

PART II
CASE STUDIES

CHAPTER 5

THE KUNENE RIVER BASIN: THE CASE OF THE PROPOSED EPUPA DAM

1. Introduction

The Kunene River (known as the *Cunene* in Angola) is one of four perennial international river systems to which Namibia has access³⁸. The river is unique compared to the other three river systems (Okavango, Orange and Zambezi) in that it has vast potential to generate hydroelectricity for both Angola and Namibia. A number of WRMPs has already been constructed on the Kunene, either to supply water to the arid northern parts of Namibia, or to produce hydroelectricity for both countries.

In view of its potential to produce hydroelectricity, the Namibian government proposes to construct a dam downstream from the Epupa Falls. Because the river is an international system, agreement between the two riparian countries is necessary. Notwithstanding agreement between Angola and Namibia, a number of interest groups are also involved in the water politics of the proposed dam. For a number of reasons, these interest groups are opposed to Namibia's plans to construct the proposed dam. The role and involvement of the interest groups have, over the past decade, given new momentum to the water politics of the Kunene River basin. As a result, during most of the 1990s, interest groups have been lobbying the Namibian government to halt its plans for another dam on the Kunene River.

This chapter puts the political process concerning the proposed dam, and involving the interaction between the interest groups and the Namibian government into perspective. It therefore describes, explains, and analyses the transnational role and involvement of interest groups in the water politics of the proposed Epupa Dam. This is done in terms of the framework for analysis outlined in the previous chapter.

Accordingly, the chapter is divided into eight parts. Firstly, a description is presented of the river basin, indicating the importance of the Kunene River to the riparian states, especially Namibia. Secondly, the actors involved in the water politics of the proposed Epupa Dam are identified, including the basin states as well as the interest groups participating in the water politics of the proposed dam. Thirdly, an overview is given of the hydropolitical history of the Kunene River, with the purpose of determining the nature, scope and focus of interaction patterns between the actors. This last section therefore reviews the key components of the Kunene international river basin.

Fourthly, the involvement of interest groups is described. Fifth, the agential power of the actors is analysed with reference to its ideological, economic,

³⁸ These rivers are the only permanent source of surface water for Namibia, except for a number of dams constructed on ephemeral rivers in the interior of the country.

military, and political sources. This is followed, in the sixth part, by an examination of the interaction between the actors. In the penultimate part an analysis of the case study is done, wherein the transnational role and involvement of the interest groups and the agential power of these entities and that of the Namibian government are classified in accordance with the matrix described in the analytical framework. The aforesaid, therefore, provides an analysis of the agential power of interest groups *vis-à-vis* the state. The conclusion follows.

2. The River Basin

The Kunene is an international river, shared by the two SADC³⁹ member states—Angola and Namibia previously mentioned (see Appendix 1 for map). Its drainage basin includes part of the territory of both these countries. The Kunene rises in the *Sierra Encoco* Mountains of southwestern Angola near Huambo, an area with an annual rainfall of about 1 500 millimetres per year (mm/yr). It flows south for about 700 kilometres (km) before it turns west to form the border between the two countries for the last 340 km. It enters the Atlantic Ocean at *Foz da Cunene* where the discharge is approximately 15 cubic kilometres per year (km³/yr). Precipitation decreases from north to south and east to west in its drainage basin. From its headwaters near Huambo down to its mouth, the Kunene drops from an altitude of about 1 700 m above sea level—a steep gradient. From Ruacana to the Atlantic Ocean, a distance of 340 km, the river falls by more than 1 100 m (Truebody, 1977: 23; Olivier, 1979: 123; Conley, 1995: 7; Meissner, 2000c: 107; Haring, 2001: 51; Matiza Chiuta, Johnson & Hirji, 2002: 30; P. Heyns, personal communication, 17 November 2002; Heyns, 2003: 7, 9, 10).

The Kunene initially drains into a well-watered and fertile valley that has become a densely populated agricultural area in Angola. Thereafter it runs through gradually drier country, before reaching the Atlantic Ocean. The Kunene has a length of 1 050 km and a catchment area of roughly 106 500 square kilometres (km²). After forming the border between Angola and Namibia, the flow accelerates and for 340 km it runs through ravines and over rapids and waterfalls (Truebody, 1977: 23; Meissner, 2000c: 107; Haring, 2001: 51; Matiza Chiuta, Johnson & Hirji, 2002: 30; Heyns, 2003: 9).

Because of the cataracts between Ruacana and the Atlantic Ocean, the Kunene River is non-navigable. The largest of the cataracts is Ruacana, about 123 metres (m) high. It also flows over the Epupa Falls, some 32 m high. The Matala Falls, a cataract further upstream near Matala in Angola, is utilised for a hydroelectric installation (Meissner, 2000c: 107; Heyns, 2003: 11). In contrast to the other rivers on which Namibia is dependent, like the Okavango River, these cataracts give the Kunene River unique geographical

³⁹ The Southern African Development Community (SADC) consists of 13 member states, namely Angola, Botswana, the Democratic Republic of Congo (DRC), Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. At the 2004 SADC Summit, Madagascar was granted candidate membership.

and commercial characteristics. Hence, throughout the twentieth century, the rulers of Angola and Namibia have recognised the Kunene's potential to generate hydroelectric power (Best & de Blij, 1977: 327).

From an engineering perspective, it is estimated that the Kunene River has a surplus of water. Estimates in the late 1970s suggested that an installed capacity of about 2 400 mega-watts (MW) could produce around 12 000 giga-watt-hours (GWh) of electricity per year. This hydroelectric potential is provided by the steep gradient of the river. After the water of the river has been used for this purpose, there could still be enough for irrigation, domestic, industrial, and stock-watering purposes (Truebody, 1977: 23; Heyns, 2003: 10). This potential for electricity generation and surplus water could form part of the basis of the resuscitation of Angola's ruined economy and further stimulate Namibia's economy.

2.1. Utilisation of the Kunene River: The Proposed Epupa Dam Project

The proposed Epupa hydroelectric power scheme will augment the existing Kunene power project constructed in the 1960s and 1970s. Before South Africa's withdrawal from South West Africa (SWA) and Angola, it had planned to build the Epupa Dam, 160 km downstream from Ruacana. This plan was transferred to the Namibian government on independence in 1990, following which NamPower (formerly the SWA Water and Electric Corporation (Pty) Ltd. [SWAWEK]) announced that it intended to implement the Epupa scheme. A pre-feasibility study was subsequently completed in September 1993, to estimate the cost of the dam and to secure foreign funding for the project. The study was financed by Norway and Sweden and was done by NAMANG, a consortium of Norwegian, Swedish, Namibian, and Angolan companies, the Norwegian Agency for Development Co-operation (NORAD) and the Swedish International Development Agency (SIDA) through Norconsult and Swedpower. The pre-feasibility study narrowed the potential sites for the dam down to three alternatives. SIDA and NORAD concluded, after the pre-feasibility study, that the project was viable and that a full feasibility study should be conducted. Work on this feasibility study started in 1995 and was completed in 1997 (Warwick, 1996: 39; Internet: O'Neill, 1998; Haring, 2001: 54-55, 56; Heyns, 2003: 12).

Currently the proposed Epupa project design consists of a 150 m high and 600 m long dam wall. The reservoir created by the dam, when built, will be between 70 and 80 km long. It will flood an area of around 295 km² with the reservoir having a capacity of 7 300 million cubic metres (MCM). The hydroelectric powerplant will have an installed capacity of 415 MW and a planned annual electricity production of 1 650 GWh/year. In 1996, the estimated cost of the dam was R2 billion, depending on its final design (Financial Mail, 21 June 1996: 23; Internet: FIVAS, 2000; P. Heyns, personal communication, 17 November 2002; Heyns, 2003: 11).

2.2. The Rationale behind Epupa

What exactly is the rationale behind the Namibian government's plans, in conjunction with Angola, for a hydroelectric plant at the Epupa Falls? Firstly, hydroelectricity is advantageous because it is cost effective. Once a hydroelectric scheme has been built, there are few further costs. Secondly, it is environmentally friendly, which is not the case with coal-fired power stations. Thirdly, power can be exported from Namibia to South Africa, generating much needed foreign currency (Internet: IPS, 23 May 1996; Internet: FTIO, 1997; P. Heyns, personal communication, 17 November 2002). This will be a reversal of the present situation, where Namibia imports electricity from South Africa, and considering that the Namibian government expects the price of imported electricity from South Africa to increase in the near future.

Fourth, and most important, the Epupa Dam project will make Namibia self-sufficient in electricity. Currently the Ruacana hydroelectric power plant provides only 50 per cent of Namibia's electricity needs, and without considering the effects of winter drought at a time when electricity consumption is the highest in Namibia. To offset the shortfall of electricity in Namibia, the balance is imported from South Africa. In addition, the Van Eck coal-fired power station in Windhoek provides about 10 per cent of Namibia's electricity. It is kept, however, in reserve because it is expensive to operate and uses coal imported from South Africa. The fuel-generator at Walvis Bay and imported power from Zambia also provide small amounts of electricity to Namibia, but this does not meet local consumption (Warwick, 1996: 39; Haring, 2001: 55; Internet: IPS, 23 May 1996; Financial Mail, 21 June 1996: 23). Considering that Namibia's energy needs are expected to increase in the future, the electricity output of the proposed Epupa Dam, combined with that of the Ruacana power station, would add 50 per cent more capacity to the Namibian power grid. This will make the country's electricity utility, NamPower, self-sufficient in electricity (Financial Mail, 21 June 1996: 23; Haring, 2001: 55).

In the fifth place, internal politics also play a role. The South West African People's Organisation (SWAPO) is active in the Kunene Region and, according to Haring (2001: 48), 'the Epupa scheme is central to SWAPO plans to dominate Kunene Region politics'. The Kaoko Development League (KDL) that represents businesspeople (mostly Ovambo, the largest of Namibia's ethnic group and SWAPO's main political support base) and local youth, also support the project. The main purpose of the KDL is to modernise Kaokoland through development and, according to one of the KDL's leaders '[d]evelopment is anything that is related to the enhancement of people's living standards'. Hence, the KDL regards the proposed Epupa Dam not as a national energy supply project but a 'cry for development' (Miescher, 2000: 351, 358, 359).

If the dam were built, it would bring many benefits to Kaokoland. The water resources of the Kunene River are the only natural resource of national

interest in Kaokoland and the KDL wants to ensure that it receives as many benefits as possible from the exploitation of this resource. The support of the KDL for the construction of the proposed Epupa Dam has always been linked to a number of demands (Miescher, 2000: 358). These are as follows:

- Preference to people from the region regarding employment opportunities. Most of the labour-force should be residents of Kaokoland and local technical staff should be trained for operating the dam.
- The improvement of the urban and rural water supply by way of a canal bringing water from the Kunene River to Opuwo. This initiative would be similar to the existing Calueque scheme.
- Large-scale irrigation projects, comparable to that of Etunda at Ruacana.
- The improvement of infrastructure, including the construction of tarred roads, the expansion of the electricity network, schools, hospitals, and the opening of a bank in Opuwo.
- Additional measures during the construction phase of the proposed dam, e.g. an increased police presence and special education programmes for the local community at Epupa.
- The investment of 20 per cent of the profits from the future electricity surplus should be ploughed back into the region's economy (Miescher, 2000: 359).

The dam is therefore not only seen as a political objective, but also as a means to enhance socio-economic development in one of Namibia's most remote regions (Harring, 2001: 48).

Finally, status and prestige are also reasons. The Epupa Dam would be one of the highest dams in Africa. It is also suggested by Warwick (1996: 39) that it would serve as a 'lasting monument to its [Namibia's] rulers'.

3. The Actors

From the description of the river basin, two states share the Kunene River basin, namely Angola and Namibia. These two states are therefore core actors. A large number of interest groups are also involved, particularly in the water politics of the proposed Epupa Dam (see Table 5).

Table 5. Actors involved in the water politics of the proposed Epupa Dam Project.

Actor	Core, Inner Peripheral or Outer Peripheral Actor	Type of Actor/ Interest Group	Base Country (In the case of interest groups)	Involvement	
				Direct	Indirect
1. Angola	Core	State	-	x	
2. Namibia	Core	State	-	x	
3. NamPower	Core	Parastatal	-	x	

4.	Association for International Water and Forest Studies (FIVAS)	Outer Peripheral	Associational (Promotional)	Norway	x	
5.	Desert Research Foundation of Namibia (DRFN)	Peripheral	Associational (Promotional)	Namibia		x
6.	Earthlife Africa (Namibia branch)	Peripheral	Associational (Promotional)	Namibia	x	
7.	Earthlife Africa (South Africa branch)	Peripheral	Associational (Promotional)	South Africa		x
8.	Environmental Monitoring Group (EMG)	Peripheral	Associational (Promotional)	South Africa	x	
9.	Environmental Defence (ED)	Outer Peripheral	Associational (Promotional)	United States		x
10.	Epupa Action Committee (EAC)	Core	Communal Interest Group	Namibia	x	
11.	Power to Namibia	Peripheral	Associational (Promotional)	Namibia		x
12.	Namibia Nature Foundation	Peripheral	Associational (Promotional)	Namibia		x
13.	Greenspace	Peripheral	Associational (Promotional)	Namibia		x
14.	Group for Environmental Monitoring (GEM)	Peripheral	Associational (Promotional)	South Africa		x
15.	International Rivers Network (IRN)	Outer Peripheral	Associational (Promotional)	United States	x	
16.	Legal Assistance Centre (LAC)	Peripheral	Associational (Promotional)	Namibia	x	
17.	National Society for Human Rights (NSHR)	Peripheral	Associational (Promotional)	Namibia	x	
18.	Southern African Rivers Association (SARA)	Peripheral	Associational (Promotional)	South Africa		x
19.	Survival International (SI)	Outer Peripheral	Associational (Promotional)	United Kingdom		x
20.	Society for Threatened Peoples International, Germany	Outer Peripheral	Associational (Promotional)	Germany		x

21. Berne Declaration	Outer Peripheral	Associational (Promotional)	Switzerland		x
22. <i>Klub Gaja</i>	Outer Peripheral	Associational (Promotional)	Poland		x
23. Forest Peoples Programme	Outer Peripheral	Associational (Promotional)	United Kingdom		x
24. South Coast Foundation	Peripheral	Associational (Promotional)	South Africa		x
25. Alternative Information and Development Centre	Peripheral	Associational (Promotional)	South Africa		x
26. Dutton Environmental Consultants	Peripheral	Associational (Sectional)	South Africa		x
27. CSIR: Environmentek	Peripheral	Institutional	South Africa		x
28. Swedish Society for Nature Conservation	Outer Peripheral	Associational (Promotional)	Sweden		x
29. World Rainforest Movement (UK Branch)	Outer Peripheral	Associational (Promotional)	United Kingdom		x
30. Friends of the Earth (Slovakia Branch)	Outer Peripheral	Associational (Promotional)	Slovakia		x
31. The Gaia Foundation	Outer Peripheral	Associational (Promotional)	United Kingdom		x
32. Wilgespruit Fellowship Centre	Peripheral	Associational (Promotional)	South Africa		x
33. Southern Hemisphere	Peripheral	Associational (Promotional)	South Africa		x
34. Empowerment for African Sustainable Development	Peripheral	Associational (Promotional)	South Africa		x
35. Africa Water Network	Outer Peripheral	Associational (Promotional)	Kenya		x
36. FERN	Outer Peripheral	Associational (Promotional)	United Kingdom		x
37. Association for Rural Advancement	Peripheral	Associational (Promotional)	South Africa		x
38. National Peace Accord Trust	Peripheral	Associational (Promotional)	South Africa		x
39. Groundwork Environmental	Peripheral	Associational (Promotional)	South Africa		x
40. <i>Urgewald</i>	Outer Peripheral	Associational (Promotional)	Germany		x
41. Drakensberg Wetland Project	Peripheral	Associational (Sectional)	South Africa		x
42. <i>Arbeitskreis</i>	Outer	Associational	Germany		x

<i>Afrika</i>	Peripheral	(Promotional)			
43. Freshwater Research Unit, University of Cape Town	Peripheral	Institutional	South Africa		x
44. Africa Resources Trust	Peripheral	Associational (Promotional)	South Africa		x
45. Reform the World Bank Campaign	Outer Peripheral	Associational (Promotional)	Italy		x
46. Exploration Society of South Africa	Peripheral	Associational (Sectional)	South Africa		x
47. Wharton Econometric Forecasting Association	Peripheral	Associational (Sectional)	South Africa		x
48. Biowatch	Peripheral	Associational (Promotional)	South Africa		x
49. Centre for Environmental Public Advocacy	Outer Peripheral	Associational (Promotional)	Slovakia		x

Source: Internet: IRN, 1999a.

Thus, one parastatal, two states and 46 interest groups are involved in the politics of the proposed Epupa Dam project on the Kunene River basin. Of the two states, Namibia is most vociferously advocating the implementation of the proposed dam. The interest groups, on the other hand, are not only located in Namibia, but also in other parts of Southern Africa, most notably in South Africa. A number of interest groups from Europe and the United States are also involved. The reason for this is the fact that the European countries and the United States have a long democratic tradition that is conducive for the formation of interest groups and the articulation of issues. The only core interest group, within the Kunene River basin itself, is the EAC, representing the Himba community.

The proportional representation of the actors from the core, periphery, and outer periphery indicates that the majority of actors (53 per cent) are situated in the periphery, that is they are situated outside the Kunene River basin, but inside the SADC region. The second largest grouping of actors (37 per cent) is situated in the outer periphery, in other words outside the SADC region. Only eight per cent of the actors are situated within the core, in other words within the Kunene River basin itself. They are Angola, the EAC (Himba community), Namibia and NamPower.

Not all the actors are directly involved in the water politics of the planned dam (see Table 5). Only 20 per cent of the 49 actors are directly involved. The rest, 80 per cent, are only indirectly involved. The direct involvement stems from the fact that some interest groups constantly lobby the Namibian

government. Indirect involvement means that some interest groups would only from time to time sign a petition or letter, for instance, one that is distributed by another interest group. Of the interest groups, 12 per cent are directly involved and 88 per cent are indirectly involved.

Concerning the host countries of these interest groups, the majority are from South Africa (43 per cent). Interest groups from Namibia and the United Kingdom represent 17 per cent and 11 per cent respectively; from Germany seven per cent; and from the US four per cent. The rest are all from other parts of Europe, most notably Italy, Norway, Poland, Slovakia, Switzerland, and Sweden. The only other African base country of an interest group outside the SADC region is Kenya (see Appendix 2).

The type of interest group that has the largest representation (85 per cent) in the water politics of the proposed Epupa Dam is the associational (promotional) interest group, followed by the associational (sectional) interest group and the institutional interest group with eight per cent and four per cent representation respectively. The two state actors (Angola and Namibia) have four per cent representation and the Himba community, organised into the EAC (communal interest group) two per cent.

Presently no anomic interest groups are involved in the water politics of the proposed Epupa Dam project. The reasons are that urban Namibia does not have an established culture of mass, emotive demonstrations against government policies; that the proposed Epupa Dam project will not have a direct impact (either negatively or positively) on all the citizens of Namibia; that the Himba community is geographically separated from the capital city and other large concentrations of people; and that the debate is not highly emotional to the extent that it is likely to trigger the formation of an anomic group.

The predominance of associational (promotional) interest groups, as previously indicated, is attributable to the fact that they perceive the proposed dam to negatively affect the environment of the Kunene River and the human rights of the Himba people (Heyns, 2003: 12). In contrast, few associational (sectional) interest groups are involved. This can be attributed to the fact that whereas associational (sectional) interest groups are a feature of industrialised societies, Namibia is still a developing country. Nevertheless, the fact that this type of interest group is indeed involved in the water politics of the Kunene, however limited, is an indication that their importance in the policy issues of developing countries is increasing (Heywood, 1997: 254).

4. The Hydropolitical History of the Kunene River

Namibia is not richly endowed with water resources. It is, along with Botswana, one of the most arid SADC member states. In response, the past and present authorities of Namibia developed a number of coping strategies. These coping strategies refer to the output of the decision-making elite, usually in the form of some coherent policy or set of strategies such as water

demand management, which seeks to manage the water scarcity in some way or another. These coping strategies resulted from adaptive behaviour, meaning that the authorities developed a clear response to water scarcity that took on various forms, including WRMPs (Turton & Ohlsson, 1999: 3; Devereux & Naeraa, 1996: 427-428; Heyns, 2003: 7).

Within the Kunene River basin it is apparent that these coping strategies had less to do with water scarcity in Namibia, than with the need to satisfy energy needs that led to the construction of WRMPs on the river. The adaptive behaviour and coping strategies therefore form part of the hydropolitical history of the Kunene River (Meissner, 2000c: 108).

4.1. Early Plans

At the turn of the nineteenth century, the German colonists Brincker and Gessert first suggested damming the Kunene River to supply water to *Deutsch Südwest-Afrika*⁴⁰. This was a realistic objective because engineering was the core of the German colonial enterprise. During the thirty years of German occupation of *Deutsch Südwest-Afrika* (1885-1915), the colonists constructed railroads, roads, mines and water supply systems; drilled thousands of wells; and built hundreds of small dams for impounding water (Harring, 2001: 51-52).

Throughout its colonial history, the various authorities of Namibia only started to play a role in the water politics of the Kunene River from 1886 onwards. On 30 December 1886, the governments of Germany and Portugal delineated the border between their respective spheres of influence. The boundary line followed the course of the Kunene River from its mouth to the waterfalls (Ruacana Waterfall) south of Humbe. From this point, the border stretched along the parallel 17° 23' South latitude to the Okavango River in the east. It then courses along the Okavango River to Andara and finally in an easterly direction to the Catima rapids on the Zambezi River (RSA, 1964: 411).

Following South Africa's military occupation of SWA in 1914 and its administration of the territory as a League of Nations mandate, the development of the Kunene River was undertaken to facilitate the overall development of the country. This was exemplified by the following statement of Dirk Mudge, the South African Member of the Executive Council (MEC) and acting administrator of Namibia in 1976, concerning the development of the Kunene River: 'The Kunene scheme is very important, for one just cannot develop these territories without water and electricity ... We need a strong economy to provide jobs in the southern sector for people from the native

⁴⁰ During German occupation, Namibia was known as *Deutsch Südwest-Afrika*, while under South African control it became known as South West Africa (SWA). After independence, it became Namibia, although it was known by this name in some circles, particularly the UN, during the period of South African occupation. The following terms will be used to describe the territory: *Deutsch Südwest-Afrika* (when referring to it during the period 1885 to 1915), SWA (when referring to it during the period 1914 to 1989) and Namibia (when referring to it during the period 1990 to the present).

homelands. One cannot have a strong economy without infrastructure' (Christie, 1976: 31, 40).

Because the Kunene is an international river, it was necessary for the political authorities that governed Namibia and Angola, to come up with some agreement regarding the sharing of the river's water. International agreements and cooperation thus formed part of the coping strategies envisaged by Namibia and Angola. Nonetheless, it was not always easy to develop the Kunene River, for international and domestic political factors had (and still have) a profound impact on these projected plans (Meissner, 2003: 258-259).

4.2. Cooperation between Portugal and South Africa: 1926-1975

Initially the governments that controlled Angola and Namibia, namely Portugal and South Africa, cooperated over the sharing and utilisation of the river's water resources. However, it was not only governments and their officials who played a role and had an impact, but also individuals.

4.2.1. Preliminary Cooperation

In 1919, Prof. E.H.L Schwarz (a professor of geology at Rhodes University, Grahamstown), proposed to dam the Kunene River some distance above the Ruacana Falls. The purpose of this project was to divert water onto the Ovamboland plain, to subsequently fill the Etosha Pan. Accordingly Schwarz (1919: 116) contended that 'the water would flow far up the Ovambo River; the water if kept at a steady level would percolate through the sandy country between the Ovambo River and the Okavango [River], and would eventually reopen the channel connecting the two rivers'. The purpose of this project was to create an evaporating surface, estimated to extend more than 8 000 km², to alter the rainfall on the Angolan Highlands and consequently the flow of the Kunene, Okavango, Linyanti, and Zambezi Rivers that rise there (SESA, 1973a: 534). Schwarz (1919: 118, 119) also believed that the Etosha Pan would provide extra rain for the entire Namibia.

Academic interest in the development of the Kunene River therefore originated before the 1920s. Schwarz's 'fantastic' scheme to dam the Kunene was never implemented because it would have been too expensive and too impractical. However, it was investigated in 1927 by a Joint Technical Commission (JTC) in accordance with the 1 July 1926 Treaty⁴¹ between South Africa and Portugal, and indeed found to be impractical. Earlier, on 22 June 1926, South Africa and Portugal had signed an agreement⁴²

⁴¹ *Agreement between the Government of the Union of South Africa and the Government of the Republic of Portugal regulating the use of the water of the Kunene River for the purposes of generating power and inundation and irrigation in the mandated territory of South West Africa*, of 1 July 1926.

⁴² *Agreement between the Government of the Union of South Africa and the Government of the Republic of Portugal in relation to the boundary between the mandated territory of South West Africa and Angola*, of 22 June 1926.

demarcating the border between the territory of SWA and Angola that reaffirmed the border that was drawn between Germany and Portugal in 1886. The Schwarz plan was yet again considered in 1945 by the South African Department of Irrigation, only finally to be dispelled. Criticism of the project had, however, already been levelled against it when Schwarz published his proposal to alter Southern Africa's rainfall in 1919 and the 1920s. In 1920, a hydrographical study of the Kunene River was also undertaken by Kanthack, chair of the Ovamboland-Angola Boundary Commission, who showed the possibility of utilising the Kunene as a source of hydroelectricity (Union of South Africa, 1946: 4; RSA, 1964: 411-415, SWAA, 1967: 1).

As indicated, the interaction between Portugal and South Africa regarding the joint management of the Kunene River dates back to 1926. In this regard, the 1 July 1926 treaty was to regulate the use of the waters of the river for the purposes of generating power, inundation, and irrigation in the mandated territory of SWA. Also, the JTC (also known as the Kunene Water Commission) was established to investigate the feasibility of damming the Kunene and diverting its water into Ovamboland. Part of the July 1926 Agreement reads as follows: 'The Government of the Republic of Portugal concedes to the Government of the Union of South Africa the right to use up to one half of the flood water of the Cunene River for the purposes of inundation and irrigation in the mandated territory' (Wellington, 1938: 26; RSA, 1964: 415-419; SWAA, 1967: 1; Christie, 1976: 31; Namibia, 1990a; Haring, 2001: 52).

Plans to utilise the waters of the Kunene for use in Ovamboland were discussed between South Africa and Portugal at a conference held between 13 and 23 July 1927, at Olushandja. At the conference it became clear that the plans for diverting water into SWA 'presented a far more difficult problem than was originally anticipated and much more extensive investigations will be required before a complete solution can be arrived at'. However, no infrastructural developments were undertaken subsequent to the 1 July 1926 Treaty (Wellington, 1938: 26; RSA, 1964: 421, 423; Vigne, 1998: 289; Haring, 2001: 52).

During the late 1920s, states exerted a direct influence on the water politics of the Kunene River basin. However, private and public individuals did participate in the water politics of the river at the time. For instance, Ernest Oppenheimer, co-founder of the Anglo American Corporation and Consolidated Diamond Mines of South-West Africa, envisaged that one of his companies would build a dam on the Kunene River to supply water to the mining industry of SWA. Before 1926, Jan Smuts, as prime minister of the Union of South Africa, tried to redraw the Angolan border to include in the territory of South Africa and subsequently, the dam site at Calueque, but to no avail (Wellington, 1938: 26; SESA, 1973b: 339; Haring, 2001: 52).

The reason why no development ensued was that SWA and Angola were in no great need of water and it was proved too difficult to implement the proposed schemes. Nonetheless, the basis was provided for future cooperation that eventually materialised in the 1960s (Meissner, 2000c: 109).

4.2.2. The Rationale of Economic Development

From the colonisation of SWA to the early 1960s, the low level and limited decentralisation of economic activity did not justify a countrywide electricity supply network. Before the expansion of the SWA electricity grid, each power consumer (local authorities, mines and other users) had to generate its own power supply. This resulted in high power costs, mainly due to high transport-related fuel costs (Olivier, 1979: 123). As a result the need to overcome this problem became the rationale for the territory's socio-economic development.

In 1962, the South African government mandated the Odendaal Commission to investigate the socio-economic potential of SWA and to prepare measures to stimulate its development. The final report of the Commission was published in 1964 (RSA, 1964). One of the conclusions the Commission drew, was that the water resources of the Kunene should be utilised for the generation of electric power and to supply water to Ovamboland. The report stated that: 'The Commission sees the generation of electricity on the Kunene, commencing on a large scale at Ruacana and then further downstream at Odorusu, Epupa Falls and Marienfluss, as the most important contribution the State could make towards the further economic development of South West Africa.' This kind of development was expected to make a substantial economic contribution to the increased and accelerated development of SWA. SWAWEK was established as a utility to develop the power and water potential of the country. At the time, in order to produce electricity, plans were put forward for the construction of the Epupa Dam (RSA, 1964: 447; Rhodie, 1967: 258; Olivier, 1979: 125; Showers, 1996: 2). The dam was never constructed and was only proposed again in the 1990s.

The plan to develop the territory led to yet another agreement⁴³ in 1964, between South Africa and Portugal, regarding rivers of mutual interest to both Angola and SWA (Kunene and Okavango). This agreement also involved the proposed Kunene River Scheme. In 1969, another agreement was signed between South Africa and Portugal regarding WRMPs to be constructed on the Kunene River⁴⁴. This agreement included the following:

- A dam at Gové in Angola to regulate the flow of the Kunene River (completed in 1975).

⁴³ *Agreement between the Government of the Republic of South Africa, and the Government of the Republic of Portugal in regard to rivers of mutual interest and the Cunene River scheme*, of 13 October 1964.

⁴⁴ *Agreement between the Government of the Republic of South Africa and the Government of the Republic of Portugal in regard to the first phase development of the water resources of the Cunene River basin*, of 21 January 1969.

- A dam at Calueque upstream from Ruacana for further regulation of the river in conjunction with the requirements of the power station to be constructed at Ruacana (completed in the mid-1970s).
- A hydroelectric power station at Ruacana with a capacity to generate 240 MW of electricity (completed in 1978) to supply the entire Namibian territory and southern Angola with electricity.
- A pumping station at Calueque for the irrigation of Ovamboland (Rhodie, 1967: 258-259; Olivier, 1979: 123; Conley, 1995: 14; Heyns, 2003: 10, 11).

A fourth dam had already been built in 1964 at Matala in Angola, with the aim to generating 40 MW of electricity, and therefore fell outside the scope of this agreement. It is also employed as an irrigation scheme. In other words, four dams presently exist in the Kunene River, namely Gové, Matala, Calueque and Ruacana (Olivier, 1979: 123; Conley, 1995: 14; Heyns, 2003: 11, 12).

In accordance with the January 1969 Agreement and in order to oversee the implementation of these projects, a Permanent Joint Technical Commission (PJTC), which still functions today, was established (Olivier, 1979: 128; Best & de Blij, 1977: 380; Heyns, 2003: 10). This institutional arrangement further strengthened functional cooperation between Portugal and South Africa.

As the infrastructural projects neared completion, it was realised that the Kunene River had further untapped hydroelectric potential because of the other cataracts and waterfalls along its course. After the completion of the Gové and Calueque Dams, the Kunene River was more easily regulated. It was therefore technically viable to continue the development of the hydroelectrical potential of the river downstream from the Ruacana hydropower plant. In the late 1970s, SWAWEK estimated the potential of the river to be 1 560 MW that could be generated at eight sites along the river. This type of thinking is still prevalent in Namibia today, with the government regarding the river as a source of sustainable energy (Olivier, 1979: 128; P. Heyns, personal communication, 17 November 2002).

Thus, the coping strategies initiated 40 years ago still form the backdrop to current development plans for the proposed Epupa hydroelectric installation. Haring (2001: 53) even states that '[i]f the South Africans and Portuguese were still in power the Epupa Dam might have been built by the colonial powers by the 1970s, without any feasibility study'. However, it seems as if other reasons, including politics, had an influence on the postponement of the Epupa Dam.

During the late 1960s and early 1970s, the Ruacana hydroelectric power plant produced enough electricity for SWA's needs. This made a further hydroelectric plant at Epupa redundant. It would have been a total waste of financial resources to construct the Epupa Dam. By the mid-1970s, the long world economic boom—lasting from the early 1930s to the 1970s—was ending. Inflation in South Africa was also on the increase and the financial resources of the state were stretched to the limit. In 1974, the gold price was

US\$198 per ounce and the economic growth rate was 8.3 per cent. By 1976 the gold price had decreased to US\$103 per ounce, while the economic growth rate of South Africa was only 2.9 per cent in 1975, 1.3 per cent in 1976 and zero in 1977 (Barber & Barratt, 1990: 177-178). This decline in the South African economy meant that the government found it more difficult to finance infrastructural projects like large dams.

Portugal and especially South Africa were intent on implementing the Calueque and Ruacana schemes, regardless of the economic situation. This was evident from the promise made by South Africa's former Prime Minister, John Vorster in August 1972 to the Ovambo Executive Council (OEC), that the Ruacana and Calueque schemes would be 'zealously defended'. The Portuguese colonial government in Angola preferred more grandiose WRMPs on the Kunene River, but lacked the financial means to implement them. The people of Angola and Namibia were, however, not consulted on the construction of the dams at Calueque, Gové, Matala, and Ruacana (Christie, 1976: 31).

The authoritarian character of the political regimes in South Africa and Portugal explains this lack of consultation. In addition, the Calueque and Ruacana schemes have been seen to not only foster socio-economic development in northern Namibia, but also to bolster South Africa's domination of Southern Africa. These WRMPs were also constructed within the context of the discourse on world industrialisation and capitalism. Namibia's natural resources were therefore extracted to boost the South Africa economy. However, according to Christie (1976: 32), to extract valuable natural resources (minerals), large volumes of energy and water are needed, 'systematically produced, and distributed as commodities'.

