therefore, was to investigate how local communities have benefited from the tourism sector, the losses they have incurred and the interventions that have been initiated to enhance benefits to local communities. This study identified four different tourism models with different actors, different strategies to engage with communities (or not) and different outcomes.

The research revealed that local households were involved in various economic sectors including fisheries, agriculture, forestry and tourism. Although the tourism sector was the primary focus of this study, links with other sectors were also explored, particularly fisheries. Research methods included a survey of 244 households, 19 focus group discussions (with 315 participants) and 33 key informant interviews.[1] The household surveys mainly explored the socio-economic context of the local communities, as well as resource use and benefit-sharing interventions, while the focus groups and interviews concentrated on the benefits and losses of tourism, interactions with other sectors and institutional arrangements.

This chapter begins with an overview of tourism in Mozambique and a brief description of the case study sites. The four models of tourism identified in this research are then described, as well as the positive and negative impacts that tourism interventions have had on adjacent communities. These impacts are discussed, with a particular emphasis on how benefits have been enhanced through linkages and partnerships between external actors and local communities. This chapter ends with a discussion of both the obstacles to, and the possibilities for promoting, benefit sharing in Mozambique’s tourism sector.

Tourism in Mozambique

Mozambique’s tourism industry is centred on the country’s pristine areas, tropical beaches and sunny landscapes, with growing interest in its diverse cultural and cosmopolitan city life and the rich flora and fauna. Historically, Mozambique was a popular destination for tourists from South Africa and surrounding landlocked countries who were drawn to the beach resorts (Kiambo, 2005). However, civil war caused a major decline in tourism between 1976 and the mid-1990s. By 2000, though, tourism was again the fastest-growing sector of the economy (Rylance, 2008). After the civil war the government promoted tourism as a tool for poverty alleviation and economic development (Kiambo, 2005), with the tourism sector highlighted in its Action Plan for the Reduction of Absolute Poverty (Mozambique, 2001).

[1] More detailed information on the methods can be found in Wynberg et al., Appendix. All of the findings discussed in this chapter were derived through these methods and can be found in more detail in Pereira (2011).

As a result, investment in tourism development has grown relatively fast. While tourism in Mozambique contributed only 1.2 per cent to national GDP in 2002 (Kiambo, 2005), tourism investments between 1998 and 2002 totalled US$1.3 billion, the third-highest investment sector in the country (Mubai, 2006; SNV, 2007). Johnstone and Johnstone (Chapter 6) note, however, that the promotion of external investment in Mozambique may have been a key factor behind an uncontrolled growth of mass tourism in the country that did not necessarily take into consideration the negative impacts on local communities.

The need to balance economic growth with social and environmental benefits has, however, now been recognised by the government of Mozambique and is highlighted in the national Tourism Policy and Implementation Strategy (Mozambique, 2003), which aims to improve benefits to local communities. The government is also beginning to explore and encourage other approaches to tourism, such as fair trade, which aims to address inequities in tourism enterprises (Luis, 2008). Enhanced community benefits, however, are inextricably linked to the ability of communities to gain, secure and control use of and access to land and resources (Nelson, 2012). As Chapter 6 explains, such rights are enshrined in Mozambique's Constitution (Mozambique, 1990), and supporting laws and policies recognise customary law, protect the rights of local communities to secure land and natural resources, promote consultative processes with traditional leaders and communities, clarify specific benefits to communities, and promote decentralisation and co-operative institutional arrangements.

While the practical implementation of such objectives has faced numerous challenges (Rylance, 2008), the legal and policy environment in Mozambique provides a strong foundation for promoting local benefit sharing in the tourism sector. In fact, Jones and Murphree (2004) argue that Mozambique is a leader in the southern African region in terms of legislation that addresses issues of land rights and tenure. The poverty reduction framework, called the Action Plan for the Reduction of Absolute Poverty (Mozambique, 2001), for example, recognises the importance of land tenure security and the need for communities to participate in decisions about the land allocation process, especially in relation to tourism investment.

Case study sites

Three coastal communities were identified for this study: Conguiana and Josina Machel in Inhambane Province and Gala in Maputo Province (see Figure 5.1). In these communities, tourism is a growing economic sector, and an increasingly important one. While tourism linkages and partnerships have been established between local communities and other actors (such as the private sector, NGOs and government) in Conguiana and Gala, Josina Machel represents conventional tourism development, which is often driven by people outside the community with little understanding of local needs or desires. These three cases were selected because they allow a comparison of the different approaches to tourism and the different interventions that were initiated.

The primary focus of the study was to understand the impacts of tourism on households living in communities adjacent to tourism initiatives and to determine whether benefit-sharing arrangements in fact enhanced local benefits.

Figure 5.1

Location of case study sites (black dots indicate household surveys)

Historical background and socio-economic characteristics

Inhambane Province, characterised by a mild, humid climate, a beautiful coastline and rich sea life, is considered the 'Holy Mecca' of tourism in Mozambique (Ricardo, 2004: 3). However, it is also one of the poorest provinces in the country (Mutimucuio & Meyer, 2011). The Municipality of Inhambane City, which includes the communities of Conguiana and Josina Machel, is located 460 kilometres north of Maputo city, the capital of Mozambique.

During the 1960s, the Portuguese became aware of the tourism potential and started to build infrastructure in the Josina Machel area, and in the 1970s the first hotel was established (Ferrão, 2005). Tourism was developed initially for the enjoyment of the Portuguese and other international tourists in the region, while the indigenous people, as this study's focus groups emphasised, were forbidden by law to use the coastal zone. When peace was restored in 1994 after the civil war, traditional institutions were re-established and there was renewed interest in investing in the area. By 2010, the area around Josina Machel and Conguiana was identified as having one of the largest numbers of tourism establishments in the country, with 20 registered in Josina Machel and 38 in Conguiana. These included lodges, hotels, dive operators, restaurants and businesses that supplied and supported tourism. Growth in tourism, however, took place without an overarching management plan (Ferrão, 2005).

The third case study site, Gala, is in Maputo Province, about 95 kilometres south of Maputo city. Gala is located in the buffer zone of the Maputo Special Reserve, which was established in 1932, primarily for wildlife hunting (Kloppers, 2006). At that time, many people from the local communities living adjacent to or inside the reserve were migrating to South Africa because of *chibalo*, a system of forced labour introduced by the Portugese. As the Portuguese occupied the southern parts of Mozambique, the pressure on forced labour increased (Kloppers, 2006). Focus groups testified that the following decades saw local communities being forcibly removed from the reserve into communal villages, increased violence as a result of the civil war, and customary land 'given' to an American investor, which resulted in the local community being denied access to the land and its resources (Kloppers, 2006; Haaland, 2008).

Following peace agreements between the political parties in 1992, there was a growing interest in tourism from foreign investors because of the attractiveness of the coast and close proximity to South Africa. By 1994, many of the former inhabitants of Gala had returned to the area where they had previously been settled and were harvesting coastal resources. In 2002, the Swiss NGO Helvetas assisted the Gala community in a delimitation process in which a formal set of boundaries was established and community land was registered (Haaland, 2008). This also gave the Gala community the opportunity to explore community-based tourism ventures with the facilitation of Helvetas, leading to the opening of a community lodge in 2004.

Tourism is an important source of income for all three communities, contributing approximately one third of household income (Table 5.1). In addition, tourism has provided a market for other household income sources, such as agricultural products and marine resources, and this has had a cumulative effect on local livelihoods. However, as described in Table 5.1, each of these communities is marginalised in terms of development, with limited basic services and low levels of education and income. While formal employment is limited, owing to the lack of opportunities outside tourism and low skill levels, self-employment is relatively high, with local people focusing on entrepreneurial activities related to small-scale farming, small-scale fishing, craft-making and informal shops. Local livelihoods are thus characterised by diversified subsistence and income-generating activities.

Table 5.1

Socio-economic characteristics of case study sites, based on household surveys

LOCALITY/ VARIABLE		JOSINA MACHEL	CONGUIANA	GALA
Survey sample size		9% (139/1514)	9% (73/774)	92% (33/36)
Average household size		5	7	2
Housing		Informal	Informal	Informal
Access to electricity		46%	47%	0%
Main source of energy for cooking		Firewood (+charcoal)	Firewood (+charcoal)	Firewood (+charcoal)
Main drinking water source		63% open well 26% piped public stand	46% open well 25% piped public stand	66% open well 28% ground water
Use of agricultural produce by respondents		95% household consumption only 5% home & sale	95% household consumption only 5% home & sale	33% household consumption only 67% home & sale
Main fish usage		27% food only 73% food, sale & give away	37% food only 63% food, sale & give away	21% food only 79% food, sale & give away
Education level: Primary education or less		90%	76%	92%
Occupation	**Employed**	24%	34%	22%
	Self-employed	59%	42%	50%
	Unemployed	6%	8%	28%
	Pensioners	4%	1%	-
	School-going (but over 18 years of age)	1%	4%	-
	Other/No answer	6%	11%	-
Three most important sources of monthly household income	**Sale of fisheries resources**	26%	42%	34%
	Employment in tourism	33%	34%	30%
	Sale of crops	8%	3%	20%
	Other	33%	22%	28%
Household income levels		<US$ 45 35% US$ 46–90 45% US$ 91–150 17% US$ 151–300 2% US$ 300–900 1%	<US$ 45 38% US$ 46–90 48% US$ 91–150 11% US$ 151– 300 3%	<US$ 45 52% US$ 46–90 17% US$ 91–150 12% US$ 151–300 12% US$ 300–900 7%

Tourism models and benefit-sharing interventions

Four key tourism models were identified in the case study sites, and they resulted in diverse outcomes (Figure 5.2). These models are the conventional approach to tourism, which is the one seen most widely in Mozambique, and three models that aim to build linkages and partnerships with the local community in order to actively enhance benefits: the NGO–community model, the private sector–community model and the government–community model. The object of highlighting these models of tourism is to illustrate the different approaches and interventions that have been adopted by a variety of actors and to assess the community impacts that have resulted.

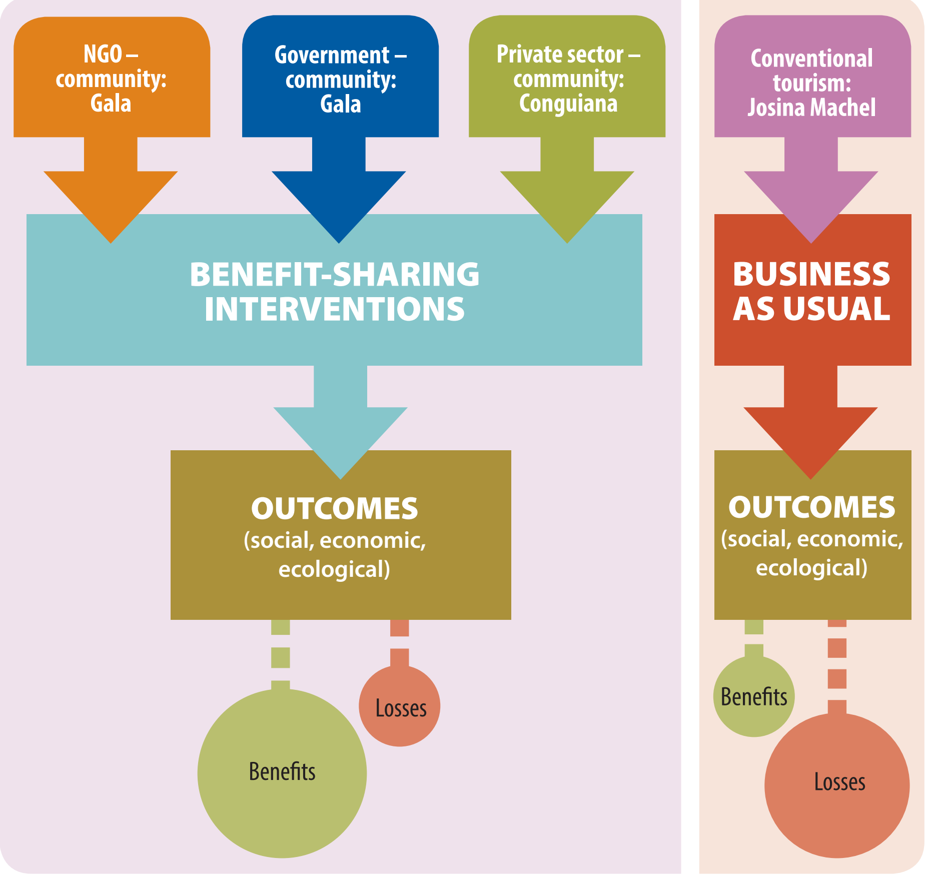

Figure 5.2
Models of tourism identified and explored in this study

Conventional tourism model

In the context of this study, the 'conventional tourism model' refers to tourism being conducted as 'business as usual', meaning tourism operations that focus on economic objectives irrespective of the broader losses suffered by affected communities (Pleumarom, 2012). This often includes 'mass tourism', which is an uncontrolled expansion of tourism by forces outside the community (Timothy, 2002). While not all the impacts of mass tourism are negative, 'relatively few of its positive impacts have accrued to the host communities' (Timothy, 2002: 149).

Mozambique has been described as having a tourism sector characterised by this conventional model, driven by the investments of outside interests (such as South Africa) with little or no regard for the benefits or losses to local communities (Kiambo, 2005). This has been known elsewhere to result in ad hoc tourism developments that do not adequately consider the economic, social and cultural well-being of local communities and the preservation of the natural environment (Long et al., 1990; Drake, 1991). Thus, while the promise of economic benefits may lead marginalised rural communities to accept tourism proposals, these initiatives often have little or no real regard for the negative short- or long-term social and ecological impacts (Kinsley, 2000).

This model of conventional tourism has been recognised broadly in Mozambique (Kiambo, 2005; Nhantumbo, 2009), but in this study was identified specifically in Josina Machel, where tourism initiatives have been implemented with little or no community engagement and no active attempts to enhance local benefits. Interviews and focus groups highlighted community resentment toward tourist establishments in Josina Machel, and the conflicts that have therefore arisen in relation to access to land and coastal resources, as well as the distribution of tourism benefits.

NGO–community model

The 'NGO–community model' is typically characterised by a development approach that takes into account the perspectives of the local community, encourages interactions between local communities and visitors, and promotes ecological and cultural conservation (Campion, 2002). The 1980s saw a growth in the number of NGOs, defined as 'self-governing, private, not-for-profit organizations' (Vakil, 1997: 2060), particularly those located in the northern hemisphere and engaged in poverty reduction and development on the African continent (Fafchamps & Owens, 2006). In the tourism sector, particular shifts occurred following the 1992 Rio Earth Summit, which conceptually linked sustainable development and tourism (Hardy et al., 2002; Haan & Van der Duim, 2008). As a result, international donors increasingly funded NGOs that supported tourism because they preferred to channel their assistance through NGOs rather than government agencies that may be associated with corruption, instability and ideological and political differences (Fafchamps, 2008).

This model was found in Gala, where the NGO Helvetas had approached the traditional authority in 2002, offering to assist the community with issues around land rights and access to natural resources (Haaland, 2008). The partnership between the community and the NGO developed to include an exploration of tourism opportunities for the area that would draw on local natural assets such as wildlife viewing, fishing in the lagoon, beach visits, cultural tours, and traditional dancing and storytelling. In 2004, a community-based lodge, Tinti Gala, was opened to tourists for the first time, operating under a memorandum of understanding between the community and Helvetas. Gala residents were involved in the planning, training and development stages of the project and actively participated in the lodge's elected 'social committee'. This committee functioned as the executive board of the lodge and was responsible for managing the land, controlling the lodge finances, managing partnerships between different stakeholders, marketing the projects and tourism packages, maintaining the links with the local community and ensuring that any surplus money was used within the community. The memorandum of understanding also stipulated that when the agreement expired, after three years of working together, the management of the lodge would be handed over to the local community, or a private operator would be jointly identified to partner with the community.

In addition to recruiting employees locally, Helvetas initiated training programmes to strengthen capacity development, focused mainly on cooking, medicinal plants, tour guiding and tracking, and English language skills. The goods and services required by the lodge were sourced within the area, with only luxury items supplied from South Africa or Maputo. Local reeds and grasses were used for the lodge construction, and food supplies like vegetables and fruits were locally harvested. In addition, Helvetas initiated livelihood projects such as pineapple farming, chicken farming and bee-keeping, as well as other opportunities such as a craft market for local artisans.

Helvetas was, therefore, a key role-player in initiating and marketing the lodge, diversifying livelihoods and connecting tourists with development projects in the area. However, a significant setback is that tourist numbers have decreased, which has resulted in little income from the lodge. On average, there are fewer than five tourists per month (key informant interview, Tinti Gala Lodge employee, August 2012), a concern raised by all focus group participants. Partnerships with the private sector are currently being explored in order to improve the viability of this initiative.

Private sector–community model

A third model, which we call the 'private sector–community model', is often informed by the principles of corporate social responsibility (CSR), which refers to the responsibility of private businesses and corporations to the environment and society (Frynas, 2005). It has been argued that CSR specifically refers to the economic, legal, ethical and philanthropic objectives that move various actors to deliver goods and services to local communities, promote compliance with laws, respect community's rights and contribute to human welfare and development (Carroll, 1991). In addition, companies in the private sector are motivated by the fact that CSR activities can enhance their image and reputation (Hopkins, 2004), lead to approval and support from the local community for their activities (Goddard, 2005) and achieve a competitive edge when vying for contracts (Frynas, 2005).

Barra Resorts, a private company operating in the Conguiana community, comprises a group of investors from Mozambique and South Africa that has developed tourist lodges with the aim of ensuring sound business at the same time as promoting positive local development with adjacent communities. Relationships with the local community have been established through the formation of an informal community group made up of individuals with whom Barra Resorts has close social and informal connections. Meetings are arranged to discuss community difficulties and to help identify needs in order to clarify where funds should be channelled. This is an informal benefit-sharing arrangement that facilitates the identification and implementation of benefits to the local community. In interviews, members of Barra Resorts group argued that the informal nature of their collaboration with the community minimises outside pressures (and power dynamics) from local government officials or traditional structures wanting to involve themselves in the redistribution of benefits to the local communities.

Since 2001, Barra Resorts has introduced a variety of initiatives to enhance benefits from its lodge for the adjacent community of Conguiana. Some of the most significant projects have related to local service provision, such as enhancing access to safe water, which has benefited approximately 4 000 people (Mutimucuio, 2009). Before the establishment of Barra Resorts, locals had to walk anything from 4 to 15 kilometres to reach the only water point (Mutimucuio, 2009). Through this initiative, the community has easy access to water pumps and the clinic has been supplied with non-stop running water. For the community and Barra Resorts this was a win–win situation, because the company also required water for its operation.

In addition, a study by a local NGO indicated that Barra Resorts was the top employer in the area, employing 320 people in 2008; 90 per cent of these are from the surrounding communities (Mutimucoio, 2009). Employment by the company has not only focused on improving household income in the area, but also enhanced the training and skills of employees, with a particular focus on women's empowerment through woman-focused training workshops. Additional initiatives have included infrastructural development (roads, classrooms and a pedestrian bridge that significantly shortens the distance to the local clinic), the establishment of a craft market and support to local businesses, such as providing a market for agricultural and fishery products.

Government–community model

The fourth model, also identified in Gala, is the 'government–community model' in which the distinctive feature is the role of government in setting legislative and regulatory frameworks for communities to benefit from specific tourism interventions.

The aim is to enhance the positive impacts of tourism by promoting local socio-economic development and alleviating poverty (Simpson, 2008). Revenue sharing, for instance, which is outlined in the government's policy on protected area taxes and levies, is one intervention to transfer funds to local communities that live adjacent to a protected area (Mitchell & Ashley, 2010).

In Gala, for example, a community levy is generated from the lease of land, gate fees and tourism profits emanating from the adjacent Maputo Special Reserve. The Forestry and Wildlife Law (Mozambique, 1999) stipulates that 20 per cent of the taxes raised through tourism activities in a protected area or tourism activities that exploit forest and wildlife resources are to be allocated to the local communities from the area where the resources have been extracted (Johnstone & Johnstone, Chapter 6). Since 2008, all 36 households in Gala have received funds from this levy, which is divided among the families in four communities living on the buffer zone of the reserve.

