

CHAPTER 3

CONSERVATION MANAGEMENT IN SOUTH AFRICA

3.1 INTRODUCTION

Every person has a right to a protected environment and legislative and other measures should ensure that conservation is promoted, pollution and ecological degradation are prevented and that sustainable development and the use of natural resources are secured (Section 24[b] of the *Constitution of the Republic of South Africa*, 1996 [Act 108 of 1996]). It is only through effective and efficient conservation management by governmental bodies and statutory organs of state (such as the South African National Parks and provincial conservation authorities) that conservation is promoted.

If conservation management is to succeed in protecting biological diversity there is a real need for knowledge to be shared and guidelines for intergovernmental relations are important (Goldsmith and Warren, 1993:27). Goldsmith and Warren (1993:39) are of the opinion that conservation needs to be founded on scientific principles but that it is an option that may have political currencies, while authors such as Brennan (1987) and Yearly (1991) state that science cannot provide the rationale for fulfilling conservation goals and that both the underlying philosophies of nature conservation and its social acceptance should be emphasised. Conservation should not just be concerned with the scientific understanding of the world, but should also be about the moral duty of people to manage their natural resources. Governmental bodies and organs of state should therefore consider a plurality of arguments, rather than those based only on science, and a variety of philosophies, values and practices on conservation should be considered.

3.2. DEFINITIONS OF RELEVANT CONCEPTS

For the purpose of the study of intergovernmental relations pertaining to conservation management in South Africa, it is essential to define the concept conservation. The concept *conservation* is, according to the Kumleben Report (1998:6), a subsidiary component of the environment and therefore it is necessary to define what is meant by the environment. This study therefore focusses on conservation as part of the total environment. Reference will in some instances be made to both conservation and environmental management because of the focus of the case study (namely the structures for intergovernmental relations pertaining to conservation management focusing on the South African national and selected provincial parks).

3.2.1 The meaning of environment

Individual components of the environment were traditionally identified separately and it has become common to refer to a natural, social, cultural or economic environment. The formulation of conservation and environmental policies in South Africa and the introduction of processes for conservation and environmental management, necessitate clarification of the term *environment*.

The environment is a relational concept emphasising the relationship between man and his surroundings and therefore cannot be defined narrowly as only the physical environment, but should include all factors that determine human existence. An explanation of the concept *environment* should embrace the following components: natural environment refers to the natural world which may include the renewable

and non-renewable natural resources such as air, water, soil, plants and animals; spatial environment which comprises man-made and natural areas such as towns, cities, provinces and states as well as certain landscapes, for example mountains, wetlands, rivers, forests and sea-shores; social environment which comprises aspects such as the family, groups and society; economic environment; cultural historic environment; political environment and the labour environment (Transportation Environmental Management Manual, 1994:3). The environment may therefore refer to the external circumstances, conditions and objects that affect the existence and/or development of an individual, organism or community (Kumleben Report, 1998:6). And any legislation or regulation that is drafted to influence conservation will also have an effect on the environment as a whole. These external and physical conditions, circumstances and objects need to be retained and conserved for future generations to promote the general welfare of society.

3.2.2 The meaning of conservation

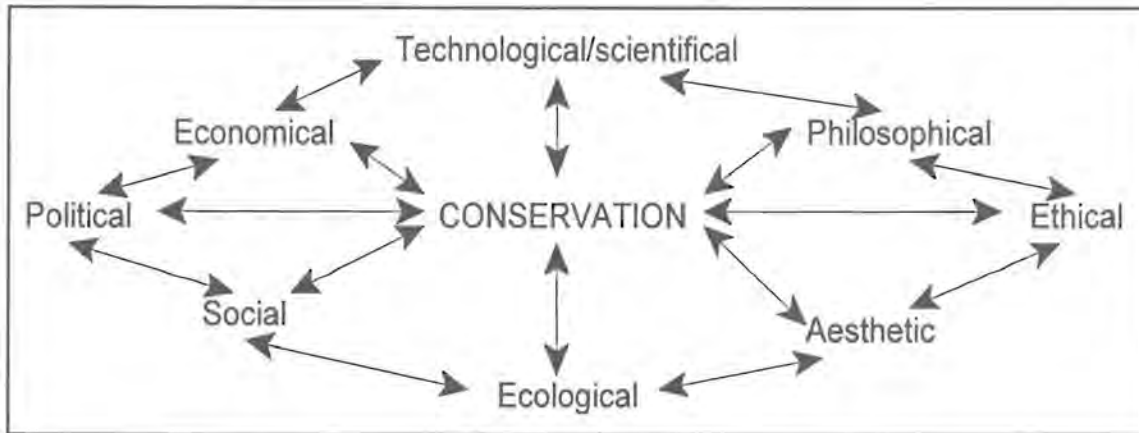
For the purpose of this study, the concept *conservation* will be used although the concept *natural resources* is often used as a substitute. The concept *conservation* is interpreted by some as ambiguous and vaguely conceived because it may possibly retain an anti-development undertone. From the following definitions however and to be in line with Section 24(b) of the *Constitution of the Republic of South Africa*, 1996 (Act 108 of 1996), which emphasises the importance of the promotion of conservation, reference to conservation is preferred. The concept *conservation* is according to Hugo *et al.* (1997:153):

“the responsible management of people’s use of the natural environment in such a way that it retains the largest, permanent advantages for the present generation and at the same time it should retain the potential to supply the needs and gratify the expectation of future generations”.

According to Tait *et al.* (1988:7) conservation involves the wise use of resources to achieve profitable and efficient use of land and the enhancement of its wildlife, its appearance and historical and cultural associations. From the above-mentioned definitions, and for the purpose of this study, conservation can be defined as the management of human uses of resources and the biosphere so that it yields the greatest sustainable benefit to present generations while maintaining its potential to meet the needs and aspirations of future generations. The use of natural resources will therefore be a component of conservation for it includes the wise use and management of more than just natural resources. The Convention on Biological Diversity (1992) refers to conservation firstly as *the conservation of biological diversity* and secondly as the *sustainable use of its components* (*Infra* paragraph 3.3.1) (See Annexure A).

Conservation should not be fully explained from the viewpoint of any one discipline because conservation represents a number of interacting themes and is multi-disciplinary (See Figure 3/1). Every one of the themes overlaps with the other and over time, combinations of the various themes may emerge (O’Riordan, 1977:12).

Figure 3/1: **Conservation - a fusion of interacting themes**



Source: O’Riordan, T, 1977. *Perspectives of Resource Management*. London: Pion Limited. p.12.

At the broadest conceptual level the philosophical theme may be found where conservation is viewed as the nurturer of life-sustaining processes, where an individual and the environment are bound together and where people are the guardians of earth and earth the life giver of people (O’Riordan, 1977:12). The contribution of ethics to conservation cannot be ignored for ethics involve the concept of right and wrong and of duty and obligation to promote conservation and is value-based. The aesthetic theme is basically the plea for the preservation and conservation of natural beauty while the ecological theme focuses on the manner in which plants, animals, humans and the elements in the environment interact. The issue of conservation also receives attention from political office bearers, political scientists and students of public administration because of their possible contribution to public policy, classification of problem areas and the development

of guidelines for the promotion of conservation and therefore the political and social themes. The economic theme focuses on the expression of the relationship between the willingness to pay for the promotion of conservation and to sacrifice other needs in the attempt to do so. The technological/scientific theme addresses the debate between the promotion of conservation or technological/scientific progress in spite of conservation (O’Riordan, 1977:14). None of the themes acts in isolation and therefore the concept of conservation should be visualised as a number of interacting forces which are stipulated in the different themes. The value of environmental conservation is underlined by a number of laws and policies regulating conservation in South Africa.

3.2.3 The value of environmental conservation

The value of environmental conservation may be explained in terms of the value of resources because conservation refers to the protection and preservation of resources (Hugo *et al.*, 1997:153). The value of a specific resource is determined on the ground of its economic, ecological, scientific, cultural, nutritional, medicinal, ethical, aesthetic-psychological, recreational and educational value (See Table 3/1).

Table 3/1: **The value of environmental conservation**

VALUE	EXPLANATION
Economic value	Most common way of awarding value to a resource, namely the price or financial value of the resource for example the price of water.

Ecological value	The particular value a resource has because it is able to fulfil a particular function in an ecosystem, for example where certain plants are used to rehabilitate erosion-ravaged areas.
Scientific value	The maintenance of a genetic pool of plant and animal species to be used as models for studying problems that are relevant to the welfare of mankind.
Cultural value	Plants and animals are for example used as emblems of countries or provinces.
Nutritional value	Plants, fruits, leaves and animals may constitute an important part of a population's diet.
Medicinal value	The biochemical and chemical properties of certain plants and animals are of value because it constitutes the ingredients of various medicines and cosmetics.
Ethical/moral justification	Moral justification is based on the belief that species have a moral right to exist, independent of people's use for them, while ethical values come to the fore particularly when decisions must be made in favour of either conservation or development.
Aesthetic-psychological value	Biological diversity adds to the quality of life by providing aesthetically pleasing landscapes.
Recreational and tourist value	Animal life, the sun, beaches, natural beauty and cultural sites are the most important tourist attractions for both overseas and domestic tourists.
Educational value	Natural ecosystems can have an important educational value with regard to nature and people's place in it.

Source: Hugo, M.L., Viljoen, A.T. and Meeuwis, J.M. 1997. *The Ecology of Natural Resource Management: The quest for sustainable living*. Pretoria: Kagiso Tertiary. p. 153

Resources can only be of value to people if it is preserved and therefore conservation management by governmental institutions and organs of state, in all three spheres of government, is necessary. Conservation management and sound intergovernmental relations between the above-mentioned governmental institutions and organs of state involved with conservation, should be promoted to ensure a well functioning environment.

3.3 THE MANAGEMENT OF CONSERVATION

The Minister of Environmental Affairs and Tourism may determine policy for environmental conservation to ensure the protection of the environment against destruction as a result of human activities, deterioration and disturbance. This policy should be aimed at the protection of ecological processes and natural systems as well as the conservation and preservation of biological diversity in the natural environment. The promotion of the effective management of cultural resources and of environmental education (in order to educate communities on the sustainability of the environment and the co-ordination of integrated environmental monitoring programmes) are important reasons for the creation of a conservation and environmental management policy for South Africa. Every competent authority (including organs of the state and the provinces) who has the authority or power by law to influence the environment, should exercise that authority or power in accordance with the policy for environmental management and conservation (*National Environmental Management Act, 1998 [Act 107 of 1998]*).

Conservation management is about when and how to get involved and is thus a human issue where man intervenes to strengthen protected areas and national parks by trying to satisfy needs, such as wildlife and resource protection, recreation,

tourism, education, research as well as cultural survival (Western *et al.*, 1989:134). But conservation should not only be a human issue but a biological issue as well. The sensible and optimal utilisation of resources by managers should place managers in a position to treat the source of a conservation problem by utilising scientific methods rather than treating the symptoms. Conservation managers should therefore have to obtain and improve their management skills. Knowledge about conservation management should be shared and communicated through promoting intergovernmental relations because progressive policies, which integrate national and provincial interests, will benefit society and its environment (Western *et al.*, 1989:134). Conservation management should develop from a descriptive and predictive science to prescriptive management which should include guidelines on how and when to intervene (Western *et al.*, 1989:314). The intervention of conservation managers in governmental bodies and organs of state necessitates a clear defining of conservation goals to guide their actions in promoting conservation in South Africa.

3.3.1 Goals of conservation

Western *et al.* (1989:255) identifies the following conservation goals: the maintenance of biological diversity; ecosystems; ecological processes and sustainability of human activity. Biological diversity or *biodiversity* refers to the genes, evolutionary history and potential of the number and variety of living organism, plants, animals and micro organisms as well as the ecosystems, ecological processes and landscapes of which they are part. The three main components of biological diversity are generic diversity (genes passed on by parents to their offspring which determine the physical and biochemical characteristics), species diversity (the variety and abundance of species within a geographic area) and ecosystem diversity (the variety of ecosystems found within

a certain political or geographical boundary)(Western *et al.*, 1989:255). Ecosystem is the self-sustaining and self-regulating community of organisms, plants and animals and their interaction with one another and their environment (soil, water and air on which they depend) while ecological processes mean the processes relating to the interaction between the plants, animals and humans as well as the elements in their environment (*White Paper on Conservation and Sustainable use of South Africa's Biological Diversity*, 1997 [1997:9]).

Maintaining biological diversity, ecosystems, ecological processes and human sustainability requires efficient management. To achieve the goals of conservation, the different governmental bodies and organs of state should interact with one another on different levels and be guided by different policies pertaining to conservation management.

3.4 POLICY AND CONSERVATION MANAGEMENT

All three spheres of government and all organs of state should play a role in establishing a culture of co-operative government and should be committed to developing practical mechanisms to strengthen co-operation in accordance with the *Constitution of the Republic of South Africa*, 1996 (Act 108 of 1996). The importance of co-operative governance is also emphasised in Chapter three of the *National Environmental Management Act*, 1998 (Act 107 of 1998) which is committed to a co-operative approach and focuses on procedures for co-operative governance.

3.4.1 Procedures for co-operative governance

Principles for decision-making on matters affecting conservation and the

environment is established by the *National Environmental Management Act, 1998* (Act 107 of 1998). The latter Act seeks to provide for co-operative environmental governance and the management of functions that are situated in various organs of state (*Infra* paragraph 3.4.2), the establishment of a Committee for Environmental Co-ordination (*Supra* paragraph 1.11.3) and a procedure for sharing and aligning environmental functions by way of environmental management and implementation plans.