Low-level opposition was nevertheless raised by various collectivities and individuals to the Calueque and Ruacana WRMPs. SWAPO, for instance, was against the schemes. So too was the head of the Anglican Diocese of Damaraland, Richard Wood. In 1974 he stated that '[t]he schemes are not being carried out in consultation with the people'. He also said that the water is welcomed, but the plans represent 'an extrapolation of White hopes for the future of our country' (Christie, 1976: 41). The Namibian bishop of the Evangelical Lutheran Church, Dr J.L. de Vries, similarly argued in 1974 that '[t]he Ovambo people are very anti-government. It is not that they do not want development, but that they are against schemes imposed from above'. De Vries furthermore stated that: '[W]e feel that the system is run without consultation. We feel that we stand aside from the development of the country'. He was also of the opinion that the Kunene WRMPs were being implemented to serve the military aspirations of South Africa. Likewise, in 1974 a Namibian in Windhoek told Christie: '[W]e are against these schemes. They are not for the people of Namibia. They are for exploitation, not for anything else. The government talks as though the whole purpose is for the Ovambo—I am sure it is not' (Christie, 1976: 42). In spite of these protestations and opposition towards the Calueque and Ruacana schemes, the projects were implemented.

4.3. The Border War: 1975-1988

Despite the lack of consultation on and opposition to the projects, the internal political situation in Angola took a turn for the worst in the mid-1970s. In future, events in Angola would have a detrimental impact on the water politics of the Kunene River basin, affecting not only interstate cooperation but also the implementation of other WRMPs.

Immediately after Angola gained independence on 11 November 1975, a civil war broke out involving both internal and external forces. This is one of the main political reasons why the Epupa Dam was not constructed in the 1970s. Furthermore, with fighting concentrated in the southern part of Angola and in particular in Angola's *Cunene* province, the Ruacana hydroelectric complex was seen as an important strategic asset by the warring parties. This strategic importance was highlighted in 1975, while the civil war was still in its early stages, when South Africa became involved in the conflict. However, the dam was not the main reason for the South Africa's involvement (McGowan, 1999: 233; Meissner, 2000c: 111).

Prime Minister John Vorster was reluctant at first to become involved in the Angolan civil war.⁴⁵ In effect, South Africa did not want to offend Portugal and international opinion by interfering directly in what was still a Portuguese affair. Nevertheless, after Cuba became engaged in the war, on the side of the *Movimento Popular de Libertação de Angola* (MPLA) (which was to become the Angolan government), South Africa became alarmed. Therefore, the Cuban factor was critical in South Africa's decision to become involved in Angola (Barber & Barratt, 1990: 191, 189).

More than that, throughout the conflict the Cuban issue was central to South Africa's policy on both Angola and Namibia. South Africa's first military intervention in Angola was in August 1975, when the South African Defence Force (SADF) intervened to protect the joint Kunene River project at Calueque. The cause of this action were clashes between the MPLA and the *União Nacional para a Independência Total de Angola* (UNITA) and the harassment of workers at the dam site by supporters of both organisations. South African troops entered Angola to occupy and defend the dam⁴⁶. To elaborate further, Calueque, inside Angola, supplied water from the Kunene to central Ovamboland. Without water, the development of this area would be inhibited. It was widely accepted in international fora, especially the UN, that South Africa was illegally occupying Namibia. Both Calueque and Ruacana were therefore situated on territory which South Africa may not have defended

⁴⁵ At a cabinet meeting held in 1978 it was the hawkish Defence Minister P.W. Botha who insisted that South Africa become more directly involved in the Angolan War. The cabinet was overwhelmingly in favour of South Africa's involvement and Vorster had to give in to the hawks (De Klerk, 1998: 58-59).

⁴⁶ The Portuguese ambassador to South Africa protested against the action, but no assurances could be given by him regarding the safety of the workers at the pump station and the South Africans remained at Calueque (Steenkamp, 1990: 39).

legitimately. Nonetheless, the harassment of workers led to a halt of work and the possibility that no water would be supplied to Ovamboland (Christie, 1976: 31; Barber & Barratt, 1990: 191; Steenkamp, 1990: 37-39).

As indicated, the action by the SADF highlighted the strategic importance of the Ruacana-Calueque scheme for Namibia and South Africa. Obviously, South Africa not only intervened in the Angolan conflict to take possession of Calueque and to defend the water resources of SWA; it was also a question of South Africa's security concerns in the region at large (Steenkamp, 1990: 39). Three aspects impacted on these fears: Soviet and Cuban involvement in Angola; the threat they and other communist surrogates posed to Namibia (and consequently South Africa); and the military threat to the Kunene River project. As two observers put it, '[t]he underlying, but unspoken, motive was thus to ensure a non-hostile, co-operative Angola, with Soviet influence eliminated, which would not threaten Pretoria's dominance in Southern Africa, particularly in Namibia' (Barber & Barratt, 1990: 194).

Although the August 1975 Calueque incident was a catalyst to South Africa's military involvement in Angola, for it gave South Africa a foothold in that country, it certainly was no water war. In due course, other countries also became involved in the Angolan conflict, namely the US, Zambia and Zaire (Barber & Barratt, 1990: 188, 191-192).

Hence, the Angolan conflict became a classic example of Cold War proxy warfare, fought along the ideological lines of the East-West divide. The Kunene's WRMPs (Ruacana and Calueque) therefore played a small role in the war, although both sides saw them as strategic assets. In addition, a number of African leaders both supported and directly appealed for South African involvement in Angola, such as Kenneth Kaunda (Zambia), Mobutu Sese-Seko (Zaire), Felix Houphouet-Boigny (Côte d'Ivoire), Julius Nyerere (Tanzania) and Leopold Senghor (Senegal)—who also feared communist expansion (Steenkamp, 1990: 39; Barber & Barratt, 1990: 188, 191-192).

Except in 1988, no action took place at the Calueque Dam for the rest of the war, although it remained a source of friction (Steenkamp, 1990: 42). The outbreak of war nonetheless had a negative impact on the relationship between South Africa (and by implication SWA) and Angola regarding the Kunene River project. For example, by 1979 Namibia considered extending its electricity supply-lines to South Africa since the Ruacana hydroelectric plant was not delivering its full capacity due to the war. Because Angola and South Africa could not agree on the operation of Ruacana, work on the project was suspended. Angola also refused to close the sluice gates of the Ruacana Weir and to complete work on the Calueque Dam. Consequently, the powerplant could only operate at 120 to 160 MW of its full capacity (Financial Mail, 24 August 1979: 739).

Nevertheless, the power grid between South Africa and SWA was completed in the early 1980s after Ruacana proved incapable of producing electricity at full capacity (The Cape Times, 22 February 1980: 1). This indicated the

territory's dependence on South Africa for electricity and the importance of the Kunene River project. As the 1980s progressed, it was still not possible to tap the Ruacana and Calueque's full potential because of the antagonistic relationship between Angola and South Africa. The same happened to the Cabora Bassa hydroelectric scheme in Mozambique after the civil war broke out there (Business Day, 23 March 1987: 6).

The Angolan government obviously used the Ruacana and Calueque dams as a lever to strengthen its position in its military campaign against South African forces. By not allowing the completion of the project, the water to Ovamboland and part of the electricity to SWA could not be delivered. This complicated South African operations in the war. However, because South Africa had extended its power grid northwards into SWA, this had a balancing effect on Angola's influence (Meissner, 2000c: 112). To a certain extent, this decreased Angola's strategic leverage over South Africa.

Nonetheless, during the Brazzaville Round of talks in 1988 (to bring an end to the conflict), South Africa negotiated with the Angolan delegation over the status of the Kunene River scheme. The importance of the project to the drought-stricken Ovamboland was pointed out by South Africa. The Angolan side reacted positively to this notion and undertook not to cut water and power to Ovamboland (Die Burger, 29 June 1988: 1). This assurance by Angola not to disrupt the scheme indicated that as talks to end hostilities progressed, so did efforts to cooperate on the development of the Kunene River. It also indicated the importance of the Ruacana-Calueque scheme to SWA as well as Angola.

The strategic importance of the Ruacana-Calueque scheme was again emphasised in June 1988 when Cuban and Angolan forces launched an attack on the Calueque dam, first by land and then by air. During the attack, considerable damage was inflicted on the dam wall and the power supply to the dam was cut. The water pipeline to Ovamboland was also damaged. This was at a time when Ovamboland was not only suffering from a severe drought, but when negotiations between South Africa, Cuba and Angola were already in progress in an attempt to end the conflict (Die Burger, 29 June 1988: 1; Barber & Barratt, 1990: 342.).

The attack occurred after Angola's assurance that the water and power would not be cut. The explanation for this could be the Cuban factor. It is contended that the Cubans apparently wanted to inflict as much damage as possible on the South African forces and persuaded Angola to jointly attack the Ruacana-Calueque scheme. At the time, a military expert, Helmoed-Rohmer Heitman, declared that the objective of the attack on the dam was to put it totally out of commission. Heitman added that 'what is happening is that the Cubans have added to the bill [of South Africa] for defending Namibia. Perhaps they think if they keep on adding to it, the cost will become so great that South Africa will pull out' (The Star, 30 June 1988: 5). This turned out to be the last effort to influence and/or to end the conflict through military means. After the withdrawal of South African and Cuban forces from Angola in 1988,

bilateral cooperation in the Kunene River would start anew. Yet, the spectre of Angola's continuing civil war and the involvement of external parties added a new dimension to the water politics of the Kunene River during the 1990s.

4.4. Peace and Renewed Cooperation: 1989-2000

Peace was secured in Namibia and Angola in April 1989 with the commencement of the implementation of UN Resolution 435 and the election of the Namibian constituent assembly seven months later. Immediately thereafter, the two countries started to revive the Ruacana hydroelectric scheme. Delegations from Angola and Namibia met in Windhoek in May 1989 to reactivate the 1969 agreement between South Africa and Portugal. The purpose of the meeting was to discuss the establishment of a Joint Technical Committee (JTC), which in fact was reconsolidated, and to formulate plans to repair the Gové Dam, which was damaged during the war (Business Day, 23 May 1989: 3; Barber & Barratt, 1990: 344; Meissner, 2003: 263).

In order to maintain momentum, a second meeting of the JTC was organised in June 1989 in Luanda to discuss the damage to the Gové Dam and to deliberate whether foreign assistance was needed to repair the structure since Angola had difficulty raising the funds internally (Die Burger, 24 May 1989: 15; Die Republikein, 13 June 1989: 3). Although the result of the meeting was not clear, it appears to have been decided that repairs to Gové would be executed at a later stage because of the on-going civil war in Angola. In July 1989, the Administrator General of SWA approved the Namibian component of the JTC. The JTC met for a third time in July to start planning the reactivation of Ruacana (The Windhoek Advertiser, 12 July 1989: 3). The cooperation between the states was to gain further stimulus with Namibia's independence.

After Namibia gained independence on 21 March 1990, the stage was set for greater co-operation between Angola and Namibia on the Kunene River. The two governments could now proceed with the socio-economic reconstruction of Angola and Namibia as they saw fit. The Namibian government realised that the country needed electricity to power its numerous mining operations and to provide employment to its people, and again a number of coping strategies was considered to achieve this. These coping strategies also required negotiated agreements with Namibia's neighbours (Meissner, 2000c: 114); agreements that were significant developments and represented contractual arrangements that further cemented water resources cooperation between the two states.

On 18 September 1990, Namibia signed two separate agreements with Angola concerning cooperation on the Kunene River and general cooperation⁴⁷. The water agreement reactivated the three previous bilateral

⁴⁷ *Agreement between the Government of the Republic of Namibia and the Government of the People's Republic of Angola in regard to the development and utilization of the water*

agreements of 1926, 1964 and 1969 between South Africa and Portugal. The aims of this agreement were:

- To conclude the uncompleted Ruacana-Calueque water scheme.
- To establish a Joint Operating Authority with the task of ensuring the maximum beneficial regulation at Gové that was needed for optimum power generation at Ruacana, to control the withdrawal of water along the middle reaches of the Kunene, and to ensure the continuous operation and adequate maintenance of the water pumping works at Calueque and the diversion weir at Ruacana.
- To allow the PJTC, established in terms of the 1969 agreement, to evaluate the development of further schemes on the Kunene to accommodate the present and future needs for electricity in both countries (Namibia, 1990a: 1-2; Meissner, 2000c: 114; Heyns, 2003: 11).

The agreement of general cooperation created the Angolan-Namibian Joint Commission of Cooperation (JCC) which was to deal with joint cooperative endeavours on a number of issues, one of which was water. This Commission was a legacy of the friendly relations that existed between Angola and the South West Africa People's Organisation (SWAPO) in the years before Namibia's independence (Namibia, 1990b: 2; Meissner, 2000c: 115).

Projections in the early 1990s of Namibia's electricity consumption however indicated that the country would be in need of an additional source of electricity shortly after the year 2000. Three possible sources of energy were identified, namely an additional interconnected power line to South Africa; a gas-fired power station supplied from the Kudu gas field; and hydroelectricity from Epupa. The Epupa option appeared to be the most viable and, as a result, Namibia entered into discussions with Angola in 1991. These discussions culminated in the Hydroelectric Generating Scheme Agreement⁴⁸ signed between the two countries in Lubango, Angola on 24 October 1991. The main purposes of this agreement were 'to attain self-sufficiency in electrical energy (for Namibia) ... to develop jointly a new hydroelectric scheme ... at the most suitable location that can be found in the Epupa region or other location' (NamPower, 1995: 2). Thus in total, nine written agreements on shared water resources exist between Namibia and Angola, together with one regarding general cooperation and the other concerning the border between the two countries.

potential of the Kunene River, signed at Lubango, Angola on 18 September 1990; and the *Agreement between the Government of the Republic of Namibia and the Government of the People's Republic of Angola on general cooperation and the creation of the Angolan-Namibian Joint Commission of Cooperation*, signed at Lubango, Angola on 18 September 1990.

⁴⁸ *Protocol of Agreement between the Government of the Republic of Namibia and the Government of the People's Republic of Angola on the Development of a Hydroelectric Generating Scheme, in Principle on the Cunene River*, signed at Lubango, Angola on 24 October 1991.

The two agreements signed in 1990 and the one in 1991 demonstrate not only the importance of international rivers to Namibia's socio-economic well-being but also the amicable nature of the relationship between the two countries. According to Heyns (2003: 11), '[t]he future development of the Kunene basin received immediate attention under the auspices of the PJTC. A pre-feasibility study on the proposed Epupa Dam hydropower scheme was completed in September 1993. The subsequent feasibility study on this project commenced towards the middle of 1995 and called for a complete re-evaluation of the hydropower potential of the lower Kunene'.

Irrespective of the bilateral cooperation since 1990, the water politics in the Kunene River basin dramatically changed in the early part of the 1990s. Firstly, the internal conflict in Angola took a turn for the worse after the breakdown of the *Lusaka Accord* (1994) that was signed by the belligerent parties. Secondly, a different type of actor, namely an interest group, became involved that elevated the dynamics of water politics to a new level.

4.5. The Civil War in Angola: 1990-2003

Since the independence of Namibia in 1990 two factors, namely the war in Angola and interest group involvement, had a significant impact on the water politics of the Kunene River by influencing the decisions of the two governments on the Epupa scheme. They also (and this is even more so the case in respect of the interest groups) cast a different light on the interaction between the actors.

After the end of the Cold War the conflict in Angola seemed to be on the wane. The *Bicesse Accords* were signed in 1991 between the warring parties. However, the Accords were never fully implemented because UNITA challenged the result of the presidential elections held in 1992 (Boulden & Edmonds, 1999: 130). This was the harbinger of a troubled political climate in Angola during the closing decade of the twentieth century.

The second phase of the Angolan conflict started at the end of October 1992 and lasted officially until 20 November 1994. In 1994, the *Lusaka Accord* was signed in the Zambian capital by President José Eduardo dos Santos (Angolan government/MPLA) and Dr Jonas Savimbi (UNITA). Negotiations on the Protocol had taken just over a year, following UNITA's announcement of a unilateral cease-fire in Abidjan on 14 September 1993 (Cleary, 1999: 145). When the cease-fire broke down, renewed fighting erupted between the *Forças Armadas Angolanas*⁴⁹ (FAA) and UNITA. The Angolan government simply ignored UNITA's termination of hostilities, disregarded the ensuing peace negotiations in Lusaka and deployed better armed units with new weapons against strongholds held by UNITA (Cleary, 1999: 146).

The renewed fighting negatively affected Angola's economy. As Cleary (1999: 146) points out: 'What little was left of Angola's economy after almost

⁴⁹ The Angolan government armed forces.

sixteen years of civil war was destroyed between 1992 and the end of 1994. The GDP declined by seventy per cent over three years; total external debt, as percentage of GDP, almost quadrupled, as did military spending, while social expenditure was halved.' Not only was Angola suffering from severe economic dislocation, but a landmine problem also increased the seriousness of the country's economic woes (Boulden & Edmonds, 1999: 131).

How did the war affect the water politics of the Kunene River basin after 1992? Between 1992 and 1998 the war in Angola was one of the most important factors impacting on the water politics of the Kunene River. The decision to build a dam at the Epupa Falls site or the Baynes Mountain site resides with the Namibian-Angolan PJTC. During 1998 and 1999 several meetings of the PJTC, to discuss the proposed projects on the Kunene had to be postponed because of the security situation in Angola (Internet: [The Namibian](#), 25 June 1998). However, the war was not the only factor delaying the decision on the Epupa Dam. The PJTC also had to put off a decision on the project in July 1998, after it realised that the feasibility study on the project was incomplete (Internet: [The Namibian](#), 10 July 1998).

In 1999, the PJTC decided that a meeting should be held in 2000 to make a decision on the proposed Epupa project. The previous postponement of the decision caused frustration on the Namibian side because if the Epupa Dam was further delayed the cost of the dam would rise and make it unprofitable. A number of projects, including the Haib copper mine and Scorpion zinc mine, would be affected by this and thus, also the long-term economic prospects of Namibia (Internet: [The Namibian](#), 23 August 1999). This was an important aspect for the fledgling democracy of Namibia, for if the economy did not perform to expectations and create enough employment opportunities, it would spell disaster for Namibia's democratic transition.

The civil war in Angola, therefore, had an indirect impact on Namibia's socio-economic welfare. At the same time, Namibia and Angola were in disagreement on the sites of the proposed dam. Angola favoured the Baynes Mountain site and Namibia the one at Epupa. The Angolans argued that a dam at the Baynes site would mean that the Gové Dam could be renovated. This in turn would bring much-needed development to Angola's Huambo province. The Baynes site, Namibia argued, was too small despite its environmental and social advantages. Furthermore, the Baynes Dam would supply expensive electricity for very short periods only. The Epupa site was also regarded as a prestige site by Namibia (NamPower, 1995: 2; P. Heyns, personal communication, 17 November 2002). Moreover, as had previously been stated by NamPower, '[t]here is no indication that Angola will, in the near future, require substantial amounts of electricity from the proposed Epupa power station and also no indication that the power station could be interconnected with the proposed Angolan network for many years to come' (Internet: [The Namibian](#), 13 July 1998). In respect of the last point made by NamPower, namely the link-up with the Angolan network, the proposed Epupa Dam if built at present would be a white elephant, because Angola would not be able to derive any benefit from it (NamPower, 1995: 2).

As a policy issue, the rehabilitation of Calueque and Gové is also linked to the differences in opinion of the Namibian and Angolan governments on whether to build a dam at Epupa or Baynes Mountain. In July 2000 the Angolan government announced that it did not view the Epupa hydroelectric project as a priority. The rehabilitation of the Calueque scheme and Gové dam in Angola was a much greater and immediate need for Angola. In response, the Angolan Minister of Energy and Water Affairs, Luis da Silva, told a news conference in 2000 that the Angolan government had not yet indicated when Angola might agree on a site for the hydroelectric scheme. His Namibian counterpart, Jesaya Nyamu, indicated that the Epupa scheme was not linked to plans for the Calueque and Gové Dams and that the Namibian government did not see these Angolan projects as obstacles to the project (Internet: [The Namibian](#), 24 July 2000).

The conflict between the MPLA and UNITA has since ended. This was after the killing of the UNITA leader, Jonas Savimbi, in a battle on 22 February 2002. The death of Savimbi and, 18 days later, of UNITA Gen. Antonio Dembo, signalled the end of the civil war in Angola (Meissner, 2002:100; [Natal Witness](#), 25 February 2002: 8). On 25 February 2002, Angolan President, José Eduardo dos Santos, called for a cease-fire in one of Africa's longest civil wars. Six weeks later (4 April 2002), the cease-fire agreement was signed between the FAA and UNITA in Luanda. With the signing of the cease-fire agreement Dos Santos announced that 'the war is over and peace has come back for good' ([The Star](#), 26 February 2002: 4; [Cape Argus](#), 5 April 2002: 5; Porto & Clover, 2002: 1).

In December 2002, the Angolan and Namibian governments yet again started negotiations to rehabilitate the Gové Dam. Other future objectives regarding the Kunene, namely the rehabilitation of the Matala irrigation scheme, the rehabilitation and completion of the Calueque Dam embankment, and plans to upgrade the pumping station at Calueque to extract the agreed six m³/s from the Kunene for transfer to Namibia, were also in the offing (Internet: [African Energy Intelligence](#), 4 December 2002; Heyns, 2003: 12).

Whether or not these developments will usher in a sustainable peace is uncertain. If sustainable peace is possible in Angola, it will hold enormous implications for Angola and the entire SADC region ([Cape Argus](#), 5 April 2002: 5). These implications concern regional stability, socio-economic development, and the spread of democratic principles. Notwithstanding these prospects, internal political dislocation in Angola, like the civil war and its end, is not the only variable influencing the water politics of the Kunene River basin. In the mid-1990s, the dynamics of water politics in the Kunene River took on a new dimension. This was due to the appearance of a different kind of actor—the interest group—that produced a new type of water politics—that concentrates on the proposed Epupa Dam and that involves the lobbying activities of interest groups to influence the Namibian government not to construct it.

5. Interest Group Involvement: 1990-2003

At the time of Angola's civil war in the early 1990s, a number of international and Namibian interest groups became involved in the water politics of the proposed Epupa Dam project. These interest groups interacted with a number of entities, such as the World Bank and the government of Namibia, to prevent its implementation (Meissner, 2000d: 156). However, at the time no interest groups existed in Angola that was lobbying the Angolan government. This absence of Angolan interest groups was confirmed by Uli Eins, campaigner for Earthlife Africa in Namibia, who indicated that he was unaware of any interest groups in Angola that were against the Epupa Dam (U. Eins, personal communication, 21 November 2002).

5.1. Issue Areas

Three issues were articulated by the interest groups regarding the proposed dam, namely the plight of the Himba people; the environmental impact of the dam on the Kunene's aquatic ecosystem; and the water loss from the reservoir behind the dam wall.

5.1.1. The Himba

The Himba are an essentially self-sufficient group of people, numbering about 16 000 who live in the northwestern corner of Namibia (known as Kaokoland). Some Himba also live in the southwestern part of Angola bordering on the Kunene River. Although little is known about the Himba in Angola, because of the civil war in that country that had disrupted governmental administration, they are direct relatives of those living in Namibia. The Himba are visually distinct from other ethnic groups in Namibia and Angola. They dress in leather aprons and are naked above the waist. The women also smear their bodies with a mixture of ochre and butter fat. They are economically independent, and for this reason their culture, traditional way of life, religion, and social patterns have remained reasonably intact. For decades, they have lived in relative isolation, because of the remoteness of Kaokoland and the fact that the earlier colonists of Namibia, mainly the Germans, rarely interacted with them (Internet: FIVAS, 2000; Ezzell, 2001: 66, 68; Haring, 2001: 39).

The Himba are semi-nomadic herders, keeping cattle, sheep and goats. They move around large areas of Kaokoland and cross the border into Angola according to the season, to gain access to food and to secure grazing for their livestock. During the dry season, grazing and water are mainly found along the Kunene River. It is therefore during this period that their settlements can be found near the river. Here they have access to palms and other trees that provide them and their animals with food and shelter. They also plant gardens in the shade of these trees, to augment their dietary needs. Thus, the riverside vegetation that provides them with food and fodder, and the access they have to water, make the area along the river of vital importance to the Himba during times of drought (Internet: FIVAS, 2000).

Their cattle's primary value is cultural although they do represent power and wealth, also considering that the Himba economy requires little or no cash. At present there may be as many as 33 000 head of cattle owned by the Himba community. 'This is great wealth by African (or even American) standards: they are a prosperous people, living a privileged life-style' (Harring, 2001: 44, 45). Apart from cattle, land is also of significance to these people. These two aspects of the Himba economy are distinctively interrelated, for no cattle can be kept without large tracks of available land in the semi-arid Kaokoland. Their land is held communally, with land rights derived from customary law.

Chiefs and counsellors administer this customary law. Their herds of livestock, especially cattle, are large and can number up to 500 per family, with an average of 100 head of cattle per family. Because of the semi-desert environment, this requires a careful allocation of grazing. Only about 1 000 Himba live in the area to be flooded by the proposed Epupa Dam. Since this area has the most reliable source of water, it is therefore reserved for the communal usage and the entire tribe has grazing rights in this area during times of drought (Harring, 2001: 42, 43).

Although the tangible economic assets in the form of land and cattle are important for the livelihood of the Himba, these assets also have cultural and religious significance. For example, their ancestral graves define their unique communal lifestyle and identity as a collectivity. The graves are usually located about one or two kilometres from the settlement and are always near a riverbed. Each Himba picks the site where he or she wants to be buried. The gravesites are gathering places for ceremonial rites and the commemoration of the ancestors. 'These gravesites are fundamental statements of identity, indicating where a person felt the most comfortable, where they belonged' (Harring, 2001: 44). The gravesites therefore not only define the individual's personal identity, but also that of the entire community.

The Himba, despite their uniqueness, are also accorded a particular status within Namibian society as a minority group. On account of this, local and international interest groups are arguing that the Namibian government will violate their human rights if the dam is built. These interest groups also feel that it will 'destroy' the independent life-style of the Himba. In this respect, Aidan Rankin, from Survival International, argues that 'the Himba face the prospect of displacement, poverty and—through the thousand-strong workforce [that will construct the proposed dam]—the introduction of new diseases, including AIDS' (Warwick, 1996: 40).

From their perspective, the Himba themselves base their opposition to the proposed Epupa Dam on a wide variety of issues, such as ancestral graves and threat to their continued existence as an independent people. However, the essence of their arguments against the dam (considering that they are the fiercest opposition force to the Namibian government) is that the land on which it would be build is *their* land. The Namibian government, therefore, has no right to take the land away from them (Stott, Sack & Greeff, 2000;

Harring, 2001: 100). In addition to these concerns regarding the negative effect of the proposed dam on the Himba's livelihood, interest groups also denounce the project on environmental grounds.

5.1.2. The Environment

Concerns about the negative environmental impact of the dam on the riverine ecosystem of the Kunene are also prominent in the arguments of the interest groups. Of particular concern is the impact that the dam could have on the wetlands around the mouth of the river. Here 72 bird species, 14 of which are listed as endangered, are found. Because dams negatively affect riverine ecosystems from source to mouth, interest groups argue that these adverse effects will reach much further into the sea. The plume of the Kunene River's warm water into the Atlantic can, if reduced by the Epupa Dam, also contribute to the loss of a unique aquatic habitat (Warwick, 1996: 39-40).

5.1.3. Water Loss

There is also the question of water loss from the reservoir of the proposed dam. The interest groups are convinced that the Kunene's flow is not sufficient for hydroelectric production and to supply water to the region. Hence it is argued that 'each year the reservoir would evaporate many times the amount of water currently used by Namibia's urban population' (Internet: Pottinger, 1997a). Yet, the issues articulated not only by interest groups but also by the Namibian government, do not adequately reflect the nature of the water politics of the proposed Epupa Dam. The policy process involving the transnational role and involvement of interest groups should also be considered and requires a more comprehensive analysis.

5.2. The Role and Involvement of Interest Groups

When interest groups became involved in the water politics of the proposed Epupa Dam in the early 1990s, a distinctive interaction developed between these non-state entities and other actors (especially the Namibian government). Also to be considered is the fact that the Epupa debate is emotion-laden on both sides, especially for those representing the environmental and indigenous human rights lobbies (Miescher, 2000: 349).

Contact between the various actors must be seen in the light of what is known as resource use perception. It is mainly because of resource use perception that interest groups are indeed involved in the debate on WRMPs. In this respect, resource use perception is the perceived utilisation of a resource within a distinctive mindset. Because of this factor, the engineer, the ecologist, local communities and the environmentalist do not see eye-to-eye on WRMPs. These different perceptions bring the nature, scope and intensity of interaction between interest groups and governments regarding the implementation of WRMPs, to the fore.

According to Harring (2001: 102), 'the international and Namibian environmental movements [interest groups], including the International Rivers Network and Survival International, played important roles in publicizing the Himba struggle against the Epupa Dam, but all became involved well after Himba opposition was well advanced within Namibia by the Himba themselves'. However, the Epupa debate had been taking place at a national level as early as 1993/1994 (Miescher, 2000: 349; Internet: Survival International, 2000).

According to Uli Eins (U. Eins, personal communication, 21 November 2002), from ELA-Namibia branch, the Himba became aware of the proposed dam during the pre-feasibility study of 1993. The most probable reason for this was that some members of the pre-feasibility study team apparently informed the Himba about the proposed dam. At the same time, other interest groups also became involved in the debate. This was after a South African physicist, who worked on a study in the Kunene region, alerted *Urgewald* (Germany) to the proposed dam. *Urgewald*, in turn, contacted the International Rivers Network (IRN), who then alerted Earthlife Africa-Namibia branch (ELA) about the project (U. Eins, personal communication, 21 November 2002). In 1995 an anthropologist, Christa Coleman, working with the Himba in the Kunene region, also, highlighted the plight of the Himba should the Epupa Dam be constructed⁵⁰ (Internet: Coleman, 1995a). The debate was first articulated by individuals, working in a scientific environment, before it was transnationalised on a broader scale.

The emerging plight of the Himba was the initial concern that triggered the fierce debate between interest groups and the Namibian government on the proposed project. Since then, a number of international interest groups with different agendas, together with a number of local interest groups, became embroiled in the debate. At the local level, the Himba community created the EAC in 1997. The central issue articulated by all of these interest groups was the plight of the Himba people should the dam be constructed (Internet: IRN, 1997a; L. Pottinger, personal communication, 8 June 2000; Heyns, 2003: 12). All other issues revolve around or derive from this main question.

In June 1996, according to media reports, environmental interest groups, especially the Himba community, managed to put a hold on the proposed dam. The objections to the proposed project originated in Namibia and then spread to Sweden. The London-based Wildlife Fund joined the protests that led to a global outcry against the project from environmental and human rights interest groups. According to reports, NamPower was forced to accept the proposal of the interest groups to first do an environmental impact assessment (EIA) before implementing the project. In response, Imker Hoogenhout, general manager of NamPower's technical services remarked: '[W]e hope to get a final report on July 1, 1997. We are looking at other

⁵⁰ According to Coleman, president Sam Nujoma put an effective halt to a debate on the topic of the Epupa Dam, involving officials, by declaring that any civil servant opposing the plan would be 'fired' (Internet: Coleman, 1995a).

schemes in the same area, but we also want to reassess the conceptual design and viability of the original scheme'. The construction of the proposed dam was eventually delayed until an EIA was conducted; the results of which were published in 1997 (Financial Mail, 21 June 1996: 23).

These events were the first indication that the interest groups were in a way successful in their lobbying campaign against the proposed project. Although plans for the dam were not immediately cancelled though, interest groups did manage to persuade NamPower to first do an EIA before proceeding with the proposed dam. Furthermore, NamPower also indicated that it would be considering other dam sites in the area, other than the one at the Epupa Falls. Following this, a public hearing on the proposed project was held in the Namibian capital, Windhoek, in October 1996. In this forum the Himba community voiced their opposition to the dam. The issues they raised to substantiate their objection were, *inter alia*, that their ancestral graves and cattle's grazing land would be lost (Internet: IRN, 1996a).

At the hearings project planners stated that they were recommending a further study of new sites for the proposed dam. These sites would have fewer environmental and social impacts than the original Epupa Falls site. The two new sites were described as 'Scheme B', which would inundate 382 km², requiring a 161 m high dam. 'Scheme E' in the Baynes Mountains, would inundate 49 km² and require a dam 203 m high. In spite of this, the issue of the loss of Himba land was still of concern to the interest groups. Even the representative of the United States Agency for International Development (USAID), Barbara Belding, responded: 'Whichever site is chosen, the impact on the Himba will be enormous' (Internet: Pottinger, 1996a).

In addition to interest groups and aid agencies that spoke out against the proposed Epupa Dam, the main opposition party in Namibia, the Democratic Turnhalle Alliance (DTA), also became involved in the debate. The DTA sided with the interest groups in March 1997, after the party had made it clear that it would do everything in its power to stop the Epupa Dam. This included an attempt to block any financial assistance that the Namibian government or NamPower might seek to build the dam. In August 2000, Edward Mumbuu, DTA Member of Parliament (MP) from the Kunene region, told the National Council that people from Opuwo would never allow the Government to construct the Epupa Dam (Internet: Pottinger, 1997a; The Namibian, 15 August 2000).

The National Society for Human Rights (NSHR) also called on the Namibian government to treat the issue with extreme caution if it wanted to avoid bloodshed. The Legal Assistance Centre (LAC) took a tougher stance than the DTA and NSHR. It warned the Government that it would use litigation if government defended its decision to go ahead with Epupa and if complaints by the Himba were not properly addressed (Internet: Pottinger, 1997a).

In July 1997, Hikunimue Kapika and Paulus Tjavara, two Himba chiefs, went on an anti-Epupa campaign through Europe. The chiefs, as representatives of

the Himba community, visited Germany, Belgium, the United Kingdom, Norway, and Sweden. They met with members of the German Parliament, European Union ministers, managers of financial institutions, NORAD and Norconsult, the Norwegian organisation that sponsored the Epupa feasibility study. A press conference was held after their return to Windhoek. Seven overseas organisations,⁵¹ who sponsored the chiefs' visit, sent a letter to president Nujoma urging him not to agree to build another dam on the Kunene. The Ministry of Mines and Energy responded to the visit calling it a 'well organised farce'. The Ministry also stated that the chiefs were used by 'environmental extremists' in the West. At the same time, Earthlife Africa, at its African conference, passed a resolution condemning the proposed Epupa Dam (Internet: ELA, 1997). The EAC's international campaign against the proposed Epupa Dam, however, did not end with their trip to Europe.