Tourism regulations require that at the beginning of the process of identifying an area in which a tourism venture is to take place, a management committee should be identified and registered and a consultative process undertaken (Mozambique, 2005). In Gala, a local committee was elected and a bank account was opened. From 2008, the government divided the money equally among the four communities and deposited it into the relevant bank accounts. A consultative meeting was held with the community committee in Gala in order to determine how the money would be used, with the funds allocated to livelihood projects (that is, goats).

Outcomes from tourism models: Benefits and losses

Figure 5.3 represents the different economic, social and ecological outcomes that have led to benefits and/or losses from the four tourism models in the case study communities. The aim of this study was to gain a better understanding of the outcomes of tourism interventions from the perspective of the local communities affected by these activities. For that reason, this account highlights the viewpoints of those living in the communities, both individuals (through surveys and interviews) and groups (through focus group discussions). In addition, perceptions from other key actors are drawn on to elaborate the views of the community, and broader references are made to place those views in the context of wider experience and lessons learned elsewhere.

Economic outcomes

Positive economic impacts from tourism were identified across all three case study sites, with additional benefits emanating from benefit-sharing interventions. Losses were also identified, with most of these exacerbated by the absence of community linkages.

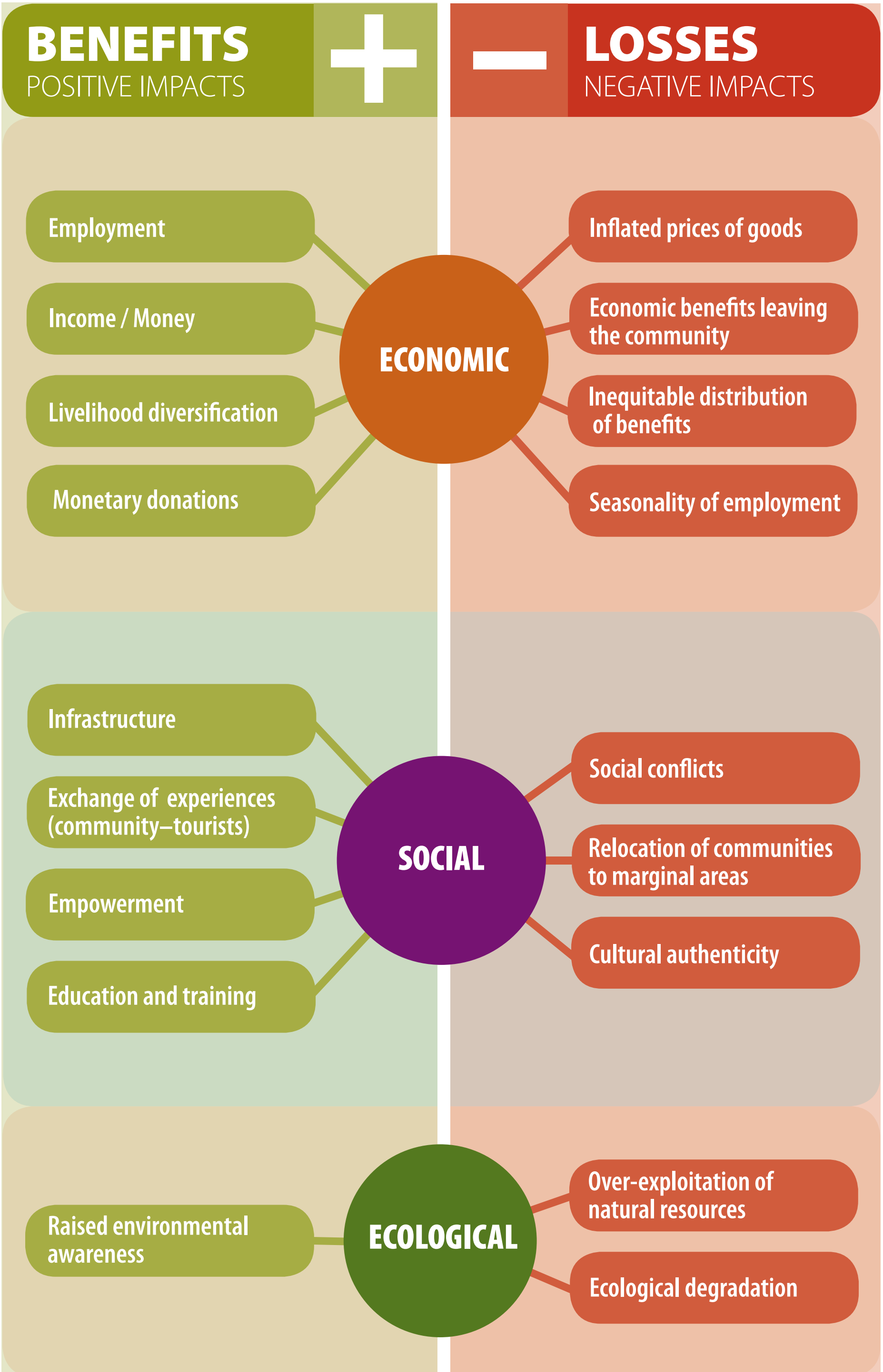

Figure 5.3

Positive and negative impacts of tourism interventions, as perceived by local residents

Employment

The most direct and visible benefit of tourism is the employment of local people in hotels, retail establishments and restaurants (Kotler et al., 1999). In all three cases, approximately one third of survey respondents were employed in the tourism sector and it was considered either the most important or second most important source of income for the household (Table 5.1). This is supported by Mutimucuio and Meyer (2011: 34), who state that 'in Inhambane, direct employment is the most tangible socio-economic impact of tourism'. Employment through tourism is considered a key mechanism for reducing poverty in marginalised communities (Sofield et al., 2004). The impacts of formal wages are particularly significant in communities where few economic opportunities are available (Mitchell & Ashley, 2010).

However, there have also been negative impacts associated with employment, such as jobs being seasonal and insecure and recruitment from local communities for only unskilled positions (McLaren, 2003). This was confirmed by the research. For example, although seasonal employment might be seen as better than no employment at all, focus groups in Josina Machel indicated that the seasonality of tourism was difficult because of the lack of income and alternative livelihood opportunities during the low season. This was further exacerbated by the fact that the more secure, higher-skilled positions, such as that of lodge manager, were generally given to people from outside of the community or even the country, including South Africans (Mutimucuio & Meyer, 2011).

In Conguiana and Gala, however, tourism operators working closely with the communities targeted and prioritised employment for a high percentage of local people. This initiative also catalysed capacity-development programmes aimed at getting local people appointed to higher-skilled positions. At the time of writing, Barra Resorts is the top employer in Conguiana, allocating 90 per cent of its jobs to local people (Mutimucoio, 2009). As one employee put it, 'one of the benefits is the employment of local people in resorts from Barra Group, and therefore we are able to buy clothes, shoes and food, help the elderly and work on the construction of our houses' (Conguiana tourism focus group, September 2011). Although only 15 to 20 jobs were secured through the community-based lodge in Gala, these all went to local people: these ranged from low-skilled positions such as cleaner to high-skilled positions such as manager and chef.

Active efforts to train people and prioritise jobs for surrounding communities were highly valued by focus group participants in both communities. In addition, support for, and the initiation of, supplemental livelihood projects in Conguiana and Gala have further cushioned the impacts of seasonality and uncertainty in the tourism market. These initiatives are not present in Josina Machel, likely contributing to the dissatisfaction among focus group participants in this community regarding job insecurity in the tourism sector.

Linkages with other sectors

In addition to employment, income is secured through small enterprises that provide products to the tourism sector, and includes 'those working in the informal sector, the self-employed, the small entrepreneur, and producers selling goods and services into the tourist value chain' (Mitchell & Ashley, 2010: 44). This kind of access to the tourism sector was considered highly valuable in all three case study communities, particularly in relation to the markets provided for marine and agricultural products.

> *Locals get a huge amount of business. There is a lot of self-catering—everybody is buying stuff at the market: prawns, calamari, fish, crayfish, there is so much fruit and veggies. Coconuts, pineapples, pawpaws, bananas—it definitely gives the locals a source of income that would not otherwise be here.*
> (Key informant interview, Josina Machel lodge manager, September 2010)

Seafood, in particular, is a major tourist attraction in the area around Conguiana and Josina Machel, providing an opportunity for local fishers to supply tourism establishments. The sale of marine resources was considered either the most important, or second most important, source of income for local households in all three communities (Table 5.1). Mutimucuio and Meyer (2011) also indicate that while tourism establishments purchase only small amounts of agricultural produce and other products from local communities in Inhambane, they source their seafood entirely from local fishers. As one Conguiana fisher explained, 'tourism is good because we get a lot of money from tourism establishments for our fish' (key informant interview, September 2010).

However, there are also negative outcomes associated with these increased markets, including a concern among local households that tourism is driving prices up and increasing the pressure on resources. Price inflation has been associated with, for example, macuti, a non-timber forest product used in the construction of buildings such as lodges that is also needed by local people for their own homesteads. Local people also consider the price of large fish to be too high due to the demand by tourists and lodges, with people in Conguiana and Josina Machel arguing that they can now afford to buy only small fish. Households see this as a loss.

Nevertheless, if these small and informal businesses were integrated within local development planning, they could potentially have an even greater economic impact on local households than formal wages in tourism establishments (Mitchell & Ashley, 2010). Box 5.1 presents the example of a fisher who has benefited from selling his seafood to Barra Resorts.

BOX 5.1 Julião Cassimo | Fisher working with Barra Resorts

Fishers along the Tofo/Barra coast | Photo: Chanan Weiss

Julião Cassimo is a young fisher who was born in the Conguiana community in Barra. Julião and his siblings are involved in harvesting different types of fish including tuna, redfish and cherewa. There are eight people in Julião's family, and they live in a homestead with two main houses that are made of grass, with no electricity or running water. His parents sell macuti, his two sisters help with the macuti harvesting, and Julião and his two brothers are fishers. They sell their fish on the local markets and to tourism establishments like Barra Resorts.

Julião learned fishing techniques from his father. Some of the fish that they harvest is for their own consumption, but most is sold so that the family can buy other kinds of food and clothes. He believes that their monthly income has grown significantly with the development of tourism in the area.

Julião Cassimo | Photo: Mayra Pereira

For Julião, every day begins before the sun rises, as he paddles through the Indian Ocean waters, hunting the source of his food and income. The bigger fish that Julião is able to catch are often sold to tourism establishments such as lodges and restaurants. The small fish are generally sold at the local markets or on the roadside and mainly to the local communities. Julião and his brothers fish on different days, and they all believe that over the years the quantity of fish has declined. For this reason, while two of them are fishing, the third one is taking tourists out to see the shallow corals. Sometimes fishers spend up to eight hours at sea without bringing anything home, and taking tourists out a few times a week during peak seasons earns about the same income as a fair day's fishing.

Although there has been more conflict recently over access to coastal resources, Julião believes that tourism in Conguiana has provided him and his family with a regular monthly income. The seasonality of employment in Conguiana has not affected Julião since the establishment of Barra Resorts, which regularly buys his fish. Furthermore, although conflicts continue around landing sites, Barra Resorts has tried to ensure that fishers like Julião have access to the beach and coastal areas around the lodge, ensuring that their traditional livelihoods are secured.

Philanthropic donations of money

Another direct economic benefit experienced by all three case study communities is the income from tourist donations. Money contributed through lodges or tourism operators is channelled into community projects to purchase equipment or subsidise infrastructure development (Mitchell & Ashley, 2010). In the case study communities, for example, donations were used to purchase chairs and tables for local schools, school supplies and sports kits. The amount donated is increased by the dedicated work of individuals who champion local needs among tourists and personally facilitate the distribution of funds (Mitchell & Ashley, 2010). This is the case in Conguiana, where one of the owners of Barra Lodge takes an active role in allocating tourist donations, ensuring that funds are targeted to community needs.

Livelihood projects

The study identified two additional benefits from tourism in the communities of Conguiana and Gala, where benefit-sharing interventions are in place. The first flows from specific initiatives that were introduced to develop supplemental livelihoods and promote tourism spending on cultural tours, forest and medicinal plant walks, buying handicrafts and other services.

More specifically, active efforts by Helvetas in Gala and Barra Resorts in Conguiana to promote alternative economic opportunities in the local communities have resulted in supplemental sources of income that local people value highly. The establishment in Gala of pineapple and chicken farming and bee-keeping has led to products being sold in local and regional markets, and also in Maputo supermarkets. This has generated significant local income and has also provided economic support during times of low tourism activity. Similarly, Barra Lodge has established a craft market on its premises. The market is visible and accessible to tourists and has assisted approximately 14 artisans and their families with economic benefits (Mutimucoio, 2009). Helvetas and Barra Lodge have initiated community-based tourism services in the two communities, such as tour guiding, that provide additional economic opportunities.

This means that in addition to the markets for harvested products, opportunities have been created by outside actors from a NGO and the private sector to support and establish new small businesses, initiatives that bring with them training and capacity development as well. Box 5.2 highlights the value of such livelihood opportunities for one woman in Gala.

BOX 5.2

Mama Nora | Fisher, boat-owner, shop-owner

Pineapple livelihood project | Photo: Mayra Pereira

Mama Nora was born in the Matutuine area. She is 67 years old and lives with her family in a small house made of grass in Gala, where there is no electricity or running water.

After Mama Nora got married, she gave birth to five children. She started fishing early in life, when she was 20 years old. Years later, she became the first woman to be in charge of a fishing boat fleet in Gala's Piti Lagoon. The fleet was destroyed during the civil war, and in 1978 she opened a shop in Gala.

Mama Nora | Photo: Mayra Pereira

In 2002, the opening of the Tinti Gala community-based lodge, facilitated by the NGO Helvetas, was an important development for the local community. Mama Nora was a member of the tourism committee, which was responsible for the management of the lodge and the distribution of benefits. Income from the lodge was invested by the community in social infrastructure, as agreed upon by the local people.

Tinti Gala Lodge has been a positive factor in the life of Mama Nora's family, since their shop provided supplies for the lodge and the fishers working for her revived fishing fleet sold fish to the lodge restaurant. Mama Nora and her family also benefited from the lodge through livelihood projects that were initiated by Helvetas, particularly pineapple farming, since it is a crop that is not prone to drought and crop failure. Through an education programme, Mama Nora learned English in order to communicate better with customers and tourists coming from neighbouring South Africa.

While she wishes that more tourists would visit Gala, in order for the benefits to increase, Mama Nora is grateful for the positive impact that the lodge has had on her livelihood so far.

Community levies

A second income-generating strategy to emanate from a benefit-sharing initiative is the community levy associated with the Maputo Special Reserve. This is a form of non-labour income with the potential to reach a wide range of the population adjacent to the reserve, affecting local households and the broader community (Mitchell & Ashley, 2010). With the law stipulating that 20 per cent of revenue from protected areas must be distributed to surrounding communities, households in Gala have felt a positive impact from this intervention. While such levies can be applied to community projects, the people of Gala chose to have the income distributed equally among the households. There being only 36 households in total, this was a viable option, so each family received US$ 38 in 2008 and US$ 25 in 2009. Although these amounts are equivalent to less than a month's salary for a Gala household, focus groups declared the community levy a significant benefit, as it allowed households to invest in farming goats, a commodity that can be used for food or sale.

As one community member explained, the levy 'improved people's lives because another livelihood strategy was introduced' (key informant interview, August 2011). Although community levies are considered problematic where there are conflicts and weak institutions for income distribution (Archabald & Naughton-Treves, 2001), Gala did not suffer these defects, largely thanks to the small number of households and their consensus on distributing benefits equally.

The economic benefits from tourism have thus been highly significant to local households in all three case studies. Although some of these benefits emerged even when there was no benefit-sharing arrangement — such as employment, income through the tourism supply chain and donations — community collaboration seemed to enhance the benefits. Losses were more prominently highlighted in Josina Machel, particularly in relation to perceived inequalities.

> *I think tourism establishments are the ones who benefit the most, followed by the government and lastly the coastal communities. For the communities, there are many lodges employing locals, and in the market there are a number of opportunities for people to sell goods, fish and crafts. But it is the lodges which are earning big amounts of money.*
>
> (Key informant interview with Josina Machel lodge manager, September 2010)

Social outcomes

'Social outcomes' is the inclusive term for the non-financial livelihood impacts that community members in this study have identified as resulting from tourism initiatives. These benefits seem to be maximised through partnerships and benefit-sharing arrangements, though there have been some losses related to social conflicts.

Infrastructure and basic services

A key benefit emerging from tourism is infrastructure development and improved basic services (Ashley et al., 2001). Tourism growth often serves as an incentive for governments or private investors to strengthen local infrastructure, such as transportation and communication networks (Mitchell & Ashley, 2010). The improvement in road maintenance and access to water and electricity in Josina Machel and Conguiana, for example, has been perceived as having a positive impact on local livelihoods.

What is interesting to note, however, is that the benefits of basic services for local communities was highlighted far more strongly by the focus groups and interviews in Conguiana than those in Josina Machel. This may be due to the fact that the Josina Machel initiatives were implemented mainly to serve business objectives and to ensure the necessary services for tourism development, which, as seen elsewhere (Ashley & Roe, 2002), may not be in the interests of local people.

In Conguiana, however, one of the reasons for infrastructural development was to bring about a positive intervention in the surrounding communities. Access to water, for example, was certainly required for the lodge itself, but Barra Resorts went further and provided individual taps in the community as well as a running water supply to the local clinic. Similarly, in Gala, the NGO's initiatives to improve infrastructure and services were recognised as highly significant in all the focus group discussions. These improvements were seen as having been delivered not for the sole benefit of the lodge, but also for that of the entire community.

Empowerment

Empowerment, ranging from economic to political, has been identified as an important benefit from tourism initiatives (Scheyvens, 1999). It is argued that 'grassroots empowerment', through which local needs and aspirations are incorporated into tourism interventions, is more likely to occur outside of the mass tourism model (Timothy, 2002). In this study, empowerment was identified in all three case study sites to some degree, but was considered more significant in cases where tourism ventures involved linkages or partnerships with local communities. Women's empowerment was identified as an outcome of tourism in all case study sites, something that is particularly significant considering the patrilineal culture of the region. One focus group participant in Josina Machel explained:

> *Women have new opportunities to work now, not only selling vegetables at the local market but at the lodges; now women are doing the same things that men have been doing for years.*
>
> (Agriculture and non-timber forest products focus group, September 2010)

While the women of the area have traditionally been expected to stay at home and manage their households, focus group discussions confirmed that opportunities in tourism have offered additional sources of income that increase women's independence and their sense of self-worth. However, some focus group participants noted negative repercussions, specifically the lack of child care when women worked outside of the home. But the women themselves saw tourism as a mechanism for independence and empowerment.

Skills development and training have also been identified as a source of empowerment in all three case study sites, but often limited to those directly employed in tourism. In Conguiana and Gala, however, training interventions to enhance local livelihoods in the broader community were rated highly in focus groups, not only because of the supplemental income, but also for the personal satisfaction and pride derived from developing new skills and increasing knowledge. Focus group participants in Gala also indicated that they felt empowered through an increased understanding of their rights to land and resources, facilitated by the NGO Helvetas. It is argued that such human resource development, which builds capacity within the community, not only promotes the active participation of local people in tourism and builds self-esteem, but is also likely to have other positive spillover effects in the rest of the local economy (Mitchell & Ashley, 2010).

Empowerment has also been enhanced in Gala and Conguiana through institutional support and participatory decision-making. While such processes have not been features of the mass tourism model in Josina Machel, interactions with the community in the other sites have resulted in both formal and informal institutional arrangements.

In Gala, two representative community-based structures were introduced: one to distribute funds from the Maputo Special Reserve levy, and the other to manage and distribute funds related to Tinti Gala Lodge. Focus group participants saw both of these as fair and accountable structures to represent the community's participation in decision-making and agree on benefit distribution. Active participation in decision-making, such as agreeing with Helvetas on specific livelihood projects, ensured that local needs were considered and is reflected in the very high levels of satisfaction of these projects (100 per cent of those people who were aware of the projects in the household survey were satisfied with them).

In Conguiana, no formal institutional structures were established, largely because Barra Resorts felt that keeping arrangements informal would limit meddling from elite or corrupt community members or government officials. Although these informal relationships in the community have led to widespread benefits, Barra Resorts recognises that activities and finances need to be monitored and accountable. Thus they have begun to engage with a local NGO with a view to collaborating on institutional development in order to promote greater benefit distribution to local communities (Mutimucoio, 2009).