Every national department exercising functions which may affect the environment and every province should prepare environmental implementation and management plans. The purpose of environmental management and implementation plans is to co-ordinate and harmonise environmental policies and decisions of various national departments that exercise functions that may affect the environment and to give effect to the principle of co-operative government as stipulated in Chapter three of the *Constitution of the Republic of South Africa, 1996* (Act 108 of 1996). Further purposes of environmental management and implementation plans are to secure the protection of the environment across the country; prevent unreasonable actions by provinces in respect of the environment and to enable the Minister of Environmental Affairs and Tourism to monitor the achievement, promotion and protection of a sustainable environment. The drafting of environmental management and implementation plans thus imply co-operation through intergovernmental relations because the national departments and various provincial governments should relate with each other to enable them to exchange information or to enable national government to monitor the plans of provincial governments.

The policy-making process, with respect to conservation management and the environment, includes many different role players who exert various degrees of

influence on the policy formulation phase. The goals of public policy are determined through a political process in which citizens participate also in respect of conservation and environmental policies.

3.4.2 Main conservation and environmental policy goals

Any formulation of policy pertaining to conservation management and the environment in South Africa should consider the main conservation and environmental policy goals proposed by the Southern African Development Community's Environment and Land Management Sector (1996:34). The three main goals for a Southern African Development Community-wide policy and strategy for conservation and environment management are, firstly, to protect and improve the health, environment and livelihoods of the people of southern Africa (with priority to the poor majority). The second main goal is to preserve the natural heritage, biological diversity and the life supporting ecosystems in southern Africa and the third goal is to support regional economic development on an equitable and sustainable basis to the benefit of present and future generations. More functional goals of the above-mentioned policy and strategy are to strengthen the analytical, decision-making, legal, institutional and technological capacities for achieving sustainable development in Southern Africa; to increase public information, education and participation on environmental and developmental issues in southern Africa and to expand regional integration and global co-operation on environmental and natural resource management for sustainable development.

Governmental bodies and organs of state should support a co-ordinated approach towards conservation and environmental management. Existing legislation and regulations (regarding conservation and environmental management) should be improved, co-ordinated and consolidated to avoid duplication and conflicting

interpretation. Co-operative governance between national, provincial and local spheres of government will be necessary for the effective implementation of a policy aimed at conservation and environmental management. Policy proposals in the *White Paper on the Conservation and Sustainable use of South Africa's Biological Diversity*, 1997 should have an impact on most national government departments and should also influence provincial and local governments and organs of state. People in governmental bodies and organs of state concerned with conservation management should therefore have knowledge of management functions and skills in order to address the challenges they face, including the challenge of promoting intergovernmental relations through effective structures.

In considering the introduction of new legislation or the amendment of existing legislation relating to a policy aimed at conservation management in South Africa, the *White Paper on the Conservation and Sustainable use of South Africa's Biological Diversity* (1997:95) proposes that the national, provincial and local spheres of government be guided by the following criteria: the role of national government as the custodian of South Africa's biological diversity should be emphasised and strengthened; uniform norms and standards should be established and legislation should be easily implementable and reasonable. Other criteria that should guide the spheres of government should include effective conflict resolution mechanisms; making socio-economic issues of biodiversity an important component of legislation; clarifying the roles and responsibility of governmental bodies and organs of state and addressing the problem of the fragmentation of public institutions. These criteria should be utilised to eliminate existing constraints that have an impact on the implementation of a conservation policy.

Major constraints in the implementation of existing policies for conservation management are the following: inter-institutional fragmentation and conflicts of

interests hamper intergovernmental relations pertaining to environmental matters; the linking of conservation to other competencies such as tourism or agriculture has influenced the allocation of funds for conservation in particular and the ability of government to implement policy has been influenced by the rationalisation process which drained essential expertise (*White Paper in the Conservation and Sustainable use of South Africa's Biological Diversity*, 1997:96). There has also been a lack of government capacity to monitor the implementation of policy and there is confusion regarding the different roles and responsibilities of the three spheres of government in context of the *Constitution of the Republic of South Africa*, 1996 (Act 108 of 1996) (Director: Biodiversity and Heritage, 1999).

3.4.3 The influence of policy issues on conservation

Social, economic and political issues may have a direct influence on conservation and should therefore be addressed by conservation managers (*Western et al.*, 1989:306). Social issues may develop because of decisions being made nationally and then imposed on a provincial level without the necessary consultation taking place. Establishing and promoting structures for intergovernmental relations will encourage communication and therefore limit above-mentioned issues (bearing in mind that the environment and the conservation thereof is a concurrent national and provincial function).

Economic issues may arise when policies for conservation management only acknowledge political expediency and neglect the sustainability of such policies. Resource scarcity is not only an economic issue but often a result of political instability and according to *Western et al.* (1989:306) resources are a political issue just as politics is a resource issue. By promoting intergovernmental relations, these issues could be addressed through the exchanging of information on policy matters

and the sustainability and impact thereof on conservation.

In order to analyse conservation management in South Africa, it is necessary to explain the various approaches to conservation management. The exploitation, preservation, utilitarian and ecological approaches as well as the South African approach to conservation management are explained in further detail.

3.5 APPROACHES TO CONSERVATION MANAGEMENT

Owen *et al.* (1995:10) identifies four conservation management approaches which could serve as guidelines to institutions involved in conservation management. A definition of an *approach* is provided in a previous chapter (*Supra* paragraph 1.5). The approaches are exploitation, preservation, utilitarian and ecological or sustainable approaches. The exploitation approach promotes the intensive use of given resources to provide the greatest benefit or profit to the user while the preservation approach is concerned about the protection and preservation of resources for future generations (Owen *et al.*, 1995:11).

The management of renewable resources, for example wildlife, forests, soils and marine life as not to exhaust but replenish it, will be the basis of the utilitarian approach. The ecological or sustainable approach involves the multiple usage of resources without drastically affecting the physical and biological environments because modern conservation strategies operate within a ecological framework which is a dynamic and an organic whole (Owen *et al.*, 1995:11). Human activity should therefore be restricted as not to harm the environment. For the purpose of this study, all four approaches to conservation management could be applicable to the management practices of the institutions involved in conservation management.

South Africa's approach to conservation, which is divided into eight main components, is identified in the *White Paper on the Conservation and Sustainable use of South Africa's Biological Diversity* (1997:24). These eight components are listed in Table 3/2.

Table 3/2: **Components of South Africa's approach to conservation**

Identifying important components of biodiversity and threatening processes.

Maintaining and strengthening existing arrangements to conserve South Africa's indigenous biodiversity, both in and out of protected areas.

Establishing and managing efficiently a representative and effective system of protected areas.

Promoting environmentally sound and sustainable development in areas adjacent to or within protected areas.

Restoring and rehabilitating degraded ecosystems and strengthening and further developing species recovery plans, where appropriate.

Controlling, eradicating and preventing the introduction of harmful alien species which threaten biodiversity.

Regulating the transfer, handling, use and release of genetically modified organisms.

Strengthening measures for the conservation of biological diversity outside of natural habitats (*ex situ* conservation).

Source: *The White Paper in the Conservation and Sustainable use of South Africa's Biological Diversity*. July 1997. p.24.

To enable governmental bodies and organs of state to follow these approaches, knowledge about management principles and functions is necessary. In the following paragraphs, the guiding principles for conservation and environmental management will be explained.

2.6 GUIDING PRINCIPLES FOR CONSERVATION MANAGEMENT

A number of national environmental management principles is set out in the *National Environmental Management Act, 1998* (Act 107 of 1998) that should apply to all spheres of government and organs of state and serve as the general framework within which environmental management plans should be formulated as well as a to guide the interpretation, administration and implementation concerned with the conservation and management of the environment. The principles can be summarised as follows: intergovernmental co-ordination of policies, legislation and actions relating to the environment is necessary. Environmental management should be integrated and people and their needs should be placed first. Other environmental management principles outline that development should be socially, environmentally and economically sustainable; the participation of all affected parties in environmental governance should be promoted; decisions should be taken in a transparent and open manner; conflict resolution mechanisms should be in place to resolve conflicts between parties and equitable access to environmental resources and environmental justice should be pursued.

A number of principles to guide the application, assessment and further development of conservation in South Africa are identified in the *White Paper on the Conservation and Sustainable use of South Africa's Biological Diversity, 1997* (1997:21). The principles are explained in Table 3/3.

Table 3/3: Guiding principles for conservation management

PRINCIPLE	EXPLANATION
Intrinsic value	All life forms and ecological systems have intrinsic value.
Duty of care	All people and organisations should act with due care to conserve and avoid negative impacts on the environment.
Sustainable use	The benefits derived from the use of biological resources depend on sound management practices.
Fair and equitable distribution of benefits	Benefits arising from the use and development of biological resources should be equitably and fairly shared.
Full cost-benefit accounting	Managers and decision-makers should be guided by economic approaches which assess the full social and environmental costs and benefits of projects, plans and policies pertaining to conservation.
Informed and transparent decision-making	Decisions relating to conservation should be based upon the best applicable knowledge available.
Precautionary principle	Where there is a threat of loss of biological diversity but inadequate scientific evidence to prove it, action should be considered to minimise threats.
Accountability and transparency	Those making and implementing decisions relating to conservation will be accountable to the public for their actions through explicit, justifiable processes.
Subsidiarity	Governance responsibilities belong in the sphere of government where they can be most effectively carried out.
Participation	Interested and affected individuals and groups should have an opportunity to participate in decisions about the ways in which biological resources are conserved.
Recognition and protection of traditional knowledge, practices and cultures	Traditional knowledge, practices and cultures supporting conservation will, where possible, be recognised, protected, maintained and promoted.
Co-operation and co-ordination	Because conservation transcends political, institutional and social boundaries, an enabling framework will be provided for the future co-operation and co-ordination of conservation related activities.
Integration	The conservation of biological diversity should be integrated strategically in all spheres of government, namely national, provincial and local to implement the goals and objectives of conservation policies effectively.

Global and international responsibilities	South Africa has a shared responsibility for ensuring conservation beyond our borders.
Evaluation and review	Conservation policy should not be an end in itself, but rather part of an iterative process which will be monitored and reviewed regularly.

Source: *White Paper on the Conservation and Sustainable use of South Africa's biological diversity*. July 1997. p.20.

The application, assessment and further development of conservation should occur in terms of sustainable development. Sustainable development refers to the meeting of basic needs of all people and providing for the opportunity for a better life for all through the acceptance of consumption standards. Sustainable development is also a process of change in which human needs should be addressed through the efficient management and use of resources, technological development, investments and institutional change (Hugo *et al.*, 1997:186). The objectives of sustainable development, which refer to short terms goals, are according to Hugo *et al.* (1997:176) the following:

“sustaining ecosystems; developing opportunities for non-material (recreational and aesthetic) use of natural resources; maintaining essential ecological processes; maintaining an improving the quality of life and developing a long-term sustainable economy”.

Sustainable development is therefore aimed at conserving all natural resources for future generations. The World Conservation Union (1991) proposed the following principles for promoting sustainable development, namely promoting respect and care for the community of life; improving the quality of human life; conserving the earth's vitality and diversity and minimising the depletion of non-renewable

resources. Keeping development within the earth's carrying capacity; altering personal attitudes and practices; enabling communities to care for their own environments; providing a national framework for integrating development and conservation and creating a global alliance are further principles for the promotion of sustainable development. None of the objectives and principles of sustainable development can be achieved without the efficient and effective management of conservation.

The guiding principles for conservation management should be adhered to when governmental departments and organs of state are involved with the drafting of legislation or any policy regarding conservation. When being accountable and responsible to the public, public managers should also adhere to the normative guidelines of public administration which includes the maintenance of high ethical norms and standards (*Supra* paragraph 1.8).

3.6.1 Ethics and conservation management

The making of value judgements concerning the conservation of the environment, not only involves knowledge about the management of the preservation of natural resources, but also involves ethical considerations. These ethical considerations are called environmental ethics and refer to the critical thinking with regard to policies that have been developed or still have to be developed with regard to environmental problems, problems facing conservation as well as the principles upon which those policies are based (Bucholz, 1998:47). An ethical approach provides a means of questioning traditional approaches and encourages new ways of thinking about the environment. Ethics is a concern for the actions and practices that are aimed at improving the general welfare of society and is the quest for the understanding of what is right and wrong as well as creating conditions to promote

a good life. Ethics requires a person to reason, analyse and seek guidance and therefore calls people to action. Denhardt (1991:102) is of the opinion that it is easier to resolve ethical problems if the parties involved agree about basic principles, such as principles of conservation and environmental management or laws pertaining to conservation management. Most of the decisions concerning conservation management are taken in a democracy where conservation goals are set by a political process and compromise and where guidance is provided in laws and regulations which may be confusing, unclear or ambiguous. Conservation managers should guard against confusing and unclear information and policies and should accept their ethical responsibility to work towards creating an environment where honesty is consistent and diverse opinions are accepted. People involved in conservation management should therefore conduct themselves in an ethical way and ensure the preservation, protection and enhancement of the environment for future generations. Conservation and environmental policies should be aimed at creating conditions for supporting human life. Activities destroying the environment should be avoided.

The study of management functions and skills should contribute towards the understanding of conservation management in general. A definition and explanation of the concept *management* is necessary before the management functions and skills can be explained.