In November 1997, the EAC sent a letter to the president of Finland, Martti Ahtisaari, asking him to advise the Namibian government not to go ahead with the Epupa Dam and to consider alternative options for power generation. In December 1997, the International Society for Threatened People also sent a letter to NORAD and Norconsult, asking them to stop supporting the dam (Internet: IRN, 1997b; Internet: IRN, 1997c).

The efforts of the different national and international interest groups continued during the latter part of 1999. In August, a loose coalition of interest groups sent a letter to Getinet Giorgis (Division Chief Industry and Infrastructure, South Region) of the African Development Bank (ADB), urging the ADB not to finance the Epupa Dam, if indeed it was considering doing so. The letter was signed by 42 organisations and 17 individuals. Of the 42 organisations, more than half (23) was from South Africa,⁵² while five were from the UK and three each from Namibia and Germany (Internet: IRN, 1999a; Internet: IRN, 1999b).

The interest groups also urged the Development Bank of Southern Africa (DBSA), the European Investment Bank (EIB) and the ADB not to provide funding for the Epupa Dam project. In response, the DBSA informed the Environmental Monitoring Group (EMG) that the Bank had discussed the project with the Namibian Ministry of Mines and Energy and NamPower. The EIB, on the other hand, indicated that they were not considering any possible funding of the Epupa Dam project. The ADB stated that it had not been formally approached to finance the project. Getinet Giorgis, on behalf of the ADB, remarked that 'I can assure you that if requested we will look at all aspects of the project including the issues of concern to you [EMG]' (Internet: The Namibian, 7 January 2000).

⁵¹ These organisations are: *Gesellschaft für Aktives Umweltbewusstsein, Arbeitskreis Afrika, Gesellschaft für Bedrohte Völker*, Survival International, European Alliance with Indigenous People, FIVAS, The International Work Group for Indigenous Affairs (IWGIA) International Secretariat, Copenhagen and IWGIA Sweden (Internet: ELA, 1997).

⁵² These include, among others, the Southern African Rivers Association (SARA), Green Party of South Africa, Environmental Monitoring Group, Earthlife Africa and the CSIR: Environmentek.

The coalition letter to the ADB coincided with a briefing document sent to South African president Thabo Mbeki by the EMG, just before his visit to Namibia in August 1999. In this document, the negative effects of the dam on the Himba community and the environment were highlighted. The briefing document echoed Mbeki's vision of an African Renaissance and emphasised the importance of the minority rights of the Himba. EMG also called on Mbeki to persuade Nujoma to halt further action on the dam until the recommendations of the World Commission on Dams (WCD), which met in Cape Town in 1998, had been released. The briefing document also stated that the proposed Epupa Dam was undermining the progressive development of Namibia and was contrary to South Africa's self-interest in Southern Africa (Internet: IRN, 1999b; The Namibian, 7 January 2000). It is not clear what Mbeki's reaction to the document was. Nevertheless, considering that the briefing document did not elicit any response, it is assumed that Mbeki did not speak to Nujoma about the proposed dam, out of respect for Namibia's internal sovereignty.

These efforts show that the interest groups did everything in their power to stop the Epupa Dam. They also indicate the link between government and citizens, and the democratic processes that are involved in lobbying a particular issue. Both the letter and the briefing document further contributed to the transnationalisation of the Epupa debate and provided an indication of the initiatives that interest groups, irrespective of their limited resources, can take to advance their stance on an issue.

The interest groups also used every possible forum to prevent the Epupa Dam from being constructed. In November 1999, the EAC and the LAC presented the case of the Himba before the WCD hearings in Cape Town. During the hearings, the WCD was informed about the negative effects the dam could have on the Himba community. Andrew Corbett, from the LAC, also told the hearing that several meetings of the EAC in Namibia had been broken up by armed police (Internet: The Cape Times, 12 November 1999).

A representative of the Himba community, Mutambo Kapika, also presented a written submission to the WCD regarding the impact of the dam on the Himba. In it the Himba community states: 'The Traditional Leadership of the Kunene Region and members of the communities they represent ("the community") view the proposed construction of a Hydropower Scheme on the Lower Cunene River at either the Epupa Falls site or the Baines site with grave concern' (Stott, Sack & Greeff, 2000).

In August 2000, the IRN welcomed the Angolan government's remarks that it did not view the Epupa project as a priority. In a press interview, the IRN's Steve Rothert said that the organisation was pleased that for now the decision to build Epupa had been 'put off'. He furthermore said: 'Many critical questions remain on this project, such as whether better alternatives exist, whether the project is financially viable, and whether the project could be built without violating the rights of the Himba and destroying their culture and livelihoods' (Internet: The Namibian, 25 August 2000).

The Namibian government, however, remained committed to the proposed Epupa Dam despite the opposition to it from local and international interest groups and the main opposition party in Namibia. In 1997, the Deputy Minister of Mines and Energy, Jesaya Nyamu, declared at a public meeting that the dam would be built irrespective of the outcome of the feasibility study (Internet: ELA, 1997). NamPower also stated that the proposed Epupa Dam would be constructed, irrespective of an agreement between itself, the Electricity Supply Commission (ESCOM) and Shell Exploration to develop a 750 MW gas-fired power station supplied by the offshore Kudu gas fields. NamPower's managing director, Leake Hangala, reiterated that the Epupa project would be an 'excellent' venture for Namibia in spite of the development of the gas fields. He also declared that 'the agreement will in fact enhance the Epupa project. We have seen that there is a market for both Kudu and Epupa' (Internet: Pottinger, 1997a). This is an indication that by 1997, before the publication of the feasibility study, the Namibian government was still determined to go ahead with the proposed Epupa project.

In January 1997, the Namibian government had already indicated its intentions when it announced that if Epupa were to be developed, it would bring much needed job opportunities to the country's northern region (Internet: Pottinger, 1997a). This has been reiterated by Piet Heyns, director of water resources in the Ministry of Agriculture, Water and Rural Development when he stated that the Namibian government is determined to build Epupa, if not now then in the future. This could even happen 20 years from now, when different actors are involved, and the political landscape has changed (P. Heyns, personal communication, 17 November 2002). Uli Eins (ELA) also concluded that the decision-makers of Namibia had stated that the dam will be built 'not if but when' (U. Eins, personal communication, 21 November 2002).

Although not much lobbying had been conducted during 2001 to 2004, this did not mean that the interest groups had lain to rest their campaign against the proposed dam (U. Eins, personal communication, 24 October 2002). The argument is that this will change whenever Namibia renews overtures for the construction of the proposed dam. In summary, the core interest group and the outer peripheral groups did not only resort to internal or national means to lobby against the proposed Epupa Dam, they also used transnational strategies and tactics (see table 6). With the probable continuation of lobbying in mind, what is the agential power of the actors involved in the debate on the proposed Epupa hydropower installation?

From Table 6 it is evident that the power approach was used more than the other approaches, followed by the coalition-building and grass-roots mobilisation approaches. The preference for the power approach is an indication that the efforts of the interest groups were primarily aimed at preventing foreign assistance (both financial and ideological) to the Namibian government for the construction of the planned Epupa Dam. Moreover, the extensive use of the coalition-building approach indicates the importance that

interest groups attach to the creation of a loose coalition as a front against governmental attempts to construct another dam across the Kunene River.

Table 6. Interest group involvement in the proposed Epupa Dam.

Interest group	Year	Agential Role(s) Played	Strategy (Approach)	Tactic(s)
Himba Community (EAC)	1993	Opinion generation, policy shaping, watchdog, oppositional, interactive, representation, transnational, empowerment and norms creation agent.	Power and coalition-building	Direct communication with top decision-makers and joining groups across national borders.
<i>Urgewald</i>	1993	Transnational and interactive agent	Coalition-building	Linking groups across national borders.
IRN	Since 1993/1994	Opinion generation, policy shaping, norms creation, transnational and oppositional agent	Grass-roots mobilisation	Publicising the plight of the Himba.
Survival International	Since 1993/1994	Opinion generation, policy shaping, transnational and oppositional agent	Grass-roots mobilisation	Publicising the plight of the Himba.
EAC, IRN, LAC	1996	Oppositional, transnational and epistemic agents	Grass-roots mobilisation	Publicising the plight of the Himba.
Himba community (EAC)	1996	Oppositional, interactive, safety provider and opinion generation agent	Technocratic approach	Raised the Himba's plight at public hearings.
NSHR	1997	Opinion generation and interactive agent	Power	Direct communication with decision-makers
LAC	1997	Opinion generation, safety provider, interactive, agenda construction and oppositional agent	Technocratic approach	Issued a warning that it would use litigation
Himba community (EAC)	1997	Transnational and interactive agent	Coalition-building and power	Direct communication with top decision-makers and joining groups across national borders
ELA	1997	Oppositional, assistant, interactive, norms construction, empowerment and transnational	Power	Direct communication with top decision-makers
Himba community (EAC)	1997	Oppositional, guardian, policy shaping, transnational, representation, interactive and opinion generation agent	Power	Direct communication with top decision-makers
Coalition of	1999	Oppositional, policy	Power	Direct

interest groups (IRN, EAC, ED, ELA, EMG, FIVAS, etc.)		shaping, transnational, interactive and opinion generation agent.		communication with top decision-makers
EMG	1999	Opinion generation, norm creation, interactive, agenda construction, representation and assistant agent	Power	Direct communication with top decision-makers
Himba community (EAC) and LAC	1999	Opinion generation, norm creation, oppositional, representation, guardian and empowerment agents	Technocratic	Linking the domestic with the international system.
IRN	2000	Opinion generation, transnational and interactive agent	Coalition-building	Supporting Angola's decision not to support Epupa.
ELA	2002	Opinion generation, interactive and oppositional agent	Coalition-building	Indirect communication with decision-makers.

6. Actor Agential Power

The agential power of respectively the interest groups and the government is assessed with reference to the sources of power indicated in the framework for analysis, namely ideological, economic, military and political power.

6.1. Ideological Power

A number of ideologies can be distinguished, due to the large number of actors involved. Before these ideological premises are identified, it is necessary to group the actors. The first is the basin states directly involved in the Project, namely Angola and Namibia; the second is the core interest group (the Himba community organised as the EAC); the third those from Namibia and the SADC region (inner periphery); and the fourth those from other parts of the world (outer periphery).

These actors have ideological dispositions that are unique to their organisational structure and function. The ideological power of the states and interest groups are analysed using the following criteria, namely:

- social-historical circumstances and the discourse produced in response to these circumstances; and
- the level of national loyalty.

Angola and Namibia are analysed first, followed by the interest groups. Only interest groups that are directly involved are analysed. Since interest groups do not have a population that exhibits national loyalty, their ideological power are only assessed in terms of the 'social historical' criterion.

6.1.1. Angola

The social-historical circumstances in Angola have been dominated by the civil war that raged for nearly 30 years. Although the war is over, Angola's social-historical circumstances are still to a large extent influenced by the ramifications of this war, as well as by the legacy of Portuguese rule in Angola and political developments in Portugal.

After the Second World War, with the victory of the Allied forces over European fascist governments (Germany and Italy), the Salazar right-wing government of Portugal found itself ideologically isolated and obsolete. In Angola, a dependency of Portugal, and particularly in the capital city, Luanda, a 'discontented black proletariat awaited organisation'. The local authorities in Angola suppressed opposition politics, which led to greater dissent and radicalisation, because of the right-wing nature of the Salazar government. In 1955, the Angolan Communist Party (*Partido Comunista de Angola*—PCA) was established, which was intolerant of voluntary interest groups. After a few months of the PCA's formation, it joined other political groupings to establish a nationalist front—the *Partido da Luta dos Africanos de Angola* (PLUA). The PLUA became the MPLA at the end of 1956 (Cornwell, 2000: 45).

By 1960, three liberation groups existed in Angola, the MPLA, UNITA and the *Frente Nacional de Libertação de Angola* (FNLA). Yet, they did not form a unified front against colonialism. Even so, during the 1960s, the MPLA received support from a number of communist countries, such as the Peoples Republic of China and the Soviet Union, in its struggle against Portuguese colonialism. Jonas Savimbi's organisation, UNITA, was characterised as nationalist and anti-imperialist, but it also rejected socialist imperialism. It adopted Mao Zedong's thinking, and advocated the establishment of a socialist state with the accommodation of the African cultural heritage. The FNLA had a different, although in some aspects a similar ideological philosophy than the MPLA and UNITA. Its philosophy was also nationalist, but non-Marxist and peasant orientated (Cornwell, 2000: 54, 55, 56). The ideological differences of the movements led directly to the internal conflict. In the words of one observer, '[r]eflecting instead their particular class or ethnic interests rather than those of Angolans generally, they turned on one another in a struggle of remarkable ferocity' (Cilliers, 2000: 1). The three liberation movements were not only pitted against each other, but also against Portuguese colonial rule (Cornwell, 2000: 56). In the final analysis, the rivalry and competition between the MPLA and UNITA for political dominance in Angola was the reflection of 'ethnic, racial, rural/urban and ideological divides that persist to the present' (Cilliers, 2000: 1).

Events in Portugal played an important role in Angola's move towards independence. On 25 April 1974, the Caetano government (an authoritarian regime) in Portugal was replaced, in an almost bloodless *coup d'état*, by the government of Gen. António de Spínola (Cornwell, 2000:57). Shortly before the Lisbon *coup*, the three liberation movements were already fighting a

liberation war against Portuguese rule. They could, however, not coordinate their liberation strategies and armed conflict among the three groupings occurred (Kirsten & Bester, 1997: 51; Davenport & Saunders, 2000: 527).

Shortly before independence, a transitional government was put in place and the MPLA, UNITA and FNLA agreed to hold an election before the end of September 1975. This planned election did not take place. The violence among the movements continued and the MPLA succeeded in driving the FNLA from Luanda. After the FNLA's ousting from Luanda, it, together with UNITA, withdrew from the transitional government. This placed the MPLA in sole control of the Angolan government directly after independence (Lazitch, 1988: 25; Warner, 1991; Kirsten & Bester, 1997: 52).

On independence in 1975, Portugal withdrew from Angola and left behind a Marxist dictatorship that was unable to foster political stability and economic growth. This situation was exacerbated by the civil war, which broke out shortly after independence when UNITA attempted to remove the one-party government (Calvocoressi, 1987: 196; Huntington, 1993: 57-58; Kirsten & Bester, 1997: 51; Davenport & Saunders, 2000: 527). Ideologically, during the period, 1975-1989, the Angolan government system was dominated by Marxism-Leninism (Kirsten & Bester, 1997: 51). Kirsten and Bester (1997: 52), argue that the 'Marxist-Leninist policy trends, particularly Marxist-Leninist prescriptions for a one-party or "vanguard" governing political party, gave rise to the civil war'.

The reason was that the MPLA placed political power in the hands of a few chosen party members, based on the Angolan constitution of 1980 which proclaimed the MPLA as the only lawful party and, gave control to the Polit Bureau, the Central Committee and the president over the legislative assembly (People's Assembly) (Blaustein & Franz, 1981: 4; Kirsten & Bester, 1997: 53).

At the end of the Cold War, Angola moved towards a multi-party governmental system. It had been a multiparty state constitutionally since 1992 but due to the civil war that plagued Angola throughout the 1990s, was unable to institute a government of national unity (Kirsten & Bester, 1997: 51).

The MPLA was in fact forced towards change, which is away from its former Marxist-Leninist leanings by the international pressure for democratisation and economic revival. Therefore, commencing in the early 1990s, a new period of democratising political-constitutional change and free market economic reform took shape (Kirsten & Bester, 1997: 55). Elections followed in 1992, but UNITA's dissatisfaction with the results led to the continuation of the civil war. Towards the end of 1994, UNITA returned to the negotiating table, after it became clear that it could not win the war (Pereira, 1994: 14; Kirsten & Bester, 1997: 56).

In summary, according to Kirsten and Bester (1997: 56-57), '[t]wo clear ideological influences on the process of change appeared. Marxism-Leninism

played an important role from 1975 up to the end of the Cold War ... but was replaced by democratic ways of thinking and influences after the termination of the Cold War'. Notwithstanding this change in the ideological orientation within Angola, democracy could not be secured because of the civil war.

It is within the context of these social-historical circumstances that present and future water resource developments in the Kunene River basin should be understood from an Angolan perspective. Post-war reconstruction within Angola is one of the main drivers of WRMPs in the Kunene River basin, and according to Simon, (1998: 67) 'a massive reconstruction and development challenge lies ahead'. The likely route of this post-war reconstruction is to implement infrastructural projects that will generate the necessary employment opportunities for the Angolan workforce. Nonetheless, a number of negative factors stand in the way of these endeavours, including ethnic differences.

Notwithstanding the negative impact of the civil war on Angola's economy, ethnocentrism still plays a role as an ideology in Angolan national politics. The fact that the three nationalist groups, each with a distinct power base, were unable to unite the Angolan population in one undivided state, is an indication that the government was unable to set aside or overcome ethnic differences. There is therefore a low level of nationalist loyalty among the Angola population. Furthermore, these ethnic rivalries have prevented the consolidation of a strong civil society in Angola (Hlope, 1998: 32), although the situation may eventually improve.

Interest groups have, however, not been lobbying the Angolan government to argue for the rehabilitation of the Gové Dam as an alternative to the construction of the proposed Epupa project. The reason for this, according to the IRN, was the civil war. Not even an attempt had been made to directly lobby the Angolan government (U. Eins, personal communication, 21 November 2002). As a result, the coalition of interest groups deliberately circumvented the Angolan government and rather targeted international financial institutions, like the ADB.

Another reason for the absence of the direct lobbying of the Angolan government, was the argument of the IRN that it would only lobby a government if a local interest group asked it to join in a lobby campaign against a WRMP (L. Pottinger, personal communication, 8 June 2000). It is deemed highly unlikely, perhaps even impossible, that an interest group in Angola would ask the IRN to join it in a campaign against the proposed Epupa Dam. The reasons for this are:

- Interest groups in Angola rely on the patronage of the MPLA.
- The MPLA relies on 'mass organisations' that it created to secure participation of officially sanctioned groups, while the formation of autonomous groups are illegal.

- The dependent relationship between government and interest groups is a strategy of the MPLA to keep itself in power.
- The democratisation process in Angola has not been well defined and implemented by the MPLA.
- The Angolan government's relationship with interest groups resembles that of state corporatism. The existence, well-being, and influence of interest groups in Angola depend on the generosity of the government, especially the party controlling it.
- The MPLA has centralised power in the leadership of the party's upper structure (Malaquias, 2000: 110-111).

These limiting factors may change in due course as democracy gains a foothold, thereby creating conditions that are conducive to the formation and activities of interest groups. If indeed the case, this would lead to a deepening of the dynamics of the water politics of the Kunene River. In such a scenario Namibia could find itself pitted against a stronger counter-discourse, from both Angola and interest groups, not to build the proposed Epupa Dam, and to rather pursue alternatives. Such a situation, although hypothetical at the time of writing, will also depend on and be affected by Namibia's ideological power.

6.1.2. Namibia

Namibia's ideological power is contextualised by the country's social-historical circumstances and the history of the ruling elite. Its social history was dominated by colonialism up to 1990. The history of the ruling elite is also to be understood within the context of South Africa's dominance of Namibia. Although this dominance has previously been discussed in the discussions of the hydropolitical history of the Kunene River basin, it is necessary to describe the social-historical circumstances of Namibia, the ruling elite's ideological history, and Namibia's democratic credentials in this particular context. These aspects shed further light on the development and articulation of discourses on the Namibian government's insistence on proceeding with the construction of the proposed Epupa Dam; an insistence based on development and nationalism. The dam will make Namibia independent from 'foreign', mainly South African, electric power (Harring, 2001: 55), an issue that is linked to both development and nationalism.

6.1.2.1. South African Dominance

South Africa's political, social, and economic dominance of Namibia can be traced back to the First World War. On 14 August 1914, Great Britain declared war on Germany. The Union of South Africa, because of its constitutional status, was automatically drawn into the war. The British government asked South Africa to take possession of Swakopmund, Lüderitzbucht, and all radio stations in the interior of German South West Africa, literally to occupy the territory. The South African cabinet was initially

divided on the issue, but decided on 10 August 1914, to go ahead with the invasion and military occupation of German SWA (Spies, 1986: 235).

After the First World War, in 1919, SWA became a Class C mandate under League of Nations auspices, to be administered by South Africa as an integral part of its territory. Thus began South Africa's involvement in Namibia, an involvement that would eventually lead to discord with the rest of the international community right up to Namibian independence in 1990 (Du Pisani, 1989; Barber & Barratt, 1990: 87).

SWA became a mirror image of South Africa's national policies, especially regarding the issue of *apartheid*. The domestic and foreign policies of South Africa were a fundamental factor that determined Namibian politics right up to independence (Barber & Barratt, 1990: 87; Lange, 1990: 413; De Klerk, 1998: 58-59). Effectively, therefore, from the German colonial period until 1990, Namibia conformed for all intents and purposes to what can be regarded as a settler oligarchy. The dominant group in Namibia's political system (mainly whites) used the law as an instrument to deny rights to ethnic minorities. This was usually done through restrictive franchise and emergency regulations, backed by hierarchically organised coercion (Bratton & Van de Walle, 1997: 81).

In 1964, the Odendaal Commission presented a five-year development plan for SWA. It recommended that R114.5 million should be spent to execute the plan. Also of significance was the recommendation of a roughly equal division of land between a 'white' area and ten black 'homelands' under local authorities, under South Africa's supervision (Barber & Barratt, 1990: 87). This policy was an extension of the Republic's policy of grand *apartheid* into SWA. The introduction of *apartheid* in Namibia continued throughout the 1960s and 1970s.

During this period the UN decided that Namibia's status as a mandated territory of South Africa should be changed. In 1966, the General Assembly of the UN unilaterally terminated South Africa's mandate over Namibia and assigned the territory's administration, until independence, to the Council for Namibia. In 1973, SWAPO was recognised as the sole and authentic representative of the Namibian people by the UN and Organisation of African Unity (OAU). SWAPO's armed struggle was also given legitimacy and the organisation received UN observer status. Thus, from 1966 to 1990, the UN saw South Africa's occupation of Namibia as illegal (Geldenhuys, 1990: 141; Lange, 1990: 415; The Hutchinson Encyclopedia, 1999: 326). Despite this, South Africa continued to exert control over Namibia. As a result, these steps were not recognised by South Africa, who continue to maintain *de facto* control over the territory's administration.

6.1.2.2. The Ruling Elite

Before the UN General Assembly resolution to terminate South Africa's mandate over Namibia, SWAPO was established as a liberation organisation

to end South Africa's occupation through an armed struggle (Saunders & Kangumu, 1999: 141). What was SWAPO's ideological orientation before it became the ruling party?

SWAPO's original ideological foundation was largely Marxist-Leninist. The organisation was established in 1957 in Cape Town, when a number of students and casual labourers from SWA founded the Ovamboland People's Congress (OPC). To stress its independent identity from that of the South African ANC, the OPC changed its name to the Ovamboland People's Organisation (OPO). In 1958, the council of Herero chiefs formed a political party called the South West African National Union (SWANU). In September 1959, OPO merged with SWANU, and Sam Nujoma became a member of its Executive Council. In 1961, during SWAPO's first congress in Namibia held at Rehoboth, the organisation adopted the armed struggle to liberate Namibian territory from South African rule. In 1962, SWAPO entered into cooperative agreements with the MPLA and established offices all over Africa, in Moscow, and in some European (mostly Scandinavian) countries (Lange, 1990: 414, 415). From 1966, Nujoma also controlled SWAPO's armed struggle by its People's Liberation Army of Namibia (PLAN) against South Africa from Angolan bases. Moreover, SWAPO received political and material support from two communist powers, the Soviet Union and the People's Republic of China (Hamutenya & Geingob, 1972: 89; Lange, 1990: 413, 414; Taylor, 1997: 111; The Hutchinson Encyclopedia, 1999: 326; Bauer, 2001: 35). The Marxist-Leninist ideological stance of SWAPO was explicitly stated in its *Political Programme of the South West Africa People's Organisation (SWAPO) of Namibia*, 1976. The Programme stated that SWAPO's aim was to 'unite workers, peasants and progressive intellectuals in a "vanguard party" which is able to secure national independence and to build a "classless society" based on the ideals and principles of scientific socialism' (SWAPO, 1976: 5). National independence also featured strongly; an indication that SWAPO viewed the occupation of Namibia by South Africa in a serious light.

Irrespective of its nationalist orientation, SWAPO's conformity to Marxism-Leninism is evident in a speech delivered by David Meroro, its National Chairman, at a conference of the Communist Party of East Germany convened to mark the centennial anniversary of Karl Marx's death on 12 April 1983. He argued: '[T]he revolutionary stage of non-capitalist development is of immediate interest to SWAPO. The socio-economic and political platform of the non-capitalist stage of the national liberation revolution is national democracy. In our opinion, this is a necessary transitional stage in a situation where the proletariat is still too weak, numerically and in terms of organisation, to take over the leading role in the revolutionary struggle. The experiences of other countries have made it clear that the national democratic state, if it adopts a Marxist ideology, can actually lead the national liberation revolution to new heights of socialism, by consciously striving to create the material and social conditions for the building of a socialist system ... SWAPO is convinced that there is room in our national liberation movement for the adoption and spreading of Marxist-Leninist doctrines, with a view to the

transformation of the movement into a socialist *avant-garde* party' (Lange, 1990: 416).

Notwithstanding this, SWAPO shrugged off the Marxist-Leninist ideological stance at independence. The organisation was transformed from an authoritarian liberation movement into a relatively open and tolerant electoral party. This transformation was precipitated by the end of the Cold War and the collapse of the former Soviet Union; a supporter of SWAPO militarily, politically, and diplomatically. In addition, Namibia's independence occurred at a time when the ideas of neo-liberalism and liberal democracy triumphed over those of communism in all its forms. These democratic ideals were incorporated into government documents and official statements. As a result, Namibia did not indulge in political and economic experiments, unlike many transitional African democracies during the period following decolonisation (Lange, 1990: 415-420; Internet: Lindeke, 1995; Bauer, 2001: 53).

Thus SWAPO, having won the November 1989 election, assumed office on 21 March 1990 in a changed political order. The SWAPO leadership immediately adopted a multi-party democracy and an open mixed economy. However, Namibia's transition should not be seen as a transition from an endogenous authoritarian rule to an indigenous democratic rule. The transition was rather from decolonisation to political independence. Namibia has been independent for more than a decade, but how democratic is its political system and the governing elite? This question is relevant, especially if Namibia is considered to be one of Africa's most successful democracies, and one that is conducive to interest group activity (Internet: Lindeke, 1995; De Klerk, 1998: 170; Bauer, 2001: 34, 35).

6.1.2.3. How Democratic is Namibia?

Bauer (2001: 33-55) attempts to answer this question by looking at Namibia's democratic record since independence and by using the following minimalist conception of democracy: respect for a new democratic constitution; the institutionalisation of multi-party political system; the use of free and fair elections; the role played by civil society and the media; and economic conditions.

Considering these criteria, Bauer (2001: 33) concludes that there is reason for concern for the consolidation of democracy in Namibia. These concerns can be attributed to a trend of single-party rule, an increase in the concentration of power within the executive branch of government, as well as substantial intolerance of democratic political practices, especially among some government leaders, including the president.

Together with these concerns, there were also incidents of significant human rights violations because of Namibia's involvement in the wars in Angola, the Democratic Republic of Congo (DRC) and the armed repression of an armed secession attempt in Caprivi. Notwithstanding these concerns, 'there may still be room for cautious optimism'. This optimism can be ascribed to the growing

influence of civil society organisations and the media in Namibia. Recently a new political party, the Congress of Democrats (CoD) was established (Bauer, 2001:33).

Of importance for this study is the power vested in the executive branch of government and the aspects regarding civil society. The reason for this is that actors in these spheres of Namibia's political system are mainly taking opposite positions in the debate on the proposed Epupa Dam. Although the other aspects of Namibia's democracy should not be ignored, these two elements of democracy need to be scrutinised more closely to come to an understanding of the Namibian government's ideological power.

During the post-independence period, Namibia has seen a steady drift towards a one party dominant political system, characterised by the ruling SWAPO who had landslide victories in the numerous elections since 1989. For instance, in December 1999 SWAPO won 76.3 per cent of the votes as opposed to the DTA's and CoD's 9.4 and 9.9 per cent respectively. SWAPO therefore dominates Namibia's legislative bodies, particularly at national level (Bauer, 2001:4 2). Even so, what are the risks inherent to such a system?

Firstly, the party apparatus can wither away. SWAPO has indicated in the early 1990s that the party has financial difficulties. This resulted in it not being able to sufficiently pay many of its employees and in 1997 the SWAPO Central Committee even reduced its national organisers from 14 to four. The party's problems extended beyond financial difficulties. For example, it also had a perceptibly 'rudimentary organizational and administrative capability', especially at the local level. According to Bauer (2001:45), '[t]his is compounded by a failure to attract more than a handful of the most ardent supporters to party rallies and a distinct lack of party positions on policy—outside of those expressed by government officials'. Ben Ulenga, former Namibian High Commissioner to the United Kingdom, and chairperson of the CoD, stated that SWAPO did not have the necessary procedures in place to deal with vital national matters. These matters included the issue of ex-combatants, the land question and the economy (Bauer, 2001: 46).

Secondly, there is a blurring between the ruling party and government. This has been the case since independence. For instance, a December 1997 reshuffle of the cabinet was seen by many as proof that government jobs are being utilised to 'underwrite the ruling party and its leadership'. President Nujoma also created the post of Minister without Portfolio for the new SWAPO General Secretary, Hifikepunye Pohamba. The DTA reacted by arguing that SWAPO was using taxpayer's money to subsidise the party (Bauer, 2001: 46).

Thirdly, single party dominance will also discourage an open political culture. Regarding this, it seems as if SWAPO has introduced a number of authoritarian tendencies that characterised its years in exile. These include intolerance of criticism and opposing views concerning policy issues, especially in the case of the debate on the proposed Epupa Dam. In 1998, Nujoma launched a scathing attack on the opponents of the Epupa project,

mainly aimed at the LAC. He accused unnamed 'Europeans' and alternatively 'whites' of attempting to divide Namibia along ethnic lines. He stated that they should cease this practice or be deported from Namibia. Hostile references were made towards those who did not fall in line with government thinking, especially 'Europeans'. According to *The Namibian*, the President observed that the Government accepted 'genuine friends but if you come with the aim of white superiority, we will get rid of you' (Internet: [The Namibian](#), 22 June 1998).

The LAC reacted by saying that it was shocked by the president's remarks, especially considering that the LAC had supported Nujoma and SWAPO before independence in exposing human rights violations committed by South African security forces (Internet: [The Namibian](#), 26 June 1998). The Namibian Non-Governmental Organisations' Forum (NANGOF) defended the LAC, declaring that it was concerned about the political intolerance in Namibia, especially on the part of the country's political leadership (Internet: [The Namibian](#), 30 June 1998).

The criticism of Nujoma, levelled at an old ally, indicated the decreasing level of political tolerance, especially concerning the Epupa debate. However, the Namibian government and the SWAPO leadership have also reacted strongly and harshly towards criticism levelled at Namibia's involvement in the Angolan civil war and its military intervention in the DRC (Bauer, 2001: 46). Regardless of the political intolerance towards interest groups' criticism, Namibia has a vibrant civil society sector.

Interest groups exist throughout the country to address the broad spectrum of the population's needs. These non-governmental entities are recent additions to the Namibian political process, only having emerged in the early 1980s. The issue area of the early interest groups centred on the development needs of disadvantaged communities. However, the articulation of these needs was advanced within the context of partisan politics (Bauer, 2001: 50).

Since independence, there was a blossoming of interest groups, although this was not without problems. Many interest groups had to redefine their roles. More particularly, they had changed from being protest organisations at the national level to agents and lobbyists for democracy and development at the community level. They also had to redefine their position *vis-à-vis* the government. In this respect, two problem areas in interest group-government relations became evident. Firstly, the breakdown in the relationship between NANGOF and the National Planning Commission (NPC). The NPC's main role is to liaise, on behalf of government, with interest groups. Secondly, interest groups are disillusioned with the government's slow rate of delivery and its lack of consultation and dialogue with them (Bauer, 2001: 50).

Notwithstanding these problems, interest groups in Namibia are still playing vital roles in Namibian society, especially in areas of policy advocacy and implementation. For instance, NANGOF and the LAC have co-sponsored workshops with other organisations on topics such as 'How Civil Society Can

Effectively Influence Public Policy Formulation’ and ‘International Human Rights Standards and Procedures’. It can be said that these, and other organisations, have taken up a watchdog role in the Namibian policy process. Yet, the actions of interest groups in Namibia are not always appreciated, especially when considering Nujoma’s reaction to critics of the proposed Epupa Dam project. Nonetheless, there is no anger toward and alienation from the Namibian government on the part of interest groups but rather an eagerness by many groups to engage the state. This is the case despite some political leaders resisting such engagement, and a lack of experience of many interest groups in communicating with the state (Bauer, 2001: 50-51, 54).

From this assessment of Namibia’s democratic transition, it is evident that the country has made great strides in the process of democratisation. This is especially true considering the ruling party’s transition from a Marxist-Leninist organisation to one that has shrugged of this ideological orientation and adopted a democratic one. The transition to a democracy in Namibia is an ongoing process, yet it seems as if interest groups have gone through this transition more smoothly than the ruling elite has. An indication of this is the increasing political intolerance towards criticism of some domestic and foreign policies of government, including the proposed Epupa Dam.

The discourse of the Namibian government, concerning the proposed dam, should therefore be understood within the context of a transitional democracy framework. Because of SWAPO’s Marxist-Leninist legacy and its democratic transition, the ruling party is sometimes intolerant of interest groups. Yet, it is also responding to their criticism in a way reminiscent of liberal-democratic practices. The level of national unity in Namibia, however, sheds further light on the ideological power of the Namibian government regarding the proposed Epupa Dam.

6.1.2.4. Level of National Unity

National unity in Namibia came under threat in 1998 after a group of about 104 people planned a secessionist rebellion in Namibia’s Caprivi region (The Star, 12 November 1998: 8). This secessionist incident put some doubt on the national unity within Namibia. However, it is not clear whether this incident will have any further impact on Namibia’s ideological power regarding the proposed Epupa Dam. The reason is the geographical distance between the secessionist attempt in the Caprivi and the Kunene River basin. There is also no contact between this group and the Himba. Because of the absence of contact, no impact is expected, in the sense of the Himba adopting secessionist leanings in response to the water politics of the proposed hydroelectric installation.