Cultural identity

Tourism has the potential to preserve the cultural identity of local communities and revive traditional skills and activities (McLaren, 2003). This is evident in Conguiana and Gala, where partners provided external support to promote and revitalise traditional skills in the communities, such as dance and craft-making, and to help the communities share traditional knowledge through medicinal plant tours. These initiatives have created opportunities to share local culture and nurture cultural identity, resulting in enhanced community awareness and pride.

While positive expressions of cultural revitalisation and pride emerged in the Conguiana and Gala focus groups, very significant losses were also mentioned, particularly in Josina Machel and Conguiana, where tourism numbers are among the highest in the country (Nhantumbo, 2009).[2] These included the social costs of increased crime, drinking, prostitution, drug abuse and school-dropout rates, which local people attribute to the interaction with visitors and increased exposure to 'bad behaviour'. In Josina Machel, for example, focus group participants reported that youngsters in the local community were abandoning their traditional values and adopting the Western values of visitors, perceived to involve drugs, sex and alcohol. This led to clashes with elders, who affirmed that tourism was degrading the culture and values of the community and creating social conflicts. As the tourism focus group in Josina Machel explained:

> *Kids are now leaving school to come and sell on the beach; sometimes they don't go back home because they like to hang out with foreigners. It is also a way that they can get money and free food.*
> (September 2010)

These sentiments were not apparent in Gala, though the tourist numbers there have not been high and the level of interaction with outsiders has been much lower. In Gala, furthermore, strong institutional structures have ensured that tourism activities are integrated with the values and needs of the community.

A second negative impact of tourism in relation to cultural identity is the growing conflict between resource users, tourism operators and visitors. This is particularly the case with fishers in Josina Machel and Conguiana, who believe that their traditional rights to harvest marine resources have been jeopardised by tourism operators and lodge owners who have limited their access to the coast and its resources. As one fisher in Conguiana explained, 'before, I used to land my boat in front of the houses with green roofs. Now it is not possible any more, as they [lodge managers] say: "you can't park here!"' (key informant interview, September 2010). These conflicts have been exacerbated by disagreement on access to landing sites, areas where fishing clashes with scuba diving, and coastal tourism development that has displaced fishers from areas where they have traditionally operated.

Thus, from the fishers' perspective, although markets for their fish have led to positive economic benefits from tourism, significant negative repercussions have also resulted from conflicts over rights to access and harvest coastal resources in Conguiana and Josina Machel. Fishers believe that this conflict has, in fact, undermined traditional

[2] The province of Inhambane is the second most popular tourist destination in Mozambique after Maputo. In 2009, 125 000 tourists visited the province. Tourism is concentrated in Inhambane city, Tofo and Barra, the latter two including, respectively, the villages of Josina Machel and Conguiana (Mutimucuio & Meyer, 2011).

rights and livelihoods, and it has been argued that this can stem from tourism initiatives that are disengaged from local realities (Fabinyi, 2008). Barra Resorts and Helvetas, on the other hand, have both promoted cultural exchanges with tourists that financially support community-based cultural businesses and promote local fishing practices in surrounding areas.

The positive social impacts of tourism were enhanced through benefit-sharing arrangements, which ensured that targeted interventions, such as providing basic services and infrastructure development, were implemented with community participation and engagement. Thus both formal and informal institutional structures that promoted collaboration between outside actors and the community were mechanisms for identifying community needs and desires, and for distributing benefits. Such participatory processes can also lead to various degrees of local empowerment (Scheyvens, 1999), which was highly valued by the people of Gala and Conguiana, but not evident in Josina Machel, where little community engagement takes place.

Ecological outcomes

The tourism sector has become increasingly reliant on natural resources for its development (Holden, 2005), and areas with highly valued resources, such as the coastal zone, are a main attraction for the industry (Hall, 2001). While both positive and negative impacts on the environment have been noted (Tao, 2006), this study has identified mainly losses, as perceived by the local community and other actors. One positive outcome was enhanced environmental awareness, but few respondents mentioned this (only two in Josina Machel), and conservation-related initiatives were small in relation to the environmental problems identified.

Ecological degradation

The development of tourism infrastructure, such as holiday resorts and lodges on prime beachfront locations, can have severe ecological consequences (Garcia & Servera, 2003). In Josina Machel and Conguiana, for example, the construction of tourism buildings, often on top of sensitive ecosystems such as primary dunes or adjacent mangroves, has raised local concerns about erosion and resource degradation. Other studies have cautioned that unregulated or concentrated development of coastal tourism can increase the stress on natural resources and may lead to erosion of the dune system, trampling of vegetation, sewage discharge, deforestation, over-exploitation, pollution and destruction of coral for souvenirs (Nagle, 1999; Tao, 2006).

Resource over-exploitation

In Josina Machel and Conguiana, fishers are dependent on the tourism sector for the market that it provides for their seafood. However, the availability of marine resources along the Inhambane Peninsula is perceived to be declining, something that is attributed to the increased number of human settlements and the growing tourism sector (Fiege et al., 2004). As one fish seller in Josina Machel explained,

> *There has been a change in the fish over the years. Before we could catch so much in a day, and now sometimes we go out and catch nothing. I think the fact that we have to catch a lot to sell to tourists and all the lodges and restaurants is one of the main reasons why the fish are disappearing. I remember my dad bringing big fish home, because he sold all the rest he had caught and he saved that big one for us; now we try to sell all the big fish and eat the small ones.*
> (Key informant interview, September 2010)

The household surveys in Josina Machel and Conguiana revealed that those participants who harvested marine resources believed that these resources were mostly declining (76 per cent and 71 per cent, respectively). Fishers attribute this to unsustainable harvesting methods, a growth in the number of fishers in the area, an increase in illegal fishing (fishing without a permit) and an increasing demand for seafood as a result of tourism. Many tourism operators in Josina Machel and Conguiana, however, believe that fishers harvest unsustainably and target protected species. Tibiriçá et al. (2009) report that whale-shark and manta-ray populations have declined as a result of being harvested as by-catch by local fishers. Tourism operators therefore argue that the sea should be a protected area where non-consumptive diving tourism could be promoted, which would minimise the impact on marine resources (key informant interviews, diving operators, September 2010). However, a significant concern highlighted in other developing countries is that unless the fishers are actively involved in decision-making, the livelihoods and traditional practices of these fishers could be threatened and conservation decisions prioritised over local rights and needs (Ruddle & Hickey, 2008; Sowman et al., 2011).

Clear negative ecological impacts of tourism were identified in both Conguiana and Josina Machel, notwithstanding the benefit-sharing arrangement with Barra Resorts. The research indicates that Barra Resorts and Helvetas have prioritised economic and social outcomes, and identified few ecological objectives. This raises concerns already noted elsewhere: that if sustainable ecological practices are not embedded in tourism operations and integrated into the local community, the negative impacts on the natural resource base can be significant (Hall, 2001).

Discussion and conclusion

The findings described in this chapter shed light on the opportunities and challenges for enhancing benefits from the tourism sector to adjacent marginalised communities in Mozambique. They support the growing international consensus that there is much still to learn about achieving fair and equitable benefit sharing in the tourism sector (Cole & Morgan, 2010; Pleumarom, 2012). Nevertheless, there are initiatives being pursued that aim to implement benefit-sharing arrangements in order to enhance benefits to local communities, strengthen livelihoods and establish meaningful partnerships (for example, see Spenceley, 2008b; Saarinen et al., 2009a; Spenceley & Meyer, 2012; Van der Duim et al., 2011b). While this study does not claim to have assessed the impact of tourism on all the various facets of poverty reduction and equality, it has attempted to gain a better understanding of the kinds of benefits (and losses) that are the products of different tourism models in Mozambique, and the outcomes that result from initiating benefit-sharing arrangements.

Four key lessons have emerged from this study, the first being that benefits cannot be understood in isolation from the associated losses, and that outcomes have impacts that reach far beyond the economic sphere. It has long been recognised that tourism not only has economic benefits and losses for local communities, but also produces significant social and ecological outcomes (Ashley et al., 2001; Honey, 2008). This study has confirmed that tourism impacts are diverse, and also that benefits must be seen in the context of the losses. For example, while focus groups agreed that households in Josina Machel had experienced economic benefits, particularly through employment and the sale of goods, they considered the losses more significant: low-paying jobs, seasonality of employment, social conflict and the loss of access to land and resources.

Local ownership and access to natural resources were key considerations for local communities when discussing and assessing impacts of tourism. Similarly, as Tumusiime and Vedeld (2012) learned in Uganda, whatever the economic benefits accrued from tourism, significant costs in loss of land and access to resources are often considered more significant than those benefits. Small-scale fishers in Conguiana and Josina Machel clearly emphasised the negative impacts of tourism on local livelihoods and cultural practices. It has also been highlighted elsewhere that rights and resource tenure are fundamental to enhanced benefit sharing in the tourism sector (Ashley & Roe, 2002; Roe et al., 2009; Nelson, 2012).

The challenge is that the integration of different actors in a benefit-sharing arrangement is likely to lead to the prioritisation of widely differing objectives, ranging from the rights of local communities to the economic interests of the private sector and government. These differences are not necessarily insurmountable, but need to be acknowledged and incorporated into a tourism venture that integrates social, economic and ecological objectives (Simpson, 2008).

A second key lesson emerging from this research is that tourism is a sector that is inextricably linked to other livelihood activities at local level. Benefits and losses in one sector can have a significant impact on the benefits and losses in another sector. This study therefore highlights the importance of understanding coastal livelihoods in their entirety, by recognising that subsistence and economic activities related to agriculture, forestry and fishing are linked to tourism activity at some level in all three of the case studies. There are benefits associated with these links, such as enhanced income from selling, but there are also socio-economic and ecological losses related to price inflation, conflict over land, access to resources and the degradation or over-exploitation of natural resources used in the tourism industry.

A significant challenge in Mozambique is that the sectors are managed separately in practice and in law. As Johnstone and Johnstone (Chapter 6) point out in relation to tourism and fisheries, sectoral policies exacerbate inequities because overarching goals and objectives are not integrated and, in some cases, clash. This has an impact on community rights to access natural resources, community participation in decision-making and institutional arrangements. Decisions in the tourism sector — for example, to promote the macro-level economic objectives of foreign investment — may be implemented without any understanding and promotion of small-scale fishers' rights and cultural practices, a shortcoming that was apparent in the conflicts perceived by fishers in this study. Tourism therefore needs to be understood in a wider political context (Nelson, 2012; Pleumarom, 2012), and implemented as a means of supporting, rather than undermining, local livelihoods (Tao & Wall, 2009).

A third lesson is that while benefit-sharing interventions did lead to positive outcomes, there were also obstacles associated with all three of the benefit-sharing models, indicating that one model that promotes benefit sharing is not necessarily preferred over any other. In the NGO–community model, for example, while NGOs are often regarded as being more able to adapt to changing circumstances and to engage closely with communities in joint decision-making (Welch, 1995), they also face various implementation challenges. These are often related to the role of donors imposing their wishes, or limited funds and funding cycles that jeopardise the long-term sustainability of a tourism initiative. Although the motivation of NGOs is often to sustain the involvement of local communities in advocating change and to support social and economic development, 'if the business plan is flawed, and the enterprise unprofitable, the continuation of the enterprise will likely frustrate those whose expectations were raised unrealistically' (Spenceley, 2008a: 300).

Challenges are also evident in the private sector–community model, in that the concept of business in relation to poverty alleviation and development does not always live up to a community's expectations, because companies have a profit-oriented vision that may conflict with the goals of CSR (Henderson, 2005). Whellams (2007) points out that the contribution of CSR activities to sustainable development is largely dependent on the way strategies are designed and how they respond to local and changing circumstances. In the government–community model, while government structures may have the potential to empower local communities through supporting legislation and cooperative processes, challenges are the inefficient collection of fees and taxes, the lack of capacitated personnel, power imbalances, corruption and bribery within government departments, and weak or non-existent local institutions (Archabald & Naughton-Treves, 2001; Font et al., 2004; Ahebwa et al., 2012). Furthermore, such levies are often regarded as inadequate compensation to local communities for their loss of land or access to natural resources (Tumusiime & Vedeld, 2012). Critical to promoting benefit sharing, therefore, is not the particular model or intervention adopted, but rather the *process* of implementation (Mitchell & Ashley, 2010) and the level of community engagement and collaboration (Timothy, 2002) in enhancing local benefits.

The fourth and final lesson, therefore, is the critical importance of developing linkages and partnerships with local communities in order to maximise positive outcomes from tourism initiatives (Bramwell, 2004). While the conventional tourism model provided a range of benefits to the local communities in this study, there were no attempts to maximise these benefits through specific community interventions. Collaborative relationships, on the other hand, create opportunities and implement initiatives that draw on the strengths and needs of different actors, including local communities (Fabricius, 2004; Carlsson & Berkes, 2005). The formal and informal interactions established in Conguiana and Gala between the government, the private sector, NGOs and communities have therefore led to a range of positive outcomes not present in the conventional, externally imposed tourism operations in Josina Machel. These outcomes, which include livelihood support, training and empowerment, economic development and enhanced infrastructure and basic services, have been found more meaningful by local people who were able to participate in decision-making. As Scheyvens (1999) has argued, participation is critical to empowerment, having far-reaching implications in society beyond the tourism intervention.

However, even well-intentioned collaborations and partnerships can have minimal practical impact, and may instead raise expectations or lead to inequitable benefit sharing (Goodwin & Roe, 2001; Nelson, 2012). In Mozambique, for example, there are enabling laws and policies that promote community partnerships and participation, but these have not been implemented or are not being enforced (Rylance, 2008) — or else they are merely there as ‘window dressing’ to allow the private sector to achieve its own objectives (Johnstone & Johnstone, Chapter 6). This policy rhetoric is evident throughout Africa where institutional reform is not happening on the ground (Binot et al., 2009). Even when cooperative institutional structures are initiated, they are often vulnerable to power imbalances and the diverging objectives of different actors, which lead to elite capture of benefits, corruption and inequitable decision-making (Simpson, 2008; Nelson, 2012; Tumusiime & Vedeld, 2012).

Local ownership of land and resources is, therefore, considered critical for enhancing a community’s negotiating power in securing its own interests (Van der Duim, 2011). Ashley and Jones (2001) state that communities are better able to benefit from agreements with the private sector and other stakeholders if they have strong community institutions with legal rights to land and resources. The benefit-sharing arrangements that have been identified in this study, such as revenue sharing, CSR and joint ownership, are thus important strategies to pursue, but such interventions require devolution of rights and robust institutions that are fair, accountable and participative in order for benefits to be maximised (Cole & Morgan, 2010; Tumusiime & Vedeld, 2012).

This research has underlined the importance of tourism to local livelihoods in Mozambique and emphasised the value of promoting collaboration and partnerships. However, the research has also identified pitfalls in current practice, and the need to explore further issues around resource tenure, power, social justice and equity through rights-based approaches to tourism that embrace the principles of 'poverty alleviation, social inclusion, fair trade, ethics and human rights' (Cole & Morgan, 2010: xvi). Practitioners and academics will continue to grapple with what this means in theory and practice for the foreseeable future (Cole & Morgan, 2010; Van der Duim et al., 2011b; Spenceley & Meyer, 2012). But this study confirms that it is right for them to do so, and the case studies show that tourism holds the potential of manifold positive outcomes for the livelihoods and well-being of coastal people.

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The impact of policy and law on benefit sharing: A case of Mozambique

chapter 6

Gareth Johnstone and Rouja Johnstone

Introduction

This chapter moves away from in-depth case study analysis and instead explores the wider context of benefit sharing by outlining the paramount role that policies and laws play in determining both the nature and extent of benefit sharing. Mozambique is drawn on to examine the policies and laws that promote and/or hinder effective benefit sharing in the tourism and fisheries sectors. The economic, social and ecological benefits derived from Mozambique's coastal resources through tourism and fisheries are inextricably linked to the ability of coastal communities and other stakeholders to gain, secure and control use and access rights to these resources. The legal and administrative framework is therefore critical for understanding, developing and implementing benefit-sharing interventions.

Coastal resources are governed under two legal jurisdictions, one for terrestrial resources and the other for aquatic.[1] Despite the development of policies that recognise the linkages between land and marine resources (Mozambique, 1995; Mozambique, 2004a), the legal and administrative framework that determines the right to use and benefit from coastal resources is not integrated, and inequalities remain between stakeholders in acquiring and securing benefits.

The fisheries and tourism sectors make similar but moderate economic contributions to the national economy: 3 per cent and 3.2 per cent, respectively, of Mozambique's gross domestic product (Jones & Ibrahimo, 2008; Pereira, 2010). Despite this, there is a marked difference between the two sectors in the distribution of costs and benefits to communities and stakeholders. The Tourism Law, 4/2004 (Mozambique, 2004b), promotes sustainable, low-impact tourism and requires tourism investments to be well integrated within the area in which they are placed. However, many

[1] Aquatic refers to both marine and freshwater natural resources but the focus of this chapter is on marine resources.

investors have interpreted the Tourism Law and policy as a signal to develop a form of tourism based on luxury and exclusivity that often provides few direct benefits to local communities (Luis, 2008; Rylance, 2008). Artisanal fisheries, on the other hand, include a significant portion of the rural coastal population and are traditional activities with no real entry barriers, providing both a source of cash income and food security (Pereira, 2010). While the tourism sector provides an estimated 32 000 jobs (CHL Consulting, 2006), the fisheries sector includes an estimated 95 000 artisanal fishers, with four times this number benefiting from support functions such as processing and transport (NORAD, 2005).

Acquiring and securing the right of use and access to coastal resources

Table 6.1 presents a summary of the main policies and laws that promote and/or hinder effective benefit sharing in the tourism and fisheries sectors in Mozambique. The legal framework establishes the state as the sole owner of all natural resources and enshrines the right of subsistence for all Mozambican nationals.

Access rights to coastal resources

The Land Law (Mozambique, 1997b) functions as the base legislation securing use and access rights to coastal resources and determining how benefits can be derived. Although the law does not permit the sale of land, vesting ultimate ownership in the state, the government makes legal provision in the Land Law for a *de facto* private land market to exist, and land transactions are permitted through the transfer of title known as *direito de uso e aproveitamento da terra* (right of land use and benefit, or DUAT). The DUAT pertains to an area of land that has been demarcated and can be traded on the basis of the deed of sale of the immovable assets and improvements to that land (Mozambique, 1997b: art. 16). A DUAT is a private right that can be inherited or transferred between third parties and functions like state leasehold. The state has full control over these transfers and is the only entity that can allocate and authorise a DUAT through its land administration services.[2]

There are three categories of persons that can acquire a DUAT (Mozambique, 1997b: art. 12):

1. individuals and communities that have rights acquired through occupation according to customary norms and practices;
2. national individuals who have been settled on the land for at least 10 years without being challenged (‘good-faith beneficial occupation’);
3. individuals, companies, investors or others with authorisation of an application submitted to the state.

[2] These are the National Directorate of Geography and Cadastre (DINAGECA) and the Provincial Services of Geography and Cadastre (SPGC).