3.7 MANAGEMENT EXPLAINED

For the purpose of analysing conservation management it is important to define management. Fox and Meyer (1995:77) define management as a situation where a person has to perform functions such as policy-making, planning, organising, leading, control and evaluation within a general environment (political, economic,

social, technological and cultural) and makes use of skills (such as decision-making) to perform certain applications, for example policy analysis, strategic management and organisational development by applying of managerial aids, such as computer technology and information management. Management is also defined as a set of basic functions such as planning, organising, leading and controlling which make a contribution to organisational effectiveness and efficiency when correctly implemented (Hampton, 1986:21). Haimann, *et al.* (1985:5) refers to the management of an institution as those people responsible for the attainment, organising and combining of resources for the purpose of achieving certain objectives. Managers are therefore responsible for the utilisation of resources to be able to achieve a goal optimally by making use of management processes.

When used in the context of conservation, management refers to all functions, methods, strategies and techniques devised and used to achieve predetermined conservation goals and therefore management is the active component of conservation (Bennet, 1983:3). An analysis of certain management functions is necessary to assist the conservation manager in the performance of daily activities.

3.8 MANAGEMENT FUNCTIONS

For the purposes of this study the following management functions are discussed: planning, leading and controlling. The role and influence of other management functions, such as organising and policy, were explained in previous paragraphs (*Supra* paragraphs 1.10.1 and 1.10.2).

3.8.1 Planning

According to Gerber *et al.* (1988:8) planning is a pro-active process where key decision-makers of an institution will structure objectives, goals and programmes based on opportunities, challenges and restrictions in order to implement strategies. Planning is deciding what must be done, how it should be done, when it should be done and who should do it. Planning is therefore necessary to be able to formulate goals and objectives as well as procedures to achieve those objectives. Planning is a core function of government inferred from the powers delegated to executive authorities by the *Constitution of the Republic of South Africa, 1996* (Act 108 of 1996), namely to develop policy; prepare and initiate legislation; prepare budgets and determine priorities for spending. All these above-mentioned activities are planning intensive activities.

Planning is by implication an intergovernmental process. Provincial and development planning are listed as concurrent national and provincial functional areas and are also actions requiring co-ordination for the purpose of co-operative government. Intergovernmental structures are means for co-ordinating planning in certain functional areas and planning impacts on every intergovernmental structure's management activities and therefore role players in intergovernmental structures for conservation and environmental management should have to plan their functions and activities to ensure that their objectives and goals are achieved.

3.8.1.1 The importance of planning in conservation management

The reasons for the importance of conservation management planning are adapted from Fox *et al.* (1991:49) and are discussed in Table 3/4:

Table 3/4: **Reasons for the importance of planning for conservation management**

REASON	EXPLANATION
Planning promotes the handling of change.	Through the planning process the manager can plan for change in order to enable a smooth transition.
Planning provides a sense of purpose.	To enable the manager to gather information about what should be done as well as when and how the goal should be achieved.
Planning provides means for participation.	Through the planning process internal and external stakeholders can become involved in generating and selecting possible alternatives.
Planning enables managers to make predictions.	During the planning process, guidelines and standards are set to give managers and stakeholders a better idea of the goals the were set.
Planning makes control easier.	By comparing the standards, guidelines and objectives set in the planning process with the results of an action, control is facilitated by the planning.

Source: Fox, W., Schwella, E. and Wissink, H. 1991. *Public Management*. Kenwyn: Juta. p.46.

Conservation managers should be directly and indirectly involved in identifying political issues concerning conservation. A conservation plan and strategy will be most meaningful when linked to agendas for the implementation thereof as well as establishing co-ordination mechanisms to implement the plan (Western *et al.*, 1989:320). Planning is therefore a process consisting of a number of phases.

3.8.1.2 The planning process

Planning is a process that includes a range of different activities and phases. In terms of co-operative government, the three spheres of government are required to co-ordinate their activities. The phases in the planning process are illustrated in Table 3/5.

Table 3/5: **Phases in the planning process**

PHASE	
One	Scanning the environment
Two	Determining objectives
Three	Forecasting
Four	Identifying alternative plans of action
Five	Selecting alternatives
Six	Implementing plans
Seven	Evaluating the implemented plans

Source: Fox, W., Schwella, E. and Wissink, H. 1991. *Public Management*. Kenwyn: Juta. p.50.

During the first phase of in the process of environmental scanning, conservation managers should evaluate the environment and search for information which could identify obstacles and possibilities in the institution which could be used in the establishment of objectives. It is important for managers to be able to make predictions about possible changes in order to anticipate those changes when planning an objective. The second phase will involve the determination of objectives to give direction to the planning process. These objectives will, in the end, be used to compare the results of the planning with the set objectives (Fox *et al.*, 1991:50). Prediction or forecasting is necessary to enable the conservation manager to look towards the future and therefore to identify the factors that may have an influence on the functioning of the institution. Predicting the future is essential for the determination of different plans of action (the fourth phase in the planning process).

When identifying alternative plans of action, conservation managers should prioritise and therefore reduce the action plan by making use of techniques for example brainstorming or through the application of participative management. After alternative action plans have been identified, a suitable plan should be selected. The goals and objectives as well as the availability of resources of the institution should be considered rationally when selecting the most advantageous plan of action. During the implementation of the action plan, conservation managers should keep the budget and personnel skills in mind because these are essential to meet set standards and objectives. In the last phase of the planning process, the results should be evaluated against the set objectives to determine whether the set standards were met (Fox *et al.*, 1991:51). Evaluation should take place continually during the whole planning process to monitor any deviation from predetermined objectives.

National government should establish a framework for intergovernmental structures to facilitate intergovernmental planning processes in concurrent national and provincial functional areas and should co-ordinate planning activities. Provincial governments should co-ordinate their own planning activities within a province and establish procedures and structures for intergovernmental co-ordination within the framework of the Act envisaged by Section 41(2) of the *Constitution of the Republic of South Africa, 1996* (Act 108 of 1996). To be able to establish a framework and manage conservation in South Africa, it is necessary for conservation managers to be leaders in their fields.

3.8.2 Leading

Leading is the function assigned to officials whom are appointed in higher positions than other officials and whom are responsible for the attaining of a goal through guiding others. Leading refers to an individual's ability to influence the attitudes and behaviour of others in such a way that the set objectives are reached (Andrews, 1985:242). Leading necessitates leadership qualities and therefore it is important to define the term leadership. Fox and Meyer (1995:72) define leadership as a personality characteristic which encompasses the relationship between the wants of the leader and the expectations of the follower as well as the demands of the institution. Yukl (1981:3) is of the opinion that leadership is the interaction between people where the one influences the other in such a way that the person or group of people will feel that the suggested changed behaviour could be to their advantage. From the definitions of leadership, it can be concluded that leadership indicates a certain relationship among people where the attitude and behaviour of a person or group of people are influenced in by one person in such a way, that it may lead to the attainment of an objective.

The complex nature of conservation and environmental problems and issues places specific challenges to the conservation manager's leadership abilities. Successful leaders should possess specific abilities and characteristics. The abilities and characteristics are explained in the Table 3/6.

Table 3/6: **Examples of abilities and characteristics of successful leaders**

ABILITY AND CHARACTERISTIC	EXPLANATION
Power motive	Successful leaders enjoy being in positions of power. They think about how to influence other people's behaviour and they care about their personal status in relation to those around them.
Achievement motive	They enjoy achieving.
Problem-solving ability	They are resourceful and enjoy solving problems.
Self-confidence	Leaders should be self-confident without being overbearing. This inspires confidence in subordinates.
Internal locus of control	Effective leaders believe that they are the primary cause of what happens to them.
Sense of humour	Humour helps to relieve tension and boredom and reduce hostility in the workplace.
Vision	This is particularly important to top managers since they should visualise where the institution is heading.
Courage	Managers need courage when it may be necessary to express ideas that deviate from the norm.

Source: Van der Waldt, G. and Du Toit, D.F.P. 1997. *Managing for Excellence in the Public Sector*. Kenwyn: Juta. p.199.

A leader retains his/her leadership when he/she aims at obtaining objectives and goals together with subordinates and encourages subordinates to achieve their highest potential. The following are means a leader should apply to retain his/her leadership: should obtain the right to regulate or direct the behaviour of subordinates from a higher authority; should promote co-operation between subordinates by asking the views of subordinates and he/she has the authority to influence the actions of subordinates through the reprimanding, dismissing or praising of behaviour (Botes, 1994:14).

According to Muller (1996:35) leadership in conservation and environmental management can be explained in terms of a circle of distinct, but interrelated values and behaviour. The components of the circle are being compassionate, knowing what is and could be, acting independently, sharing power, honouring and conserving resources and promoting change. Compassionate leadership focuses on respect and the acceptance of oneself and others as well as the environment. Leadership, by means of discovering what is and what could be, is a creative process involving rationality and intuition which will involve evaluating and analysing information through group activity. Independent leadership can promote co-operation among people and the recognition of value interdependencies, while the sharing of power promotes participation in interdisciplinary conservation and environmental problem solving through consensus building. The conservation and honouring of resources require that the leader should try to be open to new values and attitudes of conservation and preservation and not treat money, facilities and technology as the only means of achieving conservation objectives. Leadership should emphasise the management of change and create opportunities for creativity to address resistance to change.

The way in which a leader influences subordinates will depend on the leadership style he/she follows. *Leadership style* may be defined as the behaviour of the leader as well as what is done, what is emphasised by the leader and how the leader deals with subordinates (Fox *et al.*, 1991:94). Table 3/7 describes the most widely used leadership styles.

Table 3/7: **Leadership styles**

LEADERSHIP STYLE	EXPLANATION
Laissez-faire	This type of leader does not attempt to control or lead subordinates. A degree of responsibility is accepted but there is virtually no communication between leader and subordinate and subordinates set their own objectives.
Autocratic	A high degree of direction from the leader and minimum or no participation in planning and control from subordinates. Leaders spend a high portion of their time giving orders and making disruptive commands and giving non-objective praise and criticism.
Bureaucratic	The leader's behaviour is characterised by a high degree of reliance on rules and regulations and the use of procedures to which both leaders and subordinates subscribe.
Democratic	Characterised by situations where subordinates elect their leader, voting on every matter takes place and group discussions are encouraged. The terms employee-centred, equalitarian, consultative and participative are often used more or less simultaneously with democratic leadership.

Team	Involves relatively frequent group meetings of a consultative and problem-solving nature. More extensive within-team interaction.
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Source: Fox, W., Schwella, E. and Wissink, H. 1991. *Public Management*. Kenwyn: Juta. p. 95.

The situation within which a leader and subordinate find themselves will determine the leadership style needed. In general, a high degree of participation and co-operation is preferred when leading subordinates in the public sector. Democratic behaviour in a leader will result in a more positive attitude of subordinates towards the leader and therefore subordinates may be more co-operative and productive.

Leading refers to the influence that a leader may exert on the behaviour of subordinates with influence being the effect of one party (agent) on another party (target). Fox *et al.* (1991:96) summarises 11 forms of influence accompanied by the features associated with the agent and target (See Table 3/8).

Table 3/8: **Influence processes in leadership**

INFLUENCE	EXPLANATION	AGENT	TARGET
Legitimate request	Target person recognises the <i>right</i> of the agent to make a request.	Legitimate justification	Relevant values
Instrumental compliance	A person is induced to alter his/her behaviour by an agent's promise to ensure some desired outcome.	Control over rewards; credibility of promise	Relevant needs, openness to manipulation

Coercion	Compliance induced by agent's threat to ensure outcomes such as physical pain, economic loss or public embarrassment if the target person fails to comply.	Control over punishments; credibility of threat	Fear, openness to intimidation
Rational persuasion	Does not require any control over desirable or undesirable outcomes by the agent.	Insight; technical expertise; persuasive ability	Relevant values and needs
Rational faith	The suggestion of a particular agent is sufficient to evoke compliance by the target person, without any explanation necessary.	Technical expertise; credibility	Low expertise, relevant need; trust of agent
Inspirational appeal	Target person is induced to do something that appears to be a necessary expression of his/her values and ideals.	Insight into values and beliefs; persuasive ability	Relevant values and beliefs
Indoctrination	To directly induce the internalisation of values and beliefs that will facilitate influence over organisational members.	Control over social situation; relevant skills	Alienation, relevant needs
Information distortion	A person's impressions and attitudes are influenced by an agent who is unable to limit the information received by the person.	Credibility as information source	Use of information for impression-formation and decision-making
Situation engineering	A person's attitudes and behaviour are influenced indirectly by manipulating certain aspects of the physical and social situation.	Control of relevant aspect of situation	Willingness to accept situation
Personal identification	People imitate the behaviour of a greatly admired agent and develop attitudes similar to those he/she expresses.	Attractiveness, charisma	Admiration of agent

Decision identification	A person perceives he/she has substantial influence over the final choice in the process of decision-making.	Willingness to allow participation; relevant skills	Desire to participate; objectives consistent with agent objectives
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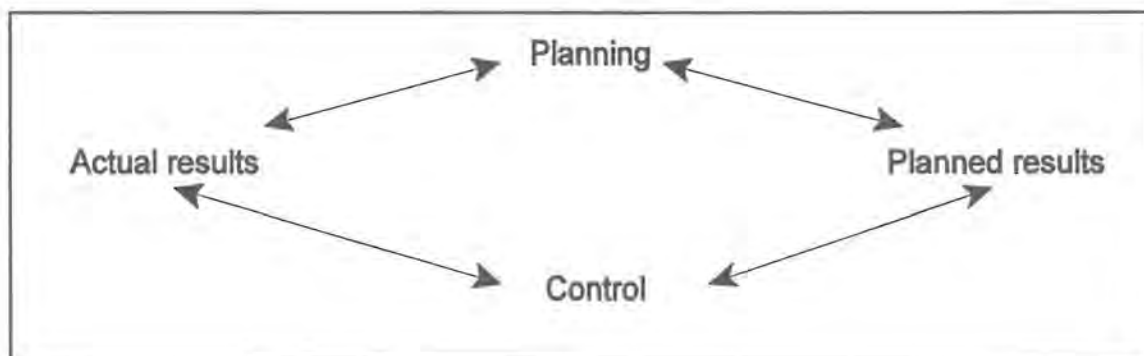
Source: Fox, W., Schwella, E. and Wissink, H. 1991. *Public Management*. Kenwyn: Juta. p. 97.