6.1.3. The Core Interest Group

The only core interest group presently campaigning against the proposed Epupa Dam project, is the Himba community organised in the EAC. The

proposed project has led to a higher level of ethnic consciousness among the Himba, the roots of which lie in their social history.

The Himba are part of the Bantu-speaking Herero peoples. Their origin is not clear, but it is likely that they migrated from central Angola at about 1600. Around 1750, the Herero moved from Kaokoland to the south and east in search of more and better grazing. The Herero bore the brunt of German colonial rule in the early twentieth century and in 1904-1905, the Germans waged a war of extermination against these people. This resulted in the killing of between 50 and 80 per cent of the Herero. It is not clear why the Himba did not move with the Herero to the south and east, and subsequently remained behind in Kaokoland. Because of this, they were unaffected by the colonial wars (Harring, 2001: 41).

Kaokoland has been the home of the Himba for the past four hundred years, although their distinctiveness from other Herero dates back much earlier. The Himba therefore lived in relative isolation compared to the Herero. This isolation was further strengthened by the arrival, of the Germans in 1885. The colonisers never exercised any political and legal control in the areas north of the 'police line'. The 'police line' was drawn, across northern Namibia, by the Germans to keep their colonists 'inside' or south of the line. In this area, German authorities protected the colonists. Consequently, they also lived under German law. In contrast, the native inhabitants of Namibia who lived north or 'outside' the police line, were protected against the intrusion of colonists and were not subjected to German law (Harring, 2001: 41-42).

By keeping the two peoples apart, it was intended to create a peaceful frontier. The Germans did not disturb the Himba. It was only when exploring expeditions passed through Kaokoland that they came across the Himba. The 30-year period of German colonial rule was a prosperous time for the Himba. They traded cattle and goods to neighbours on all sides. This made them independent, self-sufficient, and rich in cattle. They also existed as a pastoral people, well adapted to the region (Harring, 2001: 42). Because they could easily cross the Kunene River to protect their cattle against Swartbooi and Topnar Nama cattle raiders, they traversed two colonial dominions; Portuguese Angola and German South West Africa. In the late nineteenth and early twentieth century, the Himba played the Germans and Portuguese off against each other. Neither one of these colonial powers had effective control over the remote Kaokoland region. Notwithstanding this, by the turn of the century, the Portuguese took control of Himba land in Angola and they moved south into Namibia (Harring, 2001: 41).

When South Africa took political control of Namibia, they changed the 'isolationist' policy of the Germans towards Kaokoland. The land north of the 'police line' was incorporated into the Namibian and South African economy and it served as a labour reserve and a 'quarantine zone'. This zone was intended to keep the black population isolated from the white farming communities in the central regions of Namibia. The South African government also tried, for the first time, to control the border between Namibia

and Angola. The government forbade any Angolan traders in Kaokoland and Ovamboland and attempted to stop the Himba from freely crossing the border with their cattle. The border remained porous though, but the policy was partially successful, especially regarding the movement of cattle (Harring, 2001: 46).

Although incorporating Kaokoland into Namibia, it was also the intention of the South African government, by controlling the border, to internally detach Kaokoland. According to Harring (2001: 46), this was done 'to destroy the Himba pastoral economy in order to force them into signing migrant labour contracts and going off to work in South Africa's mines'. However, and despite the closing of the Angolan border and the traditional trade routes of the Himba, their cattle economy expanded. This was due to the South African government starting to inoculate their cattle against cattle disease for fear that it might spread to other parts. This meant that many young Himba did not go to the mines and remained part of the Himba cattle-based economy. After numerous unsuccessful attempts, the South African government realised what was happening and stopped recruiting Himba for the mines in the 1950s (Harring, 2001: 47).

The Himba were left isolated in Kaokoland. When the Odendaal Commission divided Namibia into *apartheid* era homelands in the 1960s, the isolation of the Himba was institutionalised. The population density of Kaokoland was very low leading to high administrative costs. Kaokoland was redesignated a homeland, but remained isolated within its former reserve borders (Harring, 2001: 47).

During the 1970s and 1980s, the Himba were assaulted by both the South Africans (for harbouring SWAPO fighters) and by SWAPO (for living under the protection of the SADF). The Himba did not actively join SWAPO in its armed struggle for Namibian independence. The reasons for this are as follows: they were traditional rivals of the Ovambo; they adhered to their pastoral, semi-nomadic lifestyle; and they were isolated from forced labour recruitment during South Africa's *apartheid* era. As a result, the Himba are not ideologically inclined to be supporters of the SWAPO-led government in Namibia today. Even so, the Kunene region is one of two that returned a majority to the opposition DTA in previous elections. Relations between the Himba and SWAPO are, furthermore, not on a good footing (Harring, 2001: 48).

This means that the Himba's ideological power is projected against government policies in the sense that they will not support such policies. The Himba are also more likely to align themselves with like-minded 'others' in their efforts to oppose the Namibian government's policy regarding the Kunene River in Kaokoland. Thus, Himba opposition towards the proposed Epupa Dam should be seen in this historical context. They have a long relationship with their land. This relationship is recognised by customary law. Their traditional governmental system still functions today. Chiefs, who decide the day-to-day matters and adjudicate disputes among the Himba,

head this system. They are also by their standards a wealthy people. This prosperity, together with their bilineal family structure, has made the Himba a cohesive society. Their communities are well ordered, with no evidence of social disintegration. The authority of elders and chiefs is respected, as well as that of traditional religion. The chiefs are in constant communication with each other. Because of this, and the other factors mentioned, the Himba are unanimous in denouncing the proposed Epupa Dam project (Harring, 2001: 49). Yet, according to Eins (U. Eins, personal communication, 21 November 2002) the Himba living nearest to the Kunene are those who are most vociferously campaigning against the proposed dam. Those living further away are more supportive of the dam.

6.1.4. Peripheral Interest Groups

In this section, the ideological power of the peripheral interest groups is outlined and analysed. For analytical purposes, only those interest groups directly involved in the debate concerning the proposed Epupa Dam are considered. Regarding this, only three peripheral interest groups can be identified. They are the following:

- Earthlife Africa (Namibia branch);
- the Legal Assistance Centre; and
- the National Society for Human Rights.

6.1.4.1. Earthlife Africa (Namibia branch) (ELA)

The history of Earthlife Africa (Namibia branch) is the history of the establishment of the ELA in South Africa. Earthlife Africa was established in South Africa in 1988. According to the ELA, '[t]he 1980s was an especially politically active period in South Africa. That period of intense, political activity spawned Earthlife Africa. Earthlife Africa provided a context for politics and the environment to be linked and raised as part of political discussion' (Internet: ELA, 2002). The interest group believes that politics and ecology are integrally linked. Initially, this was in contrast to the 'conservationist's colonial approach that saw no link between politics and the environment' (Internet: ELA, 2002).

The initial organisers of the ELA came from a 'red-green' background, i.e. from those who subscribe to a synthesis of socialism and ecocentrism, an orientation that particularly prevailed amongst students who were studying at the University of the Witwatersrand (Wits.—Johannesburg, South Africa). Although Wits students constituted a large part of the organising group of the ELA, the remainder had a different background. For instance, there were those who hailed from organisations that were banned by the then South Africa government; 'working people'; people involved in rural voluntary development work; 'and assorted bohemians' (Internet: ELA, 2002).

At a meeting, on 8 August 1988, attended by supporters with the above-mentioned interests, the following was decided:

- That an organisation should be formed to address broad-based environmental issues based on the slogan ‘think globally—act locally’.
- That the organisation, although attempting to establish links with other like-minded groups world-wide, would be an African organisation based on the philosophy of ‘African solutions for African problems’.
- That, with this in mind, the group would call themselves ‘Earthlife Africa’ to announce its global focus and its geographic area of activity.
- That it would not limit its organisational base to the Wits University campus.
- That it would carry out ‘an activity and gain recognition from action rather than words’ (Internet: ELA, 2002).

The interest group’s ideological disposition is encapsulated in its ‘Statement of Belief’, which reads as follows:

‘Earthlife Africa is a multifaceted group with a sense of shared commitment, contributing skills, resources and experience to creating a new society where protection of the environment is a pre-condition. Earthlife Africa encompasses the study of Nature’s subtle web of inter-related processes and the pragmatic application of that study to our interactions with Nature and among ourselves. We are part of Nature and not above it and life depends on wise, respectful stewardship in our biosphere’ (Internet: ELA, 2002).

According to ELA, earth is confronting a number of serious problems, namely an ignorance of environmental issues; a wasteful attitude toward natural resource utilisation; inappropriate use of technologies; speciesism and contempt for life on earth. In combination, these problems lead to ecological devastation as natural resources are exhausted and the biosphere is polluted. Consequently, the quality of life has become diluted and humans fail to recognise the rights of future generations to an earth worth living in (Internet: ELA, 2002). In other words, there is no scope for sustainable development.

ELA’s purpose is to stimulate environmental awareness through re-education, to create innovative methods of practical action and to forge links with like-minded groups on a global basis. It intends to realise these objectives through active involvement in the following areas, namely on-going scientific investigation and the proposal of viable alternatives and/or solutions; participation in and support of community environmental campaigns; publicising issues through the media; offering input for other organisations in the form of resources and seminars; lobbying support from private business; and educating its members and introducing biospheric issues at schools, technikons, universities and other learning forums (Internet: ELA, 2002).

In sum, ‘[i]f we [humans] nurture this vision with the ‘lifeblood of our ideas and efforts, we [humans]—and our children, may be rewarded with a future worth

living' (Internet: ELA, 2002). Thus, environmental issues are central to the ELA's identity and ideology.

6.1.4.2. The Legal Assistance Centre (LAC)

For the LAC, human rights issues are their central concern, which also shapes the group's identity and ideological stance. The LAC was established in 1988. The prevailing political climate, at the time of its origin, was described by the LAC as a 'hostile world' for the interest group. Namibia was then still under South African control, while its 'liberation struggle' (led by SWAPO) had been continuing for about 16 years. A 'climate of oppression' was also the order of the day. The establishment of the LAC was looked upon with suspicion and sometimes, outright hostility, especially by the South African administration. Others, like SWAPO, saw the LAC as a source of assistance in their struggle against *apartheid*. During the first year of the LAC's existence the South African government even tried to close it down, and some of its staff members received death threats (Internet: LAC, 2002).

The idea for a public law centre was raised in 1986. In this year, church leaders, community groups and donors approached Dave Smuts, a lawyer from Windhoek, to take charge of such a project. Dave Smuts was a likely candidate, because of his focus on and interest in human rights issues (Internet: LAC, 2002). From the outset, the LAC took up the issue of, and initiated action, against human rights violations perpetrated by the South African administration. The issue of the establishment of a human rights culture is a central element of the LAC's activities. According to Dave Smuts, '[t]he aim of establishing the centre was closely related to the ideal of establishing a human rights culture [in Namibia] ... where human rights would be respected and where the law would be transformed from an instrument of oppression into a means of securing rights and justice' (Internet: LAC, 2002).

Initially, the LAC was particularly active within the northern regions of Namibia. Some of the roles the LAC played included the following: it provided an articulated and informed legal commentary on a situation that had become lawless; it channelled the voices of the churches, trade unions and student movement and became a new ally in the struggle to protect human rights; it encouraged the victims of human rights abuses to speak out against their treatment and seek redress; and it made the law operate in a new way, in that it defended the individual against the state rather than providing the state with comprehensive powers of control (Internet: LAC, 2002).

The LAC played a 'privileged role in Namibia's transition to independence'. 'During the first euphoric months of the new nation's life, the LAC's reputation for even-handed professionalism, strict adherence to the fair application of law and commitment to challenging injustice increased' (Internet: LAC, 2002). The focus of the Centre shifted after independence. While Namibia had a bill of rights, it did not have a culture of human rights. It had a constitution, but most Namibians had no concept of its meaning. It also was now, after independence, democratic, but 'its democratic traditions had been so

perverted that freedom at all levels was dangerously rootless' (Internet: LAC, 2002). Because of these features of Namibia's political system, the LAC adopted a more pro-active role. It placed new emphasis on education, research and policy formulation. It often worked together with the government, in helping to mould the laws of the fledgling democracy (Internet: LAC, 2002).

Twelve years after independence, the political climate has changed again. As Andrew Corbett, the LAC's director from 1992-1999 explains: 'At five years we were still riding the wave of government approval. We were working in a mainly supportive role—popularising new legislation, ensuring a certain amount of legal access, providing expertise, and training. That work continues, but in recent years, we have found it increasingly necessary to remind the authorities of their constitutional duties as a less tolerant attitude towards opposing views has emerged. Our commitment to the protection of human rights has begun to bring us into occasional conflict with the government' (Internet: LAC, 2002).

6.1.4.3. The National Society for Human Rights (NSHR)

The NSHR is a Namibian private, paralegal, non-profit and non-party political human rights organisation. Its purpose is to monitor and advocate compliance with both national laws and international treaties regarding civil, cultural, economic, environmental, political and social rights (Internet: IANSA, 2003). This interest group is therefore articulating a wide variety of human rights issues.

This human rights organisation was established on 1 December 1989, to address both the colonial past and the independent future. It is involved in monitoring, campaigning and lobbying, legal defence, research and reporting. One of its primary focus areas has been past human rights violations by SWAPO, when it was still a liberation movement, and allegations made against it of torture and the 'disappearance' of opponents (Internet: University of Minnesota, 2003).

The Society is organised around a branch network, linked to the headquarters based in Windhoek. Although it has a centralised institutional character, the NSHR is premised on what its Director describes as an 'ethnolinguistic' philosophy, with a cross-section of the nationalities of Namibia represented on its National Secretariat. The NSHR also has observer status at the African Commission on Human Rights (Internet: University of Minnesota, 2003) and has one of the most important declarations on human rights as its mission statement. The NSHR upholds Article 19 of the Universal Declaration of Human Rights that reads as follows: 'Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and seek, receive and impart information and ideas through any media and regardless of frontiers' (Internet: NSHR, 2003).

From the aforesaid it is evident that the NSHR is a broad-based organisation articulating human rights, and the apparent violations thereof, for a wide spectrum of peoples in Namibia. It does not only focus on human rights *per sé*, but has an interest in a number of other issues linked to human rights, that is environmental human rights and the rights of indigenous people. It is for this reason, and because it focuses its attention on the ruling party's human rights practises, that the NSHR has been directly involved in the debate on the proposed Epupa Dam. Another reason for this is the interest group's 'ethnolinguistic' philosophy, which cuts across racial and ethnic barriers. Subsequently the NSHR focuses solely on human rights issues, irrespective of whether these involve people and the government or people, the government and environmental concerns.

6.1.5. Outer Peripheral Interest Groups

Outer peripheral interest groups include the following, namely:

- The Environmental Monitoring Group (EMG);
- the Association for International Water and Forest Studies (FIVAS); and
- the International Rivers Network (IRN).

6.1.5.1. The Environmental Monitoring Group (EMG)

The EMG was established in June 1991. This was after it became clear that *apartheid* was ending and that a new government would be responsible for new policies regarding socio-economic development. According to EMG, these 'new policies would be required to better reflect the needs of all South Africans'. The interest group was established out of a concern that the demands facing the new government would be met through policies and strategies that will encourage speedy economic growth. However, these strategies and policies would not take into consideration the negative environmental impacts of such economic growth (L. Greeff, personal communication, 18 December 2002).

The EMG's concerns were based on sustainable development and not on an 'anti-growth' position. This sustainable development stance manifested in the first project of the EMG. This was the production of a book, outlining key policy recommendations for sustainable development in a number of issue areas regarding the economy of South Africa. The publication was also aimed at influential decision-makers, who would form part of the new government (L. Greeff, personal communication, 18 December 2002).

Since 1991, EMG has changed from a voluntary association to a trust with a full-time staff. Its role has also evolved. At first EMG provided a link between concerned academics and decision-makers. Today it is a 'bridge between decision-makers and broad elements of civil society, drawing upon academic expertise where necessary' (L. Greeff, personal communication, 18 December 2002).

The EMG has two aims, namely to encourage the development of environmental practices that address environmental injustice and to promote sustainable development; and to strengthen the participation of civil society groups in decision-making processes that affect them (L. Greeff, personal communication 18 December 2002).

The sustainable development stance of the EMG is furthermore encapsulated in the interest group's mission, which reads as follows: 'Our mission is to empower people to take charge of their own environment, so that the right to a healthy environment can be enjoyed by all, now and in the future' (L. Greeff, personal communication, 18 December 2002).

6.1.5.2. The Association for International Water and Forest Studies (FIVAS)

FIVAS's predecessor, the Sarawak group, was formed in 1986 when Malaysian environmental activists informed contacts in Norway that the Norwegian company STK sought to take part in the huge Bakun Dam project. This dam would have inundated a huge area of rainforest and forced tens of thousands of indigenous people to leave their homes. From there, the activity expanded to other projects and countries, and FIVAS was formed as an organisation in 1988 (T. Folkestad, personal communication, 18 December 2002).

FIVAS is an independent Norwegian interest group working to obtain and disseminate information regarding the impact of large dams and hydroelectrical projects in the developing world. This is especially the case where the Norwegian government or businesses are involved in large dam projects (Internet: FIVAS, 2002). For this reason, FIVAS is directly involved in the campaign against the proposed Epupa Dam.

FIVAS plays a number of other roles. It attempts to influence Norwegian decision-makers to avoid Norwegian participation in projects with substantial negative impacts. It also endeavours to make Norwegian companies and government agencies apply high social and environmental standards in respect of local communities and biodiversity. The methods used in performing these roles are mainly to gather information from and to distribute it to affected communities, companies, other interest groups and NGOs, and the public. Regarding these roles, FIVAS's activities are based on cooperation with local organisations and activists in the developing world. This interest group also focuses its efforts on Norway's role in international financial institutions, including the World Bank (Internet: FIVAS, 2002; T. Folkestad, personal communication, 18 December 2002).

6.1.5.3. The International Rivers Network (IRN)

Based in Berkeley, California, the IRN was established in 1985 by Philip Williams who, for years, had helped environmentalists to stop water projects

in California (McCully, 1996: 307). The IRN was founded as a non-profit all-volunteer organisation of activists experienced in campaigning against economically, environmentally, and socially unsound 'river intervention projects' (WRMPs). Because of the IRN's awareness that similar projects and struggles against WRMPs were taking place in other parts of the world, it opened a communication channel with local river activists globally (Internet: IRN, 2002b). In June 1988 the IRN sponsored an international conference in San Francisco with the purpose of bringing together interest groups concerned with the protection of rivers and water resources from 'their most immediate threat—construction of large dams', attended by 60 people from 26 countries. The attendees of the conference initiated a programme of action that is the foundation of the IRN's global campaign to protect rivers across the globe. This action became known as 'The San Francisco Declaration of the International Rivers Network' (McCully, 1996: 313).

In 1989, the IRN began to develop a staff of experienced activists trained in economics, biology, engineering, hydrology, anthropology and environmental sciences. This still forms part of the IRN's institutional capacity to do in-depth research, project critiques, analyse alternatives to WRMPs, and brief activists. The main gist of the IRN's strategy is to combine its work on changing global policies with campaigning on specific key projects around the world. It also cooperates closely with other environmental and human rights interest groups. This is done on a worldwide basis and takes the shape of 'cooperative campaigns' (Internet: IRN, 2002b).

The IRN is therefore a specialised environmental interest group, focusing its activities only on the protection of rivers and their watersheds, and the communities dependent on these (Hoover, 2001: 59; Internet: IRN, 2002b). This is encapsulated in the vision of the organisation, which states: 'IRN seeks a world in which rivers and their watersheds are valued as living systems and are protected and nurtured for the benefit of the human and biological communities that depend on them. This vision can be achieved by developing a world-wide understanding of the importance of rivers and their essential place in the struggle for environmental integrity, social justice, and human rights' (Internet: IRN, 2002b). The IRN therefore does not only recognise the importance of rivers and their watersheds, but also adapts a pragmatic stance on the human communities depending on these natural ecosystems. This pragmatism is further enshrined in the IRN's mission, which identifies a number of actions, namely to cease and change the degradation of river systems; to support local communities in protecting and restoring the well-being of the people, cultures and ecosystems that depend on rivers; to promote sustainable, environmentally sound alternatives to damming and channelling rivers; to foster greater understanding, awareness and respect for rivers; to support the world-wide struggle for environmental integrity, social justice and human rights (also part of the IRN's vision); and to ensure that its work is exemplary of responsible and effective global action on environmental issues (Hoover, 2001: 59; Internet: IRN, 2002b).

Thus, rivers, and their dependent communities, are central to the discourse of the IRN's campaigning against WRMPs. It is for this reason that the IRN is involved in the Epupa debate. This discourse is informed by the IRN's pragmatic stance of 'holism', embedded in the political ecology ideology.

6.2. Economic Power

The proposed Epupa hydroelectric installation is an expensive venture. The draft final report on the proposed dam, in 1998, put the price tag at US\$539.4 million. In 1998, the exchange rate between the Namibian Dollar and the US currency was N\$5.80 to the US Dollar. This meant that the project, at the time, was to cost a staggering N\$3.128 billion. Moreover, the proposed dam at the Baynes site was also put at N\$3.196 billion. According to some interest groups like the IRN, the proposed Epupa Dam project is considered controversial by many financial institutions. Yet, China and Malaysia were reported to be likely sources of financial support for the project (Internet: Pottinger, 1996a; Internet: The Namibian, 7 December 1998). These reports could, however, not be confirmed by Namibian government officials, who are closely involved in the proposed project (P. Heyns, personal communication, 17 November 2002). Therefore, it can be assumed that China and Malaysia are not at this stage considered possible financiers.

Regarding other external sources for financing the dam, the Namibian government is also not considering the World Bank. The reasons for this are that it is very expensive to borrow money from the World Bank, and that its environmental standards are too high (P. Heyns, personal communication, 17 November 2002). In spite of Namibia's reservations on borrowing money from the World Bank, statistics from this financial institution will nevertheless be used to evaluate Angola and Namibia's economic capacity to implement the dam in the future.

Where is Namibia expecting to get the financial resources to finance the proposed Epupa Dam? To answer this question, it should be made clear that both Angola and Namibia will jointly provide money to construct it. However, as previously indicated the Angolans are not too 'keen' to build the dam, being more interested in the alternative Baynes Mountain Dam. The burden to finance the dam will most probably fall on Namibia, that is to say if Angola consents to the project at all. Whether Angola has the economic capacity to help finance the project under its current political and economic circumstances, is debatable.

6.2.1. Angola

Before going into detail regarding Angola's economic capacity, it should be borne in mind that there is a measure of uncertainty regarding these aspects. However, by considering the prevailing political and economic circumstances, some idea can be formed about Angola's economic capacity to help finance the Epupa project

The civil war was the major cause of the collapse of the national economy. The conflict between the belligerent parties led to the near destruction of the agricultural sector and the petroleum industry, two sectors that are the lifeblood of Angola's economy. The civil war also exacted a terrible toll on the Angolan people. Over a quarter of the 11 to 12 million population had been displaced from their homes, often resulting in the loss of all their possessions and means of livelihood. Most of these internally displaced people fled to the cities or to neighbouring countries. Following the cessation of hostilities the situation is rapidly improving (Kirsten & Bester, 1997: 54; Simon, 1998: 67).

Angola possesses substantial natural resources. These include amongst others agricultural land, oil, diamonds, iron, and phosphate reserves. The offshore oil industry still earns 80 per cent of government revenue (Kirsten & Bester, 1997: 54; Simon, 1998: 67; Cape Argus, 5 April 2002: 5).

However, the country is beset by numerous problems, the most important being of a socio-economic nature regarding the rehabilitation of the national economy. After the cessation of hostilities in 2002, the Angolan government was able to press forward with the reconstruction of the country's economy, and the improvement of the living standards of the population. As a direct result of these initiatives, the Angolan government is advancing the rehabilitation of the Gové Dam in the upper reaches of the Kunene River basin, bearing in mind that this was previously raised before the cessation of hostilities between the warring parties (Internet: The Namibian, 18 December, 2002).

The renewed Angolan effort to rehabilitate the Gové Dam indirectly augments the arguments of interest groups lobbying against the proposed Epupa Dam. The fact that the Namibian government mandated NamPower to negotiate with Angola's power utility on the rehabilitation of Gové is expected to delay the construction of Epupa considering that the repair and rehabilitation of Gové also involves the de-mining of the dam area, earthworks and upgrading of the hydro mechanical system (Joint communiqué, 2000; Internet: The Namibian, 18 December, 2002). This delay obviously favours the interest groups.

In 2001, the World Bank estimated the gross national income (GNI) *per capita* of Angola at US\$1 650, while the Angolan economy was ranked 114th out of 208 economies in the world. If this is compared to South Africa, ranked 92nd with a GNI *per capita* of US\$2 820 in 2001, it becomes clear that the economic capacity of Angola to finance the proposed Epupa Dam is limited (Internet: The World Bank, 2003). It also indicates the extent to which the development of the Angolan economy was hindered during the civil war, despite its huge natural resource base.

Angola is a potentially wealthy country. It is expected that oil production will increase from around 900 000 barrels/day (b/d), at present, to 1.4 million b/d by 2005 and to nearly 2 million b/d by 2007. Offshore oil production dominates the economy by contributing 60 per cent to the GDP. Financial

investments into the oil industry totalled US\$12.8 billion from 1993 to the end of 1999 (Internet: The World Bank, 2000b; Clarke, 2000: 198). This means that much needed foreign revenue will enter the country.

Therefore, and taking the prominent position of oil in the Angolan economy and the rise in production over the next few years into account, Angola has the potential to help finance the proposed Epupa Dam project. That is if Angola shows an interest in the proposed hydroelectric scheme.

6.2.2. Namibia

Currently, Namibia is energetically promoting the Epupa project. The future of the project will therefore hinge as much on Namibia's economic capacity as on Angola's economic capacity and consent. In 2001, the World Bank estimated Namibia's GNI *per capita* at US\$1 960, while its economy was ranked 104 in the world (Internet: The World Bank, 2003).

Namibia has a population of about 1.8 million people. The Namibian economy relies heavily on the extraction and processing of minerals, processed fish, and manufactured goods for export. The country is also the fifth largest producer of uranium in the world and an important source of gem-quality diamonds. Namibia has one of the richest sea fishery areas in the world. Furthermore, real GDP growth averaged five per cent from 1990 to 1993, but has slowed down to an average of three per cent during the period 1994 to 2001. In 1996 the proposed dam's cost was estimated at N\$2.5 billion, or one-fifth of Namibia's GDP (Internet: The World Bank, 2000d). However, Namibia is in a strong position to finance the proposed Epupa Dam from internal resources.

Nonetheless, there is much uncertainty regarding the economic viability of the Epupa Dam. This uncertainty results from deflated uranium prices over the past couple of years, together with a decreased electricity demand in the mining sector (consuming 50 per cent of electricity in Namibia). For instance, the opencast uranium mine at Rössing has been hard hit by falling uranium prices and has decreased its output over the past decade (Warwick, 1996: 40; Internet: [The Namibia](#), 7 January 2000).

6.3. Military Power

Although wracked by civil war for most of its post-independence history, Angola does not and is not expected to coerce interest groups not to lobby against Epupa. Firstly, as previously indicated, the Angolan government does not support the proposed Epupa Dam. Secondly, and related to the previously mentioned, it has good and friendly relations with Namibia. Angola will therefore not breach this relationship by using military force against any Namibian or transnational interest groups. Finally, after the end of the civil war, Angola is concentrating most of its efforts on the domestic rehabilitation of its socio-economic infrastructure. The country thus has no time for any further military 'adventures'.

Military power is also not one of the capabilities used by the Namibian government to reinforce its stance on the construction of the proposed Epupa Dam. The reason for this is Namibia's status and identity as a fledgling democracy. The government avoids resort to physical violence, for fear of destabilising the country. Police harassment was reported, though, by the LAC. In July 1997, according to the LAC, 'heavily armed personnel from the Namibian police broke up a private meeting between the Epupa [Himba] community and their lawyers' from the LAC and did not allow it to continue. The purpose of the meeting was to discuss the comments on and response of the Himba to the social aspects of the feasibility study. The LAC subsequently obtained a high court order that allowed the Himba to meet with their lawyers without fear and intimidation from government agents (Stott, Sack & Greeff, 2000).

It is highly unlikely that the interest groups in Namibia and the Kunene River basin will in future resort to armed force to further their argument against the proposed project. However, in 2001 a Himba counsellor indicated to the *Scientific American* that the Himba have a 'plan for resistance'. He did not elaborate on this 'plan', but indicated that more than 50 of the Himba chiefs were in the military during the war between South Africa and Angola, and they still had their old .303 rifles. After being asked what the Government's response would be if the Himba should resist with violence, the Minister of Mines and Energy, remarked: 'We know them; they cannot do anything. If they try anything, we will neutralise them of course. But I don't think it will come to that' (Ezzell, 2001: 73). Realistically speaking, the Himba do not have the ability, with a limited number of outdated .303 rifles, to resist the implementation of the proposed Epupa Dam by means of a prolonged struggle.

Since many of the interest groups lobbying against the dam are situated outside the Kunene River basin and the SADC region, it would be extremely difficult for them to organise an armed insurrection against the Namibian government, also considering that the majority of them are not militarist in nature and prefer a more pacifist approach. Therefore, a military response from the Himba, the Namibian government and interest groups is highly unlikely and unrealistic.

6.4. Political Power

Angola's political power is not discussed because the country is not the main driver of the proposed dam. What is the political power of the Namibian government to implement the Epupa Dam? To answer this question it is necessary to analyse the indicators of power of the Namibian government regarding the issue of the proposed dam; the extent to which the Namibian political elite is undertaking routine and institutionalised negotiations with the interest groups involved in the Epupa Dam debate; and the extent to which the Namibian government is able to penetrate civil society and implement political decisions on the intended dam.

On 8 March 1997, the social study which was part of the feasibility study, was suspended following statements made by the Deputy Minister of Mines and Energy, Jesaya Nyamu, at a public hearing. He created the impression that the decision to build the dam had already been taken. Consequently, the Himba community felt that their inputs were irrelevant. They refused to participate in the household, water and health surveys that were still in progress. They also refused to discuss mitigation, which covered all aspects of compensation to persons who would be adversely affected by the dam. The Himba had a huge problem with the manner with which they were approached by the authorities when the feasibility study was conducted (Stott, Sack & Greeff, 2000).

The statement by the Deputy Minister added to the level of distrust the community felt towards the government. This lack of trust was already evident before the start of the feasibility study. The community was of the opinion that the government was not serious about objectively assessing the findings of the study, and what the community had to say about the project, before taking a decision on the proposed dam. Instead, and according to the Himba, the government only wanted to suppress their views (Stott, Sack & Greeff, 2000).

According to the Himba community, the government also did not appoint a credible liaison body to facilitate communication between the government and the Himba. This task was to fall on the LAC. Instead a team from the University of Namibia (UNAM) was given the responsibility, more specifically to discuss mitigation (compensation) with the community, thus by-passing the feasibility team's work. The Himba community was only approached at the end of October 1997 (Stott, Sack & Greeff, 2000).

According to the Himba, Kapika, one of their chiefs, told the UNAM team that the Himba community did not consider it appropriate to communicate with a new group of consultants. They already had confidence in the existing field team consisting of Dr Micheal Bollig and Dr Margaret Jacobsohn. The UNAM team then apparently by-passed Kapika and approached one of his councillors in an attempt to convince him to attend a meeting with the team. The UNAM team also offered the councillor money for transport to attend this meeting. The Himba community felt that this was an effort to undermine the authority of the Himba traditional leadership. What in effect happened was that communication between the UNAM team and the community ceased. The UNAM team eventually completed its study and published the report on it. No copy was received by the LAC, representing the Himba, for comment (Stott, Sack & Greeff, 2000).

The final feasibility study, handed to the Namibian government on 4 December 1998, did not contain any specific agreed upon measures to minimise the impact of the project in Namibia on the Himba. The consultants who conducted the report stated that this was because of a breakdown in communication between them and the Himba community. NAMANG, on the

other hand, stated that the responsibility for this shortcoming in the report was to be laid at the door of the Namibian and Angolan governments. It was their responsibility, according to the consortium, to facilitate the community consultation process (Internet: [The Namibian](#), 18 December 1998). Thus, the governments did not consult with the Himba on a regular basis. The Namibian government also used other communication methods, apart from the appointment of a liaison body.

One of the most peculiar responses from the Namibian government in 1998 to the lobbying efforts of the Himba against the dam was a gift of a four-wheel drive 'bakkie' (pick-up truck) and a speedboat to the Himba community. Whether these donations were a strategy of the government to reverse Himba opposition to the proposed Epupa project is a matter for debate. If they were, they did not serve their purpose: the Himba community reiterated their anti-dam stance after the gifts were received (Internet: [The Namibian](#), 2 June 1998; Internet: [The Namibian](#), 2 July 1998).

Gifts were not the only Government response to interest groups involved in the Epupa debate. In June 1998, President Sam Nujoma launched a scathing attack on the opponents of the Epupa Dam. He also warned foreign nationals who 'disturbed the peace' in Namibia that they would be 'deported', 'got rid of' or 'dealt with', with 'immediate effect'. The LAC, in particular, came under severe criticism from the president (Internet: [The Namibian](#), 22 June 1998).

This reaction not only gives an indication of the strained relations between the government and the interest groups but also demonstrates the Namibian government's insistence to continue with the implementation of the proposed dam. The utterance of the president was the proverbial spark to the powder keg. This unleashed a fierce debate in Namibia, with other interest groups and the DTA defending the LAC. They accused the president of 'racism' and 'threatening peace and stability in the country', and SWAPO party members and other political allies of defending the president (Internet: [The Namibian](#), 23 June 1998).

In 1998, the PJTC also found the draft feasibility study to be incomplete. On 9 July 1998, the joint chairs of the PJTC, Siseho Simasiku (Namibia) and Armindo Gomes Da Silva (Angola), said that the PJTC had found that the study contained deficiencies that must be dealt with before the report was finalised, in order to meet all the requirements of the original terms of reference. This statement followed a meeting of the PJTC to decide whether the planned Epupa Dam was to be constructed or not (Internet: [The Namibian](#), 10 July 1998; Internet: [The Namibian](#), 18 September 1998). In another statement the PJTC maintains: 'The major shortcomings relate to the incomplete consideration of mitigation measures and [a] post-construction monitoring plan, inconclusive work performed on the bilateral agreement [between Angola and Namibia] and the non-inclusion of the terms of reference for the phase three work' (Internet: [The Namibian](#), 10 July 1998).