Table 6.1

Main policies and laws of Mozambique affecting benefit sharing in tourism and fisheries

LEGISLATION	SUMMARY OF MAIN OBJECTIVE OF LAW/POLICY	MAIN PROVISIONS THAT ENABLE BENEFIT SHARING	MAIN OBSTACLES TO BENEFIT SHARING
Land Law (Law 19/1997)	Encourages agreements between local communities and new investors in order to bring benefits to both sides through a process of negotiation	*Article 12* Recognises customary ownership of land and also good-faith occupation measured as at least 10 years of continuous, unchallenged use *Article13* Consultation with traditional owners as a pre-condition of land acquisition approval *Article 15* Proof of occupation either through customary norms and practices or through good-faith occupation. In the absence of a title document, acceptable means of proof includes testimony by members of the local community **Ministerial Diploma 29-A/2000 — Technical Annex to Regulation of Land Law** *Article 10* Sets out the participatory tools for delimitation and demarcation	Complex implementation of community land delimitation and establishment of legal title
Forestry and Wildlife Law (Law 10/99)	Recognises community's right of use and benefit and its role in the sustainable management of natural resources	*Article 13* Recognises and protects areas of use with cultural and/or historic importance *Article 31* Management of forest and fauna resources to be done by participatory management via local resources management councils constituted by the representatives of the local communities, the private sector, associations and local state authorities with the aim of protecting, conserving and promoting the sustainable use of forest and fauna resources The management of local councils shall ensure the participation of the local communities in the exploration of forest and fauna resources and in the benefits resulting from such use *Article 33* Delegation of power: the state may delegate the power of resource management to the local communities, associations or to the private sector *Articles 35 – 39* A percentage of the values resulting from the exploration fees is dedicated to the benefit of the resident local communities in the respective exploration areas **Regulation 12/2002** *Article 7* Allows for community declaration of historical and culturally significant forest sites *Article 15* Guarantees community access rights for subsistence use of forest and wildlife resources *Articles 95–99* Establishes community participation in co-management structures *Article 102* Allocates 20% of taxes collected from the exploitation of forestry and wildlife resources to the local communities	Article 41 of Law 10/99 and Articles 114 & 115 of Decree12/2002 do not consider the failure of private investors to fulfil agreements regarding broader community benefits as an infraction
Environment Law (Law 20/1997)	Rational utilisation and management of the environment with a view to the promotion of improved quality of life of citizens and for the maintenance of biodiversity and ecosystems	*Article 4* Basic principles for environmental management: a) Rational utilisation and management of the environment with a view to the promotion of improved quality of life of citizens and for the maintenance of biodiversity and ecosystems b) Recognition of traditions and local knowledge which may contribute to the conservation and preservation of natural resources and the environment e) Identification of public participation as a crucial aspect of the implementation of the legislation f) Recognition of equitable access to natural resources by men and women *Article 8* Provides for public participation in elaborating environmental legislation and policy *Article 13* Allows communities to retain some rights to natural resources within protected areas and to participate in their management	New conservation areas deemed to nullify pre-existing rights to the resources of resident communities

Table 6.1 continued

LEGISLATION	SUMMARY OF MAIN OBJECTIVE OF LAW/POLICY	MAIN PROVISIONS THAT ENABLE BENEFIT SHARING	MAIN OBSTACLES TO BENEFIT SHARING
Tourism Law (Law 4/2004)	Promotes sustainable, low-impact tourism, requiring that tourism investments be well-integrated within the area in which they are placed	**Tourism regulations (Diploma 93/2005)** *Articles 1 & 2* Requires that at the beginning of the process of identifying the natural resources where tourism is to take place, a management committee (*comité de gestão*) should be promoted and registered with the district administration or local administrative post. The committee should engage the applicants, tourism operators, NGOs, associations and interested parties in undertaking a programme of consultation with the community *Articles 5 & 6* The committee is expected to oversee the process of consultation, set up a bank account with three members of the community and see to it that payments are made quarterly **Decree 18/2007** *Article 16* The community consultations required for the development of tourism accommodation in conservation areas must be carried out in accordance with the procedures established in the land legislation *Article 16* Contains provisions to determine whether or not the proposed development will affect the socio-economic structure of the affected community	Places the responsibility of management with a management committee, where there is potential for ineffective community representation and power imbalances in favour of the private investor The mechanism for the establishment of community bank accounts and the management of community funds is often complex Tourism activities in conservation areas are often permitted, while community activities are subject to restrictions
Fisheries Law (Law 3/1990)	Recognises the subsistence fishing rights for all Mozambican citizens	*Article 2* Subsistence fishing rights are recognised for all Mozambican citizens **Marine Fisheries Regulation (Decree 43/2003)** *Articles 16 & 17* At national level co-management is facilitated through the Commission of Fishery Administration, which represents the state and the fishing industry, and where decisions on quotas, conflicts and closed season periods are agreed *Articles 18 & 19* At provincial level co-management committees represent the interests of provincial government and artisanal and semi-industrial fishery sectors, while at the district and community levels they represent artisanal fishers through fishery community councils The legislation establishing these councils (April 2006) allows artisanal fishing communities to identify the boundaries of a fishing area and rules of use and access, which are ratified by government	Does not recognise traditional use and ownership of coastal resources or good-faith occupancy rights
Decentralisation Law (Law 6/1996)	Establishes mechanisms that link local organs of the state with community authorities	**Regulations Decree 11/2005** *Article 13* Makes provision for a further distinction at the community level, called a *povoação*, which represents a local territorial division consisting of villages, and allows certain community bodies to be established as consultative structures with the state	The local leaders may not represent the views of their constituencies Lack of accountability mechanisms for local authorities Political alignment influences the relationship between the traditional authorities and the state, resulting in the alienation of communities aligned with opposition parties

All three forms of tenure grant the title-holder exclusive rights over the land and full legal status. A private investor can be granted a title for 50 years, which can be renewed for a further 50 years. The transfer of land is made possible through the selling of 'useful improvements' made to the land (Mozambique, 1998: art. 11) or through the selling of company assets as shares. Sales do not automatically transfer the DUAT, which is subject to approval by the original authorising entity (Mozambique, 1998, art. 15). If a DUAT is transferred to a company, it can sell shares to external investors in the form of land. In this situation the company holds the DUAT and the individual who buys the shares holds the rights within the company to build infrastructure. Traditional or good-faith occupiers have a permanent right, which is recognised even if a DUAT is not registered.

The issuing of a DUAT does not exempt new claimants or existing users from the normal licensing procedures applicable to any intended economic activity (Mozambique, 1997b: art. 20). A DUAT sets out only the basic conditions for natural resource use and access and does not give the holder the right to determine how these resources can be used or how the benefits are derived. This is authorised through special licences administered by state ministries and specified in legislation.

The Forestry and Wildlife Law, 10/1999 (Mozambique, 1999), establishes the framework by which the licensing of commercial rights to land is determined and secured. This law describes two processes. The first is the issuing of a simple licence, valid for 12 months, applying almost exclusively to Mozambican nationals, or the approval of a management concession, which is a more complex procedure involving the development of a management plan that must include a resource inventory and proof of technical capacity to exploit the natural resource (Mozambique, 2002: art. 15–24). The second process is consultation with the local community. Any DUAT holder who has rights to the same resource is legally required to consult with the community in order for a management concession to be approved.

Therefore, an important feature of the Land Law underpinning this consultation process is its recognition of customary ownership of land and good-faith occupation measured as a minimum of 10 years of continuous, unchallenged use. This allows Mozambicans to make formal claim to land (Mozambique, 1997b: art. 12) as long as there is proof of occupation, either through customary norms and practices or through good-faith occupation (Mozambique, 1997b: art. 15). In the absence of a title document, acceptable means of proof includes testimony by members of the local community (Mozambique, 1997b: art. 15). This implicit right to the land allows local communities to continue to use resources as subsistence users. If new investors make a claim over resources there are three ways in which a community can secure its right of use and access:

1. Delimitation requires a formal border around a community to be recognised in which all individual, family and extended family rights are managed according to customary law or good-faith practices.

2. Demarcation results in a title document or DUAT being issued. This is a more complex and costly process involving more precise surveying standards and techniques.[3]
3. Community consultation is mandatory for all new claimants (Mozambique, 1997b: art. 13, 24), and an applicant for a DUAT must consult with the local community to verify that the land is 'free' for use.

The protection of community rights through consultation, delimitation or demarcation has been an area of contention between the government, NGOs and outside donors (Norfolk, 2008). The government has argued that the cost and technical expertise required for broad-scale community delimitation is a major constraint and has advocated community consultation instead as a primary mechanism to secure and protect community rights of use and access (De Wit et al., 2003). In effect, community consultation is being promoted as the critical development moment for the community and investor, one side receiving benefits and an incentive to live peacefully with the newcomer, and the other obtaining local cooperation and a secure environment in which to invest (Tanner, 2008).

The object of the Land Law is to encourage agreements between local communities and new investors in order to bring benefits to both sides through a process of negotiation. A criticism of the land legislation is that it does not require any form of surveying or registration of land, and often new investors regard community consultations as 'troublesome' and more a 'hurdle to overcome' than a formal mechanism in which to build long-term relations and agreements with local communities (Norfolk, 2008).

Access rights to marine resources

Acquiring and securing the right of use and access to marine resources is determined and administered by the state, as is the case with land-based resources. The Ministry of Fisheries applies the Fishery Law, 3/1990 (Mozambique, 1990b), and General Regulations for Maritime Fishery, Decree 43/2003 (Mozambique, 2003b). The general rights over marine resources are based upon allocating permits or licences that allow the resource to be exploited for a specific period and purpose. This is in contrast to the general rights over land, which provide for state and leasehold ownership in the form of a title (DUAT) that can be transferred to third parties. The Fishery Law does not permit the right of use and access to marine resources to be transferred, and fishing licences cannot be bought or sold between fishers (Mozambique, 1990b: art. 17).

The Fishery Law recognises the right of all Mozambican citizens to subsist from marine resources (Mozambique, 1990b: art. 2), but in contrast to the Land Law it does not recognise customary ownership of marine resources or good-faith access to the resource after more than 10 years of continuous, unchallenged use. Despite the recognition of subsistence use, the Fishery Law does not oblige new claimants to the resource who wish to use a fishery area for commercial or recreational use, such

[3] Demarcation is necessary if a community wants to engage in a new form of economic activity or a member of the community wants individual title within community boundaries.

as sport fishing or scuba diving, to consult with local fishers and traditional users of the fishery. This has resulted in incompatible and often competing activities being carried out in the same location as artisanal fishing, often leading to conflicts and displacements (Pereira & Hauck, Chapter 5).

Designated areas

The ability of a community to secure the right to use and access a coastal resource is also challenged if the resource has been designated as, or is to become, a conservation area, protected area or national park. The administrative process for managing use and access rights in such cases is weak or unspecified (De Wit et al., 2003) and comes under the jurisdiction of the Ministry of Environment and Coordination and the Environment Law, 20/1997 (Mozambique, 1997a), as well as the Ministry of Tourism and the Tourism Law, 4/2004 (Mozambique, 2004b). The Environment Law allows communities to retain some rights to natural resources within protected areas and to participate in their management (Mozambique, 1997a: art. 13), for instance, in the creation of community wardens (Mozambique, 1997a: art. 30). However, an important issue is whether protected areas and national parks nullify the traditional and good-faith occupation rights of resident communities.

The Ministry of Tourism, which is responsible for managing protected areas and national parks, deems new conservation areas to nullify the pre-existing rights to the resource of resident communities (De Wit et al., 2003). However, both the Environment Law (Mozambique, 1997a) and the Forestry and Wildlife Law (Mozambique, 1999) state that protected areas are classified according to the activities that are permitted in areas adjacent to them, and this depends on the relationship between local communities and the natural resources. These provisions support the notion that communities living in areas that are declared protected do retain their rights, and provides the legal basis by which they can co-manage, negotiate and actively share in the benefits generated from the resource, even though it has been reclassified for conservation purposes.

The Forestry and Wildlife Law (Mozambique, 1999) subjects pre-existing community rights holders to restrictions on their activities only to the extent specified in any agreed management plan or provisions accompanying the setting up of a conservation area. An area of contention is that the Tourism Law (Mozambique, 2004b) permits tourism activities in conservation areas, while community activities are subject to restrictions. This inconsistency in the application of the law has reportedly resulted in tensions between new and existing users of coastal resources (Brown et al., 2008; Chirindza, 2008).

For coastal and marine resources, the Fishery Law (Mozambique, 1990b) recognises three categories of marine protected areas (MPAs): marine national parks, reserves and protected areas. The authority to delimit a marine national park or reserve is made through the Council of Ministers (the Mozambican Cabinet) based on proposals from, or in consultation with, the Ministry of Fisheries, while authorisation for a protected area requires the approval of the minister only. In marine national parks all fishing activities are prohibited, including subsistence fishing (Mozambique, 2003b: art. 113). In reserves and protected areas, such activities are subject to restrictions that allow subsistence fishing as well as sport and recreational fishing (Mozambique, 2003b: art. 114). These distinctions have a bearing on how artisanal fishers comply with rules managing fishing in MPAs and reserves, and how the benefits derived from artisanal fishing and tourism fishing are distributed.

For all marine national parks or reserves, a management plan must be developed, which has to be approved by the Ministry of Tourism (Mozambique, 2001). The plan must detail any commercial activity undertaken in the park, although the original users of the marine resources are not required to be involved in the management or distribution of benefits derived from the MPA. Furthermore, recreational and sport fishing can take place in a MPA, whereas artisanal fishing may be restricted by the new rules of management. This creates conflict, reduces the incentive for artisanal fishers to comply with MPA rules and highlights inconsistencies in the legal framework between the activities of tourism and those of artisanal fishing.

Sharing benefits through consultation and co-management

Forestry and wildlife legislation

The right to share the benefits from coastal resources is established by the Forestry and Wildlife Law (Mozambique, 1999) and Regulations (Mozambique, 2002; Mozambique, 2005b), which are applied by investors in the process of legalising new business developments. This legislation requires new claimants to consult with local communities to establish an agreement through the management concession planning process (Mozambique, 2002: art. 15–24) and stipulates that 20 per cent of the taxes raised through the exploitation of wildlife and forestry resources must be 'destined for the benefit of local communities in the area from which the resources are extracted' (Mozambique, 2002: art. 102).

The object of the Forestry and Wildlife Law is to provide a financial incentive for communities to enter into concession agreements with investors. However, while there are penalties if a private investor fails to pay the 20 per cent tax, there are no such penalties if investors fail to fulfil their concession agreement regarding broader community benefits, such as the provision of employment or social services (Mozambique, 1999: art. 41; Mozambique, 2002: art. 114, 115). Consequently, the incentive for private investors to engage in complex consultation processes with local communities is severely undermined and, as a result, some investors see their concession rights as a private right (Norfolk, 2008).

At the beginning of the process of identifying an area for a tourism venture, the Forestry and Wildlife Regulations (Mozambique, 2005b) require new claimants to establish a management committee (*comité de gestão*) for the area. The committee should engage the tourism operator and any local NGOs, associations and interested parties to undertake a programme of consultation with the community (Mozambique, 2005b: art. 1, 2). The committee must be registered with the district administration or local administrative post and is expected to open a bank account into which payments based on the 20 per cent of taxes raised through tourism activities that exploit the forestry and wildlife resources can be deposited (Mozambique, 2002: art. 102).

The notion of redirecting taxes raised by a concession holder and using them to benefit local communities has been extended to protected areas and national parks. This is modelled on the forestry and wildlife legislation and aimed primarily at funding conservation and management (Mozambique, 2009). The legislation stipulates that 80 per cent of the taxes raised through tourism in a protected area should be used by the sector for resource management, of which 20 per cent must be allocated to the community (Mozambique, 2009: art. 2). In the case of protected areas, the 20 per cent is collected by the state through 'entrance fees', and in the case of hunting reserves (known as *coutadas*), taxes are levied through 'slaughter fees'.

However, the process through which taxes are distributed back to local communities is an area of contention, as is the perception in some cases that the nominal value of 20 per cent is not sufficient to compensate for restrictions on local resource use. The technical capacity to establish and facilitate the management committees, as well as the process of authorisation to receive and disburse funds, is weak, particularly at the district and administrative post government levels (Johnstone et al., 2004). This has created tensions among private investors and has undermined the effectiveness of the management committees to distribute benefits through tax contributions.

Furthermore, there are considerable shortcomings in the delivery of the social benefits that concession agreements are supposed to bring to communities. In the case of tourism, there is the predominance of an 'exclusive' tourism model that is not easily compatible with multiple users of the same natural resources, particularly fishers. The high-end tourism market, promoted in many of the coastal areas of Mozambique, relies on highly skilled staff who are difficult to recruit locally (Rylance, 2008). Thus, despite the legal intention to promote investment in tourism, limited employment opportunities often make the 20 per cent tax the only tangible benefit for local communities.

Fisheries legislation

The sharing of benefits from marine resources is determined by the fisheries legislation that provides for committees to manage fishery resources in a co-management arrangement (Mozambique, 2003b: art. 18, 19). At national level, co-management is facilitated through the Fisheries Administration Commission (*Comissão de Administração Pesqueira*), which represents the state and fishing industry and where decisions on quotas, conflicts and closed season periods are agreed (Mozambique, 2003b: art. 16, 17). The legislation establishing fishery community councils (*conselhos* *comunitários de pesca*, CCPs) allows artisanal fishing communities to identify the boundaries of a fishing area and rules of use and access, which are ratified by the government (Mozambique, 2003b: art. 18, 19). Significantly, the law makes provision for other resource users, including those in the tourism sector, to become members of CCPs and to manage cooperatively shared coastal resources.

The object of the fishery co-management regulation is to encourage users to participate in managing their local fishing resources, although the status of co-managed areas is not clear, particularly within MPAs. CCPs have been set up in a number of locations along the coast and have been created to co-manage small-scale fishery resources up to three nautical miles offshore (Pereira, 2010). It is not known if CCPs have been used to engage in tourism activities, such as sport fishing or scuba diving, but the legal framework provides a promising scope for more collaborative approaches to sharing and distributing benefits derived from marine resources.

Local government legislation

Mozambique's legal framework for engaging communities and other stakeholders in the consultative process has been enhanced through the Local Government Bodies Law, 8/2003, (Mozambique, 2003c) and Regulations (Mozambique, 2005b). These aim to further decentralise government and have introduced two layers of government below district level called the administrative post and locality (Mozambique, 2003a: art. 13, 14). The intent of the legislation is to establish 'ways to link local organs of the state with community authorities' (Mozambique, 2000b: art. 1). This regulation makes provision for a further distinction at the community level, called a *povoação*, which represents a local territorial division consisting of villages, and allows certain community bodies to be established as consultative structures with the state (Mozambique, 2000b: art. 13).

An important issue of the decentralisation policy is how the various groups and committees should be set up, administered and sustained. The plethora of groups provided for in the legal framework creates challenges in identifying which community body has what responsibility (Serrano, 2002). The Land Law (Mozambique, 1997b) requires communities to appoint groups of nine representatives (G9) to approve DUATs, and the Forestry and Wildlife Law (Mozambique, 1999) requires participatory management councils to be established to approve management concessions; these councils are different from district-level fishery co-management groups and rural development forums (Tanner, 2008). In addition to the new institutions, there are complex networks of traditional institutions across all rural territories. Another challenge is how traditional leaders can attend meetings in the consultative process to approve new commercial developments when state administrative and political boundaries do not necessarily conform to customary and traditional boundaries (Johnson & Johnstone, 2006).

The decentralisation legislation gives community authorities the power to participate in conflict resolution, to represent community opinions on applications for land and to identify and delimit community resources (Mozambique, 2005b: art. 106).

The regulation recognises traditional chiefs (*régulos*), neighbourhood secretaries and religious leaders as community authorities and grants them specific privileges as official representatives of the community and the state (Mozambique, 2005b: art. 105). The legislation aims to integrate community leaders into the institutional framework of the state by employing them to undertake government tasks such as collecting certain taxes. A criticism of this approach is that it has politicised the function of community authorities, particularly as neighbourhood secretaries are often representatives of the ruling party, Frelimo (*Frente de Libertação de Moçambique*), while other political parties, such as Renamo (*Resistência Nacional Moçambicana*), are not recognised by law as community authorities and are, therefore, not permitted to convene meetings (Serrano, 2002).

Although the objective of the decentralisation legislation is to establish administrative linkages between community authorities and the state, in practice local authorities are expected to conform to the political and administrative processes of the government. Thus, the state, through Frelimo, attempts to directly influence the traditional institutions and practices of local communities. Despite the decentralisation laws, and the fact that under this legislation various committees are required to encourage community participation in deciding how the benefits derived from natural resources are distributed, these new institutions have become politicised and do not necessarily represent the interests of the local populace, particularly in rural Mozambique. For the majority of Mozambicans living outside urban areas, the principal system for influencing and participating in management over all aspects of their social, cultural, environmental and community life continues to be the traditional authorities and customary law.

The influence of traditional practices and customary law in securing benefits

Traditional authorities and their institutional structures are not static but have evolved and changed over time, influenced by colonial occupation, and now through the modernising forces of politics, democratisation and the market. The majority of the case studies that describe customary law and traditional practices in Mozambique are concerned with land-based resources, and few studies describe the traditional ownership and use of, and access to, marine and coastal resources. Those that do exist describe traditional authorities as having responsibility for governing fishing sites, spiritual ceremonies involving the sea and enforcing rules of use and access (Chilundo & Cau, 2000; Lopes, 2000; Lopes & Gervasio, 2000).