The use of a particular process of influence in leadership will be dictated by the situation in which a conservation manager find himself/herself. Effective leadership will depend on the application of specific styles of leadership in different circumstances and in rendering particular functions. Particular influences will also evoke different reactions from the person being influenced and therefore it is important for leaders to acquire the necessary skills in order to direct subordinates in achieving set objectives. The conservation manager, as a leader, should be committed to environmental conservation and should have a clear vision of a sustainable society. Muller (1996:28) is of the opinion that a sustainable world cannot be achieved if it cannot be envisaged and that visioning is imagining what one really wants. A vision of a sustainable world should be built from the contributions of a number of people where honest and respectful leaders, efficiency, equality and justice as well as high social values are the top priorities. Leadership involves helping and assisting a group to become aware of new directions, integrates the group's vision and triggers a stimulus for group action. The actions of individuals and groups in governmental bodies and organs of state need to be controlled to ensure the achievement of objectives, goals and standards.

3.8.3 Control

Controlling is the process through which the results achieved are compared with the standards set in the planning stage of the management process (Hampton, 1986:23). Control mechanisms will entitle managers to influence, determine and direct the behaviour and activities of organisation members in an effort to encourage change or to try to provide adjustments of a proposed plan or to deviate from objectives within the allowable limits (therefore also being the authority to give orders or to restrain activity) (Fox and Meyer, 1995:28). There are a number of reasons for the implementation of effective control systems which could be summarised as follows: to standardise action and increase efficiency; efficiency in planning can be evaluated; to prevent malpractices and waste; to encourage delegation because delegated authority can be better evaluated (Van der Waldt and Du Toit, 1997:201). Control is the uninterrupted monitoring process where planned results may be compared with the actual results (See Figure 3/2)

Figure 3/2: **Control as a monitoring process**



Source: Van der Waldt, G. and Du Toit, D.F.P. 1997. *Managing for Excellence in the Public Sector*. Kenwyn: Juta. p. 202

In conservation and environmental management, it is important that government play a regulatory and monitoring role and the conservation manager should, apart from making sure that the correct procedures are followed in terms of legal and administrative requirements, evaluate recommendations from interested parties to ensure that informed decisions are possible. An effective control system should be timely applied and deviations from planned activities should be recognised in time in order to prevent problems that may occur. Flexibility of a control system is important to ensure adaptability to changes in the internal and external environment and a comprehensive, but cost-effective control system is preferred. Criteria used in a control system should be understandable, realistic, valid, efficient and effective. Control imply that focus should be on factors that are strategic to an institution's performance (Fox *et al.*, 1991:121).

Conservation managers should be aware of the different steps in the control process. Van der Waldt and Du Toit (1997:203) describe the four steps as follows: performance standards should be set in terms of productivity, effectiveness and cost-effectiveness and secondly, the actual performance should be measured and actual results should be monitored. The actual performance should thirdly be compared with the set standards and any deviations should be analysed. Corrective action should lastly be undertaken to rectify any deviations from the original plan. The performance of an institution can be controlled by using specific performance criteria, namely quantity, quality, cost and time (Fox *et al.*, 1991:120). Quantity assesses measurable outputs, while quality is often more difficult to measure. To measure quality, it is necessary to have information on, for example dimension and form. Institutional input and output can be translated into monetary terms to determine the cost-effectiveness. Efficiency can be determined in terms of the time it takes to complete a task, function or project.

Control can take place informally, through informal interaction and communication, for example by means of meetings or memoranda, or formally by means of formal activities such as measuring, comparing and correcting (Fox *et al.*, 1991:119). Measuring performance may occur through personal observation, statistical and oral reports as well as written reports. Comparing actual performance with the desired performance and correcting the deviations are steps in the control process and therefore examples of formal control measures. Different types of control are identified by Van der Waldt and Du Toit (1997:202) and are described in Table 3/9.

Table 3/9: **Different types of control**

TYPE	EXPLANATION
Pre-action control	This type of control foresees problems and tries to solve them before they occur. Policies, procedures and standards may be necessary to eliminate problems.
Simultaneous control	Is applied while a project is being implemented. The purpose is to prevent costs from escalating owing to errors by identifying and solving problems in good time.
Post-action control	It is exercised only once the whole process has been completed although the whole process can be controlled in one action.
Yes/no screening control	A yes/no checkpoint means that the process cannot continue before all the standards have been met.
Financial control	Includes forecast income statements and current and capital budgets. Comparisons between actual and budgeted figures are made during the year and management tries to achieve or improve the desired result.

Steering control	An area requiring many control points in public institutions and aspects to be checked include productivity and quality.
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Source: Van der Waldt, G. and Du Toit, D.F.P. 1997. *Managing for Excellence in the Public Sector*. Kenwyn: Juta. p.202.

Control should take place during all the stages of a project to ensure that set standards and objectives are met. Because of the fact the control is an uninterrupted monitoring process, it is important for conservation managers to adapt a monitoring programme to ensure that a project is progressing as it should. Monitoring may, according to Muller (1996:31) include: firstly, the checking of actions to ensure that they are according to the approved conditions; secondly, checking that all measures are adhered to during the implementation stage; thirdly, checking the efficacy of the measures and, fourthly, monitoring the particular conservation and environmental variables. The interlocking powers and functions stipulated in the *Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)* and the *National Environmental Management Act, 1998 (Act 107 of 1998)* and the interrelated roles of the three spheres of government, require all spheres of government to monitor and control the performance of government as a whole with regard to the implementation of laws, policies and programmes. All the spheres of government should ensure that they have the capacity and necessary institutions to monitor performance. Controlling and monitoring of intergovernmental relations pertaining to conservation management will have an influence on determining whether executive organs of state are able to exercise their constitutional powers and implement their functions effectively and efficiently. The quality and effectiveness of laws, policies and activities should be determined and the quality of the performance of intergovernmental structures should be measured against their strategic purposes. A number of structures and institutions for

intergovernmental relations will have a role to play in the monitoring of the implementation of policies and programmes, for example the Intergovernmental Forum, Directors-General Forum, Financial and Fiscal Commission and the Committee of Ministers and Members of Executive Councils (*Supra* paragraph 1.11).

Not only is it important for conservation managers to have knowledge about the various management functions, but management skills is also necessary to ensure effective performance of functions and rendering of services. The various management skills are explained in the following paragraphs.

3.9 MANAGEMENT SKILLS

A manager should be able to interpret a particular situation and take appropriate action often within a short period of time. This above-mentioned situation will test a person's skill as a manager. Managerial success is based on the manager's ability to take decisions, communicate (share information) and manage conflict (dispute settlement). For the purpose of this study, focus will be on decision-making only. The sharing of information and management of conflict were analysed in a previous chapter (*Supra* paragraphs 1.3.4 and 1.4.4).

3.9.1 Decision-making

Decision-making is the most universal management activity because it is involved in all functions of management. Decision-making is the making of a choice from two or more alternatives based on thorough debating or just through a reflex action or hunch (Robbins, 1984:57). Conservation management is a decision-making process where solutions regarding the manner, timing and preservation of natural

resources are sought within a political, economic, social and institutional framework. Fox *et al.* (1995:33) define decision-making as the analysing of information, evaluation of alternatives and the choosing of a “best” policy or course of action by making use of the steps in the rational decision-making process. These steps in the rational decision-making process are listed in table 3/10.

Table 3/10: **Steps in the rational decision-making process**

STEPS IN THE RATIONAL DECISION-MAKING PROCESS
1. Analysing the problem
2. Collecting data
3. Classifying and analysing data
4. Preparing data
5. Cataloguing alternative solutions
6. Evaluating the alternatives
7. Taking the decision
8. Implementing the decision
9. Obtaining feedback on the effect of the decision

Source: Fox, W. and Meyer, I.H. 1995. *Public Administration Dictionary*. Kenwyn: Juta. p.33.

When a particular problem is analysed, it is important to gather enough and suitable data to be able to define the problem and diagnose the causes of the problem. A large number of alternatives should be developed to ensure that the decision taken is based on enough information. The decision-making process is basically a choice among alternatives, but the judgement of the desirability or undesirability of any alternative relies on the analysing of the problem or the statement of a specific goal.

The conservation manager should therefore understand how and why particular goals for the formulation of conservation and environmental policies are set. Governmental bodies and organs of state should consult with various interested parties, including the conservation manager, to ensure that the goals of environmental and conservation policies address the interest of the community at large. O'Riordan (1977:112) is of the following opinion regarding decision-making and public policies:

"the public policies should be made more flexible to keep options open, yet become more clear and consistent to permit sound and stable decision-making for all aspects of environmental management".

To enable conservation managers to make informed decisions, the opinions of interested parties and interest groups need to be considered. A number of factors may influence decision-making and conservation managers should be aware of these factors to enable them to guard against the impact of thereof on their behaviour. Van der Waldt and Du Toit (1997:224) identify the following factors that can influence decision making: suitability of available information, intelligence, training and experience of the decision-maker, personality factors such as the flexibility of the person, intuition, emotional factors such as fear and resistance, contingency factors, crises situations, time pressure and political factors. These factors may also have an influence on decisions affecting conservation and environmental policies and knowledge thereof should be able to assist conservation managers in their decision-making.

Roux *et al.* (1997:123) identify different types of decisions. The types of decisions are differentiated in Table 3/11.

Table 3/11: Types of decisions

TYPE OF DECISION	EXPLANATION
Impulsive decision-making	Occurs on the spur of the moment and no discretion, value judgement or other alternatives are taken into account.
Intuitive decision-making	A high degree of rationality or clarity of thought is implied. The decision-maker has a hunch that the decision of alternative will have the desired result.
Programmed decision-making	Standing decisions exist in order to give the public manager guidance in the making of repetitive and routine decisions. Objectives, standards, procedures, methods and policy are all examples of programmed decision-making.
Unprogrammed decision-making	These decisions require a large measure of creativity and an even greater measure of discretion must be made and the decisions are usually decisions that are made for a special purpose such as programmes, strategies and budgets.
Single choice decisions	The decision-maker has only two choices: accept the alternative or reject it.

Source: Roux, N.L., Brynard, P.A., Botes, P.S. and Fourie, D.J. 1997. *Critical Issues in Public Management and Administration in South Africa*. Pretoria: Kagiso Tertiary. p.125.

Conservation managers will, at some time or another, be confronted with the making of all the various types of decisions. Programmed, unprogrammed and single choice decisions will be more popular because the decisions of public managers are open to public scrutiny. Conservation managers should not only

have knowledge about the types of decisions but should also know that his/her decisions may be met with some criticism. The manager should, according to Botes (1994:83), observe the following conditions when making decisions: maintain good working relations and be frank, be involved with his/her decisions, remember that decision-making requires communication with subordinates, have knowledge about conflict management when people don't agree with decision, be flexible and encourage creativity, be sensitive to social values, be objective and responsible. Conservation managers should determine how, in which way, when and who will be affected by decisions taken and decisions should always in accordance with the *Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)*, other legislation as well as policies and the values of the community should be taken into account when making decisions that will affect them.

3.10 VALUES AND CONSERVATION MANAGEMENT

Because of the variation of human values, conservation management may be influenced. In a democracy it is necessary to attempt to accommodate the values of almost all constituencies. A pure reservationist may view a national park as something to be conserved while a company executive may see the same park as a resource to be used for expanding industry (Bennet, 1983:7). Resolving value conflicts is a principal task of conservation management and the way in which value conflicts is resolved, depends on the legislative authorities of national, provincial and local governments and therefore, political intergovernmental relations is necessary because management decisions pertaining to natural resource and environmental conservation, may be political decisions. Value conflict is closely related to integrated environmental management proposed by the *National Environmental Management Act, 1998 (Act 107 of 1998)*.

3.11 INTEGRATED ENVIRONMENTAL MANAGEMENT

The concept of integrated environmental management in South Africa was developed because it was realised that the environment underwent changes whenever new development was undertaken. The potential impact on the environment, socio-economic conditions and the cultural heritage of activities, that necessitates authorisation by law and which significantly affect the environment, should be investigated prior to their implementation and reported to the organ of state that is charged with allowing the implementation of the activity (*National Environmental Management Act, 1998 [Act 107 of 1998]*). The Minister of Environmental Affairs and Tourism should therefore, in concurrence with the various Members of Executive Councils concerned with conservation management in the provinces, identify activities undertaken without prior authorisation; identify geographical areas where activities for development cannot commence without prior authorisation and prepare compilations of information that specify the attributes of the environment in particular areas that need to be considered when a new activity influencing the environment is undertaken. The interaction between the Minister of Environmental Affairs and Tourism and the Members of Executive Councils of the different provinces as well as the organs of state necessitates horizontal and vertical intergovernmental relations (*Supra* paragraph 1.7.1 and 1.7.2).