Interestingly enough, the study presented to the PJTC contained comments on the planned project by the Supervision Committee for the Feasibility Study (SCFS), and other organisations like the World Conservation Union (IUCN) and the Norwegian Water and Energy Administration Directorate (NVE). These latter organisations were specifically asked by the PJTC to review the draft report (Internet: [The Namibian](#), 10 July 1998; Internet: [The Namibian](#), 3 November 1998). These organisations, in particular the SCFS and NVE, were not part of the network of interest groups lobbying against the proposed dam. The reason for the request was that the SCFS, IUCN, and NVE were seen as more authoritative, by the PJTC, than the network of interest groups on the subject matter of the proposed dam.

In March 1999 the Minister of Mines and Energy, Jesaya Nyamu, indicated that a referendum could be held, in the Kunene Region, on whether or not the dam should go ahead. Notwithstanding these overtures, a referendum was never held (Internet: [The Namibian](#), 29 March 1999; P. Heyns, personal communication, 17 November 2002).

At the *Southern African Hearings for Communities Affected by Large Dams* in Cape Town, on 11 and 12 November 1999, Andrew Corbett from the LAC also argued that the draft feasibility study completed in 1997/1998 was incomplete. Corbett told the Hearings that this was so on account of government intimidation. 'The [Himba] community refused to participate in the discussion on mitigation should they have to be relocated from the dam. So, on the World Bank's terms the project is in fact, unbankable, because the social issues—the mitigation issues—have not been negotiated or discussed with the community' (Corbett in Stott, Sack & Greeff, 2000).

In 1999, the Himba community also presented a written submission to the WCD. This stated: 'Over the past three years there have been meetings with the Government, and in particular the Ministry of Mines and energy [sic], NamPower, Namang and the consultants working as part of the feasibility study team with the directly affected community ("the Epupa community") and other stakeholders to discuss the Scheme. In those discussions, the community has always adopted the same approach, namely that they are fearful of a large dam being built at either Epupa or Baines sites and they have explained the reasons for these fears' (Stott, Sack & Greeff, 2000).

The debate between the transnational interest groups and the Namibian government continued into 2001. In July that year, the Namibian Deputy Justice Minister, Albert Kawana, stated at a seminar organised by the LAC, in Windhoek, that Namibia is committed to building the proposed Epupa Dam. He announced that the Himba had a constitutional right, like each individual Namibian citizen, to development. The Namibian government will therefore make sure that this right is accorded to them (Internet: [The Namibian](#), 30 July 2001).

In April 2002, the Namibian Prime Minister, Hage Geingob, visited the Maguga Dam in Swaziland, during a three-day visit to the Kingdom.

According to press reports, Geingob stated that the Namibian government 'wants the Namibian media to help resurrect the N\$3.3 billion Epupa hydropower plant plan, which he says has been "stalemated" due to opposition from environmentalists and the international media'. Geingob furthermore stated: 'I brought you [Namibian media] here to see it [the Maguga Dam] so that in your writing you can help us, because all along you have been writing negative things on Epupa. We are talking about development here. We want to see your editorial after you have seen this [Maguga dam]' (Internet: [The Namibian](#), 29 April 2002).

Considering the aforementioned, some measure of infrastructural power is discerned, especially regarding the request to the SCFS, IUCN and NVE, and the request to the media to comment more positively on the proposed dam. The Namibian government, however, did not, undertake routine and institutional negotiations with the interest groups. Civil society was not penetrated, except through gifts and a conference, to implement the policy (see Figure 8). To determine the nature of the interaction between the actors, it is necessary to consider the responses of some of the interest groups on the 1998 feasibility study of the proposed project, as well as the Namibian government's reaction to these responses.

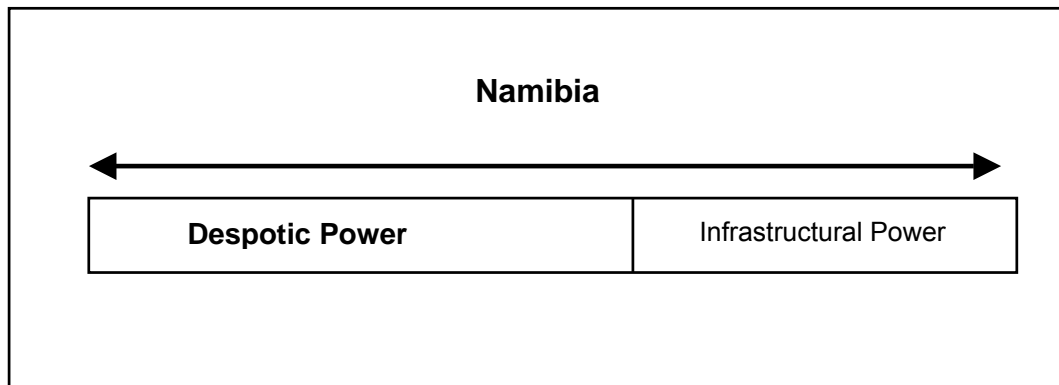
7. Interaction between the Actors

The draft feasibility study was completed in October 1997. A number of independent scientists reviewed the feasibility study at the end of 1997. These reviewers were co-ordinated by local and international interest groups, such as ELA-Namibia and the IRN and included outside experts in the fields of hydrology, freshwater ecology, economics, international law and alternative energy. The reviewers found, *inter alia*, that the study was not 'up to standard.' One of them, Prof. Sydney Haring, a professor in law at the City University of New York, remarked that '[t]here should be no public hearings at all on this woefully incomplete report. Large-scale dams are no longer simply engineering matters: the human and environmental impacts are fundamental and must be given full weight.' These independent reviews were nevertheless communicated to the government of Namibia and taken a step further during the public hearings in February 1998. The Himba people were asked to comment on the feasibility study, but they still opposed the dam (Internet: IRN, 1997a; Internet: IRN, 1998; Internet: [IPS](#), 26 January 1998).

Public hearings on the issue of the proposed Epupa Dam were held on 6 and 7 February 1998, in Windhoek. Submissions were presented by both the IRN and the EAC, pointing out the negative effects of the proposed dam on the Himba and the environment. The IRN also released a press statement in which they reported on the feasibility study. The press release, echoing the conclusions of the experts who reviewed the feasibility study, stated that the investigation was 'riddled with incorrect conclusions, false assumptions and missing data' and concluded 'that it cannot be used as a basis for a well-informed decision on the project'. The World Bank and the European Union also had strong reservations about the viability of the project, leading to the

IRN comment that 'Epupa has the unusual distinction of being found objectionable by the World Bank' (Internet: Pottinger, 1997a; Internet: IRN, 1998; Internet: The Namibian, 1 June 1998).

Figure 8. Despotic and infrastructural power in the Namibian political system regarding the proposed Epupa Dam.



Despite these objections, the interest groups noted that whatever the results of the feasibility study, a political decision had been taken to go ahead with the proposed dam. In response to this contention, the then Namibian High Commissioner in the United Kingdom, Ben Ulega, nevertheless alleged that no decision had been taken, also arguing in the process that no decision could be taken before the processing of reports and public hearings were completed. Hence his opinion: 'There are a number of options to be considered so nothing final could be decided at this [1998] stage. If the project is viable then the Namibian government will go ahead, if it is not, then we will not pursue it' (Internet: O'Neill, 1998).

This statement, although by a High Commissioner, was made after the submission of the interest groups' review of the feasibility study. From this statement it is not clear whether the Namibian government had accepted the interest groups comments as a critique of the feasibility study. It can, however, be inferred from their response that the interest groups are against socio-economic development and that they do not 'care' about this type of development. This is not the case.

The interest groups are not merely against the proposed Epupa Dam for the sake of opposition. They do propose alternatives such as wind and solar power (renewable energy sources); the Kudu Gas power station with desalination capabilities; and the importation of electricity from South Africa (Meissner, 1998: 82). They also argue that these alternatives will be cheaper than the Epupa hydropower scheme.

In particular, Power to Namibia and other environmental interest groups in Namibia are pushing for alternative energy sources, other than the proposed Epupa hydroelectric power plant. In 1996, Power to Namibia maintained: 'It is

imperative to actively promote alternative solutions to Epupa rather than just opposing it' (Warwick, 1996: 41). In this process the interest groups are also using scientific proof as a basis for authoritative argumentation, as expressed through the independent review of the feasibility study. By doing this, they are attempting to influence the Namibian government not to go ahead with the dam.

From the analysis of the role and involvement of interest groups in the proposed Epupa Dam, it is evident that a number of control techniques are used by both sides (interest groups and the Namibian government) (see Figure 9). The network of interest groups primarily use 'appeals to shared values' and 'scientific proof'.

The 'appeals to shared values' consist of arguments that the dam should not be built because of the adverse environmental impacts and the plight of the Himba. These values are in line with the ideology and identity of the interest group network. Accordingly, the environmental interest groups highlight the environmental dangers of the proposed dam and the impact on the livelihood of the Himba. Similarly, the human rights interest groups focus mainly on the human rights impact on the Himba. The Himba themselves appeal to the government not to infringe on their traditional life-style and to respect their rights as a minority group in Namibian society.

Regarding 'scientific proof', the network of interest groups criticises the feasibility studies, saying they were inadequate and conducted in an unscientific manner. Alternatives to the proposed hydroelectric installation are also proposed, backed by 'scientific proof' that these are 'better' than the intended dam. This was tantamount to an alternative interpretation of the feasibility study.

The Namibian government's response to these control techniques was 'alternative interpretations' and 'avoidance'. Government officials, especially from the top echelon, projected the planned dam as a right to Himba development. This right to development concurs with the government's ideological position to advance socio-economic development in post-independence Namibia. The government also ignored the appeals by the network of interest groups that the dam would have a negative impact on the environment. Notwithstanding these control techniques of the network and the responses of government, the Namibian government also uses the control technique of 'scientific proof' (see figure 10). This 'scientific proof' is in the form of the feasibility studies designed to convince prospective funders that the proposed dam complied with environmental standards, and could therefore be implemented.

8. Analysis

The water politics of the Kunene River can be divided into two distinct periods. The first, from 1926 to the early 1990s is a period of state domination. During this era, a number of WRMPs were implemented,

especially from the late 1960s to the mid-1970s. This period is also characterised by no or little opposition from non-state entities, with the result that the states (South Africa and Portugal) were not prevented from implementing the Calueque and Ruacana schemes. The second period, from the early 1990s to the present, is a period during which interest groups became actively involved in the water politics of the Kunene River basin, especially regarding the proposed Epupa Dam project. States still play a role, especially Namibia and Angola, as natural custodians of the Kunene River's water resources. Notwithstanding this custodianship, attention has shifted away from inter-state interaction to a more inclusive political process, with interest groups also playing a more prominent role.

Figure 9. The control techniques used by the interest groups and responses to them.

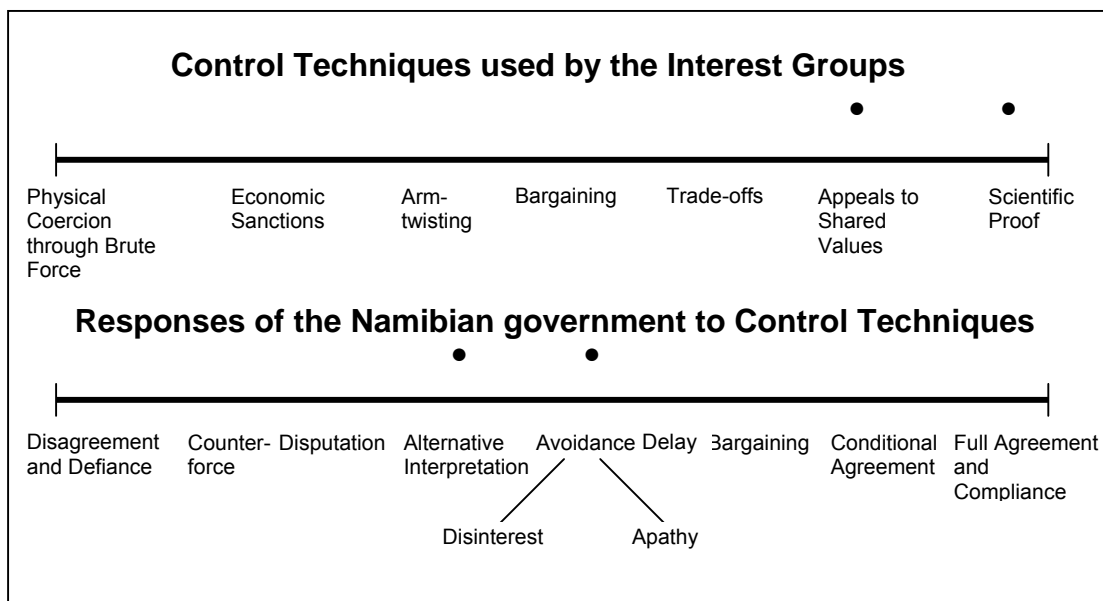
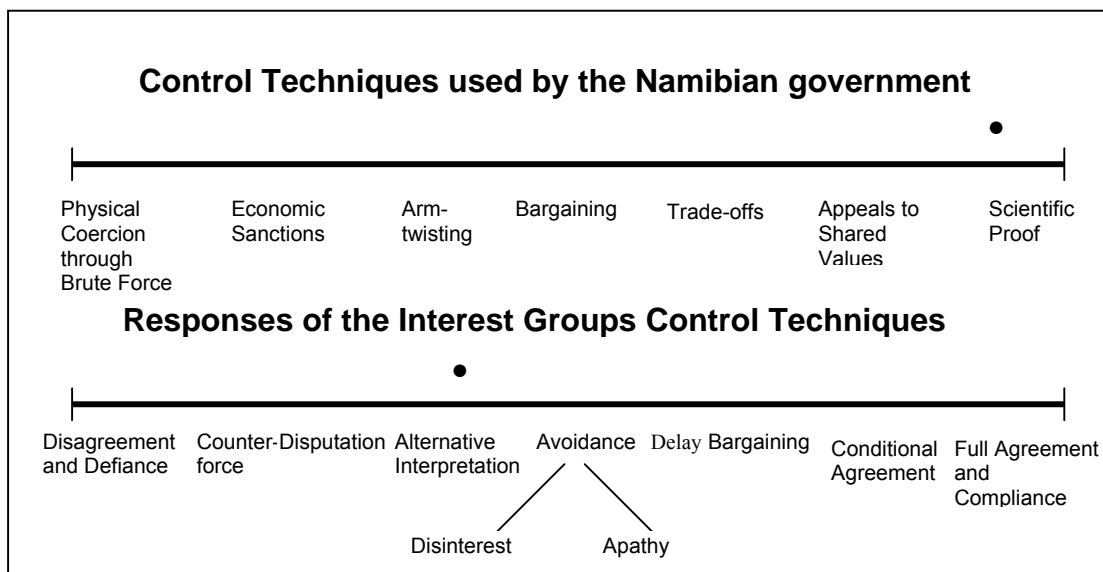


Figure 10. The control techniques used by the Namibian government and responses to them.



Concerning the first period, from the analysis of the hydropolitical dynamics of the Kunene River it is evident that governments play a dominant role in mobilising the Kunene's water resources. This was the case from the time of Germany's colonial rule to about the early 1990s. During this period four dams were built, namely: Calueque, Gové, Matala, and Ruacana, with little or no consideration to the interests and inputs of other actors.

The international political character of the Kunene River basin is therefore materialistic and agent-centric, with states taking the centre stage. States constructed dams and hydropower installations to advance capitalism and industrialism. The infrastructural developments were necessary for the social and economic advancement of Namibia and to integrate its population and economy into the capitalist world economic system. Thus, the two colonial governments, but particularly South Africa, 'produced' the international relations of the Kunene River in a rational manner. This was done by cooperating with Portugal, through WRMPs, thus defining the international relations of the Kunene River basin.

Non-state entities, especially the churches, but also individuals were opposed to these schemes. They also acted in a rational manner and argued that the WRMPs (Ruacana and Calueque) were implemented by an illegal government in an authoritarian manner, to strengthen South Africa's strategic foothold in Namibia. These interest groups and individuals nevertheless tried to constrain the policies of WRMP construction, but to no avail.

Although states were the most dominant actors in the execution of WRMP policies in the Kunene River basin, they were not the only ones who mattered. Individuals, like Brincker, Gessert, and Schwarz were also prominent actors in their own right, especially Schwarz. Yet, Brincker and Gessert, who first planned the mobilisation of Namibia's water resources, received their mandate from the German government in Berlin and in fact represented the state as actor.

It was only Prof Schwarz, with his grand scheme to alter the region's climatic patterns, who played a role independent of government in the 1920s. Although his scheme was never implemented, it did raise the awareness level of governments to look into the potential of the Kunene's water resources as a source of development. This led to two expeditions to the Kunene and other rivers that formed the foundation of Schwarz's scheme—one in 1927 and the other in 1945. These expeditions were government sponsored. Thus, Schwarz created the notion that the water resources of the river could be utilised for economic gain. The same could be said of Oppenheimer's plan to use the Kunene's water resources for mining purposes. These proposals, to the extent that they were considered, were however also 'captured' by the state as actor.

Jan Smuts, although a government representative, furthermore had the economic potential of the river's water resources in mind when he tried to

redraw the border in the 1920s. With the signing of the 1 July 1926 agreement between South Africa and Portugal, states started to exert more influence over the water politics of the Kunene River basin. It was therefore both states and individuals acting on behalf of the state who 'created' the international relations of the Kunene River during the 1920s. However, the water politics regarding WRMP implementation and further cooperation between states, did not advance until the 1960s. This was because the proposed plans, especially those of Schwarz, proved too impractical and expensive to implement and Namibia and Angola were in no great need for water from the Kunene, at that time, because of low population densities and a corresponding lack of economic activity.

Thus, scientific proof and internal materialistic constraints (low population density resulting in the low need for water and electricity) constrained both individual and government plans for the Kunene River. These two aspects created the norm that development of the Kunene River was possible, but not feasible under the prevailing circumstances. Schwarz's scheme nevertheless created a shared (social) understanding of a standard of behaviour towards the utilisation of the water resources of the Kunene River, evidenced by the government's response in investigating the scheme twice in 25 years. Actual development would only come later when the Odendaal Commission revived the importance of the Kunene in Namibia's socio-economic development.

It was South Africa, in cooperation with Portugal, which implemented proposals for two of the four existing dams (Calueque and Ruacana). Their international and domestic agential power was therefore quite high, which led to the implementation of a policy of water resource mobilisation within Angola and Namibia. Negligible to no resistance from interest groups imposed virtually no restrictions on these WRMP implementation policies.

It is therefore concluded that the respective governments had effectively no restrictions placed on them by interest groups to implement WRMP policies. The reason for this was the ideological *modus operandi* of the governments. Both Portugal and South Africa were authoritarian in their policy stances, an inhibiting factor that interest groups, lobbying against WRMPs, had to contend with, since it was impossible to lobby against these projects under such political conditions.

The outbreak of the Angolan civil war and South Africa's subsequent military intervention did affect the Kunene River basin and influenced South Africa's interest in the Kunene River basin. Where it previously cooperated with Portugal to implement WRMPs, it could no longer do so. It now had to defend these WRMPs, especially Ruacana and Calueque, that played a vital part in Namibia's socio-economic development. As its interests changed, South Africa's policy towards the Kunene changed accordingly.

With Angola and Namibia gaining independence, the state (core) actors in the Kunene River changed from South Africa and Portugal to Namibia and Angola. The river was no longer controlled by two authoritarian, oligarchic

governments. Except for Angola, a democratically elected government had control over the river basin. Because of Namibia's already cordial relationship with Angola, cooperation among the states started anew.

It was within this changed political environment characterising the second period in the water politics of the Kunene, that Namibia revived the proposed Epupa hydroelectric installation. Whereas the dam could not be built earlier, because of the war in Angola, it was possible after 1990. The decision by Namibia to continue with the project was influenced by the following factors:

- The Kunene River had vast and untapped potential for the generation of hydroelectricity; and
- the new SWAPO-ruled government realised this potential and the prospects thereof for Namibia's socio-economic development.

After the end of the Cold War, the idea of liberal democracy swept across the international landscape and influenced the appropriate form of a state's government. SWAPO rescinded its Marxist-Leninist liberation movement identity and became a political party upholding liberal democratic principles. Even so, this new government was the government of a developing country. As a result, the ruling party had to adjust its identity and the application of liberal-democratic norms to the confines of a developing country setting.

SWAPO's interests also changed. No longer was it fighting for independence, but it was now responsible for the well being of its citizens. This well-being was to be realised through the advancement of socio-economic development, and the proposed Epupa Dam was to be one component of this policy. However, interest groups soon started to campaign against the proposed dam. Their emergence was in part also attributable to the post-Cold War salience of socio-economic issues that were previously suppressed by Cold War politico-military concerns.

The interest groups are campaigning against the proposed dam because their water resource use perception clashes with that of the Namibian government. These conflicting perceptions are informed by contradictory norms held by the interest groups and the government. The government's aim is socio-economic development. The environmental interest groups' goal is the protection of the environment and of the Himba's traditional life-style, and the implementation of alternatives to the suggested dam. The human rights interest groups' action against the proposed dam is informed by the protection of the human rights of the minority Himba. Thus, it is not only Namibia's interest that is defined by its identity, constructed by norms, but also the identity of the interest groups. Since the majority of interest groups active in lobbying against the proposed dam are of the associational (promotional) type, the promotion of the interests of the Himba and the environment is therefore a strong incentive to influence the government not to construct the dam.

The Himba, as a communal interest group, are in alliance with the other interest groups. The community's identity is constructed by its pastoral lifestyle, which defines its norms in the debate. The Himba's interest in the planned dam is that they are against it because of its perceived threat to their traditional life-style. Thus, although the interest groups have different identities, their norms are compatible and define their shared interest.

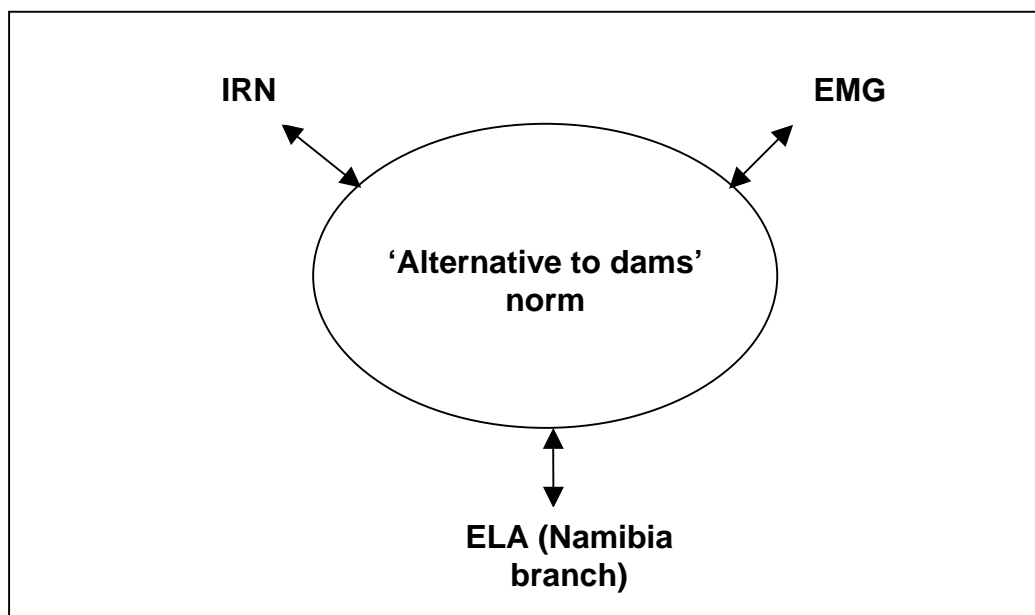
Communal and associational interest groups, from across the world, are now also playing a more prominent role in the water politics of the proposed Epupa Dam project than previously. The same applies to individuals. A South African physicist alerted interest groups about the government's intention and the plight of the Himba, should the dam be built. This set in motion the chain of events concerning the debate about Epupa. Coleman's actions were also instrumental in this regard. Unlike Schwarz, individuals were more successful in altering the course of history of the Kunene River in the early 1990s. Thus, the actions of individuals in the water politics of the Kunene River are not subordinate to but independent of those of states and governments.

With the involvement of interest groups in the debate, the issue of the proposed dam has been transnationalised. There is therefore no longer a divide between the domestic and international domains concerning the debate. Interest groups have merged these two dimensions into a single social and political order that is both complex and bifurcated. In opposition to the state-centric actors (the Namibian government and NamPower) a plethora of interest groups operate as a network cluster around two norms. The first is the 'alternatives to dams' norm and the second is the 'protection of the Himba's minority rights' norm (see Figures 11 and 12).

The interest groups use a number of approaches to advance their arguments against the proposed Epupa Dam project in the process of merging the domestic and international spheres. These include the power approach, the technocratic approach and the coalition-building approach.

Regarding the power approach, the interest groups communicate their wishes to a wide variety of actors. These actors are either directly or indirectly involved, or not involved at all in the proposed Epupa Dam. The government actors that are directly involved include Sam Nujoma and Jesaya Nyamu. Government officials who are not directly involved in the debate include Thabo Mbeki and Martti Ahtisaari.

Indirect personal communication was the most widely used tactic throughout. This type of contact, includes letter-writing campaigns and public opinion drives. The letters were primarily sent to officials outside Namibia, including the presidents of South Africa and Finland, although the ADB's Getinet Giorgis and officials from the World Bank, DBSA and EIB were also targeted.

Figure 11. Interest groups cluster: the ‘alternative to dam’ norm.

Presentations before hearings were also used as tactics, such as the feasibility study and WCD hearings in Windhoek in 1997 and Cape Town in 1999 respectively. Thus, the interest groups also attempt to influence the Namibian government through diplomatic channels, by targeting external actors like Mbeki and potential funders of the proposed dam.

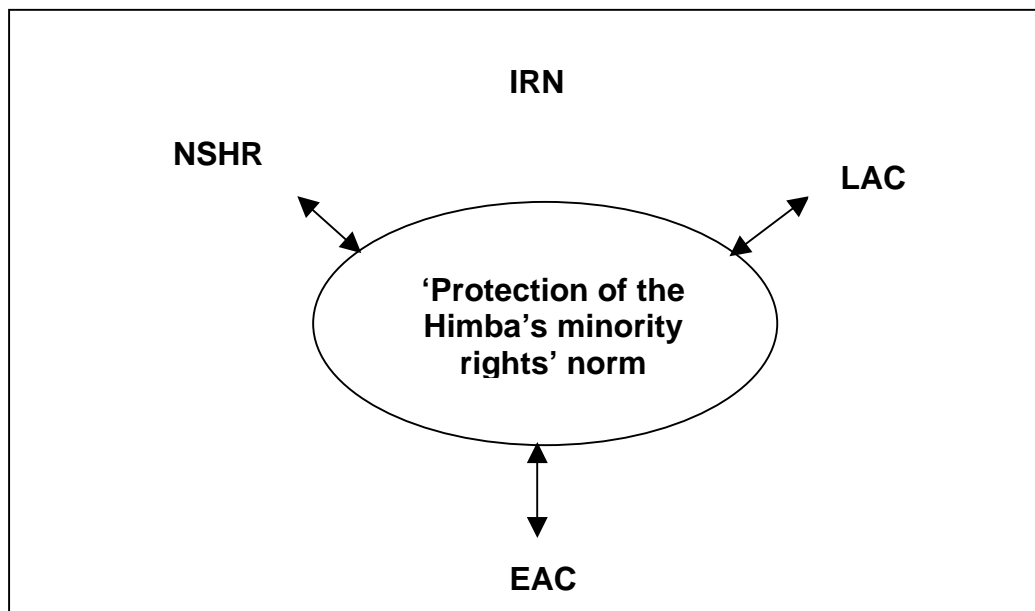
The technocratic approach was used throughout the lobbying campaign from 1993 to the present. The LAC and NSHR used their knowledge of legal procedures and the constitutional system to represent the interests of the Himba in lobbying government. This is evident from the hearings held in Windhoek and Cape Town. The Himba represented their views at these hearings because their right to do so is enshrined in the Namibian constitution.

The interest group that experienced the steepest learning curve during the campaign, especially regarding the approaches to lobbying, was the Himba community. They gained much knowledge on how the domestic and international systems function, but also gained experience on the use of their alliance with the LAC and other groups to their advantage. They also linked both the domestic and international systems through their visit to Europe. This was an innovative tactic. They raised the awareness of their plight in countries that are some of Namibia's most important trading partners and with whom Namibia has historical links (e.g. Germany).

During the visit, the Himba acquired many grass-roots diplomatic skills, cautioning officials in European countries about the 'negative policy trend' regarding the proposed dam. Therefore, not only did the Himba develop new norms, but they also communicated the perceived negative norm concerning

the proposed dam to officials in Europe. This was also the case when they presented their argument before the hearings.

Figure 12. Interest groups cluster: the ‘protection of the Himba’s minority rights’ norm.



Coalition building started when the South African physicist, Coleman and the Himba community informed domestic and transnational interest groups about the proposed Epupa hydropower scheme. A domestic and international policy consensus was established at the same time this transnational coalition was created. This led to the generation of a transnational opinion that was strengthened by tactics used in the power and technocratic approaches. Opinion against the proposed dam was broadened when like-minded interest groups coalesced with groups that articulated dissimilar views. This brought environmental interest groups into an alliance with human rights interest groups and allowed the alliance to ‘attack’ government policy from both an environmental and human rights and/or legal perspective. These dissimilar interest groups therefore share their expertise within the coalition. This means that the coalition or alliance is in fact an issue or policy network.

Because the network has members from across the world, the transnational character of interest group action is strengthened. The network has in particular assisted the Himba in their lobbying endeavours. The reason for this is that it broadened the communities’ resources and enlarged its volume of advocacy work. The establishment of the network not only facilitated communication between the network members but also within them, in particular the Himba community, the Namibian government and other governments and non-state entities. Thus, there is an issue or policy network that acts as a community and that engages the government politically, not only domestically but also transnationally.

Starting with the establishment of the policy network, the interest groups played a number of roles that transformed them into agents. The same can be said of the individuals who initiated the debate. As such the individuals mainly played a watchdog role and acted as early warning systems that alerted interest groups about the proposed dam and the likely negative impact it could have on the Himba and the environment. By doing this, they initiated the creation of norms through which the interest groups acted in their lobbying against the proposed dam.

In summary, the interest group network played a wide variety of roles. They played three generic roles, namely discursive, participatory and philanthropic roles. The acting out or fulfilment of these roles, the subsidiary roles, and the interest groups that played these roles are summarised below (see Table 7).

Table 7. The agential roles of non-state agents in the debate on the proposed Epupa Dam.

Agential Roles	Interest group(s)	Agents who Played these Roles		Manner in which the Roles were Played
		Associational (promotional) Interest Group	Communal Interest Group	
<i>Discursive Roles</i>				
Opinion generation agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.	x	x	Generating the opinion that the dam will be negative to the Himba and the environment.
Standard creation agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.	x	x	Influenced the government to initiate a proper EIA and reviewed the feasibility studies.
Norm creation agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.	x	x	Creating the norm that alternatives to the dam should be sought by the Namibian government.
Epistemic agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.	x	x	Showed, through specialist research, that the feasibility studies are not up to standard.
Agenda construction agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.	x	x	Highlighted the issue of the proposed dam and its impacts on the Himba and environment.
<i>Participation Roles</i>				
Interactive agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.	x	x	Lobbied government not to implement the proposed dam but rather to seek alternatives. Interacted with various actors on the domestic and international political

				stage.
Representation agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.	x	x	Presented the interests of the Himba people and the environment.
Transnational agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.	x	x	Established a global issue or policy network.
Policy shaping agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.			
Institution creation agent	ELA, EMG, IRN.			
Watchdog agent	ELA, EMG, IRN	x	x	Alerted possible funders of the proposed dam to its likely negative impact.
Oppositional agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.	x	x	Opposed the Namibian government's plans to implement the proposed dam.
<i>Philanthropic Roles</i>				
Guardian agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.	x	x	The Himba organised as the EAC, provided safety and security mechanisms that could guarantee the physical safety of the community.
Assistant agent	FIVAS, ELA, EMG, IRN, LAC, NSHR.	x		The policy network assisted the Himba community by providing special (legal) services to them and sponsoring their representatives' trip to Europe.
Safety provider agent	FIVAS, ELA, EAC, EMG, IRN, LAC, NSHR.	x	x	By lobbying government not to implement the dam and by representing and articulating Himba interests, an attempt was made to prevent structural violence against the Himba by the state.
Empowerment agent	FIVAS, ELA, EMG, IRN, LAC, NSHR, EAC.	x	x	Empowered the Himba community to lobby against the dam. This action also empowered the other interest groups, in that the Himba inadvertently provided them with an issue to lobby against the proposed dam.

Have the interest groups succeeded in halting the government's policy on the proposed Epupa hydropower installation? From the hydropolitical history of the Kunene River it seems as if they were partially responsible for the postponement of the proposed Epupa Dam. The reasons for this are as follows:

- Before their involvement, and during Namibia's colonial period, WRMPs on the Kunene River were implemented without any interference or opposition from interest groups. This established the norm that interest group interference would not be an issue in the future.
- Angola does not support the Epupa Dam project. Angola would rather see a dam built at the Baynes site, so that the Gové Dam could be rehabilitated. This is presently the case, with NamPower assisting the Angolan government in restoring it. This could mean that the proposed Epupa Dam will not be implemented soon, because Namibian resources are now being used to revive Gové.
- The Epupa hydroelectric installation is still only a proposal. This means that to ascertain the impact of interest groups on the actions of the Namibian government is itself problematic.

What is the nature of the agential power of the Namibian state and that of the interest groups? From the discussion and analysis of the role and involvement of interest groups in the water politics regarding the Epupa Dam project, the following conclusions can be drawn regarding the agential power of the actors (see Figures 13 and 14). Namibia is afforded a moderately low international agential power because of its assistance to the Angolan government regarding the rehabilitation of the Gové Dam. The Gové Dam and Angola's insistence on the Baynes site for the proposed dam has led to a delay in the proposed Epupa Dam project. Over the past decade, Namibia could therefore not implement the planned project because of Angola's opposing view on the site of the dam. Namibia has therefore to a large extent been unable shape the water politics of the Kunene River basin free of international structural requirements i.e. Angola's opinion on the preferred site of the dam.