The chief (*régulo*) is the highest authority within the traditional hierarchy and is responsible for enforcing law and order, while responsibility for managing the beach and fishery resources is delegated to a subordinate. During colonial rule, traditional authorities in northern Mozambique, under matrilineal customary law, appointed a female (*apwiamwene*) to govern fishery resources (Lopes, 2000), and she was responsible to the Portuguese authorities through the *cabo do mar* (marine police) and the *captania do porto* (port captain) to control fishing. Her duties included collecting fishing licence fees and issuing fines for infractions in her territory. Today the position of *captania* has become a government post responsible for maritime administration under the Ministry of Transport and Communications.

The intention of the legal system is to recognise traditional authorities and use the social cohesion that exists in rural Mozambique to carry out government policy (Serrano, 2002). However, this can create political tensions, as many traditional authorities have a history of political affiliation with the opposition party, Renamo (Allen, 2005). In areas where traditional authorities are more closely aligned with Renamo, there is evidence of tensions between these authorities and the newly constituted consultative committees, particularly if the *régulo* is not appointed as leader of a new committee (Johnstone et al., 2004). The accountability of traditional authorities is also an important issue, as *régulos* have a history, exploited by the Portuguese, for disproportionately benefiting from external investments (Serrano, 2002). The local *régulo's* support and endorsement for a new commercial activity like tourism is important to an investor, and essential in obtaining community support, but *régulo* approval is not a proxy for the preferences of the constituency.

The legislation encourages traditional authorities to be the main entry point for new investors and developments. However, the process of consultation is not clearly spelled out, and this has, in some instances, allowed unscrupulous investors to exploit the tensions between the new community–state institutional structures and traditional authorities. Some investors have chosen to consult and align themselves with traditional authorities in order to secure their investments, rather than work with untested committees and community leaders (Tanner, 2008). When other investors, who are not aware of the social and cultural nuances, seek advice from the government, certain government officials penalise them for mistakes in the administrative process and exploit their lack of knowledge of the 'system' for personal gain or political benefit.

Political influences and implications for securing benefits

The central actor in deciding who gains use and access rights to coastal resources and the benefits derived from them is the state, and this extends to final decisions on approving DUATs, management concessions, special licences and protected areas. The Land Law requires provincial governors to authorise DUAT applications for areas up to 1 000 hectares; areas of between 1 000 and 10 000 hectares need authorisation from the Minister of Agriculture, and areas larger than that have to be authorised by the Council of Ministers (Mozambique, 1997b: art. 22). A significant concern is that such decisions over large tracts of natural resources are subject to administrative and political discretion, particularly where legislation is conflicting or competing. In these circumstances the influence of politics and the diverse relationships between investor, state and community can undermine the process and capacity of a local community to be consulted effectively and to share in the benefits.

Coastal resources are particularly problematic and complex in this case, as they fall between two legal jurisdictions, being governed under both terrestrial and aquatic laws and administered under different ministries, often with different competencies. Prospective new investors in tourism who seek to gain and secure access to coastal resources must first establish connections with the formal consultative institutions of the state, as well as the informal institutions of local communities. Then they must comply with modern and customary rules, and be aware that the process is influenced by and subordinate to the political norms that are channelled through the ruling party into civil society. The closer the integration of community institutions with those of the state, the greater the influence of the state over the community in determining how rights and benefits from coastal resources are derived and distributed.

An example of the way in which legislation can be adapted and used to secure and control benefits from coastal resources is the case of the Vilanculos Coastal Wildlife Sanctuary (VCWS). In 2003, the Council of Ministers used Decrees 4/2000 (Mozambique, 2000a) and 18/2003 (Mozambique, 2003a) to establish a new fully protected area with special licence rights for tourism. The VCWS Project concession encompasses 22 000 hectares of the San Sebastian Coastal Peninsula and approximately the same area of surrounding coastal waters, and encloses an estimated 1 600 people, whose development responsibility has been allocated to a private company for 100 years. The decrees were used first to abolish the protected area of the maritime zone and then to create a new protected area with special licences to manage both land and marine resources.

The VCWS case is insightful as it highlights important challenges in how benefits from coastal resources are derived and determined. The decision by the Council of Ministers to establish the VCWS created a legal precedent for integrating aquatic and terrestrial laws over the coastal zone and for creating leasehold rights over both land and marine resources that were transferable to a private company. Many of the concerns raised about the project focused on its management and, in particular, the conflicting laws on commercialisation, land and marine usage, and community rights (Batey, 2004). Under the management concession, the VCWS Project is obliged to develop a management plan that is approved by the Ministry of Tourism. The management of fishery resources within the concession plan is questionable, as the decree used to create the concession refers only to aquatic mammals and amphibians, and explicitly states that its jurisdiction excludes fishery resources (Mozambique, 1999: art. 1). Such discrepancies in the legal and administrative system as those governing the VCWS are not easily accommodated within the legal framework, and can lead to tensions between the tourism and fishery sectors and their respective ministries.

An unintended consequence of the VCWS decision is that, in spite of its legal idiosyncrasies, the case provides a legal mechanism by which a community's right to use and benefit from coastal resources — a right that is enshrined in land-based laws — can be extended to aquatic laws governing the coastal zone. The integration of aquatic and terrestrial laws governing the coastal zone and provision for transferable leasehold rights over land and marine resources could be a positive outcome of the decision to create the VCWS and provide a platform on which the ministries in the different sectors can come together and apply an integrated approach to governing the coast — one in which there is the explicit intention of improving the coordination of use and access rights to the coastal zone and the sharing of benefits with local communities.

Conclusions and way forward

A number of positive efforts are being made in policy and law to promote benefit sharing in Mozambique, many of which can be traced back to the influence of the 1990 Constitution, the 1997 Land Law and the 1999 Forestry and Wildlife Law, which recognised community rights to land and the mechanisms for incorporating benefit sharing in the development process. Examples of subsequent policies and laws that reflected this sentiment include Mozambique's Poverty Reduction Action Plan (Mozambique, 2011), which emphasises the importance of social and cultural issues and the distribution of benefits from natural resources to local communities. However, despite the policy and legal framework moving towards more secure user rights and a more equitable distribution of benefits, the implementation of the law remains weak. This is influenced by a number of interrelated factors, including expansionist policies in both the tourism and fishery sectors, in both of which the development trajectories are increasing the potential for conflicts over coastal resources.

The key contradiction in the tourism policy objectives is that, on the one hand, the policy supports the creation of local employment, while, on the other, it promotes a 'high-end market' product that does not integrate well with local socio-economic realities. It would therefore be important to address this through targeted investment and local capacity-building opportunities, while also managing the expectations of tourists by marketing the beach experience as including support for the livelihoods of local fishing communities.

Another important impediment to benefit sharing is the lack of monitoring and punitive measures to ensure consultation in the management of any concession agreement made between a tourism business and local communities. The administrative mechanisms and procedures within the legal framework need to be more precise. In particular, the legal requirement to include community benefits in management plans would be greatly strengthened by a legal requirement to monitor and evaluate planned socio-economic impacts.

The potential for benefits to be allocated equitably among different resource users is also undermined by the limited capacity and awareness of all stakeholders regarding the laws and administrative processes. This is further eroded by the limited coordination between state institutions and coastal users and the dearth of opportunities to develop co-management arrangements for improving coordination of the state, communities and new stakeholders. The process of securing user rights to coastal resources involves many steps and requires extensive knowledge of the various laws that apply. Tourism licensing involves several ministries and sector laws, and its implementation relies on sound legal advice to the business sector.

The complexity of the situation is compounded by the lack of coordination among ministries in rationalising the legal procedures for managing the consultation process with local communities and other resource users. The integration of traditional institutions with the formal consultative bodies of the state has resulted in a multitude of parallel committees with similar and overlapping objectives. Creating more integrated platforms for consultation would bring together key stakeholders and establish a more inclusive approach to local resource use and management that could address multiple development issues.

The way forward includes promoting the coordinated multiple use of coastal resources by reviewing the sector development policies and identifying a joint vision for fishery and tourism development. The ability to secure use and access rights to coastal resources is undermined by the limited experience of, and mechanisms for, integrating land-based and aquatic laws and policies.

The land and forestry laws and supporting legislation present a valuable model for linking communities to resources they traditionally use and for establishing user titles and rights. The fishery co-management policy provides for the identification by communities of their fishery areas and entitles them to introduce fishery management measures. However, the legislation governing marine resources does not recognise traditional or good-faith occupancy right title, and, as a consequence, there is no legal requirement for consultation by other users regarding their use of, and access to, marine resources.

In addition there is a need for continued effort to improve inter-sector coordination, communication and linkages between stakeholders and the state, particularly at district and local government levels. In relation to this, integrated management areas that include both land-based and marine resources (in both open-access and protected areas) should be defined, because this would strengthen the potential for creating integrated co-management committees for fisheries and tourism.

Policy and law have a critical role to play in influencing and monitoring approaches to benefit sharing. The distribution of benefits derived from natural resources is open to political and administrative exploitation. The legal framework illustrates a contradiction in Mozambique's legislation for gaining, securing and controlling the right to use and benefit from resources. On the one hand, the state uses its ownership of all natural resources to uphold the rights of communities and protect them from unscrupulous investors. On the other hand, this leaves the government in a dominant position, allowing some individuals to use the system for personal and political benefit. An important legal instrument available to new claimants to natural resources is the right of community consultation. However, the closer the relationship between a community and state institutions, the greater the influence of the state on the distribution of benefits and security of use and access rights over coastal resources.

Finally, notwithstanding the gap between the legal intent to secure community benefits and its implementation, Mozambique has a modern and progressive legal framework and policies that demonstrate political determination to secure the rights and benefits of local communities. This implementation gap and the contradictions that currently impede legal application can be overcome with the development of further technical frameworks and implementation guidelines.

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People, power and the coast: Towards an integrated, just and holistic approach

chapter 7

Rachel Wynberg and Maria Hauck

Introduction

This book presents a picture of the extent to which interventions to share benefits are achieving equitable outcomes, and its chapters share a remarkably consistent set of themes across the mining, tourism and fisheries sectors throughout South Africa and Mozambique, and within the specific communities involved in the research. All suggest a growing concern for and commitment to sharing benefits with coastal communities, with initiatives driven by a range of actors and taking on many different shapes and forms. Notwithstanding this laudable intent, the actual narratives suggest that the jury is still out as to whether these objectives are being achieved.

Benefit sharing as a spectrum of approaches

What has emerged from this research is the development of a range of new approaches, or refashioned existing approaches, which attempt to move away from the 'business as usual' scenario described in Chapter 1. New ways of working with communities are unfolding, based on interventions that aim to reduce inequality and ecological degradation and promote improved benefits for the common good. As Figure 7.1 illustrates, such so-called benefit-sharing interventions, described as the social processes or institutions through which people gain access to and control over resources and through which benefits are distributed (Ribot & Peluso, 2003), typically have the object of redistributing benefits to different actors and involve a decision-making process to determine who gets what. They incorporate a range of different approaches to achieve these goals, such as community-based natural resource management (CBNRM), co-management, corporate social responsibility (CSR) and revenue sharing, each having different outcomes and ideological bases. They also use certain tools, such as permits, community levies and equity in shares, to distribute benefits.

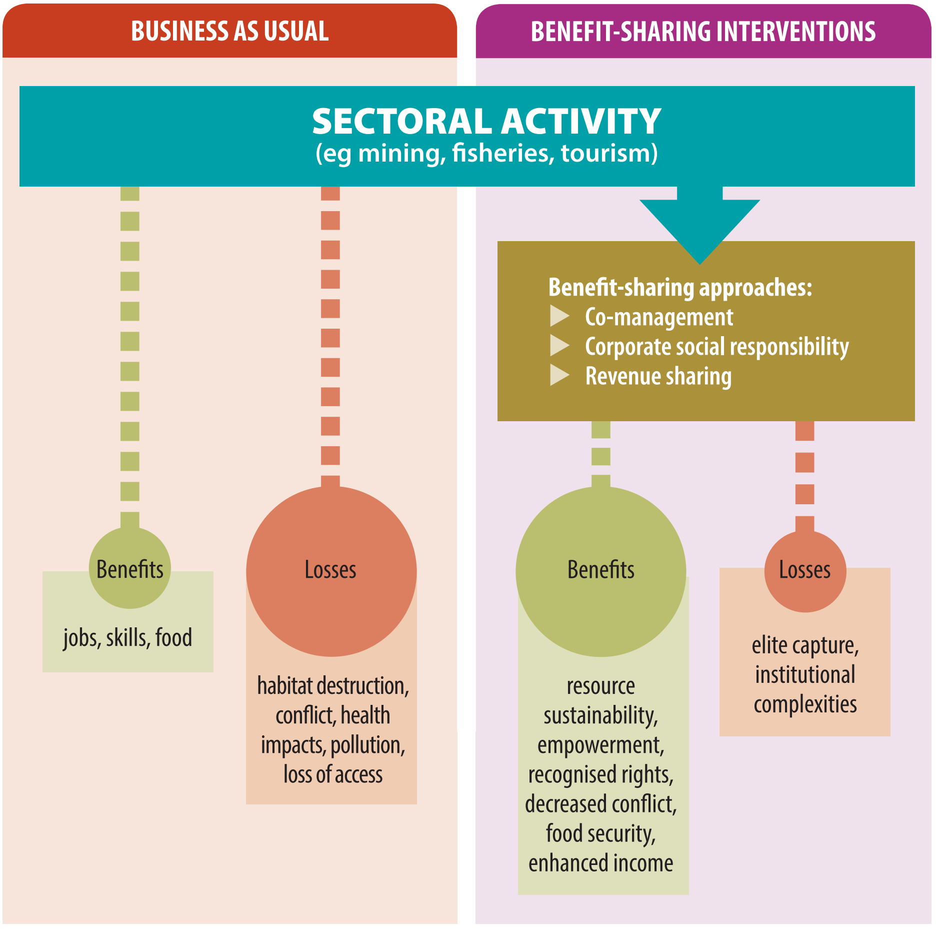

Figure 7.1
'Business as usual' and benefit-sharing interventions in different economic sectors

These approaches vary substantially depending on the global or local nature of the arrangement, the sector and actors involved, and the specific nature and history of the case in question. They also differ in their objectives, ideologies and the extent to which they achieve equity. The outcome of these arrangements is largely determined by the objectives of different actors. For example, as Chapters 3 and 5 describe, non-governmental organisations (NGOs) with a developmental mandate have initiated benefit-sharing mechanisms in the tourism sector that have led to the promotion of participatory and inclusive institutional structures with decentralised decision-making and a focus on rural development.

Chapter 4 explains how private sector-led initiatives in the mining sector have placed less of an emphasis on procedural fairness, inclusiveness and decentralised decision-making and have typically responded to legislative and policy requirements, a finding that resonates with experiences elsewhere in the world (Jenkins & Obara, 2008; DMR,

Table 7.1

Examples of benefit-sharing approaches in coastal tourism, mining and fisheries

BENEFIT SHARING APPROACH	NATURAL RESOURCES	CONTEXT	ACTORS	UNDERPINNING OBJECTIVE	BENEFIT-SHARING INTERVENTION	PROCESS	POWER	OUTCOMES (BENEFITS/ LOSSES)
CBNRM (community-based natural resource management)	Wildlife Forest products	Political context of decentralisation, security of tenure and poverty alleviation linked to conservation movements	Different levels of government, NGOs, private sector and communities	Sustainable livelihoods, social justice and resource sustainability	Decentralised institutions set up to allocate rights (i.e. permits) to access, use and trade natural resources, coupled with revenue sharing and broader support to local communities and livelihoods	Devolution and participatory decision-making, although this has taken different forms	Power imbalances exist between and within the different actors. The intention is to transfer greater power to community structures, but if devolution is weak, then power remains in the hands of the state or private sector	Benefits to communities can be significant in terms of securing access to land and resources, enhancing income, diversifying livelihood opportunities, capacitating local institutions, building empowerment and reducing the over-exploitation of resources. However, if devolution is weak, if participatory decision-making is absent, or if there are challenges with implementation, losses can lead to greater centralisation of use and control of resources, enhanced conflict between actors and elite capture of benefits.
Co-operative management (co-management)	Fisheries	Resource over-exploitation and conflict, coupled with donor-driven agendas, and policies and laws that favour participation and decentralisation	Largely government authorities and communities but there may be other actors such as NGOs and scientists	Resource sustainability linked to sustainable livelihoods	Co-management committees set up to facilitate joint decision-making on resource management and sometimes livelihood support	Spectrum of cooperative decision-making with the intention of sharing rights and responsibilities between actors	Move from central power to shared power, but imbalances remain (power rests with the state) when decentralisation is weak	Benefits accrue to all actors in the form of resource sustainability and reduced conflict. In addition, communities often benefit through greater or more secure access to resources, enhanced income or food, capacity and skills development, strengthening of local-level institutions and in some cases new livelihood opportunities. However, if devolution is weak and there are challenges with implementation, losses can lead to greater centralisation of use and control of resources, enhanced conflict between actors and elite capture of benefits.
Revenue sharing	Wildlife Land Forests and plants	Conflict, as well as policies and laws that promote poverty alleviation and economic development	Government, communities, NGOs and the private sector	Reducing conflict, improving the public image and local attitudes to conservation and tourism, and promoting community development	Funds accumulated through fees, permits and/or taxes from protected areas or tourism establishments are allocated to local communities	Community institutions set up to receive and distribute funds through participatory decision-making	Power rests with the state in terms of percentages allocated to communities, but the community may decide how to allocate the funds	Benefits include reduced conflict and increased community support for protected areas, in addition to enhanced income, infrastructure development and livelihood support for local communities. However, losses can be significant in terms of minimal compensation for loss of land and access to resources. In addition, conflict can be exacerbated within communities along with elite capture of benefits.
CSR (corporate social responsibility)	Minerals	Government regulation and policy, shareholder demand, consumer and public pressure, community conflict and market competition	Primarily the private sector, but the state, NGOs and communities are often also involved	Social development and environmental protection while maintaining profits	Mainly investments in social development and infrastructure (e.g. roads, education, health), local procurement and business development, environmental remediation, skills training and, in some cases, community shares and equity	A variety of institutions set up to implement CSR such as community development committees, partnership arrangements or joint ventures. Communities are often identified in a narrow way to limit claims, reduce costs and manage risks	Power relations are typically highly skewed. Power usually resides with the private sector or local elite	Benefits may include improved infrastructure, skills and knowledge enhancement, job creation, improved environmental quality, increased income and, if interventionas are implemented well, improved community relations and thus reduced conflict. CSR can also lead to significant losses, including increased intra-community conflict, the state abdicating its responsibilities, elite capture of benefits and increased marginalisation of those who already lack a voice.

2009). Profit underpins the objective of these actors, but within a framework of legal compliance and social responsibility. In Chapter 5, the role of the private sector in tourism is also shown to be philanthropic, motivated by relationships and networks established with community members and employees.

State involvement typically occurs via partnerships or through the implementation of policies and laws. As Chapters 3 and 5 show, state-led initiatives in the fisheries and tourism sectors have demonstrated a mix of characteristics, depending to a large extent on how far they have decentralised decision-making and incorporated participatory approaches to management. The objectives of these interventions may be motivated by legal and policy mandates, rural economic development and/or a desire to reduce conflict.

The diversity of these arrangements suggests that benefit-sharing interventions can best be described as a spectrum of approaches that have evolved to address a complex and often divergent set of redistribution objectives. Table 7.1 depicts this spectrum, summarising the different types of interventions, their objectives and outcomes, their context, the natural resources used, the actors involved, the institutions and processes employed to realise their objectives, and the power dynamics that often emerge. These factors are also the key components that we believe to be critical to understanding and analysing benefit sharing and its effectiveness. Figure 7.2, which is discussed below, illustrates interactions between these components.

CBNRM, for example, arose out of a desire 'to rectify the human costs associated with coercive conservation, [seeking] to return the stewardship of biodiversity and natural resources to local communities through participation, empowerment and decentralization' (Dressler et al., 2010: 5). Many of the underlying principles of CBNRM have also been applied in the cooperative or co-management arrangements that often emerge as a result of concerns about resource management. The emphasis has been on sharing rights and responsibilities between government, resource users and other stakeholders in order to achieve sustainable and equitable resource governance (Pinkerton, 1989; Carlsson & Berkes, 2005; Borrini-Feyerabend et al., 2007; Roe et al., 2009).