3.11.1 Defining the concept *integrated environmental management*

Hugo *et al.* (1997:200) define integrated environmental management as the following:

“ *a framework for harmony between development and environment*”.

Integrated environmental management should ensure that all environmental factors are considered when development is planned or decision relating to development is made. The importance for integrated environmental management is also emphasised in Chapter five of the *National Environmental Management Act*, 1998 (Act 107 of 1998) which focuses on the general objectives and the implementation of integrated environmental management.

3.11.2 General objectives of integrated environmental management

The general objectives of integrated environmental management are, according to the *National Environmental Management Act*, 1998 (Act 107 of 1998), to promote the integration of the principles of environmental management into the making of all decisions which may have a significant effect on the environment; identify and evaluate the actual and potential impact of activities on the environment to be able to minimise negative impacts and promote compliance with the principles of environmental management. Other general objectives are to ensure that the impact of activities on the environment receive the necessary consideration before actions are undertaken; ensure adequate opportunity for public participation in decisions that may affect the environment; ensure the consideration of environmental attributes in management and decision-making which may have an impact on the environment and identify and employ the modes of environmental management in accordance with the principles of environmental management (*Supra* paragraph 2.6). Conservation managers should therefore consider the principles of environment management when taking decisions, but should also abide by the principles of integrated environmental management.

3.11.3 The principles of integrated environmental management

The Department of Environmental Affairs and Tourism published basic principles for integrated environmental management in a Discussion Document in 1996. Principles refer to the most basic basis or foundation of an issue and the principles should form the basis for the development of any project which will have an effect on the environment. The principles of integrated environmental management are the following: informed decision-making, accountability for decisions made, a participatory approach in the planning of proposals and consultation with interested and affected parties. Other principles for integrated environmental management include due consideration of alternative options, an attempt to limit negative impacts and emphasise positive impacts of proposals, democratic recognition of individual rights and obligations, compliance with the principles of integrated environmental management during all stages of the planning and implementing of proposals and the opportunity for public and expert input in the decision-making process.

Integrated environmental management should, according to Hugo *et al.* (1997:202), play a role in conservation and environmental management processes and conservation managers should recognise the impact of political influences, economic factors, technological developments and environmental laws on conservation management. The implementation of the above-mentioned principles for integrated environmental management will require conservation managers to have the necessary management skills, knowledge of management functions and structures as well as institutions for intergovernmental relations to be able to relate to governmental bodies and organs of state concerning issues pertaining to conservation management.

3.12 CONCLUSION

Conservation management is the responsible management of the environment including the utilisation of natural resources to ensure its preservation for future generations. Because conservation is a subsidiary component of the environment, a definition of the concept environment is necessary to focus on both the natural as well as the human component of the environment. The involvement of various governmental bodies and organs of state in the conservation process, emphasises the importance of structures and institutions for intergovernmental relations to regulate the vertical and horizontal relations between parties involved in conservation and to assist in achieving the goals of conservation.

The value of conservation in South Africa depends on the value people place on different resources and therefore the economic, ecological, cultural, nutritional, recreational and other grounds on which the value of a particular resource is determined, may assist conservation managers in retaining the environment for future generations. To assist conservation managers in governmental bodies and organs of state to conserve the environment, a number of conservation and environmental policies are formulated, stipulating the importance of co-operative governance and outlining the main conservation and environmental policy goals. The influence of social, economical and political policy issues on conservation in South Africa emphasises the complex nature of conservation management and the importance of acknowledging the different approaches to conservation management and their applicability to South Africa.

The importance of structures and institutions for intergovernmental relations to assist governmental bodies and organs of state in following the guiding principles for conservation management cannot be overstated. Principles such as

intergovernmental co-ordination and harmonisation of policies and legislation relating to the environment, the integrated nature of environmental management, the making of decisions in an open and transparent manner and the participation of all interested parties in environmental governance emphasise the importance of structures and institutions for intergovernmental relations.

Thorough knowledge pertaining to management functions and management skills are necessary to enable conservation managers to achieve conservation and environmental policy goals and to implement the guiding principles of environmental management. Planning in conservation management ensures that predictions can be made and that conservation managers are prepared for change. The conservation manager should, through his/her participation in the planning process on different levels, play an invaluable role in the development of conservation goals and objectives. Effective leadership, as a management function, depends on the use of specific leadership styles in a particular situation and the leader should have certain abilities and characteristics to be able to act in the best interest of his/her subordinates. A visionary leader will actively seek and facilitate change and therefore promote conservation management. Control and monitoring of activities, goals and objectives will enable conservation managers to compare the actual results with desired results and take corrective action, where and when necessary.

Conservation managers functioning in a rapidly changing political, technological, social and economic society increasingly have more complex choices to make and should therefore take decisions promptly and without hesitation. Involving subordinates as well as interested and affected parties in the decision-making process, will enable the conservation manager to make decisions aimed at promoting the general welfare of society. The challenge facing conservation managers in governmental bodies and organs of state is the linking and integration

of developmental goals and sound conservation and environmental management practices to ensure that integrated environmental management is promoted. Integrated environmental management provides a framework for harmony between development and the environment and ensures that all environmental factors are taken into consideration when development is planned. In the highest positions in the public sector the management and professional skills are qualitatively different than skills required at the lower levels, although not necessarily more important. At the higher management levels, technical related skills are less important and more focus is on generic skills and competencies related to the formulation of policy, developing management plans, the managing of human resources and the co-ordination of policies. Integrated environmental management promotes co-operation between governmental bodies and organs of state as well as affected parties and therefore structures and institutions for intergovernmental relations are necessary to promote horizontal and vertical intergovernmental relations pertaining to conservation management.

CHAPTER 4

SOUTH AFRICAN NATIONAL PARKS AND PROVINCIAL PROTECTED AREAS

4.1 INTRODUCTION

Conservation has already been defined as the management of human utilisation of resources and the biosphere so that it yields the greatest sustainable benefit to present generations, while maintaining its potential to meet the needs and aspirations of future generations (*Supra* paragraph 3.2.2). Institutions and organs of state are therefore established by legislation to ensure that conservation goals are attained and managed for the promotion of the general welfare of present and future societies. At present, 5,8 percent of the total surface of South Africa has officially been declared conservation areas that need to be managed while approximately three percent has lower conservation status (Hugo *et al.*, 1997:160). National Parks and provincial parks form part of the officially declared conservation areas.

Concurrent national and provincial legislative competence to certain functional spheres of government are provided for in Section 44 (1)(a)(ii) together with Section 104 (1)(b)(i) of the *Constitution of the Republic of South Africa*, 1996 (Act 108 of 1996). These competencies are stipulated in Schedule four of the *Constitution of the Republic of South Africa*, 1996 (Act 108 of 1996), one of which is *nature conservation*, excluding national parks, national botanical gardens and marine resources. Formally proclaimed national parks are therefore the exclusive preserve of national competence but, the Kumleben Report on the Institutional Arrangements for Nature Conservation in South Africa (1998:15) states the following:

“the fact that national parks is a stated exception by implication a measure of provincial competence in respect of other spheres of conservation was intended to continue”.

The various provinces are therefore responsible for all conservation matters except for the management of national parks. The principles of co-operative government and intergovernmental relations should therefore be followed where concurrent competence exists (*Supra* paragraph 1.2.2). It is the responsibility of the Department of Environmental Affairs and Tourism to formulate general policies concerning conservation management and the implementation of these policies should be undertaken by different governmental bodies and organs of state in the national, provincial and local spheres of government.

An explanation of the different national and provincial institutional arrangements for conservation management is necessary to be able to analyse intergovernmental relations pertaining to conservation management. Focus will be on the South African National Parks and selected provincial parks. Clarification of the various terms used in this chapter is important, especially the terms national parks and provincial parks or protected areas.

4.2 CLARIFICATION OF TERMS

Besides official conservation areas proclaimed by legislation as national parks and equivalent provincial protected areas, South Africa also has other conservation areas such as private game (nature) reserves, zoos and terrestrial and marine protected areas. A classification of some of these conservation areas are indicated in Table 4/1 even though it does not form part of the focus of this study.

Table 4/1: **Classification of terrestrial and marine protected areas in South Africa**

CATEGORIES	DESCRIPTION
Scientific reserves and wilderness areas	An area of land or sea possessing some outstanding ecosystems, natural features, species of flora, fauna and/or cultural resources of scientific importance. A wilderness area is a large area of unmodified land or water retaining its natural character and influence without permanent physical structures or significant habitation.
National monuments and areas of cultural significance	A national of cultural feature or an area of outstanding scenic, scientific, educational or inspirational value.
Habitat and wildlife management areas	Areas subject to human intervention, based on research into the requirements of specific species for nesting, feeding and survival.
Protected land and seascapes	Areas that are products of the harmonious interaction of people and nature, often aesthetically unique patterns of human settlement. Traditional practices associated with agriculture, grazing or fishing, are evident.
Sustainable use areas	An area managed to ensure the long-term protection and maintenance of its biological diversity, while providing a sustainable flow of natural products.

Source: Hugo, M.L., Viljoen, A.T. and Meeuwis, J.M. 1997. *The Ecology of Natural Resource Management: The quest for sustainable living*. Pretoria: Kagiso Tertiary, p 162.

This study refers to national parks and provincial parks or protected areas only. Clarification of these terms is necessary.

4.2.1 National Parks

National parks should protect a nation's ecological diversity, its genetic wealth and its relatively large natural and scenic areas of national and international significance for scientific, educational and recreational use (Selman, 1992:19). According to the Kumleben Report (1998:7) the term *national parks*, as generally understood in conservation circles, refers to parks that have been proclaimed as a result of statutory recognition at national level. A national park is a large piece of land, lake, wetland or a portion of the sea, which is preserved in its natural state, together with all the plant and animals which occur there as well as the natural features such as soil and geology of and area as well as the man-made structures of cultural and historical importance (Anon, 1998:34).

The proclamation of national parks is provided for in the *National Parks Act, 1976* (Act 57 of 1976) as amended. The objective of the constitution of a national park is the establishment, preservation and study therein of wild animals, marine and plant life and objects of geological, archaeological, historical, ethnological, oceanographic, educational and other scientific interests, in such a manner that the area which constitutes the park will be retained in its natural state. Further details pertaining to the objectives and criteria for selection and management are given in the following paragraph (*Infra* paragraph 4.2.2). South Africa has 17 officially proclaimed national parks of which a list, proclamation date and size are outlined in Table 4/2.

Table 4/2: Surface areas of the national parks of South Africa

NATIONAL PARKS	PROCLAMATION DATE	AREA IN HECTARES
Kruger Game	1926	1 962 361
Addo Elephant & Zuurberg	1931	51 309
Kalahari Gemsbok	1931	959 103
Mountain Zebra	1937	6 536
Bontebok	1961	3 236
Golden Gate	1963	11 633
Tsitsikama	1964	63 942
Augrabies Waterfall	1966	14 745
Groenkloof	1968	4
Wilderness	1977	10 600
Karoo	1977	43 261
West Coast	1985	32 949
Knysna Lake	1985	15 000
Tankwa-Karoo	1986	27 064
Vaalbos	1986	22 697
Richtersveld	1991	162 445
Marakele	1992	38 000
TOTAL		1 424 431

Source: Hugo, M.L., Viljoen, A.T. and Meeuwis, J.M. 1997. *The Ecology of Natural Resource Management: The quest for sustainable living*. Pretoria: Kagiso Tertiary. p 161.

National parks should, as far as possible, include representative samples of the biological regions, ecosystems, natural communities and species of the country and should be managed comprehensively (Western *et al.*, 1989:140). Comprehensive

conservation management requires knowledge regarding the management functions in order to develop plans for each national park, have efficient organisation, control and monitor mechanisms for the effective and efficient management of a national park and integrate the park into the development process (*Supra* paragraph 3.8).

4.2.2 Protected areas

In the past, conservation areas were created by provincial enactments of the four former provinces of South Africa namely, the Transvaal, Orange Free State, Natal and Cape Province. The conservation areas were known as provincial nature reserves or provincial parks and no clear criteria existed for their establishment. Some conservation areas were also created in the former TBVC states (Transkei, Bophuthatswana, Venda and Ciskei) (Kumleben Report, 1998:8). With the creation of nine provinces in South Africa in 1994, different approaches to conservation were followed by the various provinces in terms of the character, administration, number and extent of provincial nature reserves. In the *White Paper on Conservation and Sustainable use of South Africa's Biological Diversity* (1997:18) a number of major concerns regarding conservation management were expressed:

"... the fragmented, polarised and inefficient administrative and legislative structures created by apartheid resulted in no fewer than 17 government departments having a primary responsibility of nature conservation prior to the April 1994 elections. This situation did not improve with the establishment of new provinces and government structures. Divided responsibilities, together with a duplication of effort, a profusion of laws, and most importantly a lack of co-ordination, have been major factors hampering the effective conservation of biodiversity".

It is therefore clear from these concerns that uncertainty concerning the legislative structures and the divided responsibility for conservation management may lead to poor intergovernmental relations. In the provinces of KwaZulu-Natal and Mpumalanga for example, the existence of both a statutory organ of state and a provincial department for conservation management imply divided responsibilities for conservation management in this province.