The criticism levelled by the interest groups and their domestic and transnational lobbying campaigns reduced Namibia's domestic agential power to a low level. Namibia has, therefore up to now, been unable to implement the policy. The Namibian government has also shaped the domestic realm to such an extent that it favours the interest groups in their opposition to the planned project. By not conducting a proper EIA, for instance, the government and NamPower afforded the interest groups an opportunity to raise the awareness level of the seemingly adverse effects of the proposed dam on the Himba and the environment. In other words, through its actions it did manage to shape policy in the domestic realm to the advantage of the interest groups.

It is for this reason that the interest group network has a moderate to high domestic and international agential power. They also shaped the domestic and international realms, through the creation of norms against a backdrop of few or no domestic or international structural requirements. The spirit of democracy in Namibia has afforded them the chance to voice their opinion against the planned dam. The anarchic nature of the international system (no central authority governing actions) allowed the interest groups to lobby governmental and other institutions not to implement or support the proposed Epupa project.

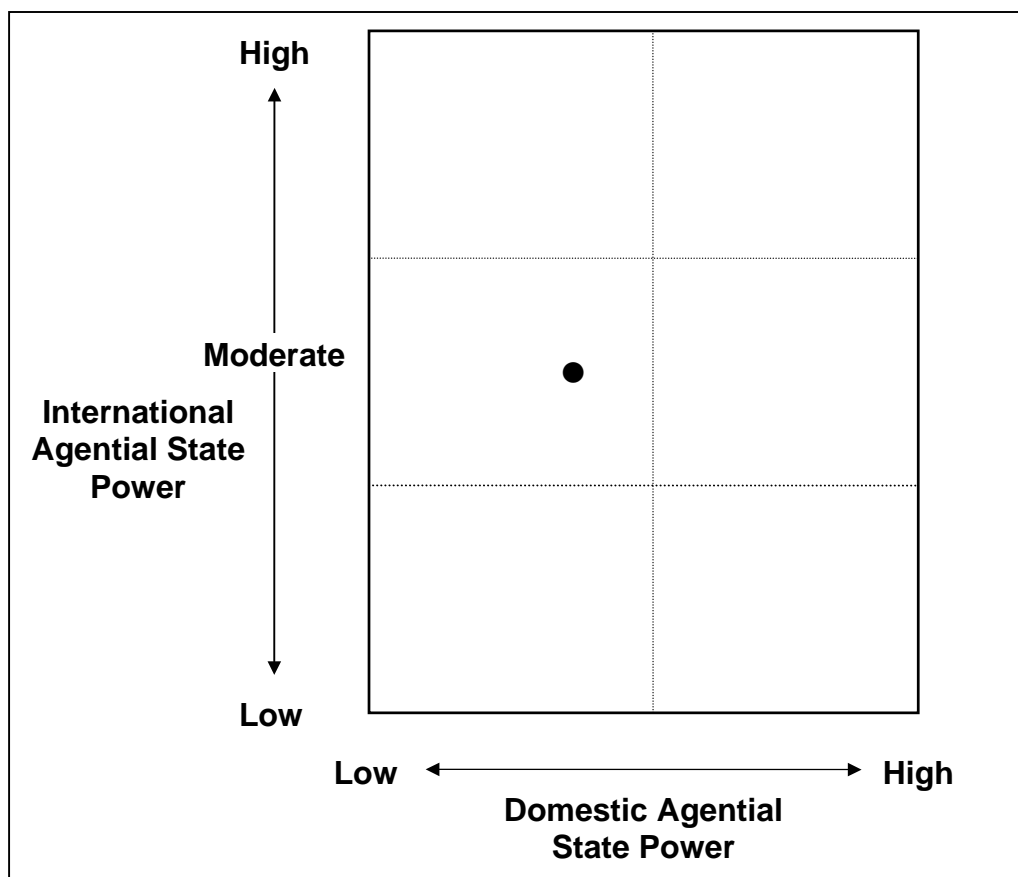
One of the starkest conclusions to be drawn from the Kunene case study is that the interest groups from abroad and in Namibia did not mobilise the Himba to oppose the planned hydropower plant. The Himba community was opposing it before other interest groups from outside the river basin and Southern African became involved. Nonetheless, the peripheral and outer peripheral interest groups did play a role in publicising the plight of the Himba and their opposition to the planned dam.

Thus, these foreign and local interest groups did not co-opt and use the Himba in their arguments against the dam project. The explanation for this is the cultural and political independence of the Himba and their reliance on the land and river that form the basic resources of their wealth. The Himba are well aware of the fact that if 'their' land is inundated by the dam, then 'their' wealth will decrease substantially.

It can be concluded that the Himba co-opted the other Namibian and international interest groups and used them through skilful political interaction as lobbyists to advance their cause against Epupa. In other words, grass-roots mobilisation was not only part of the strategy and tactics of the peripheral and outer peripheral interest groups, but also part of the strategy and tactics of the core (Himba) group—and the Himba, on the other hand, mobilised and worked with other peripheral and outer-peripheral interest groups.

The Himba have also strengthened other peripheral and outer peripheral interest groups' oppositional stance towards the proposed dam. Their ethnic identity has been responsible for this as well. Interest groups from Namibia and abroad have been influenced, not to say, impressed, by their traditional life style and the preservation thereof, to the extent that they have been indirectly co-opted by the Himba, to lobby against the proposed Epupa Dam from a broader cultural perspective. The view held by associational (promotional) interest groups is that if the dam is built, the Himba traditional way of life will disappear. By helping to preserve this, these interest groups have been given a tangible cause to lobby the Namibian government and to take a stand against another dam on the Kunene River. In conclusion, as a communal interest group, the Himba therefore has high reflexive domestic and international agential power.

Figure 13. The agential power of Namibia and the proposed Epupa Dam.



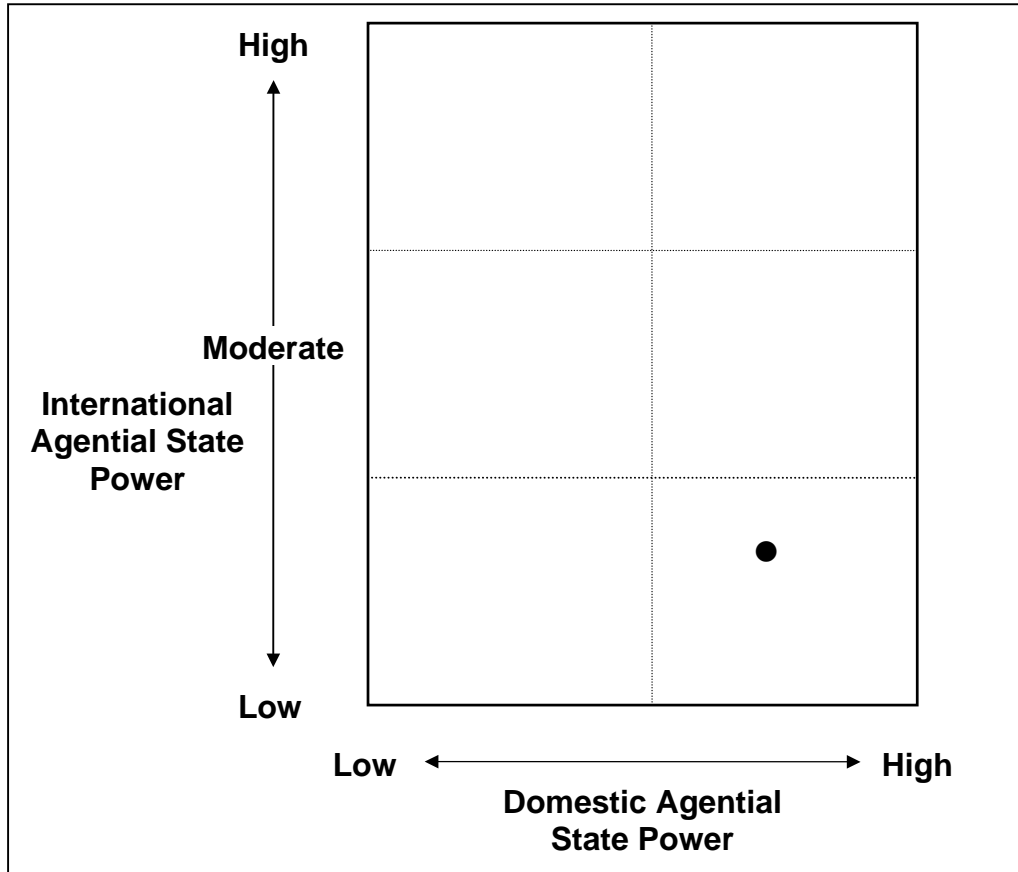
9. Conclusion

The purpose of this chapter was to put the political process, involving the interaction between the interest groups and the Namibian government on Epupa, into perspective. In other words, the chapter described, explained and analysed the transnational role and involvement of interest groups in the water politics of the Kunene River basin.

The chapter was divided into a number of parts, scrutinising aspects contained in the framework for analysis. In the first part the Kunene River basin was described. This description showed that the Kunene is a valuable source of hydroelectricity to both Angola and Namibia, as well as a source of water for both countries. This was followed by the identification of the actors involved in the debate on the proposed Epupa Dam. Not only are states involved, but also a plethora of interest groups. Then followed a hydropolitical history of the river to indicate the pattern of interaction among the actors. This showed that individuals were initially deeply involved in the river's water politics, though this changed when states took over the role of custodianship: a situation that remained unchanged for much of the river's history. Nevertheless, this situation changed to a significant extent when the Namibian government mooted the possibility of the construction of a fifth dam downstream from the Epupa Waterfalls. Subsequently, interest groups

became involved; at first only domestically, but later a transnational movement evolved.

Figure 14. The agential power of interest groups and the proposed Epupa Dam.



The hydropolitical history was followed by the determination of the agential power of the actors. Namibia's agential power is significantly lower than that of the interest groups. Contrariwise, the interest groups have more agential power than Namibia. However, an important consideration to keep in mind regarding the higher agential power of the interest groups is the fact that Angola is not supporting the intended Epupa project. In other words, Angola's agential power is in this case higher than Namibia's.

CHAPTER 6

THE ORANGE RIVER BASIN: THE CASE OF THE LESOTHO HIGHLANDS WATER PROJECT

1. Introduction

The Orange River, and its main tributary the Vaal, is South Africa's most important strategic surface water resource. These rivers supply water for a number of economic activities inside and outside the basin, ranging from the agricultural to industrial and from the urban to mining sectors. Most, but not all of the urban, industrial and mining activities are situated within the Gauteng province. Water is supplied to it, and other provinces, through an intricate system of inter-basin transfer (IBT) schemes.

A number of these projects have been implemented since the early 1960s, most notably the Tugela-Vaal River Scheme. One of the most ambitious, recently completed IBTs is the Lesotho Highlands Water Project (LHWP) implemented by Lesotho and South Africa. Through this IBT, the water resources of the Vaal River system is augmented by water from the upper reaches of the Orange River in the Lesotho Highlands. Shortly before its inception, in the mid-1980s, interest groups also became involved in its water politics.

This chapter puts the political process, concerning the LHWP, involving the interaction between the interest groups and the Lesotho and South African governments into perspective. It thus describes, explains and analyses the transnational role and involvement of interest groups in the water politics of the LHWP. This is done in terms of the framework for analysis outlined in Chapter 4.

Accordingly, the chapter is divided into eight parts. Firstly, a description of the river basin, indicating the importance of the Orange River to the riparian states—especially South Africa, is presented. Secondly, the actors involved in the water politics of the LHWP are identified, including the basin states as well as the interest groups participating in the water politics of the proposed dam. Thirdly, an overview is given of the hydropolitical history of the Orange River, with the purpose of determining the nature, scope and focus of interaction patterns between the actors. The aforesaid, therefore, provides an overview of the key components of the Orange international river basin.

Fourthly, the involvement of interest groups is described. Fifthly, the agential power of the actors is analysed with reference to the ideological, economic, military, and political sources of power. This is followed, in the sixth part, by an examination of the interaction between the actors. In the penultimate part, an analysis of the case study is done, wherein the transnational role and involvement of the interest groups and the agential power of these entities and that of the Lesotho and South African governments' are classified in

accordance with the matrix described in the framework for analysis. The aforesaid, therefore, provides an analysis of the agential power of interest groups *vis-à-vis* the state. Finally, a conclusion is drawn.

2. The River Basin

The Orange River is an international river basin, shared by four SADC states: the Kingdom of Lesotho, and the republics of Botswana, Namibia and South Africa (see Appendix 4 for map). It rises 3 300 m above sea level in the Lesotho Highlands in the region of *Mont-aux-Sources*, where it is known as the *Senqu*. After leaving Lesotho it flows through South Africa until it forms the border between Namibia and South Africa for 450 km before emptying into the Atlantic Ocean at Alexander Bay. It has a total length of about 2 300 km with a catchment area of 964 000 km². The Vaal River is the Orange's most important tributary, and supplies most of South Africa's economic heartland—Gauteng—with water. Of the Orange River's total catchment, four per cent is situated in Lesotho, 62 per cent in South Africa, nine per cent in Botswana, and 25 per cent in Namibia (McKenzie & Roth, 1994: 1; Conley, 1995: 10; Conley, 1996; Basson, 1999; Heyns, 2003: 18; Mohamed, 2003: 218; Turton, 2003b: 139).

The river has a virtual MAR of between 10.6 to 12 bcm/yr. This amount reflects the volume of water within its system before any development has taken place. It is the most developed river system in the SADC region, based mainly on the contribution of development in South Africa's portion of the basin. Because of the large-scale development in the basin, the actual MAR is in the region of 5.5 to 6.5 bcm/yr. Of the total MAR, each riparian state makes an unequal contribution. South Africa contributes 55 per cent, Botswana zero per cent, Lesotho 41 per cent and Namibia four per cent. Botswana contributes zero per cent, because the Molopo and Nossob Rivers do not contribute any water to the flow of the Orange River (Wilcox, 1986: 102; Le Roux, 1989: 8-9; Davies, 1988: 35; McKenzie & Schäfer, 1991: 1.2; Conley & Van Niekerk, 1997: 9; Meissner, 1998: 29; Basson, 1999; Heyns, 2003: 19; Turton, 2003b: 139).

2.1. Utilisation of the Orange River

From the description of the Orange River basin, it is clear that the river is South Africa's most important surface water resource as evidenced by the importance of IBTs and the utilisation of the river through the LHWP.

2.1.1. Importance of Inter-basin Transfers

The Orange River carries about 20 per cent of South Africa's surface water resources, while the Vaal River provides most of the water required by South Africa's economic heartland (Basson, Van Niekerk & Van Rooyen, 1997: 40; Turton, 2003b: 140). Approximately 42 per cent of South Africa's population resides in the Gauteng province. The province also generates 56 per cent of

the country's industrial and 79 per cent of all mining output (African Business, October 1998: 8; Conley & Van Niekerk, 1998: 146; Turton, 2003b: 140).

Because of Gauteng's economic importance, and the fact that water is used in the production of economic goods, the Vaal is one of the most strategic natural resource assets of South Africa. Throughout the latter part of the twentieth century, the Vaal's water resources have been augmented by IBTs. It is now linked to 'eight other river basins in a complex network of IBTs that range from the Limpopo in the North to the Sundays in the South' (Turton, 2003b: 140).

The Orange River, in particular, plays a central role in the complex network of IBTs that straddle the South African landscape. The importance of the IBT in the South African economy can be illustrated by the proportion of gross geographic product (GGP) that is supported by IBTs in each of South Africa's nine provinces (see Table 8).

Table 8. Provinces' GGP supported by IBTs.

Province	Percentage of GGP
Eastern Cape	70
Free State	65
Gauteng	100
KwaZulu/Natal	70
Limpopo	30
Mpumalanga	70
Northern Cape	50
North West	90
Western Cape	70

Sources: Basson, Van Niekerk & Van Rooyen, 1997: 55; Turton, 2003b: 142

Accordingly, 100 per cent of Gauteng's GGP is supported by IBTs, meaning that the province is mostly dependent on water supplies originating from outside its borders. Therefore, the water needs of the province have to be augmented from external locations having an abundance. The most recently developed IBT that supplies Gauteng and parts of the Limpopo and North West Provinces with water is the LHWP.

2.1.2. The LHWP

The LHWP is an international IBT jointly implemented by Lesotho and South Africa, the purpose of which is to divert water from the upper reaches of the Orange River in the Lesotho Highlands to Gauteng—supplying water to the Vaal River system. Its other main purpose is to generate hydroelectricity for Lesotho. The joint venture consists of several major and minor dams, a series of water-transfer tunnels dug through the Maluti Mountains and various associated infrastructures, including hydroelectric generators and pumping stations. More than 90 per cent thereof is located in Lesotho (Gleick, 1998:

93; Horta, 1996: 15-16; Meissner, 1998: 48; Internet: LHDA & TCTA, 2001; Meissner & Turton, 2003: 117).

The LHWP consists of a number of completed and planned phases, namely Phases 1 (A and B), 2, 3 and 4. Phase 1A of the project is designed to transfer water at a rate of 18 m³/s and generate 72 MW electricity. This Phase consists of two dams (Katse and Muela), excavation of 82 km of subterranean water transfer tunnels and the construction of an underground hydroelectric plant. The Katse Dam is considered the 'jewel' of the scheme. It is 185m high, has a reservoir surface area of 35 km², and a reservoir capacity of 1.9 bcm. This phase was completed in 1998 (James, 1980: 103; DWAF, 1994: 2-5; Wallis, 1996: 24; Gleick, 1998: 95; Mochebelele, 2000: 108; Internet: LHDA & TCTA, 2001; Meissner & Turton, 2003: 117-118). Phase 1B consists of the construction of another two dams, Mohale (145m high) and Matsoku, connected to the Katse reservoir. This phase was completed in January 2003. It delivers water at a rate of 12 m³/s. The LHWP is Africa's largest IBT. By 2004, it will transfer an average of 871 mcm of water per year through a network of 260 km of tunnels (DWAF, 1994: 2-5; Wallis, 1996: 24; Gleick, 1998: 95; Internet: DWAF, 1998; Mochebelele, 2000: 108; Hoover, 2001: 1; Internet: LHDA & TCTA, 2001; Turton, 2003b: 141).

Phases 2 to 4, if constructed, will eventually increase the water transfer capacity to around two bcm/yr in about 20 years from now. However, these phases have not yet been finalised or financed. The continuation of the Project, through these phases, is currently under discussion while other alternatives are being investigated. In fact, a feasibility study is underway to determine whether Phase 2 will be viable (African Business, October 1998: 8; Heyns, 2002: 163).

2.2. The Rationale behind the LHWP

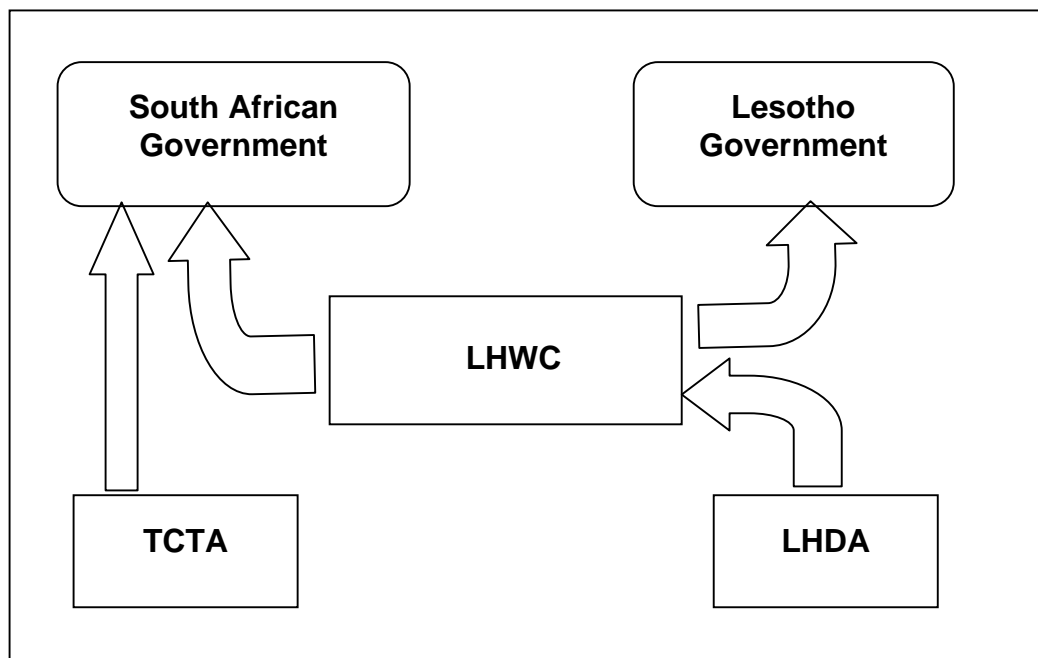
The LHWP is managed by the Lesotho Highlands Development Authority (LHDA), charged with the implementation, operations and maintenance thereof in Lesotho. It is also responsible for construction, environmental protection, and all resettlement and compensation issues. In South Africa, the Department of Water Affairs and Forestry (DWAF) and the Trans-Caledon Tunnel Authority (TCTA) oversee the Project. The TCTA has the same responsibility as the LHDA, but only for those components implemented, operated and maintained in South Africa. The Lesotho Highlands Water Commission (LHWC), formerly the Joint Permanent Technical Commission (JPTC), was established in 1986 in terms of the LHWP Treaty to represent both countries. The LHWC has monitoring and advisory powers over the administrative, technical and financial activities (see Figure 15 for a schematic of the Projects institutional side) (Gleick, 1998: 93; Meissner, 2000e: 26; Internet: LHWP, 2003; Internet: TCTA, 2003a; Meissner & Turton, 2003: 118; Turton, 2003b: 146).

The LHWP serves a number of secondary purposes that benefit Lesotho and South Africa (see Table 9).

Table 9. LHWP purposes and beneficiaries.

Secondary Purpose(s)	Beneficiary
Stimulation and acceleration of socio-economic development of the Lesotho Highlands.	Lesotho.
Sharing of savings of financial resources by not implementing the Caledon Cascades Scheme.	Lesotho and South Africa.
The avoidance of air pollution generated by coal-fired power stations to pump the water through the Cascade Scheme.	Lesotho and South Africa.
Fostering of economic and political interdependence.	Lesotho and South Africa.
Jobs that were created during construction.	Lesotho and South Africa.
Unpolluted water from Lesotho will increase the quality of that of the Vaal Dam.	South Africa.
Status and prestige because of the size of the project and some of the engineering feats.	Lesotho to a large extent and South Africa to a lesser extent.

Source: Treaty, 1986: 15; Du Pisani, 1992: 177; Beeld, 14 February 1997: 12; Beeld, 1 April 1994; Business Day, 9 April 1997: 3; Sowetan, 7 August 1997: 21; African Business, October 1998: 8; Conley & van Niekerk, 1998: 153; Meissner, 1998: 55; Pretoria News, 9 January 1998: 7; Hoover, 2001: 1; Turton, 2003b: 147.

Figure 15. The institutional arrangements concerning the LHWP.

Source: TCTA, 2003b: 47.

Notwithstanding these benefits, and the fact that Lesotho and South Africa are jointly implementing the Project, a plethora of interest groups are also involved in its water politics.

3. The Actors

From the description of the LHWP, the two core actors who are responsible for its implementation are Lesotho and South Africa. They are core actors because they share, together with Botswana and Namibia, the Orange River basin. For practical purposes, only Lesotho and South Africa will be analysed throughout this chapter, because of the pivotal role they play in the implementation of the LHWP. They are obviously not the only actors engaged in the water politics of the LHWP; a number of local and international interest groups also participate (see Table 10).

Table 10. Actors involved in the water politics of the LHWP on the Orange/Senqu River.

Actor	Core, Peripheral or Outer Peripheral Actor	Type of Actor/Interest Group	Base Country (In the case of interest groups)	Involvement	
				Direct	Indirect
1. Botswana	Core	State			x
2. Lesotho	Core	State		x	
3. Namibia	Core	State			x
4. South Africa	Core	State		x	
5. LHWC	Core	Functional Organisation		x	
6. LHDA	Core	Parastatal	Lesotho	x	
7. TCTA	Core	Parastatal	South Africa	x	
8. Alexandra Civic Organisation (ACO)	Core	Associational (Promotional)	South Africa	x	
9. Association for International Water and Forest Studies (FIVAS)	Outer peripheral	Associational (Promotional)	Norway	x	
10. Berne Declaration	Outer peripheral	Associational (Promotional)	Switzerland		x
11. Bretton Woods Project	Outer peripheral	Associational (Sectional)	United Kingdom		x
12. Canadian Labour Congress	Outer peripheral	Associational (Sectional)	Canada		x
13. Canadian Union of Public Employees	Outer peripheral	Associational (Sectional)	Canada		x
14. Christian Aid	Outer peripheral	Associational (Promotional)	United Kingdom	x	
15. Christian Council of	Core	Associational (Promotional)	Lesotho		x

Lesotho					
16. Development for Peace Education	Core	Associational (Promotional)	Lesotho	x	
17. Earthlife Africa (ELA)	Peripheral	Associational (Promotional)	South Africa	x	
18. Environmental Defence (ED)	Outer Peripheral	Associational (Promotional)	United States	x	
19. Environmental Justice Networking Forum	Peripheral	Associational (Promotional)	South Africa		x
20. Environmental Monitoring Group (EMG)	Peripheral	Associational (Promotional)	South Africa	x	
21. e-PRAXIS	Peripheral	Associational (Promotional)	South Africa		x
22. <i>Fédération des Travailleurs et Travailleuses du Québec</i>	Outer peripheral	Associational (Sectional)	Canada		x
23. Friends of the Earth	Outer Peripheral	Associational (Promotional)	United States		x
24. Group for Environmental Monitoring (GEM)	Core	Associational (Promotional)	South Africa	x	
25. Highland Church Action Group (HCAG)	Core	Associational (Sectional)	Lesotho	x	
26. International Institute for Environment & Development	Outer peripheral	Associational (Promotional)	United Kingdom		x
27. International Rivers Network (IRN)	Outer Peripheral	Associational (Promotional)	United States	x	
28. Jubilee 2000 Coalition	Outer peripheral	Associational (Promotional)	United Kingdom		x
29. Lesotho Council of NGOs (LCN)	Core	Associational (Promotional)	Lesotho	x	
30. Mennonite Central Committee (MCC)	Outer peripheral	Associational (Promotional)	Canada and United States	x	
31. National Union of Public and General Employees	Outer peripheral	Associational (Sectional)	Canada		x
32. Oxfam	Outer peripheral	Associational (Promotional)	United Kingdom	x	
33. Panel of Environmental Experts	Outer peripheral	Associational (Promotional)			x
34. Philippine Resource	Outer peripheral	Associational (Promotional)	United Kingdom		x

Centre					
35. Probe International	Outer peripheral	Associational (Sectional)	Canada		x
36. Reform the World Bank Campaign	Outer peripheral	Associational (Promotional)	Italy		x
37. Save the Narmada Movement	Outer peripheral	Associational (Promotional)	India		x
38. Southern African Rivers Association (SARA)	Core	Associational (Sectional)	South Africa		x
39. The Corner House	Outer peripheral	Associational (Promotional)	United Kingdom		x
40. Transformation Resource Centre (TRC)	Core	Associational (Promotional)	Lesotho	x	
41. <i>Urgewald</i>	Outer peripheral	Associational (Promotional)	Germany		x

Source: Internet: Archer, 1996; Internet: IRN, 1999c; Internet: Coverdale & Pottinger, 1996; Internet: Pottinger, 1996b.

According to Table 10, 41 actors are involved in the LHWP, 34 of which are interest groups engaged in the water politics of the Project. The remainder are the four states, the LHWC, the LHDA and the TCTA. The interest groups are not only situated in Lesotho and South Africa, but in other parts of the world. Many of them are from Europe and North America (see Appendix 5). The countries of these regions have a long tradition of liberal democratic norms and practices that is conducive to the emergence and activities of interest groups. Three core interest groups are involved—the HCAG, the LCN and the TRC.

The proportional representation of the actors from the core, periphery, and outer periphery indicates that the minority of actors (10 per cent) involved in the water politics of the Project are situated in the periphery that is they are situated outside the Orange River basin, but inside the SADC region. The largest grouping of actors (54 per cent) is situated in the outer periphery, in other words outside the SADC region. Only 13 per cent of the actors are situated within the core, in other words within the Orange River basin itself. They are Botswana, Lesotho, Namibia, South Africa, the LHWC, the LHDA, the TCTA, the ACO, the Christian Council of Lesotho, Development for Peace Education, GEM, the HCAG, the LCN, SARA and the TRC.

Not all the actors are directly involved in the water politics of the project (see Table 10). Only 46 per cent of the 41 actors are directly involved. The rest, 53 per cent, are indirectly involved. The direct involvement stems from the fact that some interest groups constantly lobby the Lesotho and South African governments and the project authorities. Indirect involvement means that some interest groups would only from time to time sign a petition or letter, for

instance, one that is distributed by another interest group. Of the interest groups, 34 per cent are directly involved and 49 per cent are indirectly involved.

Concerning the host countries of these interest groups, the majority are from South Africa (24 per cent). Interest groups from the United Kingdom represent 23 per cent and from Lesotho and Canada 17 per cent; from the United States 10 per cent; and from Germany, India, Italy and Switzerland three per cent each (see Appendix 5).

The type of interest group that has the largest representation (63 per cent) in the water politics of the LHWP is the associational (promotional) interest group, followed by the associational (sectional) interest group with 19 per cent. The four state actors (Botswana, Lesotho, Namibia and South Africa) have 10 per cent representation, although only Lesotho and South Africa are directly involved in the LHWP.

Table 10 also indicates the involvement of a number of Canadian trade unions concerned with the Project. When Phase 1A was completed in 1998, about 2 300 workers were laid-off. Canadian companies employed many of them. The main reason for the involvement of the Canadian trade unions is their solidarity, with the laid-off workers, although another explanation for their involvement is the Canadian company, Acres International, bribing the previous LHDA's chief executive officer (CEO), Masupha Sole (The Star, 28 September 1998: 2; The Star, 21 May 2002: 5; Sunday Independent, 26 May 2002: 1; Financial Post, 27 June 2002).

4. The Hydropolitical History of the Orange River

The hydropolitical history of the Orange River can be divided into three phases. The first of these deals with the period 1867 to 1956, when WRMPs started to appear in the Orange River basins. The second phase is concerned with the period 1956 to 1986. The third phase is from 1986 to 2004.

4.1. The Start of WRMPs: 1867-1956

Diamonds were discovered on the banks of the Orange River in 1867 and later at Kimberley in 1870. This was followed by the discovery of gold and the subsequent establishment of Johannesburg in 1886 in the Witwatersrand area. These events were significant for the utilisation of the water resources of the Orange and Vaal Rivers. They were trigger events, resulting in South Africa's hydraulic mission (Turton & Meissner, 2000: 39-40).

The discovery of minerals in the Orange River basin resulted in an influx of people to the mining centres and the establishment of markets. Water had to be supplied to these economic nodes. Furthermore, because South Africa was in the late nineteenth century still a predominantly agrarian society, irrigation projects were needed (Bath, 1999).

In the late 1890s, some irrigation, for instance at Kakamas, was started in the Orange River basin. After the establishment of the Union of South Africa, in 1910, A.D. Lewis, of the Department of Irrigation, did an extensive reconnaissance of the lower Orange River basin for the construction of more WRMPs. Eighteen years later, Lewis proposed the development of a tunnel to transfer water from the Orange River to the drought-prone Eastern Cape. This plan was the forerunner of the Orange River Project (ORP) that was implemented in the 1960s (Conley & van Niekerk, 1998: 145; Turton, 2003b: 143).

South Africa suffered a major drought from 1929 to 1931 and was at the time also in the grip of the Great Depression. Following these events, the Department of Irrigation, on the instructions of the then prime minister, launched a number of nation-wide poverty-relief programmes. The main aim was to supply employment to so-called 'poor whites' and to implement irrigation projects to get agriculture on a sound footing (Conley & van Niekerk, 1998: 144; Turton, 2003b: 143).

These events and the reaction they invoked regarding the construction of WRMPs can be seen as a fundamental component of the hydraulic mission. During this phase large-scale labour-intensive irrigation and other WRMPs were implemented on the Orange and Vaal Rivers. The most notable of these is the ORP (Conley & van Niekerk, 1998: 144; Turton, 2003b: 143).

4.2. The LHWP: 1956-1986

The ORP was the first IBT to be built in South Africa, with construction starting in the late 1960s. Other IBTs were also implemented after the ORP, most notably the Tugela-Vaal Transfer Scheme in the 1960s and 1970s supplying water to the Vaal River system (RSA, 1962: 9-10; Conley & van Niekerk, 1998: 145; Turton, 2003b: 143). Shortly before the implementation of these WRMPs, the LHWP was investigated by consulting engineers.

4.2.1. A New Idea and Political Issues

The LHWP originated from two main considerations, namely that the Vaal Dam would not be able to meet growing water needs indefinitely, and that the Lesotho Highlands are a potentially reliable source of water supply. In 1950 the UK High Commissioner to Lesotho, Sir Evelyn Baring, requested a survey of the water potential of the country. He realised that water was the only natural resource Lesotho had in abundance. Sir Peter Ballenden, Director of Public Works, chose the engineer Ninham Shand to determine the viability of exporting Lesotho's water (Brooks, 1970: 12; Van Robbroeck, 1986: 1; LHDA & TCTA, 2001: 1).

Shand consequently published a plan, known as the Oxbow Scheme, to harness the upper reaches of the *Senqu* River and transport the water to the Orange Free State gold mines. This project involved the construction of a

high-altitude dam, a hydroelectric power station, and a tunnel through the Maluti Mountains. The plan was initially rejected, but in the mid-1960s, a drought caused renewed interest (Eksteen, 1972: 123; Van Robbroeck, 1986: 1; LHDA & TCTA, 2001: 1).