In the small-scale fisheries arena, as highlighted in Chapter 3, co-management arrangements have been implemented to promote the equitable distribution of rights for coastal resources, reduce conflicts, enhance food security, and empower fishers and communities to engage actively in coastal governance (Berkes et al., 2001; Wilson et al., 2003; Hauck & Sowman, 2005; Pomeroy & Rivera-Guieb, 2006). With benefit sharing operationalised through decentralised committee structures, permits, capacity development and revenue sharing, CBNRM and co-management have in common a focus on strong institutions and participatory decision-making, emphasising legitimate, accountable and fair governance arrangements (Jones & Murphree, 2004; Larson & Ribot, 2004; Carlsson & Berkes, 2005). This study clearly shows that the establishment of such institutions is a continuing challenge, influenced by power imbalances between resource users and conservation authorities, often leading to a mismatch between the livelihood priorities of fishers and the conservation objectives of fisheries management.

Revenue sharing has been promoted widely as a benefit-sharing approach in the tourism and conservation sectors, driven characteristically by government, donors, NGOs and the private sector. In relation to tourism, Chapters 5 and 6 explain that funds are typically accumulated through levies, permits and/or taxes that are stipulated in law and then allocated to local communities. Although the objectives of revenue sharing may vary across initiatives, the approach is generally used to promote community development, reduce conflict and improve the public image of conservation agencies or tourism operators (Mitchell & Ashley, 2010; Ahebwa et al., 2012).

While the establishment and empowerment of accountable community institutions have been identified as instrumental for receiving and distributing income fairly to the wider community (Archabald & Naughton-Treves, 2001; Tumusiime & Vedeld, 2012), this can also be a core challenge. For example, the South African case studies outlined in Chapter 3 have experienced significant obstacles in distributing funds from tourism initiatives due to the individual interests of powerful local elites. Weak local institutions and power imbalances have exacerbated this. In Mozambique, however, where the case study community was small and institutions were strong (Chapter 5), decision-making and income distribution were considered fair. However, even when some social and economic benefits to communities have been acknowledged, these are often regarded as inadequate compensation for significant loss of land or access to natural resources, a concern also highlighted elsewhere (Tumusiime & Vedeld, 2012).

One of the weaker approaches that has emerged over the past 20 years is that of corporate social responsibility (CSR), also referred to as corporate citizenship. As the term indicates, this is an approach driven predominantly by the private sector, but typically in response to government regulation, shareholder demand, or consumer or community pressure. Although not strictly a benefit-sharing intervention, CSR is about 'balancing the diverse demands of communities and the imperative to protect the environment with the ever-present need to make a profit' (Jenkins, 2004: 24) and to 'systematize corporate contributions to development' (Merino & Valor, 2011: 165).

Specific interventions might include investments in social development and infrastructure projects, local procurement, environmental remediation or community shares in private companies (Hamann, 2003; Jenkins, 2004). These are implemented through a range of institutions such as community-level development committees, partnership arrangements with NGOs or communities and joint ventures. In contrast to the other approaches described above, the motivation of CSR is typically self-interest, in which power resides predominantly with the corporation itself, rather than with the stakeholders associated with the initiative (Jenkins, 2004). Many therefore dispute the claim that the corporate contribution to communities has been positive overall (Frynas, 2005; Merino & Valor, 2011). However, CSR is an evolving concept and, as Merino and Valor (2011) note, there are widely divergent understandings of its conceptual and ideological base.

This is also reflected in the varied agendas that different companies pursue, from philanthropy and impact mitigation through to community investment and social partnerships between business and civil society (Hamann, 2004). The private sector tourism initiative examined in Chapter 5, for example, highlights that while business objectives are crucial, a genuine effort to build relationships with local communities in order to promote a wide array of benefits is instrumental to the way the lodge operates. The example of Richards Bay Minerals in Chapter 4 underlines the importance of setting in place thorough consultation processes to determine local development priorities, of ensuring the accountability and legitimacy of institutions established to effect CSR, and of monitoring the distribution of benefits to ensure these have maximum impact.

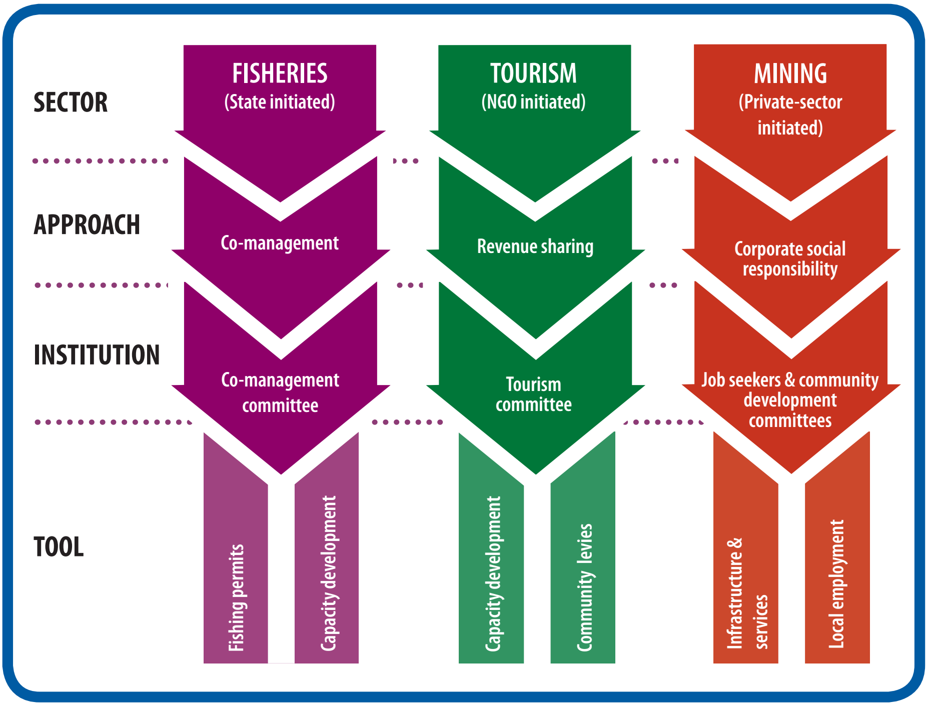

Figure 7.2

Benefit-sharing arrangements by sector in the case studies explored

A conceptual framework for benefit sharing

Key elements of benefit sharing: Natural resources, actors, benefit-sharing interventions and outcomes

Conceptually, therefore, we understand benefit sharing to comprise a number of different but strongly interrelated components. The research described in this book has identified these components as crucial for developing, implementing and assessing benefit-sharing interventions. Figure 7.3, which builds on these results, presents key elements of a benefit-sharing framework and illustrates a dynamic process by which interventions are introduced to distribute benefits in a more equitable manner to a range of actors who access and use natural resources along the coast.

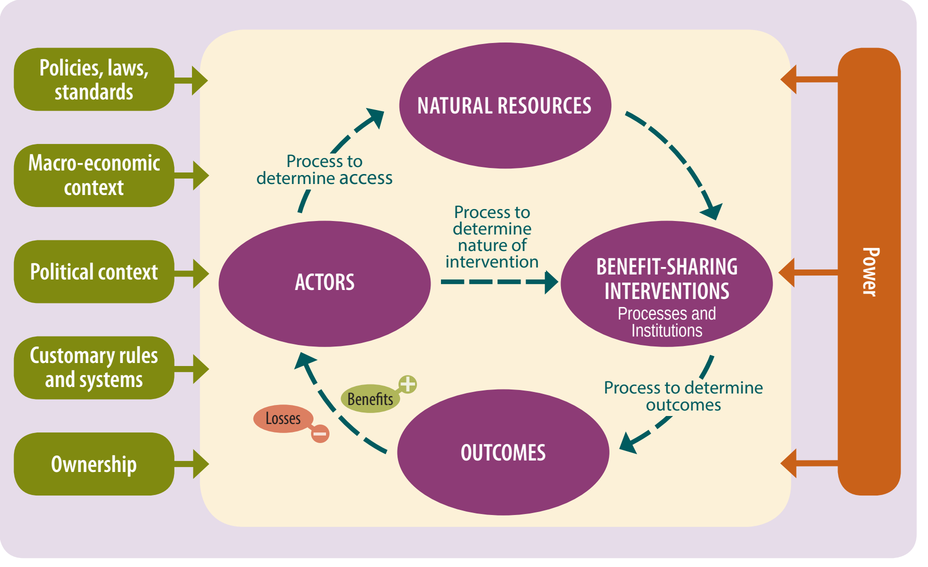

Figure 7.3

Conceptual framework for benefit sharing in coastal resource use

Such natural resources may include wildlife, fisheries, plants, minerals, forest products or land, which are accessed by a suite of actors who often have divergent or even conflicting interests. As seen in this research, these actors can include government departments, politicians, corporations and the business sector, conservation agencies, civil society organisations and local communities, all of which operate at different levels, from global to local.

Interests that have been identified range from resource regulation, conservation and human rights protection to gleaning tax revenues, profit generation, and local economic development and poverty alleviation. Such interests, along with the objectives of benefit-sharing interventions, are often at odds. Some actors, for example, may promote the conservation of natural resources at the expense of indigenous peoples' rights, while others may champion devolution and local tenure (Ruddle & Hickey, 2008; Dressler et al., 2010). Indeed, this research has shown that state conservation goals in fisheries, or private-sector economic interests in mining and tourism, may often clash with the livelihood needs of local communities. These conflicts, within and between groups of actors, are well recognised as an impediment to achieving more equitable and sustainable resource governance arrangements (Ribot & Peluso, 2003; Roe et al., 2009; Dressler et al., 2010).

Benefit-sharing interventions are an important approach to mediating these conflicts, requiring careful and participatory design, building on existing or involving new processes and institutions, each intervention individually crafted and customised to cater to a specific situation. The outcomes of these interventions will affect a range of actors and, while aiming to enhance benefits, can also entail significant losses, with negative social, economic and ecological implications (Ashley & Roe, 2002; Chuenpagdee et al., 2005; Altman, 2009; Van der Duim, 2011).

Chapter 5, for example, explains how tourism in Mozambique has been profitable for private companies operating along the coast, and has provided employment and, in some circumstances, empowerment and skills training to local communities. Some sectors of the community, however, such as fishers, who have benefited from the markets provided by the tourism industry, have also suffered greatly through loss of access to the coast and marine resources. These losses are believed by fishers to outweigh the benefits brought from tourist markets.

Similarly, in the mining sector in South Africa, private mining companies have benefited from working with local communities, thus complying with laws while also enhancing their public image. In the broader community, however, while some families have benefited from employment, the general sentiment is that CSR initiatives do not adequately compensate for the economic, ecological and social losses that have accrued as a result of mining activity. Furthermore, many households believe that local elites and powerful traditional authorities benefit financially from mining at the expense of the broader community. The inequitable distribution of benefits among the different actors is therefore a significant challenge in each of the sectors explored.

The importance of process

Figure 7.3 also emphasises the importance of process in determining who gains access to natural resources and, therefore, who benefits, as well as the centrality of process in shaping actor involvement in benefit-sharing interventions and their outcomes. Indeed, participatory processes and procedural fairness are critical to ensuring the effectiveness of benefit sharing, and securing a legitimate and equitable outcome (Hernes et al., 2005). The establishment of local-level institutions is integral to such processes, in which representative actors engage in joint decision-making (Noble, 2000; Pomeroy & Rivera-Guieb, 2006). However, such processes, which need to adapt and evolve as needs and circumstances change, require time and resources, and it must be understood that a mismatch between the expectations and interests of different actors could jeopardise expected outcomes (Jones & Murphree, 2004; Wynberg et al., 2009).

The establishment of local-level institutions has been key to almost all of the benefit-sharing arrangements identified in this study, with local participation and joint decision-making seen by communities as crucial to securing benefits. In small-scale fisheries in South Africa, for example, gaining formal access to marine resources through permits was a key priority of the co-management committees at the outset, but as the needs of fishers began to change, broader livelihood issues took on greater prominence. While the mandate of conservation authorities may not be rural development or poverty alleviation, Chapter 3 describes how existing co-management institutions are not adequately addressing the perceived needs of fishers. In Chapter 5, the community of Gala clearly articulates the positive impact of livelihood projects that have been identified and developed through participation in the local tourism committee. The communities of Sokhulu and Mbonambi, in contrast, are disdainful of institutions set up to distribute benefits from mining, which they believe lack legitimacy and have not been set up to represent community interests (Chapter 4).

The context of benefit sharing

The interventions that are developed to distribute benefits more equitably are typically located within a wider institutional, political, social and economic framework, and are consequently influenced by multiple interlaced factors. For example, policies, laws and standards, such as the prescribed 26 per cent black economic empowerment target for mining described in Chapter 4, may in effect benefit certain actors more than others. Informal institutions, such as customary rules and systems, may conflict with formal laws and thus result in confusing systems of dual governance. Political objectives, for instance decentralisation in post-colonial states, will have a significant impact on legal reform and foreign aid (Ashley & Roe, 2002; Ruddle & Hickey, 2008).

At the same time, the implementation of such laws and policies is likely to be hampered by other factors, such as the macroeconomic influences of neoliberal and capitalist economies (Dressler et al., 2010; Cunguara & Hanlon, 2012). Market forces may also drive the establishment of certain benefit-sharing interventions, or may directly influence the value of a particular resource, and thus the behaviour of certain actors. These wider influences, often driven by actors at international and national level, can have significant impacts at local level and may be juxtaposed with the realities and needs of marginalised communities (Ruddle & Hickey, 2008; Nelson, 2010). They will also interplay with property rights (Ostrom, 1990), as well as with a range of mechanisms and structures governing resource use, such as social identity, social status and social relations (Ribot & Peluso, 2003).

Power as a central determinant of benefit sharing

Power relations constitute the common denominator underpinning many of these elements and remain the central reason for the way in which benefits are distributed. Power, according to Gaventa (2006), is tri-dimensional: it operates at different levels (international, national and local) and within different spaces (closed, invited and claimed), and it can be of different natures. For example, power may be visible, through observable decision-making, but may also be more clandestine, if powerful people and institutions prevent alternative voices and viewpoints from getting a fair hearing (Gaventa, 2006). Where ‘invisible’ psychological and ideological boundaries are set, power may also be more insidious, perpetuating inequality and social justice (Gaventa, 2006).

As Ribot and Peluso (2003: 173) argue, the structural and relational mechanisms of access — to markets, capital, technology, knowledge and authority — form 'bundles of powers' that result in 'complex social patterns of benefit distribution'. They also result in some actors holding more power than others, and influencing particular courses of action in order to secure greater benefits, with local resource users most often the ones losing out (Binot et al., 2009; Nelson, 2010). The value of the resources plays a central role in determining the interest of different actors. Indeed, whichever natural resource has the greater value tends to be the code that governs, with governments typically retaining high-value resources in order to maintain power and control, and to shape benefits (Nelson, 2010; Ahebwa et al., 2012). This is well evidenced by the chapters in this book, which describe how institutions set up to manage low-value resources such as mussels experience little involvement from powerful actors, whereas those established to distribute the lucrative financial benefits from titanium extraction are subject to strong interference from actors wishing to capture this value.

Certain actors, including those at local level, also have the power either to reinforce or to contradict equitable governance arrangements, including the ability to shape policy and law, and to maintain the monopolies of their position (Jones & Murphree, 2004; Nelson, 2010). Traditional authorities in South Africa, for example, still have largely the same powers they were given by the apartheid government, and thus enjoy dominant control in rural areas. While some retain legitimacy, others block democratic processes in the distribution of benefits from mining and tourism. This has obvious consequences for benefit sharing, leading to elite capture of benefits and deepened inequalities (Murphree, 2004; Binot et al., 2009, Nelson, 2010). Such contests and power imbalances over resource rights and benefits are fundamental to our understanding of benefit-sharing arrangements and outcomes.

Designing, implementing and analysing benefit sharing

Enhancing understanding about benefit sharing is important, but equally relevant is the question of how this knowledge can be practically applied, both in the coastal zone and across wider social-ecological systems, to reduce inequalities and enhance the governance and sustainable use of natural resources. Table 7.2 provides an indicative list of the kinds of questions that should be asked by those implementing benefit-sharing arrangements to assess and analyse existing interventions and their impacts in communities. These questions could be asked by governments, NGOs, companies or consultants at various scales and, together with Figure 7.3, aim to provide a practical tool for the application of the framework.

As this book recounts, many of these questions have already been used successfully as the basis for empirical investigation. The questions in Table 7.2 could also be modified to help those who are in the process of developing benefit-sharing arrangements highlight key areas to consider when designing their intervention. Thus, careful use of these questions, alongside the conceptual framework, might help guide actors towards more equitable and sustainable solutions for natural resource use and governance.

Table 7.2

Key questions to consider when developing, implementing and analysing benefit-sharing arrangements

NATURAL RESOURCES

- What resources are currently being harvested?
- What resources have historically been harvested?
- What is the ecological/physical state of the resource?
- What is the ecological state of the ecosystem in which the resource occurs?
- What are the requirements for sustainable use?
- What management systems are in place?
- How do monitoring and assessment take place?
- Are there any environmental 'red flags' that need attention (eg habitat destruction or degradation, pollution and waste, invasive species, climate change)?

ACTORS

- What people or groups are currently harvesting or using these natural resources?
- What other livelihoods do people pursue?
- Who is actively involved in decision-making related to resource use?
- Who is affected by resource use (positively and negatively)?
- Have the people who use or manage natural resources changed over time? If so, why?
- Who is actively involved in benefit-sharing arrangements?
- What is the underlying interest or key objective driving each actor's involvement in the arrangement?

PROCESS TO DETERMINE ACCESS

- How is access to resource use determined?
- What institutional structures are in place to determine access?
- What actors participate in determining access?

BENEFIT-SHARING INTERVENTIONS

- What arrangements have been initiated to share benefits more equitably between actors?
- Who initiated these benefit-sharing arrangements and why?
- What institutions have been set up to implement these arrangements?

Table 7.2 continued

PROCESS TO DETERMINE NATURE OF INTERVENTION

- How were benefit-sharing arrangements identified and initiated?
- What were the drivers that led to the establishment of the benefit-sharing arrangement?
- How were the actors identified to participate in the benefit-sharing arrangement?
- How was the process for identifying and implementing the benefit-sharing arrangement determined?

OUTCOMES

- Who benefits from the benefit-sharing arrangement and how?
- Who is negatively affected by the benefit-sharing arrangement and how?
- Has the implementation of benefit-sharing interventions brought any problems? If so what?
- Are outcomes considered fair by all the different actors involved or only by some?
- Are benefits distributed equitably?
- Have benefits and losses changed over time? If so, how?

PROCESS TO DETERMINE OUTCOMES

- What outcomes were intended through the benefit-sharing arrangement?
- How were the outcomes determined, and by whom?
- Was the process for determining outcomes considered fair by the different actors involved?

CONTEXT

- What external factors have driven the initiation of benefit-sharing arrangements?
- What external factors have influenced the outcomes that have resulted from these arrangements?
- What external factors have influenced the range of actors involved?

POWER

- Are benefit-sharing institutions considered fairly represented by the different actors involved?
- What are the existing power imbalances between the different actors that influence decision-making and outcomes?
- Do the different actors involved in benefit-sharing arrangements perceive power to be equally shared? Why or why not?
- Has power shifted in any way as a result of the benefit sharing arrangement? If so, how?