A protected area is explained as a geographically defined area designated and managed to achieve specific conservation objectives and which is dedicated primary to the protection and enjoyment of natural and cultural heritage, to the maintenance of biodiversity and to the maintenance of life support systems (*White Paper on Conservation and Sustainable use of South Africa's Biological Diversity* [1997:103]). South Africa presently has 21 types of protected areas which can be grouped under six internationally recognised management categories (See Table 4/3).

Table 4/3: **Protected Area Categories**

CATEGORY	NAME	MANAGEMENT OBJECTIVE	SOUTH AFRICAN LEGAL OR OTHER EQUIVALENT CATEGORY
Category 1a	Scientific Reserves	Managed mainly for scientific research and monitoring	Special nature reserves and wilderness areas
Category 1b	Wilderness Area	Managed mainly for wilderness protection, subsistence and recreation	Special nature reserves and wilderness areas

Category II	National Parks and Equivalent Reserves	Managed mainly for ecosystem protection and recreation	National parks, provincial parks and nature reserves
Category III	Natural Monuments and Areas of Cultural Significance	Managed mainly for conservation of specific natural or cultural features	Natural monuments, monuments, botanical gardens, zoological gardens, natural heritage sites and sites of conservation significance
Category IV	Habitat and Wildlife Management Areas	Managed mainly for conservation through management intervention	Provincial, local and private nature reserves and conservancies
Category V	Protected Land and Seascapes	Managed mainly for land and seascape conservation and recreation	Protected natural environments, natural resource areas, scenic landscapes and urban landscapes
Category VI	Managed Resource Protected Area	Managed mainly for the sustainable use of natural ecosystems	Mountain catchment areas

Source: *White Paper on Conservation and Sustainable use of South Africa's Biological Diversity*. July 1997. p. 31.

The various types of protected areas are managed by a number of different bodies including the South African National Parks, the Department of Water Affairs and Forestry, the Department of Environmental Affairs and Tourism, the South African National Defense Force, the National Botanical Institute, provincial conservation agencies, numerous local authorities and various private and public landowners.

Ten Acts of Parliament and 13 provincial Ordinances and Acts regulate protected areas in South Africa (*White Paper on Conservation and Sustainable use of South Africa's Biological Diversity*, 1997:27).

Each one of the categories is defined in further detail in the *White Paper on Conservation and Sustainable use of South Africa's Biological Diversity*, 1998. This study is primarily concerned with category II, namely national parks and equivalent reserves proclaimed in accordance with appropriate and empowering national and provincial legislation and comprise land of which the state is the present registered owner. A further definition of the category II parks and its objectives and criteria for selection and management are explained in Table 4/4.

Table 4/4: **Category II - National Parks and Equivalent Reserves**

DEFINITION	OBJECTIVES	CRITERIA FOR SELECTION AND MANAGEMENT
A national park or equivalent reserve is a relatively large outstanding natural area of land and/or sea designated to protect the ecological integrity of one or more ecosystems for this and future generations, to exclude exploitation or intensive occupation of the area and to provide a foundation for spiritual, scientific, educational, recreational and cultural opportunities for visitors.	To protect natural and scenic areas of national or international significance for spiritual, scientific, educational, recreational and tourism purposes. The area should perpetuate, in a natural state, representative samples of physiographic regions, biotic communities and genetic resources and species, to provide ecological stability and diversity. Cultural resources which may occur in these areas will also be promoted.	National parks and equivalent reserves encompass outstanding and extensive examples of at least one of the recognised biomes of the country in a near natural state or which has potential to be rehabilitated to such a state. These are of sufficient size to sustain viable, free-living populations of all wild plant and animal species which occur naturally or which occurred in historical times, including predators, without requiring unrealistic control measures to safeguard adjacent farming practices or other development. Preservation of the natural environment will at all times receive the highest priority. These areas are open for controlled access to all members of the public. These areas are managed by either the National Parks Board or a competent nationally recognised authority.

Source: *Kumleben Report on the Institutional Arrangements for Nature Conservation in South Africa*. October 1998. p. 11.

According to the Kumleben Report (1998:13) there are currently 28 category II protected areas where 17 are being controlled by the South African National Parks and 11 by the KwaZulu-Natal province. A number of current protected areas, however, do not qualify to be classified as a protected area, while other protected areas are incorrectly classified. This incorrect classification may, according to the Kumleben Report (1998:21), be a result of cheap land being available in the past, donations by private individuals or the decision of politicians or bureaucrats to protect a particular species at a given time. A clearer and more detailed classification of existing protected areas are necessary to address the incorrect classification.

A provincial protected area is mainly a national asset. It is often wrongly perceived that a protected area is the property of the province in which it is situated.

“Although the management and control of a protected area are vested in a provincial authority, the ultimate decision on the determination of a protected area ought to be the responsibility of the national government (Kumleben Report, 1998:24)”.

The above-mentioned situation will have a definite influence on vertical intergovernmental relations between a national and provincial authority. An analysis of the role, functions and responsibilities, as well as legislation regulating the South African National Parks as well as KwaZulu-Natal and Mpumalanga protected areas are therefore necessary.

4.3 THE SOUTH AFRICAN NATIONAL PARKS AND THE KWAZULU-NATAL AND MPUMALANGA PROTECTED AREAS

National parks should be controlled by the highest conservation authority of a state because they are national assets. In South Africa the highest conservation authority is the South African National Parks which has to ensure that the 17 national parks are managed for the benefit of all the people in South Africa.

4.3.1 South African National Parks

The South African National Parks has been involved in conservation and through its World Conservation Union (WCU) membership runs bilateral projects, provides assistance, encouragement and advice on issues regarding the protection and use of natural resources. The vision of the South African National Parks is that national parks will be the pride and joy of all South Africans, while their mission is to acquire and manage a system of national parks that represents the indigenous wildlife, vegetation, landscapes and significant cultural assets of South Africa for the pride and benefit of the nation (See Annexure C)(South African National Parks 1999). In January 1995, a Transformation Task group was appointed (TTG) to monitor and promote the transformation process within the South African National Parks and strategies were developed for their transformation. The transformation mission of the South African National Parks is to transform an established system for the management of the natural environment to one which encompasses cultural resources, and which engages all sections of the community (Tema, 1997:52). The 12 key strategic areas for transformation identified by the Transformation Task Group are explained in Table 4/5.

Table 4/5: **Strategic areas for transformation of the South African National Parks**

STRATEGIC AREAS	EXPLANATION
Human relations	To transform current negative relations between employees of South African National Parks, encouraging staff to be positive and productive and supportive of the mission and objectives of the South African National Parks.
People development	To facilitate the identification of people who have the potential for growth.
Business development	To ensure that business opportunities and contracts are open to all entrepreneurs, consultants and suppliers.
Affirmative action	To correct the imbalance of the past by recruiting and creating opportunities for all.
Elimination of systems and processes	Elimination of systems and processes which hinder the implementation of the mission and values of South African National Parks.
Alignment of South African National Parks' structure	Alignment of the structure so that it affirms and confirms the mission and values of South African National Parks.
Corporate image	To address the overall visual corporate identity of South African National Parks.
Optimisation of the quality of services and hospitality	To develop strategies that will maximise income generated from high quality services provided by South African National Parks.
Gender	To develop a comprehensive gender policy to address issues that affect men and women in the workplace.
Language policy	To address the question of an official language.

Land claims policy and strategies	To facilitate reconciliation and increase the legitimacy and credibility of South African National Parks amongst communities that in the past have been forcefully removed from their land to create parks.
Cultural resources and heritage management	To formulate policies and strategies to ensure that historical rites and cultural resources within the parks are developed to promote cultural sensitivity, accurate recording and interpretation of their cultural significance.

Source: Tema, F. 1997. SA National Parks: a Transforming Organisation. *Custos*. May 1997. p.52.

The transformation statement of the South African National Parks is according to Tema (1997:53) the following:

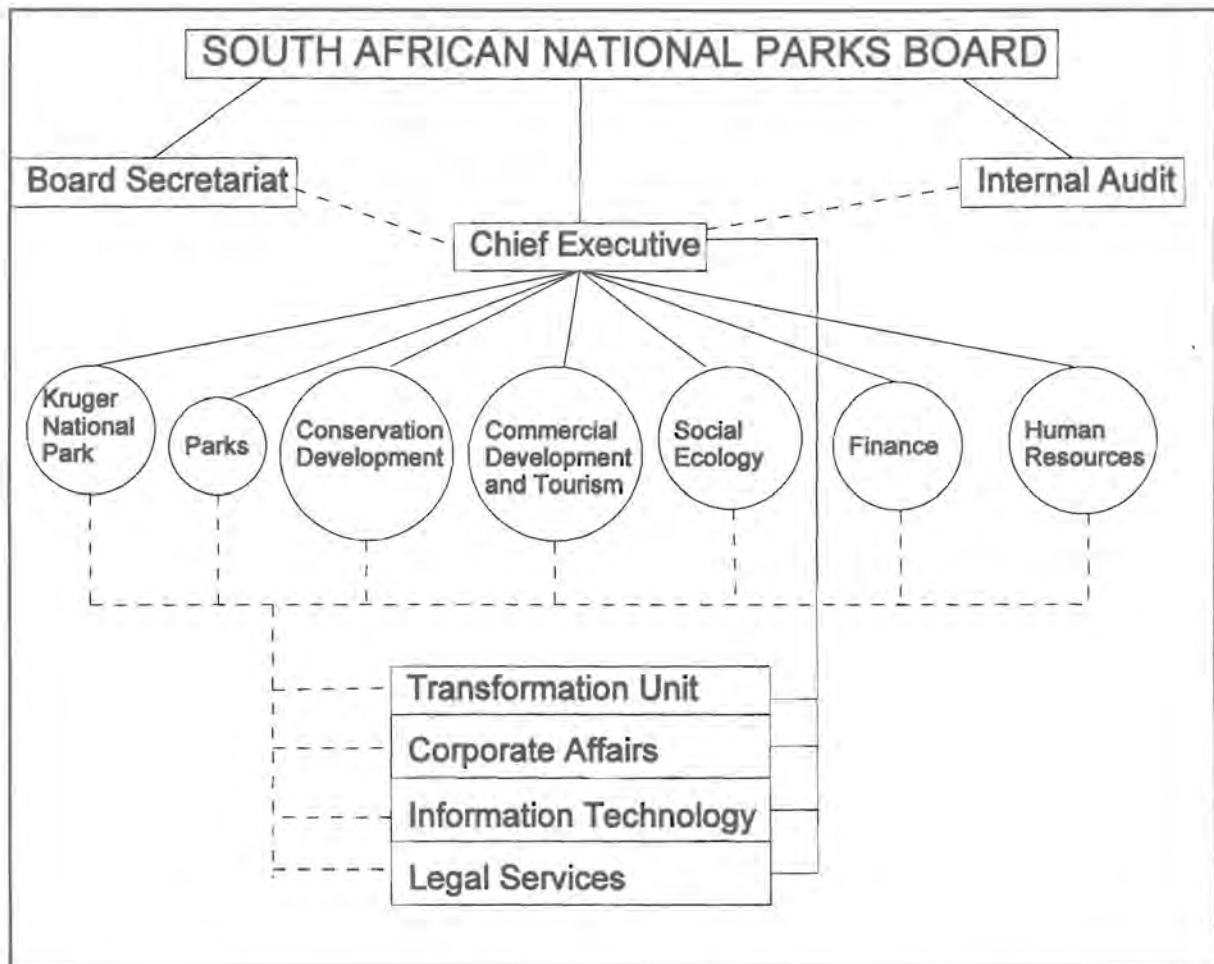
“South African National Parks is striving to transfer power and control of resources from the minority that had been appointed and privileged by an undemocratic system, to the majority that participates in the new democratic process. It is also directing the benefits of its activities to providing for all South Africans, rather than the more wealthy and privileged sections of society”.

The South African National Parks is therefore a dynamic organisation which is determined to identify strengths and potential in order to achieve a transformation strategy by confronting the legacies that inhibit the organisation and establish key results for change to guide the conservation of national parks for the enjoyment of the general public. Certain values that demonstrate a firm commitment to the transformation process are promoted by the South African National Parks namely

to have respect for all individuals, to recognise different value systems and promote social equity. South African National Parks co-operates and shares information within and outside of the organisation and strives to be sincere and honest in its dealings with different parties. South African National Parks strives to provide a high quality of service to all and to maintain a culture of transparency through openness and communication (South African National Parks, 1999). Other values of the South African National Parks are to uphold environmental ethics in relation to conservation of resources and to be dynamic in responding to the changing environment and community needs. South African National Parks therefore places a high priority on the normative guidelines as previously explained (*Supra* paragraph 1.8). Under the guardianship of the South African National Parks, national parks have developed from fenced-in conservation areas to national treasures which belong to all South Africans and which highlights a spirit of consultation and reconciliation in conservation management.

The South African National Parks are managed by a board consisting of 18 members appointed by the Minister of Environmental Affairs and Tourism for a period not exceeding five years: one person nominated by each of the Premiers of the nine provinces, who is by virtue of knowledge capable of promoting the objectives of the board in an unbiased manner; and nine members appointed by the Minister of Environmental Affairs and Tourism in consultation with the Cabinet or a Cabinet Committee (*National Parks Act, 1976 [Act 57 of 1976] as amended*). One of the members shall be designated by the Minister of Environmental Affairs and Tourism to act as chairperson of the board. The board shall control, manage and maintain the national parks to meet the objectives set out in section four of the *National Parks Act, 1976 (Act 57 of 1976)*, as amended, and utilise its revenue for that purpose. The corporate plan of the South African National Parks Board is illustrated in Figure 4/1.