The original idea was to sell both water and electricity to South Africa. The reason for this was that Lesotho was still a poor and underdeveloped protectorate of the UK. It was therefore assumed that Lesotho and South Africa would both benefit from the scheme. South Africa would get water to sustain gold production and Lesotho much needed development in the form of infrastructure (Smit, 1967a: 40; Smit, 1967b; Eksteen, 1972: 121). South Africa's participation was, therefore, crucial.

From its inception it was realised that the Scheme's success would rest entirely on South Africa's willingness to buy these commodities. Not only that, in 1956 the UK government declared that South Africa's cooperation was necessary for the construction of Oxbow. However, South Africa did not give any guarantee to this effect. Because Lesotho was less developed than South Africa, and because it would be impossible for the country to implement such a project unilaterally at a projected cost of R24 million, it would be essential for South Africa to become a partner in the venture (Eksteen, 1972: 121).

South Africa's initial unwillingness⁵³ to be a partner changed during the period 1966 to 1967. South African policy-makers then realised that the Vaal Dam's capacity would be insufficient to continue providing water to the country's economic heartland. The period 1966-67 was also a period of drought. Consequently, in 1966, the South African government set up a Commission to look into the matter of alternative water resources and hydroelectricity from Lesotho. The Commission concluded that it would be in South Africa's best interest to implement the project, but that the country should not be solely dependent on water and electricity from Lesotho. The Scheme would only serve as a supplementary source of water (White, 1965: 264; Eksteen, 1972: 122). A water scarcity therefore prompted the South African government to consider alternative water sources. Yet, South Africa was still not willing to enter into a joint venture with Lesotho because of the dominant role played by politics.

A few political issues were identified that could jeopardise the Scheme:

- South Africa's insistence on the incorporation of Basutoland (as Lesotho was then known) into the Republic;
- South Africa's *apartheid* policy and the criticism it attracted;
- the Basutoland Congress Party's (BCP) demand that territory, lost in the Basotho Wars of the nineteenth century, be handed back; and

⁵³ This initial unwillingness was due to the Vaal River system not experiencing any water shortages at the time.

- South Africa's reluctance to be dependent on a foreign state for its water and electricity needs (Shand, 1956; Young, 1961: 227; Eksteen, 1972: 122; Barber & Barratt, 1990: 19).

Nonetheless, in March 1967 a preliminary feasibility study was presented to the Lesotho government. This study was conducted by Ninham Shand and Partners in association with Merz and McLellan. Discussions on the proposal with the South African authorities resulted in substantial changes to the design of the project (Van Robbroeck, 1986: 1-2; Turton, 2003b: 145).

In the following decades, political issues, particularly *apartheid*, were to have a significant influence on the interaction between Lesotho and South Africa concerning the LHWP. These issues also defined South Africa's security concerns over the Project. The question of South Africa's *apartheid* policy was, before Lesotho's independence, already the proverbial thorn in Lesotho's side. The then Minister of Economic Development, Charles Molapo, stated that if South Africa should buy water and electricity from the Oxbow Scheme, it would change Lesotho's economy drastically. Despite this, he also declared that Lesotho was afraid that if South Africa acquired a hold on Lesotho's economy, it would impose its *apartheid* policy on it (Eksteen, 1972: 122-123).

4.2.2. Independence and Cooperation

After Lesotho gained independence in October 1966, premier Lebaue Jonathan announced that the Oxbow Scheme was a high priority on his country's development list. In fact, Jonathan stated that if the scheme were to be implemented, Lesotho's budget would show a positive balance for the first time. Subsequently, negotiations between Lesotho and South Africa took place and, on 23 February 1968, Jonathan announced that an agreement in principle was reached. Both countries hailed this step as the beginning of a long-term positive relationship (Smit, 1967b: 298; Eksteen, 1972: 123, 124).

Construction of the Scheme did not start immediately; because South Africa was implementing the Tugela-Vaal Scheme and South Africa was not ready and willing to be dependant on water and electricity from an 'unreliable state' (Barber & Barratt, 1990:129). Already the hydraulic mission was hampered more by political circumstances than insufficient technical and human resources.

For instance, negotiations on the implementation of the 1966 proposal between Lesotho and South Africa, assisted by the World Bank, failed to produce an agreement, and were terminated at the end of 1972. Van Robbroeck (1986:2) commented as follow on this: 'The reason for this failure was the vastly different perceptions the two countries had on the Royalty to be paid for the water. The RSA originally (in 1968) offered a tantieme of 0,5c/m³, which was later raised to 1,25c/m³, over and above the full cost of water production. Lesotho on the other hand, as advised by the World Bank, wanted a return of [eight per cent] per annum on capital invested. The RSA

argued that this was unreasonable, because Lesotho did not put up equity, but relied on loans, which were fully serviced by the RSA’.

In addition, South Africa could increase the capacity of the Tugela-Vaal at a much lower capital cost. This was due to the provisions made for extensions of the first phase of the Tugela-Vaal Transfer Scheme, in the form of the Sterkfontein Dam, that would meet the water demands of the Vaal consumers until 1992 (Van Robbroeck, 1986: 3). Nonetheless, future political relations would have a greater impact on the LHWP than engineering solutions.

4.2.3. Worsening Relations

In the early to mid-1970s, relations between South Africa and Lesotho started to deteriorate. In 1975, the Vorster-government classified Lesotho ‘an extremist state’. Even so, negotiations on the LHWP were re-opened, but because of the 1976 political upheavals in South Africa, talks were suspended. Between 1976 and 1978, the Project came to a virtual halt with South Africa unwilling to pay the full price of the water. It wanted a 50 per cent discount, but Iran⁵⁴ convinced it to pay the price Lesotho was asking and the dispute ended (African Research Bulletin, 15 July - 14 August 1977: 4357; Wilsenach, 1982: 104; Van Robbroeck, 1986: 3; Barber & Barratt, 1990: 130; Meissner, 1998: 49-50).

In 1978, the LHWP was revived, but the two governments still disagreed on a few issues. This new initiative commenced when the Planning Division of the Department of Water Affairs (DWA) produced an internal report, recommending that the Upper Orange be considered a source of water for the Vaal River. A larger scale development project was now feasible, considering the exponential nature of the demand growth for water and the time lapsed since the Oxbow Scheme was initially advanced. At this stage, analysts also pointed to the economic interdependence of the countries, regarding the Project (Wilsenach, 1982: 104; Van Robbroeck, 1986: 3; Turton, 2003b: 145).

Henry Olivier and Associates, consulting engineers, were appointed to carry out some desk studies, following which discussions with Lesotho were re-opened. This was in line with the earlier agreement, following the political events of 1976, that a joint preliminary feasibility investigation be launched. Each country was to appoint its own consultants, under the direction of a Joint Technical Committee (JTC) that held its first meeting in 1978 (Van Robbroeck, 1986: 3).

Henry Olivier and Associates and Binnie and Partners (on behalf of Lesotho) were instructed to collaborate in the production of a joint preliminary feasibility report. Lesotho insisted on two conditions, namely that all layouts considered were to include hydroelectric power development in Lesotho itself and that no

⁵⁴ Before the 1979 Iranian Revolution, Iran was one of South Africa’s largest trading partners and one of the potential financiers of the LHWP (African Research Bulletin, 15 July-14 August 1977: 4357).

layouts were to involve storage capacities on the Caledon River (Van Robbroeck, 1986: 3-4). This was one of the first concrete indications that Lesotho wanted to utilise the Project for its political advantage as well.

These conditions had an important impact on the outcome of the study. In May 1979, the JTC produced a preliminary feasibility report on the strength of which it was decided to proceed with a final feasibility study. Each country was to contribute half the cost to the study (Van Robbroeck, 1986: 3-4). Cooperation was unfortunately inhibited due to the discord that prevailed between the countries.

4.2.4. The Feasibility Study

According to Van Robbroeck (1986: 4), '[i]t took Lesotho a considerable time to mobilise funds for its share of the cost of the feasibility study. Although it had provisionally been agreed to establish a joint body to appoint joint consultants, conditions attached to the funding acquired [sic] by Lesotho from the European Development Fund prevented this, and a complicated arrangement had to be devised for co-ordinating and supervising the study'.

Irrespective of this 'complicated arrangement', a satisfactory result was achieved. This bore testimony to the goodwill and negotiating skills on both sides. It was never necessary to take disputes between the consulting engineers to government level. Meetings at these levels were only held at the particular stages when important policy decisions were required. The mobilisation of the study teams started in August 1983 (Van Robbroeck, 1986: 4).

The study was conducted in two stages. Stage 1 was the identification of the layout, to be studied in detail in Stage 2. The first stage was to confirm that there were no insurmountable socio-environmental or legal barriers. It was also to establish that the benefits would be sufficient for both countries to continue with the study. The study was concluded in December 1985 and the results published in the final report in April 1986. The report consists of a Main Report and a number of Supporting Reports, namely:

- Hydrology Studies.
- Geotechnical and Construction Materials Studies.
- Environmental and Social Impact in Lesotho.
- Topographical Surveys and Mapping.
- Management and Manpower Studies.
- Legal Studies in Lesotho.
- Infrastructure.
- Design Studies.
- Project Cost Studies.
- Economic and Financial Appraisal (Van Robbroeck, 1986: 4-7).

Regarding the socio-environmental impact, the report concluded that the main impact would be the loss of some 4 000 ha of arable land and 18 700 ha of grazing; and that some 1 365 people would have to be resettled. Nevertheless, according to the report the extra employment, new and improved infrastructure, fisheries and tourism, and the distribution of the additional income from water sales in the Lesotho economy would more than offset the negative impact (Van Robbroeck, 1986: 11).

On institutional arrangements, the Report recommended that a parastatal authority be established in each country, responsible for all the works within its own territory (LHDA and TCTA). The reason for this arrangement was the disproportionate size of the project to Lesotho's economy, and the fact that it was considered inappropriate for a bi-national agency to implement, maintain and operate a project of this magnitude and scope. Furthermore, and because the Vaal River water users would pay most of the cost, it was deemed necessary to establish a joint agency for monitoring the Project with certain powers of approval. Each country was to have equal representation on the LHWC (Van Robbroeck, 1986: 11; Vorster, 1987-1988: 116; RSA, 1989: 1, 3; Meissner, 2000e: 27; Turton, 2003: 146).

The consultants also prepared a draft Treaty⁵⁵. This Treaty contained the agreement reached at the technical level. The Treaty was extensively reviewed and revised by the legal staff of the Departments of Foreign Affairs of both countries. The Treaty, *inter alia*, stipulated that the benefits of the project would be divided 56-44 in Lesotho's favour. This meant that, expressed in 1986 values, by January 1995 and using 1985 prices, Lesotho would receive an estimated R1.297 billion in royalties per year (Van Robbroeck, 1986: 11). Nevertheless, it was not always easy to organise the institutional arrangements contained in the LHWP Treaty.

4.2.5. Macro Conflict and Micro Cooperation

The inter-state conflict situation between the two countries reached an apex in December 1982, after South Africa launched an attack against the African National Congress (ANC) in Lesotho. In 1983, Lesotho threatened to withhold water from the Project if South African military involvement continued and Lesotho maintained that it would suspend any form of cooperation concerning the Project (*Die Vaderland*, 16 March, 1983: 3; Sullivan, 1989: 208). This was before the implementation of the Project, and an indication of the impact of the macro conflict between Lesotho and South Africa.

With military intervention by South Africa in mind, Lesotho demanded that a clause be written into the LHWP Treaty wherein Lesotho could shut off water in case of a political dispute. Lesotho argued that because it would deliver the water, it could also control the source. To give South Africa some reassurance, Lesotho indicated that it would inform South Africa before such

⁵⁵ *Treaty on the Lesotho Highlands Water Project between the Government of the Republic of South Africa and the Government of the Kingdom of Lesotho.*

a cut-off. South Africa was dissatisfied with this assurance, and demanded an uninterrupted flow in turn. South Africa also threatened Lesotho that if it should rescind on any undertaking given in a future agreement on water transfers, such a breach would constitute a right to military intervention (The Daily News, 16 April 1983: 7).

South Africa was unable to obtain such a guarantee and the negotiations over the water came to a halt (The Star, 12 August 1986: 11). Both South Africa and Lesotho thus used the LHWP for political gains: Lesotho to get an assurance that its territorial integrity and sovereignty would not be violated and South Africa to ensure that it would receive an uninterrupted water supply. Nonetheless, the mere fact that Lesotho controlled the source of the water put the country in a powerful position to influence South Africa's behaviour.

Notwithstanding these political undertones, planning for the LHWP continued from August 1983 to August 1986 (Showers, 1996: 12). During 1984, the situation concerning the LHWP was still tense despite (micro) technical cooperation. This was due to South Africa's unhappiness with ANC members residing in Lesotho; the presence in Maseru of embassies from East bloc countries; Lesotho's criticism of *apartheid*; and South Africa's assistance to the Lesotho National Liberation Army (LNLA). South Africa demanded that Lesotho enter into a security agreement with South Africa, but Lesotho declined (Barber & Barratt, 1990: 318).

In response, South Africa threatened to withdraw from the LHWP if the security situation did not improve. The viewpoint held by Lesotho was that the LHWP had nothing to do with such a treaty. South Africa, on the other hand, indicated that sabotage of the project was a possibility (The Star, 19 May 1984: 2; Rand Daily Mail, 19 September 1984: 3; The Cape Times, 22 September 1984: 2).

The incentive of the LHWP became an important diplomatic tool for South Africa in an attempt to obtain concessions from Lesotho. Thus, the Project was used to improve South Africa's external security position. This indicated that South Africa was still not willing to place itself in a position whereby its economic heartland would be vulnerable to decisions made by one of its 'enemies' (Leistner, 1984: 113), and thereby also jeopardising South Africa's economic security. At the time, the LHWP was, therefore, seen as both a source of socio-economic development and a security concern. 'High' political concerns were, however, not the only issues to impact on the situation, as subsequent events indicated.

On 21 September 1984 negotiations took place between Lesotho and South Africa in Cape Town. After the meeting, the feasibility study of the LHWP was restarted following the pull-out of South African engineers from the study earlier that year. The security argument was still high on South Africa's agenda. South Africa, for example, still insisted that it would not sign the Treaty without an integrated security arrangement and that Lesotho should

get rid of 'political problems', like the ANC. South Africa still believed that it could not trust Lesotho with the physical security of the Project. The rationale behind this insistence was the detrimental experience it had with the Calueque Scheme on the Kunene River in August 1975 (Die Burger, 22 September 1984: 5; Sunday Express, 7 October 1984: 1; Beeld, 9 October 1984: 14; Die Vaderland, 11 October 1984: 10; Meissner, 2000d: 111).

The security situation of South Africa was, in 1984, still the most important issue. At a National Party (NP) congress the then Prime Minister of South Africa, P.W. Botha, stated that it was difficult for South Africa to commence with the LHWP because of Lesotho's insensitivity towards South Africa's security needs (Coetzee, 1984: 132; Leistner, 1984: 113). The development of the LHWP was, therefore, dependent on the bilateral relations between the two states (Coetzee, 1984: 132). Throughout the 1980s, South Africa thus linked the LHWP to the issue of security. If Lesotho signed a security treaty with South Africa, it would have had a positive impact on the latter's regional security climate.

The proverbial last straw regarding South Africa's relations with Lesotho was the opening of the Cuban embassy in Maseru and continuous support given to the ANC by the Jonathan government. Late in 1985, South Africa imposed an economic blockade on Lesotho (Tsikoane, 1990: 117). This had a significant although negative impact on Lesotho's internal political situation because the following year the Jonathan government was toppled in a *coup d'état*.

4.2.6. *Coup d'état* and the LHWP Treaty

On 16 January 1986, Gen. Maj. Lekhanya staged a *coup d'état*, toppling the Jonathan government. It was alleged that South Africa was the main instigator of the *coup*, especially following evidence that South African officials had met with Lekhanya on 17 January 1986. In spite of the meeting having taken place, it could not be proved that South Africa was directly involved (The Economist, 25 January 1986: 41; Baynham & Mills, 1987: 52; Sullivan, 1989: 209).

The *coup* was a watershed in the relations between South Africa and Lesotho, not only over the broad spectrum of political issues, but also regarding the LHWP. An 'unfriendly' government was removed and replaced with a more compliant one. With the political 'problem' out of the way, the Project could be implemented as part of South Africa's ongoing hydraulic mission.

After the *coup*, relations between the two governments improved, especially on security and economic matters. Lesotho expatriated most of the ANC's members and broke off diplomatic ties with communist countries. This improved political environment culminated in the signing of the *LHWP Treaty*⁵⁶

⁵⁶ *Treaty on the Lesotho Highlands Water Project between the Government of the Republic of South Africa and the Government of the Kingdom of Lesotho.*

on 24 October 1986 (Treaty, 1986; Beijing Review, 10 February 1986: 11; Thabane, 2000: 634). The Treaty was important for South Africa, assisting it to break out of its isolation mould. It was the first international treaty South Africa signed after the *Nkomati Accord* in 1984 with Mozambique and the *Lusaka Agreement* with Angola that same year (Barratt, 1985: 417; Barber & Barratt, 1990: 294).

According to the South African government, it also showed the rest of Southern Africa that to cooperate with South Africa could produce positive results. The signing of the Treaty can be seen as a reward from South Africa to Lesotho for complying with South Africa's wishes regarding the issues of the ANC and communist bloc embassies (Sullivan, 1989: 209). It was therefore also a good public relations exercise for an internationally ostracised South Africa.

After the signing, a series of feasibility studies were undertaken. This was to secure 'the services of engineers, natural and social scientists to investigate and report on ways in which the construction of dams and related infrastructure was going to affect people and the environment in the designated areas' (Thabane, 2000: 634).

4.3. Improved Relations and Implementation: 1986-2003

From 1986 onwards, bilateral relations kept on improving as the Project was implemented. After the collapse of the Soviet Union and the 2 February 1990 De Klerk-speech, the entire SADC region saw a melt-down of hostilities, at least in some areas. In 1992, South Africa and Lesotho established diplomatic relations and in March 1993 the military government in Lesotho was replaced by a civilian one. Following the general election of April 1993 in Lesotho, Vincent Mokhele was sworn in as Prime Minister. He immediately committed his country to good relations with South Africa and the development of Lesotho's economy. He was of the opinion that within this political and economic framework, the LHWP would be of paramount importance (Beeld, 31 March 1993: 15).

During the period 1993 to 2003, the general bilateral relations between South Africa and Lesotho were characterised by growing cooperation over the Project. Collaboration was further strengthened by the ongoing political reforms in South Africa and the election of the ANC as the ruling party. Paradoxically, during South Africa's *apartheid* era the ANC was against the LHWP, for political reasons. In particular, it saw the Project as a 'domination instrument' of South Africa in the Southern African region (The Citizen, 16 November 1994: 13; Business Day, 23 January 1998: 9) and as a bargaining instrument of South Africa to gain leverage over Lesotho's Jonathan government and to put pressure on Lesotho to get rid of the ANC and communist bloc embassies. After the 1994 elections, the ANC as the ruling party changed its position and started to support the LHWP on account of the benefits the Project would have for both countries.

On 22 January 1998, Phase 1A of the LHWP was put in operation. At the opening ceremony, South Africa's President Nelson Mandela and Lesotho's King Letsie III commissioned the official transfer of water to South Africa. Namibia's President Sam Nujoma and Botswana's President Sir Ketumile Masire also graced the ceremony with their presence (Sowetan, 22 January 1998: 23; Die Volksblad, 23 January 1998: 1; TCTA & LHDA, 2001: 2).

A year later, the Muela hydropower station was commissioned. Of Phase 1B, the Matsoku Weir and the transfer tunnels from Matsoku to Mohale and Katse were enabled in October 2001 (TCTA & LHDA, 2001: 2). In February 1998, the South African government had decided, in conjunction with Lesotho to proceed with the rest of Phase 1B. The government claimed that it would save R500 million through this decision, which was supported by the World Bank. Bank staff concluded that only a lengthy delay could theoretically save any money on the project. However, this would come at an unacceptable risk of economically crippling water shortages in Gauteng by the second decade of the twenty first century (Business Day, 25 March 1998: 3; The Star, 25 February 1998: 3). Later that year, an event would take place that would lead to renewed interest in Lesotho's internal political affairs and the LHWP.

4.3.1. Operation Boleas

In September 1998 South Africa, under the auspices of SADC, was involved in Operation Boleas, together with Botswana, to quell a military rebellion in Lesotho. After the 1998 SADC involvement in Lesotho, speculation and even outright accusations were rife, to the effect that the incursion was for one reason, and one reason only—water (The Economist, 26 September 1998: 49; Saturday Star, 7 November, 1998: 11).

The reason for the involvement of SADC—and especially of South Africa—was not purely for water, but to stabilise an unstable state that had fallen victim to its own politicians' selfish endeavours. In other words, the decision by SADC to become involved in Lesotho was to prevent a democratically elected government from being overthrown by means of a military *coup*. In essence, the involvement was for the purposes of altering the authority structures of Lesotho, to influence the balance of domestic forces and to neutralise the destabilising influence of the Lesotho army.

Even so, relations between South Africa and Lesotho over the LHWP were not soured by the incident. This is an indication that, although it might seem that countries are in conflict with each other (which was not the case regarding the SADC military involvement in Lesotho), they can and will cooperate over water resources of international importance. Other, more conspicuous, aspects would have an impact on the interaction of the different role players.

4.3.2. The World Bank Threatens to Withdraw Financial Support

In November 1998 the World Bank delayed the signing of a US\$45 million loan for Phase 1B. It also threatened to withdraw a loan agreement of US\$1.5 bn. This came after the Bank indicated it would take these drastic measures if compensation claims by Highland villagers and project governance issues were not resolved, according to sources that worked closely with the project. The World Bank and project planners, on the other hand, stated that the Bank would not withdraw financial support for the Project. These sources said that the Bank had presented a list of additional conditions before the loan could be signed. These were as follows: the appointment of Bank approved personnel to development teams in the Highlands; the submission of a plan to ensure the compensation of all villagers affected by the project; and the construction of new housing for villagers who lost their houses during Phase 1A of the project (The Star, 26 November 1998: 1).

This was the second time the Bank presented the LHWP authorities with such an ultimatum in two years. In 1996, it also threatened to withdraw its support unless the LHDA attended to the backlog of compensation claims (The Star, 26 November 1998: 1). A more positive development within the Orange River basin would follow two years later.

4.3.3. The River Commission

On 3 November 2000, the basin states took a major step towards regional cooperation and coordination in the utilisation of the Orange River's water resources, with the signing of an agreement establishing the Orange-Senqu River Commission (DWAF, 2000).

The Commission's purposes were to develop a comprehensive perspective on the Orange River basin; to study the present and planned future uses of the river system; and to determine the requirements for flow monitoring and flood management. It was tasked to give advice to the Botswana, Lesotho, Namibian and South African governments on technical matters regarding the equitable utilisation of the system's water resources. One of its first assignments was a joint assessment of all the resources and uses of the entire basin (DWAF, 2000).

The planning process to establish the Commission was not without political manoeuvring. Initially South Africa did not want Botswana to be included in the Commission because in living memory it did not contribute any significant water to the flow of the river. Botswana rebutted by stating that this was not the case and it should be part of the Commission. Botswana was supported by Namibia and Lesotho. South Africa changed its stance and agreed to Botswana's inclusion (F.A. Stoffberg, personal communication, 10 November 1997).

Lesotho and Namibia supported Botswana in its claim in an effort to minimise South Africa's political dominance of the basin. South Africa is, after all, the upper riparian in the Vaal River and the middle riparian in the Orange (Meissner, 1998: 63). The establishment and operations of the Commission were, however, overshadowed by a more controversial episode in the Project's history.

4.3.4. Corruption

On 20 May 2002, Masupha Sole, former CEO of the LHDA was convicted on 13 counts of bribery. He accepted bribes from international firms based in the US, the UK, Canada, Italy, France and Germany. In return, he granted them lucrative contracts for the Project. Judge Brendon Cullinan, under Lesotho's jurisdiction, found that as the CEO and an engineer, Sole knew the sources and purpose of the payments made to his accounts at banks in Lesotho, Zurich and Ladybrand (South Africa) through intermediaries. Sole was sentenced to 15 years imprisonment (The Star, 21 May 2002: 5; Financial Post, 27 June 2002; The Economist, 21 September 2002: 73).

Sole received US\$350 000 from the Highlands Water Venture consortium, consisting of Impregilo (Italy), Hochtief (Germany), Bouygues (France), Stirling and Kier International (UK) and Concor and Group 5 (South Africa). Other civil engineering and construction firms involved included: ABB, a Swedish and Swiss consortium; ACPM (Lesotho); Cegelec, a partner that included CGE-Alstom and General Electric; Coyne et Bellier; Sogreah and Spie Batignolles (France); Lahmeyer International and Asea Brown Boveri Schaltanlagen (Germany); Asea Brown Boveri Generation (Sweden); Acres International (Canada); Sir Alexander Gibb and Partners and Belfour Beatty (UK); and the Universal Development Corporation and Electro Power Corporation (Panama) (Sunday Independent, 26 May 2002: 1; Sunday Independent, 22 December 2002: 13).

According to the *Financial Post* (27 June 2002), Acres International played the largest role in the corruption saga. Count 9 in the charge sheet involved 20 payments by the company into Swiss Bank accounts over a period of six years. The company denied all involvement in the affair despite it standing trial in a separate case. It was found guilty and its appeal overturned (National Post, 23 August 2003). Less than a year after Sole's conviction, Phase 1A and B would be completed.

4.3.5. Completion of Mohale Dam

Notwithstanding the corruption saga still haunting the Project, the Mohale Dam was completed in January 2003. The completion of the dam formed the end of the construction of Phase 1B. Subsequent phases of the LHWP are still under consideration, but any decision to proceed is likely to be somewhat later than originally envisaged due to a reduced water demand (Business Day, 24 January 2003: 3; Die Volksblad, 24 January 2003: 3; P. Pyke, personal communication, 18 December 2003).

Construction on the Mohale Dam and its transfer tunnel to the Katse Dam started in 1998. Plans to construct further dams, tunnels and weirs have been shelved for now. Willie Croucamp, Director of International Projects at DWAF, states that the water being delivered is sufficient for South Africa beyond 2020. He indicates that: 'It is clear that there is no need for further construction in the immediate future. The decision to implement further phases has been postponed'. The Project is now maintained by the LHDA and TCTA and the two Authorities have started with development projects. This is seen by the World Bank and other development agencies as the main test for the Project. From the royalties a number of projects will commence including skills and economic development and the promotion of agriculture (Business Day, 24 January 2003: 3; Die Volksblad, 24 January 2003: 3).

This is not to say that the bilateral cooperation between Lesotho and South Africa on the Project is over. It is rather the start of a new phase. Moreover, it does not mean that only a political relationship exists between the basin states and development institutions; interest groups are also part of the political process.

From 1956 to 1986, the two governments, together with their respective officials, were the main role players in the LHWP's water politics. This was in line with the realist perspective of world politics then prevailing. This changed with the transnational role played by and the involvement of interest groups. Although MNCs were important actors in the implementation of the Project, they only played a role insofar as to assist the governments in implementing the LHWP. The nature of the political interaction between governments and MNCs is usually stable and highly predictable. Timetables are kept and there is a strict adherence to budget limits. The public relations aspect of the project is also fine-tuned and reports are made available in the popular press and other printed and electronic media formats. This is to keep the public abreast on progress. The political environment is therefore 'smooth', reliable and without any turbulence and outside noise, unless corruption surfaces. This changes as soon as opposition to a project or part thereof arises, and this happened with the LHWP, with interest groups responsible for most of the clutter and turbulence.

5. Interest Group Involvement: 1985-2003

Interest groups were involved in the water politics of the LHWP before construction even started. This section explores their involvement, starting with the issues generated by the Project. These interest groups interacted with a number of entities, like the World Bank and the government of South Africa, in an endeavour to have it deferred, halted or for the proper implementation of the compensation policy.

5.1. Issue Areas

Table 11 indicates a plethora, not to say surfeit of issues articulated by the interest groups. What is also of importance is the history of their involvement and the roles they played in upsetting the predictable and stable environment of the decision-makers, financial institutions and engineering contractors involved in the Project.

Table 11. Issues and related aspects articulated by the interest groups.

Issue(s) Articulated	Interest group argument(s)
Water losses and higher water tariffs in the Rand Water distribution area.	Interest groups are concerned that DWAF will be lax in providing education on the merits of water conservation in its haste to recover funding for the Project.
Resettlement of Lesotho Highland communities.	According to interest groups, this is a traumatic experience for these communities.
Compensation for lost land and other assets.	The cash compensation package should be improved because there is an under-valuation of lost gardens and trees by a factor of ten.
Environmental impact.	Downstream habitats will be adversely affected by the LHWP. The fish resources and ecology of the Project area have also not been mapped.
Loss of resources.	There is a negative impact on the quantity and quality of the natural resources in the Project area, for instance pastureland decreased by 5 000 ha due to the construction of the Katse, Muela and Mohale Dams.
Impact due to construction.	Because of construction activities, like blasting, drilling and road construction, springs and wells have dried up and villagers are forced to travel long distances to collect water.
Dam safety.	Drowning, of humans and livestock in the Katse reservoir is a common occurrence.
Impact downstream of the project.	About 150 000 people are negatively affected by reduced water flows in the Orange River.
Social impact.	Social traumas include: shanty towns, rising food prices, an increased crime rate, a higher risk of sexually transmitted diseases—including HIV/AIDS, shebeens (unlicensed establishments selling alcoholic liquor) and prostitution. This was mostly the result of the influx of work seekers into the Project area.
Cultural impact.	The Katse Dam destroyed the local rain maker's ritual site, the Zionist congregation in Ha Theko lost their baptism pool and the rain-attracting stone of Ha Tsepo was also lost due to reservoir inundation.

Sources: Business Day, 19 March 1998: 14; Internet: Coverdale & Pottinger, 1996; Archer, 1996: 4, 10-11; Internet: Pottinger, 1996b; Horta, 1996: 15; Internet: IRN, 2001a; Hoover, 2001: 5, 7-9, 10, 11-12; 13-15; FIVAS, 2002.

5.2. The Role and Involvement of Interest Groups

In 1985, a year before the signing of the Treaty, the Mennonite Central Committee (MCC) placed two field workers in the central project area for monitoring purposes. This was the start of interest group involvement in the water politics of the LHWP. Two days before the signing of the Treaty, President Samora Machel of Mozambique died when his presidential plane crashed on South African soil. Students from the National University of Lesotho reacted to his death by attempting to stage a demonstration in the capital Maseru. This demonstration was to coincide with and to disrupt the signing of the Treaty. Police intervened and broke it up and the demonstration failed (Internet: Khits'ane, 1997; Thabane, 2000: 634). After the attempted demonstration, there was a lull in interest group activity for about 17 months.

In April 1988, a workshop was organised by the TRC at the request of the heads of churches in Lesotho. Part of the workshop dealt with the LHWP and many of the participants had close contact with the communities to be affected by the Project. The workshop anticipated some of the socio-political, economic and environmental problems likely to impact on the communities living in the Project area. At the workshop a representative committee was elected to draw up recommendations with the affected communities. These recommendations were directed by the Heads of Churches of Lesotho and presented to the Lesotho government. Consequently, a loose coalition of activists was formed to deal with the issues surrounding the communities to be affected (Internet: Khits'ane, 1997). The churches played an important part in the establishment of this coalition, for they had a long-standing relationship with the Basotho and a good reputation in Lesotho, dating back to the 1800s.

Since 1988, a number of local and international interest groups, such as the MCC and TRC, lobbied the respective governments, the LHDA and TCTA and the World Bank to halt construction of the Project, to implement alternatives and to improve compensation. They also continued with the monitoring of the Project and its impact. These interest groups hailed from different backgrounds, for example from associational (promotional) to communal. The alternatives suggested were mainly in the form of water demand management (WDM) in Gauteng, based on the arguments of the interest groups that water savings in the province would make the Project obsolete (Archer, 1996; Meissner, 2000f: 25).

This, however, was not their only concern. In its quarterly journal, *World Rivers Review*, the IRN noted in 1994 that the water Transfer Tunnel North had to be entirely lined with concrete. This raised the cost of the project by a further R250 million and caused a delay of one year (Internet: Coleman,

1994). Publishing an article on this, the interest group attempted to articulate that the project was not as well planned as initially thought. It therefore portrayed a negative image of the Project, to help sway people's opinion against it. Nonetheless, monitoring would form an important part of interest group involvement for the years to come.

In January and October 1994, Robert Archer of Christian Aid toured the Project and produced a report emphasising three concerns: the poor relationship between the Highlands communities and the governments and Project authorities; the delayed implementation of the Project's compensation and development programme by the LHDA; and the difficulty the Project will face in Phase 1B if acceptable alternative land is not found for the displaced (Archer, 1996: 51).

From 8 to 28 November 1996, Christian Aid and Oxfam, the HCAG, and the Christian Council of Lesotho visited the LHWP. The group was assisted by other interest groups or NGOs that work in the Project area or have an interest therein, namely the Lesotho Council of NGOs, the MCC, the TRC, the Young Women's Christian Association (YWCA) and GEM (Archer, 1996: 2, 3).

The purpose was to 'examine the LHWP's compensation programmes and other policy issues and also assessed opportunities to establish income-generating or development projects in the LHWP area' (Archer, 1996: 3). Consequently a report was published wherein the objectives and recommendations of the interest groups were outlined (to be discussed in more detail with reference to actor interaction). Nonetheless, the visit was an indication of the seriousness with which the interest groups viewed the Project's impact on the Lesotho Highlanders. This was further exemplified when the Katse Dam's sluice gates were closed in 1995 and the response it invoked.

This event came only two weeks after Moea Ramokoatsi, a representative of the HCAG, met with World Bank officials in Washington D.C. The purpose of the meeting was to request that the gates remain open until the Project's critical unresolved problems were addressed (Internet: Coleman, 1995b). Ramokoatsi was joined by representatives from the IRN, ED (based in Washington) and the MCC. Ramokoatsi also met with officials of the United States Treasury Department and other agencies involved in the Project. The meeting's purpose was to register a list of complaints from people living near the dam. She requested that plans for Phase 1B be postponed until critical issues originating from the completed Phase 1A, affecting 20 000 people, were resolved. These issues included deteriorating health conditions and inadequate compensation (Internet: Coleman, 1995b).