Table 7.3

Factors that enable and hinder benefit sharing for coastal resources

	FACTORS THAT ENABLE BENEFIT SHARING FOR COASTAL RESOURCES
✓	Robust, representative and accountable institutions
✓	Decentralised decision-making that matches local realities
✓	Transparency
✓	Strong local participation
✓	Capacitated state and other actors
✓	Partnerships
✓	Trust between stakeholders
✓	Adaptive management systems and attention to monitoring, learning and assessment
✓	Redistributive policies and laws
✓	Access to the coast and its resources
✓	Secure land and resource tenure
✓	Multiple livelihoods
✓	Well-functioning ecosystems and well-managed natural resources

	FACTORS THAT HINDER BENEFIT SHARING FOR COASTAL RESOURCES
✗	Weak institutions
✗	Poor alignment between institution and benefit-sharing objectives
✗	Multiple, uncoordinated institutions
✗	Overlapping and conflicting laws
✗	Lack of accountability and transparency
✗	Centralised decision-making
✗	Autocratic decision-making
✗	Incapacitated state and other actors
✗	Elite capture of benefits
✗	Rigid management and poor attention to monitoring and assessment
✗	Political interference
✗	Political patronage
✗	Absence of clear policy and legal framework for benefit sharing
✗	Lack of access to the coast and its resources
✗	Insecure land and resource tenure
✗	Few livelihood opportunities
✗	Degraded/stressed ecosystems and overexploited and/or scarce natural resources

Table 7.3 takes this assessment process further by summarising some of the enabling and constraining factors that may indicate a successful process and outcome. For example, robust institutions, trust, adaptive management, secure tenure and well-functioning ecosystems are likely to indicate a favourable climate for benefit sharing. But, no matter how well intentioned the initiative, equitable benefit sharing may be impeded by other factors, including political interference and patronage, autocratic decision-making, uncoordinated initiatives, elite capture of benefits and degraded or scarce resources. Further research is needed to secure a deeper understanding of the interactions of these different factors, and of innovative approaches that can quantify, without oversimplifying, the different values that benefits and losses have for different actors.

The interconnectedness of benefits and losses

Combined with the overarching conceptual framework, a number of common themes emerging from the research help illuminate factors that enhance or hinder equitable benefit sharing from coastal resources. One of the most compelling findings points to the interconnectedness of benefits and losses, linked in part to the wide range of economic sectors using coastal resources along the South African and Mozambican coastlines. For example, the mining sector extracts titanium from coastal dunes along the KwaZulu-Natal coast; the forestry sector has extensive plantations located in areas that historically comprised coastal indigenous forest; the fisheries sector includes a wide diversity of intertidal and inshore resource harvesting; and the tourism sector utilises coastal land and beaches. These activities bring various ecological, economic, social and cultural benefits to local people. Moreover, as discussed in Chapter 2 (see Figure 2.1), most households are involved in two or more of these sectors, demonstrating the significant linkages between sectors and their impacts on livelihoods.

However, the benefits that emerge from these sectors are often matched or outweighed by losses. Examples of interlinkages emerging from the research are illustrated in Figure 7.4. For instance, as Chapter 4 explains, although mining may bring people economic benefits, it also leads to the loss of livelihoods through pollution and flooding in their fields; the destruction of indigenous forests, preventing access to and the use of forest resources; reduced access to the coast and its resources; negative impacts on fishery resources through water abstraction and siltation; and reduced tourism opportunities. The case study communities perceived these losses to exceed the monetary benefits received from mining through employment, thus highlighting how an intervention in one sector can have serious repercussions in other seemingly unrelated sectors. These interlinking factors need to be taken into account when applications for further mining concessions are processed, including the substantial non-monetary values that communities derive from natural resources.

Linkages are also evident between the fisheries and tourism sectors. Tourism may bring significant benefits to local communities through employment, training and capacity development and enhanced livelihood opportunities, for instance, by providing a market for marine resources. However, an increased demand from tourists for fish products may also lead to ecological losses (Masalu, 2000; Mahon, 2002). From the fishers' perspective, tourism can provide a much-needed source of income through demand for locally caught seafood. However, as the chapters in this book explain, such opportunities are thwarted by private lodges prohibiting access to the coast, or by restrictive fisheries management arrangements that do not adequately recognise fishers' rights or encourage models of local economic development. In fact, conflicts between tourism operators and small-scale fishers can be significant, as seen in Mozambique, where they compete for access to the coast and inshore waters.

Decisions made to manage fisheries need to take cognisance of the important role that tourism can play in promoting cultural experiences related to fishing and enhancing post-harvest benefits to local fishers. Regulatory measures should be jointly agreed upon to establish sustainable harvesting levels, while at the same time enhancing fisher and broader community benefits through local tourism development.

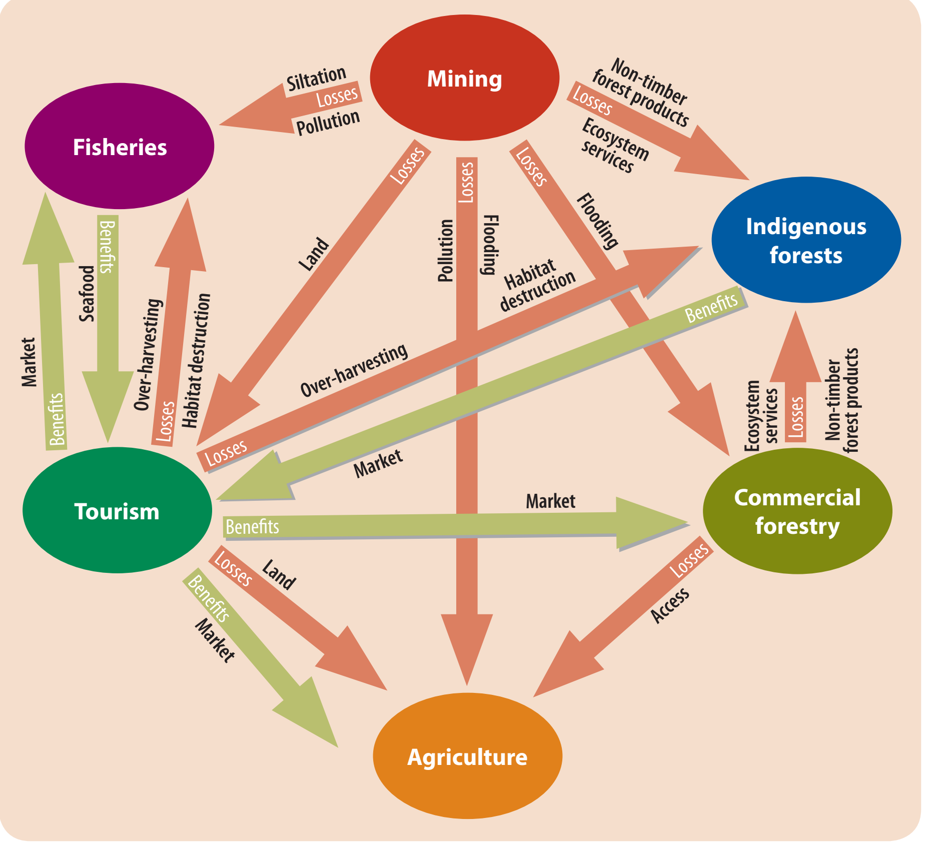

Figure 7.4

Interrelationship of benefits and losses from diverse sectors

A common finding from the case studies is that the non-delivery of basic services by the state also has an indirect effect on benefit sharing. For example, while the private sector in mining and tourism, or NGOs in tourism, may make positive contributions to the livelihoods of local communities through the delivery of basic services such as roads, health care, education and clean water, these benefits are often core functions that are rightly the responsibility of the state. The failure of the state to deliver such services means that external actors are effectively cross-subsidising the state, and communities are losing out on any additional benefits that may otherwise have been provided (Risse, 2010). In other words, if the state were to prioritise basic services, this would free up resources for external investment in other non-essential benefits. Reducing poverty and inequality is thus as much about urging states to assume responsibility for core functions as it is about ensuring ongoing support to various actors, through funding and other partnerships, so that they continue to implement benefit-sharing interventions.

The multifaceted nature of benefits

A key conclusion to emerge from this research points to the variable nature of benefits arising from interventions to redress inequalities, and the different values placed on them. As each case study has highlighted, benefits from such interventions not only take the form of economic opportunities, but also encapsulate broader non-monetary benefits such as the recognition of rights, the sharing of power, greater dignity, capacity development and empowerment, knowledge generation, decreased conflict, increased food security and enhanced social cohesion (Pomeroy et al., 2004; Charles & Wilson, 2009). As many of the cases in this book demonstrate, these often equate to, or in some cases even exceed, the importance of monetary benefits.

Cases also reveal that decision-making about development has typically focused mainly on the economic benefits of various interventions without adequately considering the non-monetary benefits that may be sacrificed by the intervention (Sowman, 2011). The 'hidden' values of social, cultural and ecological benefits need to be recognised in decision-making.

These findings affirm the growing number of studies that challenge the conventional frameworks for understanding human well-being, frameworks that focus on money, commodities and economic growth (Newton, 2007; Coulthard et al., 2011), and point to the need for a more nuanced and complex approach to development in general, and benefit sharing in particular.

As the case study chapters and Chapter 2 explain, the multifaceted nature of benefits, the reliance of communities on diverse sectors for their livelihoods, and the interconnectedness of benefits and losses between these sectors underpin the importance of viewing coastal livelihoods in an integrated and holistic manner.

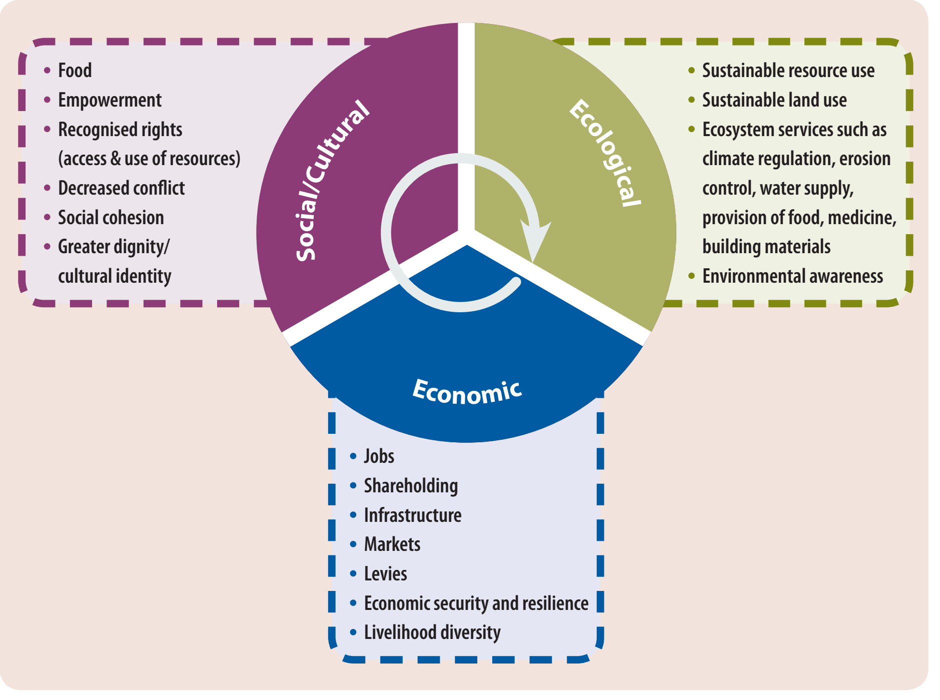

Figure 7.5
Benefits from coastal resource use as identified in this research

Access to the coast, rights and resources

The case studies described in this book all share a history and, in many instances, a continuing experience of marginalisation, oppression and dispossession: the denial of legal access to coastal resources for the Mankosi community in the former Transkei homeland; the forced removal of the Sokhulu and Mbonambi communities to make way for plantations, and later mining; the forced relocation of communities in Mozambique such as Gala; and the closing of access to the coast for other Mozambican communities such as Josina Machel and Conguiana in Inhambane Province. A central finding of the research is that benefit sharing can help to redress past inequalities, but only if the institutional climate is conducive to open dialogue and the development of trust between actors.

There are also clear links between benefits and access to, control over and ownership of land and resources, with the research revealing that the characteristics of different sectors and resources lead to different benefit outcomes. For example, although agriculture is pursued mainly for subsistence purposes, most households benefit from this sector and do not associate it with significant losses, and a similar trend is noted for forestry. In contrast to mining, which is driven by a multinational corporation exploiting state-owned mineral resources that the community has little control over, small-scale agriculture and forestry can be activities pursued in homesteads and communal areas by individual households with autonomy in decision-making.

Rights and access to resources are also a central determinant in the fisheries sector (Chapters 3 and 5), but these are underpinned to a large extent by the common pool nature of fisheries resources, and strong national and provincial government rules, applied in regulation and management (Hauck & Sowman, 2003; Sowman, 2006; Raemaekers, 2009). Although fishing permits were perceived by the majority of fishers at all study sites as an important benefit, differences in policy approaches to the management and sale of resources play a key role in benefit distribution. For example, in KwaZulu-Natal, the introduction of a co-management approach to fisheries management and the provision of subsistence fishing permits have formalised access rights, which were historically illegal. Fisher communities considered the recognition of these rights as a substantial benefit. However, communities perceived the prohibitions on the sale of resources as curtailing benefits and reducing livelihood opportunities. In the Eastern Cape, a different management approach is in place, with limited government intervention, but this has led to a greater proportion of fishers enjoying monetary benefits.

Rights to coastal forest resources are also often ambiguous. As the mining chapter (Chapter 4) explains, communities were removed from forested dunes during apartheid (Cairns, 2000; UNDP et al., 2003), and their rights to this land and its resources remain unclear. Although communities have in some cases successfully claimed back their land, the highly desirable mineral wealth of the dune forests, alongside existing mining concessions, has led in most cases to the land being totally deforested and transformed, or planted to casuarina. Moreover, decision-making about use, management and the ability of the communities to access and benefit from forest resources still rests largely with the government and the private sector. Securing rights to a resource thus does not necessarily guarantee the ability to benefit from its use.

Despite the existence of strong laws in both South Africa and Mozambique requiring access to the coast to be facilitated, rights to access the coast in practice are ambivalent. Although the coast is a public asset, adjacent land may be privately concessioned or owned. This impedes access to the coast and thus to its benefits. The government, in partnership with coastal stakeholders, needs to identify ways in which coastal access can be enhanced, especially for those who have historic links to the area or who are dependent on resources from the coastal area for food and livelihoods.

Getting the institutions right

The chapters reveal an array of institutional arrangements established to share benefits: co-management committees to determine and manage intertidal resource use, trusts to decide how different shareholders should reap benefits from mining, job-creation committees to determine the allocation of employment opportunities, and tourism forums that bring together communities and the private sector to agree on development priorities.

Despite these efforts, the research has identified a number of impediments to equitable benefit sharing, including political interference and patronage, autocratic decision-making, uncoordinated initiatives and elite capture of benefits (Table 7.3). Failure to set in place robust, accountable, representative and trusted institutions for benefit sharing will ultimately undermine the effectiveness of benefit sharing, no matter how well intentioned the initiative (Agrawal & Ribot, 1999; Ribot, 2004; Larson & Ribot, 2004).

The multiplicity of institutions in rural areas is a key factor that hinders equitable benefit sharing. Among the difficulties are, as discussed above, the frequent conflicts in jurisdiction between traditional and state authorities and the failure of the national government to clearly demarcate the roles of traditional leadership institutions and democratically elected local government representatives (Ntsebeza, 2002; Lund, 2006). The net result is that traditional authorities battle with local government, NGOs, companies, protected area authorities and other actors to maintain control over benefits from natural resources and their distribution (Ntsebeza, 2002; Ntsebeza, 2006; Logan, 2008). As the South African experiences described in Chapters 3 and 4 demonstrate, communities perceive the power of traditional authorities as an impediment to wider community benefits. These factors, combined with a mismatch between local practices and top-down governance frameworks, create major institutional impediments to the equitable sharing of benefits. In order to resolve ongoing policy debates, it will be crucial to rationalise rural institutions and clarify the role of traditional authorities.

Even progressive policies that promote benefit sharing in some sectors do not necessarily translate into equitable benefits on the ground. Power dynamics between the private sector, different government departments, traditional authorities and communities fundamentally influence benefit distribution, as do internal power dynamics within communities. These dynamics are, in turn, influenced by the value of the resource, with higher-value resources such as minerals and prime coastal land attracting more political competition. Elite capture of benefits by community leaders remains a significant problem, with benefits intended for the wider community not reaching local level (Ntsebeza, 2002).

Institutions designated to share benefits are often selected expediently, without due regard being given to their appropriateness and legitimacy (Beall et al., 2004; Larson & Ribot, 2004; DMR, 2009). It is imperative that sufficient time, resources and commitment be devoted to ensuring that benefit-sharing institutions are robust (Agrawal & Ribot, 1999; Larson & Ribot, 2004; Ostrom, 2005). This research has highlighted the fundamental importance of ensuring that institutions suit local realities and that they are representative and accountable. Achieving fairness and equity requires participatory processes that adequately engage local communities to ensure that their needs, values and aspirations are effectively incorporated into decision-making.

The extent to which a benefit-sharing arrangement is endogenous and locally supported, or exogenous and externally imposed, plays a major role in determining whether intended benefits match the realities, needs and aspirations on the ground.

Thus, where there has been a significant level of devolution and representative decision-making power in the mechanisms and institutional arrangements for access and benefit distribution, communities have perceived a greater level of tangible and intangible benefits (Pomeroy & Berkes, 1997; Agrawal & Ribot, 1999; Johnson, 2001; Veiga et al., 2001; Larson & Ribot, 2004). However, where the decentralisation of decision-making power has not efficiently manifested in the institutional arrangements for benefit distribution, benefits have been largely outweighed by losses (Pomeroy & Berkes, 1997; Sowman, 2006; Raemaekers, 2009). The overarching conclusion must therefore be that the greater the participation by people in decisions that affect them, the greater the possibility of equitable benefits.

Conclusion and recommendations

Inequities in the coastal zone remain rife, the poor are getting poorer and coastal resources are being exploited to unsustainable levels (Agardy et al., 2005). Through understanding economic and power imbalances between actors, and identifying strategies to distribute benefits arising from natural resource use more fairly, we may be better placed to address these problems and thus reduce poverty and improve the governance and sustainable use of natural resources. While the task seems daunting, it is vital that we begin to interrogate and deepen understanding of the component parts of benefit sharing, as well as the range of institutional reforms required to promote social justice, equity and empowerment.

Linkages between the different sectors using coastal resources must be taken into account in policy implementation and economic development planning to enable coherence and effectiveness. The benefits within and across sectors need to be understood in relation to the losses in order to minimise negative impacts on communities, together with the multifaceted nature of non-monetary benefits that local communities accrue from coastal resource use. Clarifying rights and access to resources and forging partnerships with local communities for the management and use of state resources will also help improve equity outcomes.

A range of interventions has been introduced in several sectors with the aim of enhancing the benefits of coastal resources for local communities. External actors, such as private businesses and NGOs, as well as the state, have played a critical role in initiating and implementing these benefit-sharing arrangements. Continued support and promotion of these interventions is vitally important if livelihood opportunities are to be unlocked and more equitable sharing of long-term benefits promoted. It is equally important for the state to continue providing basic services to the communities affected.

A shift in both policy and praxis on benefit sharing in the coastal zone is long overdue. Such a shift will not only help restore the voice of the legitimate custodians of coastal regions and improve their well-being, but also support the ecological sustainability of these vulnerable areas.

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Towards more inclusive research methods: Our approach and methods

appendix

Rachel Wynberg, Philile Mbatha, Maria Hauck and Mayra Pereira

Introduction to the case studies

The analyses presented in this book are based on case study research in South Africa and Mozambique, with all but one of the chapters (Chapter 6) drawing on this empirical research. The use of case studies as a research approach was motivated primarily by the need to enable a more holistic and integrated understanding of the sharing of benefits arising from coastal resources in rural communities, and to analyse both phenomena and context together (Yin, 2004). Although this approach is sometimes criticised for restricting wider analysis and extrapolation, and imposing limitations on the validity and replicability of the data collected (Lindegger, 1999), the present study found in contrast that the material generated led to a comprehensive and rich understanding of the processes and interactions within the cases. By developing a standard set of methods across the six selected case studies, the researchers were able to make general observations and comparisons, and also found striking similarities across the case study sites, allowing some extrapolation and broader interpretation (Lindegger, 1999; Denscombe, 2007).

A careful process of selection was used to decide upon case study communities in South Africa and Mozambique, taking into account different types of benefits, benefit-sharing approaches or interventions, and governance arrangements. Specifically, case studies were required to:

- represent rural and marginalised communities along the western Indian Ocean region of South Africa and Mozambique;
- include a combination of different economic sectors (for example, fisheries, tourism and/or mining);
- incorporate institutional arrangements for access, use and benefit sharing involving the resources in at least one sector in each case study community; and

- represent a range of actors involved in the different economic sectors, and a spectrum of partnerships between the state, private sector and community.