Figure 4/1: The corporate plan of the South African National Parks



Source: South African National Parks corporate plan. June 1998.

4.3.2 Institutions for KwaZulu-Natal protected areas

The amalgamation of the previous Natal Parks Board and the provincial Department of Nature Conservation was undertaken with the promulgation of the *KwaZulu-Natal Nature Conservation Management Act, 1997* (Act 9 of 1997). Some of the sections of the afore-mentioned act are in the process of being amended with the introduction of the *KwaZulu-Natal Nature Conservation Management Amendment*

Bill, 1999 which provides for institutional structures for nature conservation in the province of KwaZulu-Natal and establishes control bodies and mechanisms to monitor conservation management. The amendments will however not have a major impact on the focus of this study. Conservation management in the province of KwaZulu Natal is the responsibility of the KwaZulu-Natal Nature Conservation Board (*KwaZulu-Natal Nature Conservation Management Act*, 1997 [Act 9 of 1997]). The KwaZulu-Natal Nature Conservation Board consists of between nine and 14 members appointed by the Member of the KwaZulu-Natal Executive Council under whose portfolio the responsibility for the protection and conservation of the environment and of nature conservation resides as well as the Chief Executive Officer who will act as an *ex officio* member. The members of the Board should have an interest in nature conservation and should be appointed from the following categories (See Table 4/6):

Table 4/6: **Categories from which members of the KwaZulu-Natal Nature Conservation Board should be appointed**

- (a) At least one, but not more the two persons nominated by the House of Traditional Leaders; and from non-governmental organisations, institutions or groups established for the advancement of nature conservation or environmental protection within the province;
- (b) one person from community-based organisations in rural areas in the province; with extensive knowledge of the business sector; with extensive knowledge and experience of environmental law; with extensive knowledge and experience of labour matters; from organised agriculture and with extensive knowledge of the protection and management of heritage resources; and
- (c) not more than three other persons, selected by the member of the KwaZulu-Natal Executive Council concerned with the protection and conservation of the environment, to enhance the competence of the Board.

Source: *KwaZulu-Natal Nature Conservation Management Act*, 1997 (Act 9 of 1997)

The primary functions of the KwaZulu-Natal Nature Conservation Board are, according to the *KwaZulu-Natal Nature Conservation Management Act, 1997* (Act 9 of 1997), to supervise and direct conservation management within the province and protected areas and to develop and promote ecotourism facilities within the protected areas. The KwaZulu-Natal Nature Conservation Board may also undertake investigations and advise the Member of the Executive Council concerned with conservation with regard to legislation and policies pertaining to conservation as well as the financing and co-ordination of projects associated with protected areas. Other functions of the KwaZulu-Natal Nature Conservation Board are listed in Table 4/7.

Table 4/7: Functions of the KwaZulu-Natal Nature Conservation Board

<p>May enter into agreements with statutory bodies; organs of state; or persons or bodies approved by the member of the Executive Council concerned with conservation in the KwaZulu-Natal province in terms of which the Board undertakes to perform a function on behalf of such body, organ or person.</p>
<p>Determine conditions and set norms and standards for nature conservation activities and the management of protected areas; the sustainable use of all indigenous plants and animals throughout the province and the regulation of import, export and utilisation of indigenous and non-indigenous wild plants and animals throughout the province..</p>
<p>Ensure the protection and management of heritage resources within protected areas.</p>
<p>May borrow money or obtain overdraft facilities from a bank or other financial institution and acquire an interest or partnership in companies subject to the prior approval of the member of the Executive Council concerned with conservation and the Minister of Finance.</p>
<p>Enter into agreements, contracts and joint ventures with other institutions, organisations and bodies and into trans-frontier undertakings for the promotion of nature conservation.</p>
<p>Establish committees from within the ranks of its members to which specific matters or classes of matters may be referred for investigation.</p>
<p>Submit a report and audited set of financial statements to the member of the Executive Council concerned with conservation on the activities of the Board, the Conservation Service and local boards which should be tabled in Parliament.</p>

Source: *KwaZulu-Natal Nature Conservation Management Act, 1997* (Act 9 of 1997)

The objectives of the KwaZulu-Natal Nature Conservation Board is to ensure that the diversity of life forms and biological processes in KwaZulu-Natal are maintained within protected areas which contribute to conservation, prevent the man-induced extinction of any species indigenous to KwaZulu-Natal, promote the utilisation of wildlife resources in KwaZulu-Natal and exercise control in order to ensure that all forms of utilisation are sustainable. Further objectives include the promotion of awareness of the functioning and importance of the biosphere, providing public access to protected areas and appropriate services including opportunities for scientific study, and conduct its activities effectively and efficiently through people dedicated to service and committed to nature conservation (*KwaZulu-Natal Nature Conservation Management Act, 1997 [Act 9 of 1997]*).

The *KwaZulu-Natal Nature Conservation Management Act, 1997 (Act 9 of 1997)* also provides for the establishment of the KwaZulu-Natal Nature Conservation Service and for local boards that are accountable to the KwaZulu-Natal Nature Conservation Board for the performance of their functions, powers and duties (*Supra* Table 4/7).

4.3.2.1 KwaZulu-Natal Nature Conservation Service

The KwaZulu-Natal Nature Conservation Service is headed by a Chief Executive Officer appointed by the Member of the Executive Council concerned with nature conservation in consultation with the KwaZulu-Natal Nature Conservation Board. The KwaZulu-Natal Nature Conservation Service consists of posts arranged in an organisational structure which is determined by the Member of the Executive Council concerned with conservation in consultation with the KwaZulu-Natal Nature Conservation Board and, after consultation with, organised labour (Section 21 of the

KwaZulu-Natal Nature Conservation Management Act, 1997 [Act 9 of 1997]). The main functions of the KwaZulu-Natal Nature Conservation Service is the promotion of nature conservation inside and outside protected areas and to provide support to the KwaZulu-Natal Nature Conservation Board

4.3.2.2 Local boards for protected areas

The Member of the Executive Council concerned with conservation in the province, may, in consultation with the KwaZulu-Natal Nature Conservation Board, establish a local board in respect of a protected area or areas to promote local decision-making regarding the management of nature conservation and heritage resources within protected areas as well as to promote the integration of the activities of the protected area into that of the surrounding area (*KwaZulu-Natal Nature Conservation Management Act, 1997 [Act 9 of 1997]*) . The local board, in consultation with the KwaZulu-Natal Nature Conservation Service, should compile and monitor the execution of management plans pertaining to protected areas for which such a board was appointed. These management plans should promote the developmental needs of people living in or adjacent to the protected area; promote education programmes pertaining to conservation and determine local policies on nature conservation, including resource management and protection, development of ecotourism, scientific research and co-operation and co-ordination with other bodies involved with conservation (Section 27 of the *KwaZulu-Natal Nature Conservation Management Act, 1997 [Act 9 of 1997]*).

4.3.3 Institutions for Mpumalanga protected areas

Protected areas in the province of Mpumalanga are managed by a statutory board namely the Mpumalanga Parks Board. Although the Mpumalanga province does

not have category II protected areas, the Kruger National Park, which is the largest national park in South Africa, is situated in this province. The Mpumalanga Parks Board is however concerned with conservation management through the management of categories IV and VI protected areas (*Supra* paragraph 4.2.2). The Mpumalanga Parks Board consists of not more than nine members, two of whom are appointed by the Member of the Executive Council concerned with environmental affairs and agriculture as Chairperson and Deputy Chairperson (*Mpumalanga Parks Board Amendment Act, 1998 [Act 9 of 1998]*). One member from the Board will also be appointed as the *ex officio* Chief Executive Officer. Members of the Mpumalanga Parks Board are appointed for different periods and upon different conditions but are normally appointed for a two year period. The objectives of the Mpumalanga Parks Board are summarised in Table 4/8.

Table 4/8: **Objectives of the Mpumalanga Parks Board**

To provide effective conservation management of the natural resources of the province and promote the sustainable utilisation thereof.
Give due regard to national and provincial policies, strategies and programmes in respect of reconstruction and development, environmental affairs, eco-tourism and outdoor recreation.
Promote the creation of economic and employment opportunities, particularly for local disadvantaged persons and communities.
Promote the participation by urban and rural local government structures, the private sector, civil society, communities and individual citizens in public sector policy-making, strategic planning and programme and project implementation, including the establishment of various structures and processes for consultation, co-ordination, engagement and negotiation.
Promote the employment of local human resources and ensuring non-discrimination in hiring, promoting and training of personnel.
Achieve transparency and accountability in public administration.
Promote public awareness and education regarding conservation management of natural resources.
Ensure equitable accessibility by all people to the Province's conservation areas.

Maintain environmentally sound development practices and to promote biodiversity in conservation areas.

Endeavour to make, in so far possible, the Board's operations and activities self-financing in their operation.

Promote the earning of foreign exchange, particularly through eco-tourism.
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Source: Section 14 of the *Mpumalanga Parks Board Amendment Act, 1998* (Act 9 of 1998).

The powers and functions of the Mpumalanga Parks Board are also outlined in the *Mpumalanga Parks Board Amendment Act, 1998* (Act 9 of 1998). These functions will include the inventorying, assessing and monitoring of natural resources in the province, administering and managing laws in respect of conservation and the evaluation of development proposals, recreation policies and strategies relating to conservation. Other functions will include the promotion of public awareness and education regarding conservation, providing information and services on conservation management and contributing to the advancement of scientific knowledge in respect of conservation. The members of the Mpumalanga Parks Board are in constant contact, mostly through its Chief Executive Officer, with the Member of the Executive Council concerned with the environment and agriculture, to advise him/her about an appropriate policy as well as the legislative, administrative and financial framework regarding conservation management in the province (General Manager: Research and Development, 2000).

The Mpumalanga Parks Board may appoint, from among its members, committees to assist in the obtaining of their objectives and the rendering of functions. Other individuals may also be co-opted to serve on a committee and to participated as a member but serve in an advisory capacity (*Mpumalanga Parks Board Amendment Act, 1998* [Act 9 of 1998]).

The Mpumalanga Parks Board has two departments that report to the current acting Chief Executive Officer namely the Conservation Department that represents the core business of the Mpumalanga and Corporate Services that provides the technical support (General Manager: Research and Development, 2000). The Corporate Services Department renders all generic functions that would be associated with an organisation. The Conservation Department answers to a Senior General Manager and has five units with various sub-units that are outlined in Table 4/9.

Table 4/9: **Units in the Conservation Department of the Mpumalanga Parks Board**

Research and Development (General Manager)	Protected Areas Management (General Manager)	Wildlife Protection Services (General Manager)	Production Units	Engineering Services
Ecological and Development Planning (including a small Information Management Unit)	Facilities Management	Special Investigation	Plant Production	Reports to the Senior General Manager
Conservation Auditing	Community Relations	Permits Administration	Fish Production	
Aquatic Research	Protected Areas Managers	Land Administration	Mammal Production	
Terrestrial Research		Professional Hunting and problem animal control	Reports to the Senior General Managers	

Source: General Manager: Research and Development. Mpumalanga Parks Board. March 2000.

Effective intergovernmental relations between governmental bodies and institutions concerned with conservation management, such as the South African National Parks and its board as well as the KwaZulu-Natal Nature Conservation Board, the KwaZulu-Natal Nature Conservation Service and the Mpumalanga Parks Board, are of utmost importance to enable co-ordination of policies and legislation and to promote the principles of co-operative governance. Intergovernmental relations pertaining to conservation management in the various provinces, including the case study provinces relevant to this study namely KwaZulu-Natal and Mpumalanga, are influenced by the existence of different institutional arrangements concerning conservation management in South Africa (*Infra* paragraph 4.4). Differences of opinions exist concerning the necessity of centralisation of management of protected areas or having devolved management structures for protected areas. The various views are analysed in the following paragraph.

4.4 A CENTRALISED OR DEVOLVED MANAGEMENT STRUCTURE FOR PROTECTED AREAS

The debate on the type of management structure of protected areas and whether protected areas should become national parks in terms of the *National Parks Act, 1976* (Act 57 of 1976) as amended, or whether national parks should be devolved, by deproclamation, and managed by provincial authority is still continuing. The outcome of the debate on centralisation and devolution will have an influence on intergovernmental relations pertaining to conservation management in South Africa. The concepts of centralisation and devolution were explained in a previous chapter (*Supra* paragraph 1.10.2.1). By stipulating that national parks is an exception to the provisions in Schedule four of the *Constitution of the Republic of South Africa, 1996* (Act 108 of 1996) regarding concurrent competence, implies that the management

and governance of all other protected areas should be mainly a provincial matter. According to the Kumleben Report (1998:17), the arguments favouring either a central or provincial authority reflect in a conservation management context, the pros and cons of having either unitary or federal structures (*Supra* paragraph 1.6.3). The factors favouring either a central authority (for example the South African National Parks) or a provincial authority are explained in Table 4/10.

Table 4/10: **Factors favouring a central authority or provincial authority for protected areas**

FACTORS FAVOURING A CENTRAL AUTHORITY	FACTORS FAVOURING PROVINCIAL AUTHORITY
The provincial conservation authorities lack the financial and other resources to manage their protected areas effectively and in a responsible manner.	The consideration that motivate the establishment of a federal element in governance rather than a unitary state apply a fortiori to conservation. A provincial authority is better placed to meet the nature conservation requirements of a particular province.
National parks enjoy greater international status and acclaim because of the epithet which have benefits in fund-raising from abroad, overseas tourism and in various other spheres sphere international recognition is important.	Protected areas that are the responsibility of the people of a particular province have their loyal and generous support financially and in other spheres.
A centralised authority is better placed to apply a uniform policy and management procedures, particularly since there are nine provinces in South Africa.	The involvement of local communities in the cause of nature conservation in the vicinity of a protected area is more readily attained at a provincial level.

<p>With specialised knowledge in the field of conservation and management in short supply, it is more economic and effective to have a concentrated source of such skills.</p>	<p>It is unsatisfactory to have “pockets” of national parks with different legislation, policy and personnel within a province, when all other protected areas, and matters relating to nature conservation generally, are outside the borders of national parks and in the hands of a provincial authority: ecosystems do not acknowledge artificial boundaries.</p>
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Source: Adapted from the *Kumleben Report on the Institutional Arrangements for Nature Conservation in South Africa*. October 1998. p. 18.

The debate is not yet concluded and proponents of either the centralised or devolved structures need to communicate their viewpoints in order to reach a compromise. The outcome of the debate will have a profound influence on intergovernmental relations pertaining to conservation management. Focus in this study will be on the current situation concerning intergovernmental relations pertaining to conservation management as described in previous paragraphs (*Supra* paragraph 4.3). Although this study focuses on the relations between the South African National Parks, the KwaZulu-Natal Nature Conservation Service and KwaZulu-Natal Nature Conservation Board as well as the Mpumalanga Parks Board as institutions concerned with conservation management, it is still necessary to explain the diverse institutional arrangements that exist for conservation management in general. The Department of Environmental Affairs and Tourism is the national department consisting of seven Chief Directorates that is concerned with specialist disciplines, with conservation management only comprising a small component (*Infra* paragraph 4.6). The current situation pertaining to conservation

management in the provinces are outlined in Table 4.11, where the position and prominence given to conservation management are not the same in any of the provinces.

Table 4.11: Provincial institutional arrangements pertaining to conservation management

Eastern Cape Province	Mother Department: Economic Affairs, Environment and Tourism. A Sub-directorate of Environmental Management exists next to a Sub-directorate of Nature Conservation, within a Directorate of Environmental Protection. The responsibilities of environmental and conservation management are spread amongst five regions, with a single official responsible for environmental impact assessments per region.
Free State Province	Mother Department: Environmental Affairs and Tourism. The Directorate of Environmental Affairs has four sub-directorates namely, Environmental Awareness, Environmental Management, Legal and Control and Scientific Support Services. Within the Environmental Management sub-directorate there are five officials responsible for the functions within the discipline.
Gauteng	Mother department: Agriculture, Conservation and Environment. The Directorate of Environment has four sub-directorates namely, Environmental Assessment, Waste, Inspectorate and Environmental Education.
Mpumalanga	Mother Department: Agriculture, Conservation and Environment. The Environmental Management Directorate of the Department comprises three sub-directorates, namely strategic planning, integrated environmental management and waste management. It is a relatively small component with less than twenty people covering the province. The conservation statutory organ of state is the Mpumalanga Parks Board which deals with the management of protected areas in that province (<i>Supra</i> paragraph 4.3.3).
Northern Province	Mother Department: Agriculture, Land and Environmental Affairs. A Directorate of Environmental Management exists at the head office level. With the responsibilities of impact assessments, pollution and waste management and permits. A complicated spread of environmental management responsibilities exists within the regions, which do not report to this Directorate. Because of recent restructuring, there is still not complete clarity on the structure and internal linkages.

North West Province	Mother Department: Agriculture, Conservation and Environment. The Chief Directorate of Conservation and Environment has five programmes namely: Environmental Impact Prevention Services, Environmental Empowerment and Education, Regulations and Inspectorate, Environmental Extension and Awareness Development and Environmental Monitoring. A sixth programme has also been proposed.
Northern Cape	Mother Department: Agriculture, Conservation, Environment and Land Reform. The Environmental Management component comprises a total of four officials, which resort under the scientific services division within the Directorate of Nature Conservation.
Western Cape	This province is reaching the end of a transformation process. Indications are that there will be a separate Department of Environment, Culture and Sport, with a number of units within the environment component. The functions of nature conservation will reside with a statutory organ of state.

Source: Zunkel, K. 1999. Paper on A Paradigm for the Institutionalisation of Environmental Management in South Africa. p.5.

It is clear from the outline of the institutional arrangements in the various provinces pertaining to conservation management, that there may be confusion regarding the management of protected areas in the provinces. Except for the provinces of KwaZulu-Natal, Mpumalanga and, perhaps in future, the province of the Western Cape conservation management is the responsibility of provincial departments with more than one functional area to address. A duplication of responsibilities and a neglect of the conservation component in the department may occur that may impact on intergovernmental relations pertaining to conservation management. Protected areas in South Africa cannot be managed without necessary funding. The financial resources of protected areas are explained in the following paragraph.

4.5 FINANCIAL RESOURCES OF PROTECTED AREAS MANAGED BY THE SOUTH AFRICAN NATIONAL PARKS AND THE KWAZULU-NATAL AND MPUMALANGA PROVINCES

Funding for conservation management in a protected area is essential to ensure the wise utilisation of resources to achieve efficient use of land and the enhancement of its wildlife, its appearance and historical and cultural associations. The South African National Parks submit an annual budget to the Department of Environmental Affairs and Tourism outlining their priorities and needs. The Department of Environmental Affairs and Tourism then allocates a portion of its funds, obtained from the National Revenue Fund, to the South African National Parks. The allocation forms only a small part of the South African National Parks' total budget. The total budget of the South African National Parks is managed by the Board (*Supra* paragraph 4.3.1). According to the *National Parks Act, 1976* (Act 57 of 1976) as amended, the revenue of the Board shall consist of the following: voluntary subscriptions, donations and bequests from the public; fees or other money received or raised as well as fines received or recovered under the *National Parks Act, 1976* (Act 57 of 1976); annual grants-in-aid out of money appropriated by Parliament and any money which may be placed at its disposal from other sources. The Board of the South African National Parks are obligated to keep detailed account of all revenue received and money spent and the accounts of the board are audited by the Auditor-General. A National Parks Land Acquisition Fund is also established in accordance with the *National Parks Act, 1976* (Act 57 of 1976), as amended, which will be managed and controlled by the Board of the South African National Parks. The National Parks Land Acquisition Fund consists of money received from Parliament, loans, donations and subscriptions and should be used to purchase land or mineral rights for the purpose of a park or for a portion of a park or to defray expenses undertaken by the board to manage the fund.

Financial intergovernmental relations therefore take place between the South African National Parks, the Department of Environmental Affairs and Tourism as well as Parliament.

The nature conservation budget of the a province forms part of the general provincial budget and the provinces receive only a portion of their funds from the National Revenue Fund. Less than one percent of the provincial budget is spent on the environment with only a portion thereof being given to conservation management (Kumleben Report,1998:33). The KwaZulu-Natal Nature Conservation Board may however, subject to the prior approval of the Members of the Executive Council concerned with conservation and finance, borrow money or obtain overdraft facilities from financial institutions; acquire interests in companies or partnerships and acquire, sell, lease, hire or exchange immovable property (*KwaZulu-Natal Nature Conservation Management Act, 1997 [Act 9 of 1997]*). Other sources of income are therefore also available to the provinces. Intergovernmental relations also exist in terms of financial resources for protected areas and conservation management in the sense that the KwaZulu-Natal province is partially dependent on funding from national government for the performing of functions and the rendering of services.

The financial arrangements of the Mpumalanga Parks Board are described in the *Mpumalanga Parks Board Amendment Act, 1998 (Act 9 of 1998)* and the relations between the Mpumalanga Parks Board and the Member of the Executive Council responsible for agriculture, conservation and the environment are evident. Although the revenue of the Mpumalanga Parks Board is obtained by means of subscriptions, donations and bequests by it from the public or through money raised in terms of the *Mpumalanga Parks Board Amendment Act, 1998 (Act 9 of 1998)*. Funds are also raised through penalties, fines and proceeds from sales of forfeited or

recovered items allocated to the Board. A small component of revenue of the Mpumalanga Parks Board is allocated to the Board by the Provincial Legislature of Mpumalanga through the provincial Department of Agriculture, Conservation and Environment. The Mpumalanga Parks Board should therefore submit quarterly and annual reports to the Member of the Executive Council responsible for agriculture, conservation and environmental affairs which set out the objectives and functions of the Board, state the manner in which the Board has achieved its objectives and should contain information pertaining to the efficient and effective application of financial and other resources (*Mpumalanga Parks Board Amendment Act, 1998* [Act 9 of 1998]). The Chief Executive Officer and the Mpumalanga Parks Board are therefore accountable to the Member of the Executive Council responsible for agriculture, conservation and the environment and, hence, to the Provincial Legislature. As a statutory organ of the state, the Mpumalanga Parks Board may, subject to Section 230 of the *Constitution of the Republic of South Africa, 1996* (Act 108 of 1996), borrow money on overdraft from a bank and operate accounts with banks and other financial institutions and also determine fees, charges, tariffs and prices for the rendering of services or the use of facilities, goods or products.

The national Department of Environmental Affairs and Tourism plays an important role in intergovernmental relations, especially financial intergovernmental relations. It is therefore necessary to explain the role of the Department of Environmental Affairs and Tourism in intergovernmental relations pertaining to conservation management by outlining and indicating the vision and mission of this department and by supplying detail regarding the structure and functioning of its chief directorates.

4.6 THE DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

The Department of Environmental Affairs and Tourism is a national government department with the vision of leading environmental management and tourism in the interest of sustainable development for all. The mission of the Department of Environmental Affairs and Tourism is to contribute towards the improvement of the quality of life of all South Africans by promoting the sustainable development, utilisation and protection of natural and cultural resources and harnessing the skills, experience and knowledge of the environment of all South Africans. Fostering equitable access to the benefits derived from natural and cultural resources and empowering the South African public and organisations through participation, environmental education, capacity building, research and information services, are also important characteristics of the mission of the Department of Environmental Affairs and Tourism. The Department of Environmental Affairs and Tourism is committed to ensuring that all international participation and obligations are undertaken in the context of South Africa's environmental policies and principles and to establish responsible tourism that ensures environmental sustainability which contributes to a better quality of life (Department of Environmental Affairs and Tourism information poster, 1999). Working together with all relevant stakeholders and spheres of government (including the South African National Parks and KwaZulu-Natal and Mpumalanga conservation authorities) in the spirit of effective governance, forms part of the mission of the Department of Environmental Affairs and Tourism, implying that intergovernmental relations should be promoted.

The Minister of Environmental Affairs and Tourism is the political head of the department and is assisted by a Deputy Minister. The Director-General of the Department of Environmental Affairs and Tourism is situated in Cape Town and acts as the administrative head of the department assisted by two Deputy Directors-

General namely for tourism and resource management and for environmental quality and information management. The organisational arrangements of the Department of Environmental Affairs and Tourism including the role and components of its seven chief directorates are outlined in Annexure B.

The seven chief directorates of the Department of Environmental Affairs and Tourism are: the chief directorates of tourism; biodiversity and heritage; marine and coastal management; corporate services; environmental quality and protection; environmental information management and communication services and the weather bureau (Department of Environmental Affairs and Tourism, 1999:1). Each one of the chief directorates has a specific role within the Department of Environmental Affairs and Tourism and is also divided into various components. Of importance for this study is the Chief Directorate: Biodiversity and Heritage because it is this chief directorate that relates to the South African National Parks as well as the provincial conservation authorities on matters pertaining to conservation management in particular (Director: Biodiversity and Heritage, 1999). The effectiveness and efficiency of current structures for the promotion of intergovernmental relations in general, as well as between the Department of Environmental Affairs and Tourism, the South African National Parks and the selected provincial conservation authorities of KwaZulu-Natal and Mpumalanga are explained in the following chapter.

4.7 CONCLUSION

The South African National Parks and its board, as well as the KwaZulu-Natal Nature Conservation Services and the KwaZulu-Natal Nature Conservation Board are institutions concerned with conservation management. To abide by the principles of co-operative governmental and intergovernmental relations, the

institutions need to relate with one another to ensure that conservation goals in national parks and provincial protected areas are attained. Fragmentation, the lack of co-ordination and the duplication of efforts need to be addressed through sound intergovernmental relations pertaining to conservation management. Institutions and structures for intergovernmental relations should be utilised effectively to eliminate the factors hampering conservation in South Africa, especially category II national parks and equivalent protected areas which are proclaimed in accordance with appropriate and empowering national and provincial legislation.

The South African National Parks and KwaZulu-Natal Nature Conservation Service and their boards, as well as the Mpumalanga Parks Board should manage and control national parks and provincial protected areas respectively in accordance with the appropriate legislation and under the guardianship of the Department of Environmental Affairs and Tourism. Because of the confusing stipulation in Section 44 (1)(a)(ii) and Section 104 (1)(b)(i) of the *Constitution of the Republic of South Africa, 1996* (Act 108 of 1996) concerning the concurrent competencies of national and provincial governments, where nature conservation is a concurrent competency and national parks are excluded, co-operation between the institutions for conservation management is essential. The national Department of Environmental Affairs and Tourism, however, plays an important role in the intergovernmental relations between institutions concerned with conservation management. The constitutional, financial, political and information-sharing interdependence of the institutions concerned with conservation management should be acknowledged and conflict pertaining to either a centralised or devolved management structure for protected areas need to be addressed by making use of existing structures and institutions for intergovernmental relations or by creating new structures if the existing ones prove to be ineffective.