Based on these criteria, six case studies on the coasts of South Africa and Mozambique were selected for research, which took place from 2009 to 2011 (Figure A.1). The South African communities were Sokhulu and Mbonambi in the province of KwaZulu-Natal and Mankosi in the Eastern Cape province. In Mozambique, the study sites were Conguiana and Josina Machel in the province of Inhambane, and Gala in Maputo Province. Chapter 2 provides an overview of the livelihoods pursued by the communities in the case study sites, and the demographics of these areas.

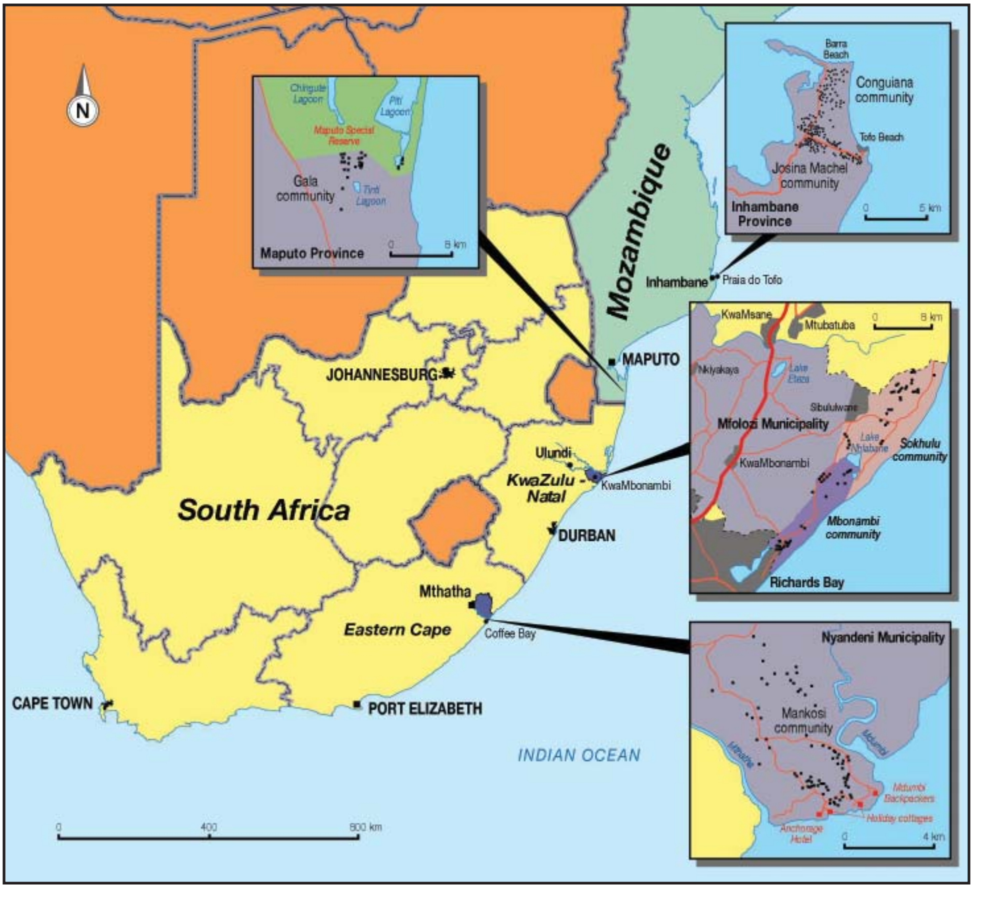

Figure A.1

Case study communities in South Africa and Mozambique (black dots indicate household survey points)

Research approach

A grounded research approach was adopted, with a view to drawing inductively on the experiences and perceptions of case study communities to shape the authors' theoretical and analytical understanding of benefit sharing (Znaniecki, 1934; Strauss & Corbin, 1990). The research was partly ethnographic, but used both qualitative and quantitative methods to collect information, including standardised household surveys, focus group discussions, participant observation, key informant interviews and documentary evidence. The congruent use of qualitative and quantitative data collection methods allowed cross-validation, triangulation and data comparison. While the combination of these methods presented some challenges, it also allowed the research to portray the phenomena studied holistically, and allowed greater confidence in the findings (Jick, 1979).

In order to maximise the richness of knowledge that a grounded theory research approach offers, the field researchers were based in the case study communities for approximately six months over a span of two years. They were accommodated by families or in facilities in villages, and obtained permission from the respective traditional tribal councils to conduct the research. Living within the communities enabled the team to develop a profound understanding of the people and their livelihoods. Before and during the commencement of the household surveys in each community, the researchers conducted informal interviews with community members and coastal resource users in order to determine how they used the resources and to understand their perceptions about resource access, use and management. These ethnographic methods also facilitated a better grasp of the benefit-sharing interventions that were taking place in the case studies, and of their effectiveness.

Field assistants from each community were employed and trained to assist in the data collection process, particularly for the household surveys and key informant interviews. This was done to bring the communities some benefit from the research exercise as well as to deepen the researchers' insight into the varied dynamics of the communities by obtaining the assistance of people who resided there.

Data collection and sampling

Household surveys

A household survey was drawn up for quantitative data collection and adapted to the specific contexts of the two countries. It included questions about household demographics, the use of coastal resources, and benefits from the resources. Questions were also asked about people's perceptions of the rules governing resource use and about interventions to distribute benefits.

Simple and stratified random sampling was used to produce an unbiased sample representative of the communities being surveyed (Eckhardt & Ermann, 1977; Churchill & Lacobucci, 2005). Simple random sampling is used when the researcher seeks to give every population member an equal chance to be selected as part of the sample (Yamane, 1967), while stratification is used when the population studied falls into natural or homogeneous groupings such as districts, villages or genders (Eckhardt & Ermann, 1977).

Simple random sampling methodology was used for the household surveys in the Mankosi area because these homesteads formed part of one geographical unit, the Mankosi Tribal Authority. Stratified random sampling was used in the Sokhulu and Mbonambi areas because the two communities were adjacent, and some villages overlapped. For instance, two Sokhulu villages lay within the geographical boundaries of the Mbonambi Municipal Ward, and both Sokhulu and Mbonambi fell into more than one municipal ward within the Mfolozi Local Municipality. Wards 1 and 3 included most people involved in coastal sectors such as fisheries, mining and forestry. For that reason, these villages were used as the primary sampling units for each community.

Stratified random sampling for proportions was used to determine the representative sample size for households in Sokhulu and Mbonambi, while simple random sampling was used for Mankosi. To determine the sample sizes of homesteads for the household surveys in each case study site, the study used Yamane's (1967) simple random sampling for determining sample size and precision, as well as stratified random sampling for proportion formulas.

Stratified random sampling was also used to determine sample sizes for the communities of Conguiana and Josina Machel in Inhambane. Both communities were adjacent to the coast and fell within the same geographical region, but overlapped, as there was no clearly defined border separating them. Taking into account that these two communities were the two main strata of the geographical region, primary sampling units were identified through multistage sampling (UN, 2005). The villages in each community represented the primary sampling units. After they had been identified, second-stage units (households) were sampled within each.

Because the Gala community in Maputo Province comprised only 36 homesteads, the whole community was sampled, apart from three homesteads whose members were away during the data gathering process.

The communities chosen for this study were rural and marginalised, which meant that government departments and institutions had little statistical information about the households in these communities. This made it difficult to decide on the sampling methodology for the household surveys, so geographic information system (GIS) data and Google Earth satellite imagery of the case study areas were employed to support the sampling strategy. GIS coordination was used to identify the geographical boundaries of each case study site, and shape files of landmarks and geographical boundaries were obtained from local municipalities and the Geomatics Department at the University of Cape Town. All the homesteads in each case study area were marked and given a label using Google Earth imagery.

Once all the homesteads thus identified had been marked and labelled, their labels were entered into a Microsoft Excel spreadsheet. Microsoft Excel was used as a tool for generating a random sample of the homesteads to be used for the study, based on the predetermined sample size for each case study area. Table A.1 shows the sample sizes for household surveys in the communities.

Table A.1

Household survey sample sizes in the case study sites

	SOUTH AFRICA			MOZAMBIQUE		
Communities	Sokhulu	Mbonambi	Mankosi	Josina Machel	Conguiana	Gala
Estimated number of homesteads	540	2494	800	1317	774	36
Sample size	48 (9%)	142 (6%)	80 (10%)	139 (11%)	72 (9%)	33 (92%)

Focus groups

Focus groups, or discussion groups, are a key interview method for qualitative enquiry (Cloke et al., 2004). A focus group is a carefully selected group of individuals who discuss particular questions raised by a moderator. Focus group discussions were vital for this research as they provided a means for elucidating the more complex details of what people understood ‘benefits’ to mean, and of current interventions for distributing benefits.

Discussions were conducted with community members involved in the various sectors. Participants were identified by way of purposive sampling, a non-random sampling technique used to identify informants who have particular knowledge about key aspects of the research, based on certain characteristics (Scheyvens & Storey, 2003).

In total, 23 focus group sessions were conducted in South Africa and 19 in Mozambique (Table A.2). They ranged from one to three hours and were facilitated by the main researcher and community assistants in the local language.

Table A.2

Focus groups held in South Africa and Mozambique

SOUTH AFRICA

Case study	Focus group participants	Number of participants
Sokhulu	Mussel co-management committee	11
Sokhulu	Line fish co-management committee	8
Sokhulu	Mussel harvesters	13
Sokhulu	Line fishers	7
Sokhulu	Farmers (crops and livestock)	10
Sokhulu	Forestry employees (indigenous and commercial)	9
Sokhulu	Youth development committee (mining)	7
Sokhulu	Traditional healers (impacts of mining, fisheries, forestry and conservation)	3
Sokhulu	Small-scale commercial forestry farmers	3
Sokhulu	Employees in mining sector	7
Mbonambi	Mbonambi Community Trust	3
Mbonambi	Line fish co-management committee	7
Mbonambi	Line fishers	5
Mbonambi	Mussel harvesters and farmers	51
Mbonambi	Small-scale commercial forestry farmers	17
Mbonambi	Traditional healers	5
Mbonambi	Mining employees	5
Mankosi	Fishing committee	7
Mankosi	Female marine harvesters	23
Mankosi	Traditional healers	7
Mankosi	Grassland and forestry users	9
Mankosi	Tourism entrepreneurs	20
Mankosi	Mankosi Community Trust	4
Mankosi	Male marine harvesters	10
Mankosi	Coast Care conservation workers	4

MOZAMBIQUE

Case study	Focus group participants	Number of participants
Conguiana	Community leadership group *(grupo dinamizador)*	10
Conguiana	People employed in tourism	10
Conguiana	People benefiting from tourism (e g by selling goods) but not formally employed	15
Conguiana	People employed at Barra Resorts	13
Conguiana	Women involved in natural resource harvesting and tourism	10
Conguiana	Farmers and harvesters of non-timber forest products	18
Conguiana	Fishers (male and female)	18
Conguiana	Fishing co-management committee	10
Josina Machel	Community leadership group *(grupo dinamizador)*	10
Josina Machel	People employed and indirectly benefiting from tourism	24
Josina Machel	Women involved in natural resource harvesting and tourism	36
Josina Machel	Farmers and harvesters of non-timber forest products	15
Josina Machel	Fish sellers	18
Josina Machel	Fishers (male and female)	18
Josina Machel	Fishing co-management committee	18
Gala	Fishers (male and female)	18
Gala	People employed and indirectly benefiting from tourism	6
Gala	Women involved in natural resource harvesting and tourism	36
Gala	Farmers and harvesters of non-timber forest products	12

Participatory rural appraisal techniques, well known for engaging and encouraging participants to actively raise views about the issue in question (Driya Media, 1996), were used to conduct the focus groups as the communities were rural and the people had limited education. Such appraisal techniques require the researcher to become fully involved in listening to and understanding people's opinions, life experiences and traditional knowledge. Respondents thus become the primary source of information about their conditions, livelihoods, needs and attitudes. The specific participatory rural appraisal techniques used in these particular focus groups included timelines, ranking and Venn diagrams.

Timelines were an important tool for understanding the history of the communities, people's use of resources, the way in which they had benefited or suffered losses through resource use, and how this had changed over time. An example of a timeline is shown in Figure A.2. The research also used timelines to collect information on trends of natural resource use by the community, as well as changes in land ownership. By acknowledging the past, the study hoped to enhance understanding of the present conditions and context of the community. Elders in the community proved crucial in providing this historical information.

Ranking exercises were used in conjunction with the timeline exercises: participants were asked to rank benefits and losses associated with each event, thus indicating the extent of the impact on their lives.

Figure A.2

Example of a timeline of key events (Gala community, Mozambique)

Venn diagrams indicated the significance of actors in a given network and depicted the relationships among those actors. Figure A.3 is an example of a Venn diagram as used in a focus group. The circle sizes illustrate the amount of decision-making power attributed to each actor: the bigger the circle, the greater their power. The proximity of circles reflects the relationship between the actors represented by them: the closer the circles, the stronger the relationship. The pictures of people holding hands in a circle represent the wider community, indicating its position in relation to the various actors.

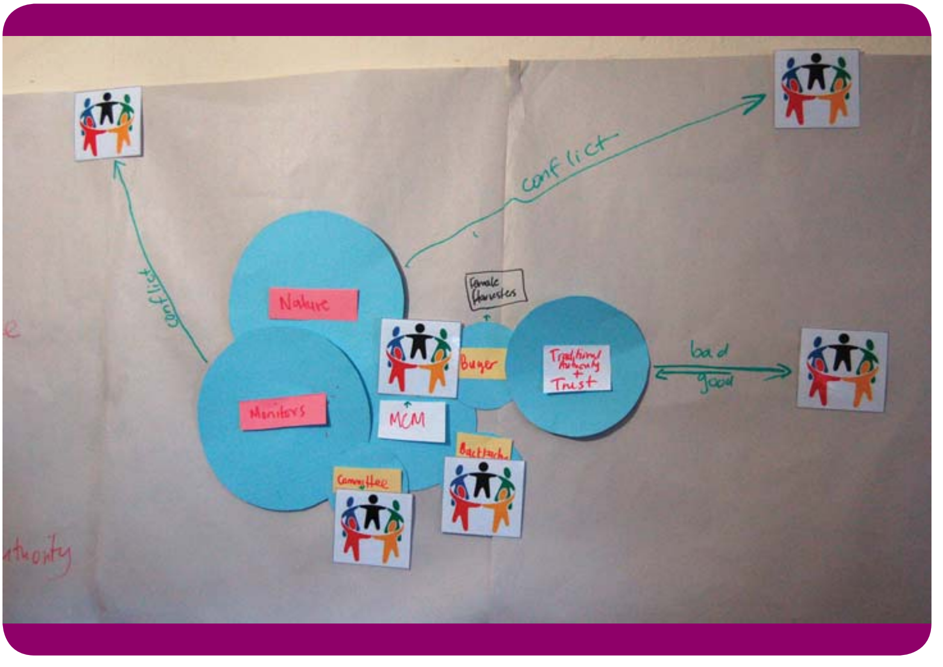

Figure A.3

Example of a Venn diagram produced by coastal resource users in Mankosi, South Africa

Key informant interviews

Key informant interviews were held with a range of actors from different sectors, ranging from national to local level. These interviews were used to develop a rapport with the respondents in order to ensure that the data obtained was accurate and comprehensive. Respondents were identified through purposive sampling, involving some level of subjective judgement about which actors should be involved (Scheyvens & Storey, 2003). Those selected were asked to identify others who would be suitable for inclusion in the study, a procedure that allowed the sample to be built up as the research progressed. The data collected from the different key informants was verified by triangulation, which allowed a robust interpretation.

In total, 30 key-informant interviews were conducted in South Africa and 33 in Mozambique. The same set of open-ended questions was used for every interview, including questions about the informant's role in accessing, using or managing coastal resources; whether he or she was affiliated to a particular institution and, if so, how that institution influenced the distribution of benefits; the benefits and losses of benefit-sharing interventions; and how access and benefit sharing were facilitated in terms of policy and law. The questions, though substantially the same, were adjusted to each particular respondent and sector.

To enable a deeper understanding of decision-making and networks among actors, key informants were also asked to list all the people and institutions with whom they interacted in the different sectors. The individuals named in this exercise were then interviewed and asked the same question. Key informants were also asked to rank all the actors and institutions they had named, based on whom they thought had the most decision-making power.

This data was triangulated with that generated by the Venn diagrams, which provided community perspectives on these relationships, and then used to determine which actors were the key players in the small-scale fisheries and mining sectors of the case study communities.

Data analysis

Microsoft Access and Excel software were used to analyse the quantitative data contained in the household surveys. The household survey results were entered into a Microsoft Access database, where they were stored systematically. Pivot tables were then created, in which the data could be presented in graphs and tables that showed frequencies and trends about livelihoods and resource use, as well as perceptions about institutions and resource-use rules.

Using this software, various queries were run to explore resource-use patterns, to analyse relationships between variables, and to profile the demographics of marine-resource users. The queries also elicited statistics on community perceptions about institutions, committees and rules regulating resource use and benefit distribution. The quantitative results that were generated were useful in supporting and verifying some of the qualitative data from the focus groups and key informant interviews. Similar queries were run across all case studies and countries to ensure uniformity in analysis.

The study used open coding (Corbin & Strauss, 1990), which involves breaking down data analytically to compare and triangulate the quantitative data from household surveys with the qualitative data from the focus group discussions and key informant interviews. This method involves thorough examination and categorisation of data, as well as comparison and triangulation of the data for similarities and differences. Key themes emerging from the focus group and key informant interview data were coded analytically and used to provide an in-depth account of some of the trends that emerged from the quantitative data. Direct quotations and specific experiences of the informants drawn from transcribed interviews enriched the narrative from each emerging theme in the analysis of the qualitative data.

Using the network information collected through interviews, an elementary form of social network analysis was also applied to examine the influence of networks between actors and the relationships among stakeholders involved in fisheries and mining in the three South African study sites. This analytical method is useful in the social and behavioural sciences as it focuses on relationships among social entities, and on the patterns and implications of these relationships (Wasserman & Faust, 1994; Crona & Bodin, 2006).

Limitations, constraints and the research process

A study of this nature — across different countries, cultures, disciplines and methods — invariably has limitations. This project was constrained by problems of translation, owing to the variety of languages spoken at each case study site: Zulu and Xhosa in South Africa, and Zulu, Portuguese and Tonga in Mozambique. Terms such as 'benefits', 'losses' and 'access', for example, could not be translated directly into the local languages. Also, the education levels of participants were generally low, which meant that questions sometimes had to be simplified, at the risk of miscommunication or misinterpretation. These challenges were mitigated by the fact that in most cases, the researchers in the team had extensive knowledge of the local languages, and where this was not the case, the trained field assistants from the communities provided rigorous translation.

The study was also hampered by information constraints, to varying extents in the two countries. In both, population demographics and statistics for rural areas were not comprehensive, which made it more difficult to determine sample sizes accurately. The absence of reliable satellite imagery for Mozambique meant that other resources had to be relied upon for determining sampling strategies and analysing sectoral activities across landscapes. Probing of certain issues, such as the profits generated by the mining and tourism industries or the distribution of royalties received by traditional authorities, was limited by the sensitive nature of this information, and by the political and other interests of certain parties. Although respondents were guaranteed anonymity, information gathering was still limited by the extent to which people were prepared to risk exposing themselves and their neighbours.

The research process itself had some interesting outcomes. The project was embarked upon with the clear intention of ensuring that the research was relevant to community needs, and that it incorporated a strong ethical component of 'giving back' and benefiting the community. Several meetings took place with the relevant tribal authorities before the research commenced, and all respondents granted their free and prior informed consent before surveys were administered. Local people were employed in the research, and choices regarding purchases, accommodation and catering for focus groups were deliberately made to benefit the local economy.

After the conclusion of the research, several feedback meetings were held with a range of stakeholder groups (including government, private sector and non-governmental organisations) and the communities themselves, and a package of materials was developed for use by policy-makers, as well as a set of translated posters of the research findings for distribution in each case study area.

The research team unashamedly adopted an interpretive approach to the research and pursued the study from the perspective of the community, a decision that sometimes led to conflict with a scientific community more accustomed to an 'objective', hypothetico-deductive approach to research. It is hoped that the result accurately reflects the situation on the ground and goes a little way towards improving understanding about approaches to reducing inequality in these areas.

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