Campaigning against the LHWP continued in 1996, when DWAF reported that it might have to halt its involvement in the Project after the first Phase (1A and B) was completed. This was greeted by the interest groups, in particular the IRN, as good news. Pottinger wrote that the LHWP was therefore 'a pipe dream of over-eager engineers'. She also stated: 'As often the case with

hurriedly planned water projects in meteorologically unpredictable arid regions, the hydrological estimates were wrong: there isn't enough water to fill the planned dams, and as a result there is a lot less money for Lesotho' (Internet: Pottinger, 1996b; Hoover, 2001: 7-9). These statements are an indication of divergent resource use perceptions of the various interest groups, engineers and governments benefiting from the WRMP.

The interest groups were not only engaging the then South African government, but they were also finding fault with the way the decision to proceed with the project was taken. Horta (1996: 20) was of the opinion that 'many project-related decisions are being made by the *apartheid*-era bureaucracy which remains entrenched in South Africa. The *apartheid*-era planners of the Lesotho Highlands Project were concerned about a reliable supply of water for industrial growth. An adequate supply of safe water for the disenfranchised black majority of the country was not a high priority'. She also said that the South African government, although it was providing access to clean water to all, could implement alternatives to the LHWP. These included WDM and water savings by industries (Horta, 1996: 19). Linking the LHWP with *apartheid* was an effective way of getting a message across. The Project was linked to a highly controversial policy—*apartheid*, thereby linking it to the discourse of exclusion and ostracism. Moreover, the interest groups were not merely against the LHWP, but alternatives were also proposed. This is a normal response when a policy is opposed and was also the case in the aftermath of labour unrest on one of the Project sites.

On 14 September 1996, labour unrest broke out at a construction site near Mophale. According to the IRN, '[a]t least five workers were shot dead and some 30 injured' during the incident. The interest group said that the unrest broke out because of the unequal treatment of Basotho workers compared to those from other countries; the police harassment of workers; the dismantling of negotiation structures set up between the contractors and the local workers' union; and the beating of workers who earlier stole cement from the project site. The coalition of interest groups (consisting of the IRN, ED and EMG, amongst others) called on the World Bank to use its good offices to coerce the Lesotho government and the LHDA to take proper measures regarding the incident (Internet: Pottinger, 1996b; Meissner, 2000f: 26). This is an important indication of the transnational role and involvement of interest groups. A global development institution is lobbied by interest groups from the US (the IRN and ED) to intervene in the domestic politics of a developing African country. Not only were there interest groups from the outer periphery that actively lobbied various actors in the international political environment involved, but local interest groups were also hard at work.

Before construction commenced on the Mophale Dam in 1997, villagers from Ha Nqheku filed a lawsuit against the LHDA in the Lesotho High Court. The villagers' argument was that the LHDA was violating national laws regarding the seizure of land. The lawsuit stated that the village's fields, trees and water supply were negatively affected by construction work. Yet, this does not seem to have been the real issue. The LHDA did not register the names of

property owners in a 'book of reference' as required by Lesotho law and the Project's own legal documents. The claimants asked the court to 'declare the operations of the Project a violation of [their] rights' and directed the LHDA to make the books of reference available, or to stop construction if the Project authorities refused. They also questioned the legality of the project's 1990 compensation regulations and asked the court to 'direct the authority to submit its accounts dealing with compensation to be inspected by [their] representatives' (Internet: Pottinger, 1997b). Superficially it appeared as if the villagers in the Lesotho Highlands did not have access to huge amounts of financial and human resources and perceivably power. Their lawsuit is an indication to the contrary. It was also an indication that they were assisted by other interest groups (IRN and ED, for instance), from a liberal-democratic settings, like Canada or the United States, who transferred their knowledge of legal procedures to these communal interest groups.

In January 1998, after the commissioning of Phase 1A, interest groups became more vociferous in questioning the South African government's determination to continue with further Phases (Business Day, 19 March 1998: 14). Thus, as the Project's first Phase was completed the lobbying intensified because of the importance of the first event and the media attention it received.

On 22 January 1998, a number of interest groups released a statement, calling on the South African and Lesotho governments to halt further development of the LHWP until 'outstanding social, environmental and economic concerns' were resolved. The interest groups included GEM, ACO, the Soweto branch of the SA National Civics Organisation (NCO), ELA, the Environmental Justice Networking Forum (EJNF), HCAG and the IRN (Business Day, 23 January, 1998: 4).

The interest groups claimed that about 2 000 people displaced by the Katse Dam had not been compensated and that both Lesotho and South Africa had also failed to address ecological matters. These ecological concerns included the impact of reduced river flows on local fish populations, the effects of the manipulation of the natural flow canals, the project's impact on Namibia, the hampering of water conservation by imminent increases in water supply costs. They also stated that an EIA had not been completed before Phase 1A commenced, which was contrary to international law and professional standards (Business Day, 23 January, 1998: 4; Internet: IPS, 30 January 1998: 1).

The interest groups also objected to Phase 1B, particularly the construction of the Mohale Dam. They argued that this Phase would seriously undermine creative management efforts on the part of DWAF and Rand Water to increase equity and efficiency in Gauteng and Southern Africa. Such efforts include education, the introduction of water-saving products like dual-flush toilets, tariff reform, and fixing leaks and plumbing systems, in other words WDM. The groups moreover maintained that Phase 1B would increase water supply costs which would be passed onto the consumer (Business Day, 23

January, 1998: 4). Therefore, a risk discourse was introduced to coincide with the increased media attention.

In a letter to the *Business Day*, Richard Sherman from GEM reiterated the 'grave concerns on ecological, social and economic grounds' of the project. He indicated that they had made their position clear about the LHWP. From 1996 to 1997 a number of conferences and workshops were held by GEM to debate the issue. These had been attended by officials of government, the World Bank, the DBSA and Rand Water. Sherman also wrote: 'A mountain of correspondence testifies to the well informed and urgent debate over whether the people of Lesotho have been treated properly; whether the regional ecology can stand such unprecedented reversal of water flow; whether conservation measures can now be applied (given the huge inflow of Lesotho water that must now be paid for and hence consumed); and whether the many vastly undeserved Gauteng consumers will ever receive their research [sic] [reconstruction] and development programme promise of a free, lifeline supply' (*Business Day*, 23 January 1998: 9). This indicates that at the point where the public and media's interest increases over a WRMP, interest groups will use such events to campaign more strongly against it. It is, therefore, all about propaganda.

During January 1998, the Indian interest group, Save the Narmada Movement, joined the international network of interest groups campaigning against the LHWP. Shritad Dharmabhikary, representative of the movement, argued that they had huge successes in stopping the construction of the Sardar Sarovar Dam in the Narmada River in India. Because of this success, they decided to join the network. He also had an interview with Kader Asmal, the South African Minister of Water Affairs and Forestry and later chair of the WCD, meaning that the movement had a certain amount of insider status (*Die Volksblad*, 28 January 1998: 2). The increased campaigning, therefore, seemed to produce results, with another knowledgeable interest group joining the coalition.

The WCD was launched in February 1998. The Commission is an international and independent body consisting of 12 commissioners. The origins of the WCD date back to April 1997, when governments, government agencies, and interest groups sponsored a meeting in Gland, Switzerland, between dam proponents and those who are critical of dams. The common ground between the two groupings was sufficient to lay the basis for the establishment of the WCD. On the establishment of the WCD, the IRN's Lori Pottinger said that interest groups are 'concerned about having someone [Asmal] supportive of the World Bank and a controversial dam [Katse] heading the commission'. She also stated that there should be 'now [1998] a moratorium on large dam building' as the WCD's establishment 'vindicates claims that large dams have had massively negative social, environmental and economic impacts' (*Business Day*, 20 February 1998: 5; WCD, 2001: 2, 4; Fujikura & Nakayama, 2002: 301). This was not to be since another influential international organisation would have a greater impact.

On 21 May 1998, the World Bank's executive board postponed, until 4 June, a decision on a US\$45 million loan for Phase 1B of the Project. This was after the lodging of an anonymous complaint by three residents of Alexandra (a Johannesburg suburb). In April, a similar grievance was filed by the civics organisations of Alexandra and Soweto. After a meeting with Asmal, and a visit to the Project, the protest was withdrawn. The three individuals decided, though, to further pursue the issue. The objection was not handled by the board, but by the inspection panel that acts as the Bank's ombudsman. It was expected that the loan would be approved on 20 May 1998. Conversely, several members of the board wanted clarification over the implications of the complaint under the Bank's procedures. For this reason a decision was delayed until the next available date—4 June 1998 (Business Day, 22 May 1998: 2; City Press, 6 September 1998: 2; Internet: IPS, 10 March, 1998).

The complaint, supported by the IRN, stated that the Bank's analysis justifying the loan was flawed and it would make more sense to focus on WDM rather than the construction of another US\$1.5 billion dam. Members of the ACO believed that the price of water to Gauteng would increase to such an extent that the poor would be unable to afford it. One of the claimants commented that the Bank's delay was 'at least an acknowledgement that [their] grievance is actually going to be addressed'. The IRN argued that the Bank should further delay its decision on the Project until all social, economic and environmental issues were resolved. Pottinger responded: 'If these issues remain unresolved and the loan is approved, the World Bank will be supporting a project that is not needed for at least seven to 11 years. [This would] broadcast the message that the bank supports supply-driven water resources management, even in one of the most arid areas of the world'. On 4 June 1998, the World Bank's executive board approved the loan. Pamela Cox, World Bank country director for South Africa and Lesotho reiterated that the Project is 'the lowest cost alternative for water supply to Gauteng province' and 'a major source of development for Lesotho' (Business Day, 22 May 1998: 2; Business Day, 5 June 1998: 3). The interest groups were, thus, unsuccessful in using the poverty issue to influence the World Bank.

Even so, in July 1998, Jim MacNeill, a World Bank ombudsman arrived in South Africa to investigate whether the complaint needed further investigation. On 3 September 1998, the World Bank's inspection panel alleged that it had found no grounds for further investigation regarding the Bank violating its own policies in approving the loan. The panel agreed that water prices had risen beyond the ability of some to pay, and that the leaky infrastructure was causing 'severe wastage and health problems in Alexandra, Soweto and other townships where conditions were harsh and unsanitary for millions of people'. Yet, there was no connection between these conditions and any 'observance or not by the bank of its own policies and procedures'. The panel also found no evidence that the three individuals from Alexandra who initially lodged the complaint were intimidated by the South African government into dropping their charges (Business Day, 23 July 1998: 8; Business Day, 4 September 1998: 3). Despite this, the ACO would continue its campaign against the Project.

At a meeting of the ACO Housing Committee, held on 11 October 1998, the participants agreed to continue the campaign to oppose the LHWP. This was after they lodged a complaint with the World Bank in May 1998, that the Bank had violated policies in supporting *apartheid* era plans to supply water to South Africa. They urged the World Bank to delay Phase 1B of the project. Their argument rested not on the disruption of their livelihoods, as in the case of the Lesotho Highlanders, but the money spent on the Mohale Dam. This, the ACO argued, would lead to water tariff increases in Gauteng and a depletion of resources that could better be utilised to fix leaking pipes and taps, extend services to all residents, and create jobs (Internet: SAEP, 1998).

For the ACO, poverty alleviation, urban service delivery and socio-economic development are of paramount importance. Alleviation of poverty and proper compensation are high priorities for the Lesotho Highlanders. These differences in issues arise because of the respective urban and rural locations of the two interest groups. It was, however, agreed at the meeting that the ACO would respond to the World Bank's Inspection Panel (which found no connection between the project and the poor state of water services in Gauteng) and build alliances with the other interest groups that are opposed to the project (Internet: SAEP, 1998).

On 11 and 12 November 1999, the South African Hearings for Communities Affected by Large Dams were held in Cape Town. At these Hearings participants from Southern African countries met to discuss and analyse the negative and positive social, environmental and economic impacts that large dams have had on their communities. The hearings were hosted by the EMG, GEM, and the Botswana Office of the IRN, under the patronage of Reverend Njongonkulu Ndungane, the Anglican Archbishop of Cape Town (Stott, Sack & Greeff, 2000).

Secretariat staff of the WCD, most notably Asmal as chairperson, and Ronnie Kasrils, Minister of Water Affairs and Forestry and Justice Albie Sachs of the South African Constitutional Court, were also present (Stott, Sack & Greeff, 2000). At the hearings, villagers from the Project area in Lesotho gave evidence of their experience regarding the implementation of the Project and how it affected them. Didian Malisemelo Tau, from the Makotoko Village in Lesotho told of the people's experience when Mohale Dam was constructed. He described their way of life before the LHDA asked them, in 1995, to move off their land. The village community literally lived off the land, in other words they had a self-sustainable existence. They had enough fire-wood for cooking and heating, enough clean water from springs and wells for drinking and cooking, enough pasture to raise livestock which was sold for an income, and adequate housing. The village was therefore sustaining itself off the land and its economy was based on subsistence farming. Maize and vegetables were grown to satisfy their own needs and the surplus was sold (Stott, Sack & Greeff, 2000).

The LHDA told them to move 'because they will build a dam there which will help the R.S.A by water. The factories and industries of R.S.A need water to proceed their work', Tau said. The community resisted. According to Tau, 'L.H.D.A project promised to beautify our lives more than what we had. It promised to increase our buildings. They said we are few and they can help us but the people who need our water, are many and it is difficult for them to help them because they are many. If we move away there, and the project builds a dam there, that water can save many people's lives. We agreed to move away to save many people's lives with our water and we hoped that the project will be trusted to satisfy us with all that it promised to do for us because we save many people's lives'. The community's position was that, 'few people agreed to move away from a place to save many people's lives'. Similar grievances were raised by other villagers from the highlands. Yet, according to these complaints, the LHDA reneged on its policy (Stott, Sack & Greeff, 2000).

The aforesaid provides an indication of what is valuable to the Highlanders and Alexandra residents. There were, therefore, slight differences in the value assessment of resources between the two communities, but still they loosely cooperated in policy discussions. The outer peripheral interest groups, on the other hand, articulated issues that were more abstract.

The IRN and Public Services International (PSI) sent a letter to the World Bank President, James Wolfensohn, in November 1999. In this letter, the interest groups raised the issue of corruption and maintained that the Bank 'bears a responsibility here [LHWP], since it is the sponsor of large and profitable projects which attract the multinationals. The Bank has adopted clauses in its procurement guidelines, which state that it will declare a company ineligible for future contracts if it has engaged in corrupt practices'. They impressed on the Bank the need to act against the companies involved in the corruption scandal stating that the Bank 'is morally obliged to take this action. We also believe that its own guidelines, adopted to combat corruption, oblige it to do so' (Internet: IRN, 1999c).

In June 2000, people to be resettled from the Project area to make way for the Matsoku Dam demanded compensation from the Project authorities before they were moved. They received advice on this from their neighbours who were resettled in 1998 from the Mohale Dam site. They were advised to demand compensation before they were moved because, as the former neighbours warned: 'If you wait until you've been moved you will find you have no more power than a toothless dog' (Internet: TRC, 2003).

In October 2000, the IRN reported that the Rural Development Plan, implemented in 1990 by the LHDA, had failed to electrify the homes of project-affected people. About US\$1 million was set aside for this purpose. The IRN stated: 'It appears project authorities never had any intention of following through on this commitment'. The IRN, furthermore, alleged that the Project authorities had admitted in December 1999, that the rural

electrification programme had not yet been implemented. The IRN was sceptical whether it would ever be implemented (Internet: IRN, 2000a).

Furthermore, the LHWP was criticised for non-compliance with the WCD guidelines. These guidelines were contained in the WCD's final report, published in November 2000 (Internet: IRN, 2001; Fujikura & Nakyama, 2001: 301). Regarding these guidelines and the commitment made by the Lesotho and South African governments in 1986 about the resettlement and living standards of the affected communities, the IRN remarked that 'standards of living for the majority of the project-affected people are in fact declining' (Internet: IRN, 2001b). It was against this background that the IRN criticised the LHWP on the WCD guidelines, by highlighting a number of issues and recommendations from the WCD with which the LHWP had not complied (see Table 12).

Table 12. WCD guidelines and the IRN's criticism.

WCD Guideline	IRN Criticism
Those bearing the social and environmental costs and risks of large dams are frequently not the same people who receive the social and economic benefits. The WCD, therefore, recommends that governments should accord social and environmental aspects the same significance as technical, economic and financial factors when pondering whether to build a dam.	The LHWP had a profound impact on Lesotho's economy. In 1998, it accounted for 13.6 per cent of the GDP and royalties contributed 27.8 per cent of government revenue. However, Lesotho's poor have seen little of these benefits. The Lesotho Highlands Water Revenue Fund (LHWRF) must distribute the royalties to the poorest in Lesotho. However, corruption forced the World Bank to restructure it.
The WCD reiterates the necessity of meaningful participation of people whose livelihoods, human rights and property and resource rights may be affected by dams. The Commission recommends negotiations in which all stakeholders have an equal opportunity to influence decisions from the beginning of the planning process.	The IRN contends that participation by affected communities has been minimal at best. Affected people have had no forum to negotiate effectively on how the Project's dams would affect them, let alone influence the decision to build them.
The WCD states that special attention is necessary to ensure that compensation and development measures are in place well in advance of resettlement. Furthermore, a clear agreement with the affected people on the sequence and stages of resettlement will be required before construction or any project preparatory work begins.	Resettlement was unnecessarily stressful for LHWP-affected people. No compensation was received, despite World Bank policy requiring it. Where resettlement took place, the people were resettled to places with inadequate and unsafe drinking water and where they experienced hostility from host communities. They had no opportunity to negotiate binding performance contracts.

Source: Internet: IRN, 2001b.

The IRN also criticised the Project for having too many negative effects on downstream ecosystems, and is, moreover, highly inefficient in supplying water to Rand Water's delivery area (Internet: IRN, 2001b). By linking it to constructed standards of behaviour, the IRN highlighted the negative aspects

of the Project. This is a sophisticated way of lobbying, even though, more traditional methods of lobbying were also used.

Demonstrators protested against the LHWP at three dam sites on 19 November 2001. In particular, they indicated the lack of fair compensation for property lost and unfulfilled promises of development in affected communities. They demanded a 10 per cent share of the royalties and a commission of inquiry to look into the Project's impact on local people. A petition was delivered in which they stated: 'We have tried by all possible means to get a fair and reasonable compensation for our property ... but this was all a fiasco. We were promised development ... but this has not materialised to date' (Internet: IRN, 2001b). This was the second time in the Project's history that a co-ordinated protest took place. About 1 000 affected people gathered at Katse and Mohale, and about 300 marched at Muela Dam (Internet: IRN, 2001b).

The impoundment of land from the Mohale Reservoir commenced a year later. The rising water level of the reservoir, however, threatened the Lakabane family. Their predicament and the subsequent responses to it gives a good indication of the nature of the interaction between a family, an interest group and a parastatal.

The Lakabane family lived on a hill in the middle of the reservoir area. When impoundment started, the family faced the prospect of relocation or drowning. The obvious option was resettlement. There was, nevertheless, a problem. The LHDA told the family that they were not entitled to resettlement because the land on which they lived and the homestead on it were bequeathed to Makobeli, Lakabane's brother. Lakabane also received letters of confirmation from the rest of the family, the District Secretary and the Principal Chief of Thaba-Bosiu that the land and all on it belonged to Makobeli. This, according to the interest groups, did not convince the LHDA (Internet: The Survivor, 14 November, 2002).

Makobeli approached the TRC to intervene and assist them in the matter. The TRC made a commitment that it would negotiate with the LHDA and solve the family's predicament. Other members of the community wherein the Lakabane family lived also appealed to the LHDA and the Lesotho government to resettle the family (Internet: The Survivor, 14 November 2002). The TRC and other interest groups engaged the LHDA and the Authority decided in December 2002, that the family would be resettled at Ha Tsolo near Maseru (Internet: The Survivor, 9 December 2002). With this, the TRC mediated between the most basic unit of society—the family—and a parastatal, to successfully resolve the issue.

Throughout their campaigning against the implementation of the LHWP, the interest groups played a variety of agential roles and used a number of strategies and tactics (see Table 13).

Table 13. Agential roles, strategies and tactics used by the interest groups.

Interest group	Year	Agential Role(s) Played	Strategy (approach)	Tactic(s)
MCC	1985	Watchdog agent	Technocratic	Linking domestic and international systems
Student protest	1986	Opinion generation, policy shaping, and oppositional agent.	Grass-roots mobilisation	Controversial action.
TRC	1988 onwards	Standard creation, interactive and assistant agent	Coalition-building	-
IRN	1994	Opinion generation and transnational agent	Coalition-building	Connecting issues
Christian Aid, Oxfam, HCAG, and Christian Council of Lesotho	1994	Epistemic, transnational, watchdog, representation, guardian and interactive agent	Technocratic, coalition-building, and power	Linking domestic and international systems, joining groups across national borders and direct communication with decision-makers
HCAG	1995	Policy shaping, interactive, empowerment, transnational, representation and opinion generation agent	Power	Direct communication with top decision-makers
IRN	1996	Norms creation, oppositional and transnational agents	Technocratic	Support DWAF decision not to implement further phases of the LHWP
ED	1996	Norms creation, transnational and policy shaping agent	Grass-roots mobilisation	Ideological enticement
Communal interest groups	1997	Interactive, policy shaping, safety provider, norms creation and opinion generation agents	Technocratic.	Litigation
GEM, ACO, ELA, HCAG, and IRN	1998	Policy shaping, norms creation, assistant, transnational, interactive, agenda construction, oppositional and epistemic agents	Coalition-building	Connecting issues, joining groups across national borders
Save the Narmada Movement	1998	Transnational, assistant, interactive and policy shaping agent	Power and coalition-building	Direct communication with top decision-

				makers and joining groups across national borders
IRN	1998	Opinion generation, agenda construction, transnational, policy shaping, norms creation, oppositional, institution creation and assistant agent	Technocratic	Assisted in the formation of the WCD
ACO	1998	Transnational, norms creation, interactive, representation, oppositional and policy shaping agent	Power, technocratic and coalition-building	Direct personal communication with top decision-makers, linking domestic and international systems and joining groups across national borders
EMG, GEM and IRN	1999	Norms creation and transnational agents	Grass-roots mobilisation	Use of celebrities (Archbishop) and interaction with top decision-makers at the hearing
IRN	1999	Norms creation, policy shaping, standard creation, watchdog and transnational agent	Power	Direct communication with top decision-makers
Communal interest groups	2000	Policy shaping and assistant agent	Coalition-building	Perforation of social networks
IRN	2000	Policy shaping, oppositional and norms creation agent	Technocratic	Caution others regarding negative policy trends, link domestic (LHWP) and international (WCD) systems
Communal	2001	Policy shaping and norms creation agent	Power	Influence through constituencies

This Table is instructive regarding the roles, strategies and tactics used by the interest groups. Firstly, the individual interest groups played multiple roles simultaneously. Where one role was played, for instance by the MCC in 1985, one strategy and one tactic was used, namely, a watchdog role, using a technocratic approach to link the domestic and international spheres. This

was in line with the MCC's identity as a Christian and humanitarian organisation, that promotes peace and goodwill among people. By playing a watchdog role, a 'benign' role, is exhibited by this identity. The other interest groups, on the other hand, played roles that were more 'active' (or aggressive) and used more 'active' strategies and tactics such as the power approach and grass-roots mobilisation, especially when opposing certain issues of high salience, like labour unrest and corruption. This is an indication that interest groups were willing to use all means necessary to oppose a policy issue, and that they were drivers of the political process.

It is also important to note that villagers (communal interest groups) in the project area played an important part in lobbying. These were the interest groups most immediately affected and they supplied much of the required information to the other inner and outer peripheral interest groups. These communal groups therefore played the roles of transnational, empowerment, policy shaping, oppositional, opinion generation, representative and interactive agents. The information they supplied to inner and outer peripheral groups empowered the latter to continue their lobbying efforts.

Thus, interest groups, especially the communal type, were not mere passive observers of domestic and international political events and occurrences. They were active participants and because of this, they were some of the most important drivers of water politics within the international river basin. A better understanding of these roles is gained from the examination of the agential power of the interest groups and state actors.

6. Actor Agential Power

The agential power of the interest groups and states is determined with reference to the ideological, economic, military and political power elements outlined in the framework for analysis.

6.1. Ideological Power

A number of ideologies can be distinguished, due to the large number of actors involved. Before these ideological premises are identified, it is necessary to group the actors. The first group consists of the basin states directly involved in the Project, namely Lesotho and South Africa; the second comprises the core interest groups; the third those from South Africa and the SADC region (inner periphery); and the fourth those from other parts of the world (outer periphery).

The ideological power of the states and interest groups are analysed using the following criteria: social-historical circumstances and how discourses are produced and the level of nationalist loyalty (in the case of states only).

The two states will be analysed first. (Botswana and Namibia will not be considered since they are not involved in the Project.) Because Lesotho and South Africa are jointly implementing the LHWP, they are politically united and

stand, in some instances, opposed to the interest groups (Meissner, 1998: 52-56). For practical purposes, only the interest groups directly involved will be analysed. Some of the interest groups examined in the Kunene (Epupa) case study are also directly involved in the LHWP. They are the ELA, EMG, FIVAS and the IRN. To avoid duplication, their ideological power will not be analysed, but their role and influence will be outlined. While the states' ideological power will be evaluated using the criteria outlined above, the interest groups' will be explored using only the first criterion.

6.1.1. Lesotho

Lesotho's ideological power is considered in the context of the country's socio-historical circumstances. Lesotho's geopolitical position is the most prominent factor that influences its social-history. Surrounded by South Africa it had to ward off attempts at incorporation. Nonetheless, although an independent sovereign state, Lesotho has always been part of South Africa's sphere of influence, especially concerning its political economy. Thus, the overriding ideological discourses behind Lesotho's involvement in the LHWP and its implementation are political independence and socio-economic development.

6.1.1.1. Independence from South Africa

Lesotho's political independence from South Africa can be traced back to the 1840s. It should be understood within the context of a hegemonic power struggle between the British Empire and the establishment of white Afrikaner sovereignties (the Boer Republics of the Orange Free State [OFS] and the *Zuid-Afrikaanse Republiek* [ZAR]). British interaction with the Basotho began in 1842. Dominated by the philosophy of humanitarianism, the British emphasised African rights and the creation of a Christian buffer state north of the Orange River. This was to restrict the expansion of white settlement (a process later known as the Great Trek). This ideal came to fruition in the *Napier Proclamation* of 1842 and the *Napier Treaty* signed in 1843. The Proclamation warned the emigrant farmers (*Voortrekkers*—participants in the Great Trek) not to interfere with Moshesh (the Basotho monarch at that time). Another purpose of the Treaty was to encircle the Boers with independent black client or treaty states (Eksteen, 1972: 7, 159, 160; Tylden, 1944: 23-24; Stevens, 1972: 98; Lelimo, 1998: 14, 197).

Moshesh, impressed by the British who proclaimed Christian values and their expression of good will, sided with them as a guarantee against the land-grabbing *Voortrekkers*. The *Voortrekkers*, although also proclaiming Christian values did not recognise the validity of African polities. Land, needed by the *Voortrekkers* for the establishment of an independent state, became a defining characteristic of Basotho-Boer relations following the establishment of the OFS in 1854 (Lelimo, 1998: 197).

This was the same year the British withdrew from the Orange River Sovereignty and left behind an undefined border between the OFS and

Basutoland⁵⁷. It led to the escalation of tensions over conflicting land claims. Consequently, three open and violent confrontations took place, one in 1858, the second in 1865, and the third in 1867. The last nearly destroyed the Basotho nation (Eksteen, 1972: 24, 28-40; Lelimo, 1998: 198, 199; Rosenberg, 2001: 135). However, as Lelimo (1998: 198-199) argues, '[i]t was only the over riding geo-political factors of British policy in the sub-continent which finally induced [the Governor of the Cape Colony, Sir Philip] Wodehouse to save the Basotho nation when it was in peril of destruction.'

These geopolitical factors included the containment of the OFS along neo-colonial lines whereby it should not have an independent foreign policy and an outlet to the sea for trade and international diplomacy. This consideration was the most important in a list that led to the annexation of Basutoland as a protectorate by the British in 1868. Other factors were the degrading racial policies of the Boer Republics, the plight of Basotho women and children, the expulsion of French missionaries, and the economic cost of the three wars. Annexation prevented the OFS from overrunning Moshesh and securing an outlet to the sea at Port St. John's (Grobbelaar, 1939: 1, Stevens, 1972: 98; The Economist, 30 May 1998: 46; Lelimo, 1998: 199, 200; Rosenberg, 2001: 136).

Following the annexation, Moshesh's request for a form of indirect rule was ignored, magistrates were placed in the Mountain Kingdom, and the land base of Lesotho reduced. Part of Lesotho's territory was ceded to the OFS, and is still part of South Africa today. With the formation of the Union of South Africa in 1910, the Basotho nation united, and called, not for the return of the territory, but the prevention of Basutoland's incorporation into South Africa. The aim of the British and South Africans were to incorporate the three Protectorates (Basutoland, Bechuanaland and Swaziland), for it made no economic sense that they should be kept in a semi-autonomous state (Eksteen, 1972: 60; Lelimo, 1998: 202; Rosenberg, 2001: 137).

However, '[g]iven the fact that Blacks would not be given any political rights in the proposed Union, and fearful that more land from the Protectorates would ultimately be alienated to the whites despite provisions to the contrary in the South African Act, [the] Basotho fought strongly against incorporation' (Lelimo, 1998: 203). This gave rise to a national identity, which served to reinforce the physical borders, separating Lesotho from South Africa. Hence '[t]he Basotho cast South Africans into the role of the hostile "other" in their emerging national consciousness' (Rosenberg, 2001: 133).

Successive Union governments raised the issue of incorporation during the course of the twentieth century but failed. For instance, during the Second World War, Jan Smuts proposed that the UK transfer the three Protectorates to the Union. With this, Smuts attempted to increase South Africa's sphere of influence and strengthen the British Commonwealth. In 1950, D.F. Malan raised the incorporation issue again. He argued that the 'delay of transfer

⁵⁷ Before 1966, Lesotho was known as Basutoland.

implied a position of inferiority for the Union as a commonwealth state. Furthermore, that no other state would tolerate being compelled to harbour territories belonging to another country within its borders'. The NP government was so confident that the territory of Basutoland would be incorporated, that the Tomlinson Commission (1950-1955) factored it (and Bechuanaland and Swaziland) into the plans for new African homelands (Spence, 1968: 74; Stevens, 1972: 97; Rosenberg, 2001: 147).

The failure to incorporate Basutoland into South Africa was attributed to the following factors: The Basotho were vigilant about the issue since they feared the loss of more land; the racial policies of the Union became increasingly repressive and prejudiced towards blacks; and British policy stipulated that such a transfer was only possible after the Basotho had given their consent (Barber & Barratt, 1990: 18-19; Lelimo, 1998: 203; Rosenberg, 2001: 133-134). These reasons represent the gist of Lesotho's sovereign independence, and encapsulate the following ideological discourses: self-rule over a territory (territorial integrity and sovereign independence), anti-racism, and an individual and collective free will (nationalism/patriotism linked with an independent Basotho identity).

Appeals by the Basotho in the past for the return of conquered territory were also unsuccessful mainly due to British geo-political interests after the Second World War. These demands gave rise to new mass-based political movements like the Basutoland African Congress (later the Basutoland Congress Party). One of its slogans read: 'Hold fast to your shield and let it be firm Father of Senate [Letsie, son of Moshesh I], you see that this land is going'. It asked for vigilance on the part of the Basotho because their enemies, the whites of South Africa, were still intent on taking the land through incorporation. When this danger passed after 1945, another saying developed: 'Let the land return' (Lelimo, 1998: 204). These slogans are indicative of the high sense of independence held by the country. The Basotho would not have asked for the territory if they wanted to be incorporated into South Africa, even after the ANC came to power in 1994. For over a century and a half, Lesotho has exhibited a great sense of political independence. However, the country's economy is largely dependent on that of South Africa.

6.1.1.2. Socio-economic Development

Despite Lesotho's political independence, it remains within South Africa's sphere of influence. Lesotho's economic fortunes are inextricably linked to those of South Africa, as a satellite economy. This dependence was already evident in 1900, when its economy started to become increasingly dependent upon migrant remittances. During the period 1909-1910, 82 000 Basotho sought work in South Africa as legal and illegal workers. Migrant labourers to South African mines increased from 32 000 in 1909 to 50 233 in 1933, and reached 154 782 in 1956. There was also an increase of Basotho workers on South African farms and in its cities (Rosenberg, 2001: 137; ASS, 2002a: 551).

Before and after independence, Lesotho relied heavily on remittances from these workers, especially those in the gold mining industry. A share of their earnings automatically goes to the Lesotho government. Still, in the late 1990s this started to decline, mainly due to the 1997 fall in the gold price below US\$300 per ounce (oz.). In mid-2001, the gold price stood at US\$272 per oz. During this period, gold mining companies reduced their workforce. Thousands of workers lost their jobs, many of them migrant workers. Consequently, between 1989 and 2001 about 61 000 Basotho returned to their native country, where unemployment is high. The Lesotho government also lost a significant amount of foreign revenue, and its income from this source declined from M1.4 million in 1999 to M1.3 million in 2000 (Weisfelder, 1972: 128; The Economist, 29 September 1990: 47; ASS, 2002a: 551; New African, May 2003a: 54).

Apart from the remittances of migrant workers, Lesotho has another major exploitable natural resource—running water—which is transformed into foreign revenue through the LHWP. The sale of water to South Africa can have an enabling effect on Lesotho's socio-economic development, especially seen in the face of a decline in remittances. For instance, in 1998 Phase 1A of the project contributed more than five per cent to Lesotho's GDP, and created the equivalent of 40 000 full-time jobs. Between 1994 and 1998, the economy grew by ten per cent, largely attributable to the LHWP. Moreover, due to the generation of hydroelectric power the national grid was expanded to 8 000 households at the end of 2002 (The Economist, 30 May 1998: 46; ASS, 2002a: 553).

Nonetheless, the LHWP's contribution to Lesotho's GDP fell from 12.1 per cent in 1999/2000 to 6.5 per cent in 2000/2001, and was forecasted to decline to six per cent in 2002/03 as Phase 1B came to an end (ASS, 2002a: 553). Thus, Lesotho's continued political independence from South Africa and the economic development of its people created strong ideological forces within Lesotho for the advancement of the LHWP. It also created an opportunity for Lesotho to expand its sovereign independence in the face of a large, and in the past, threatening neighbour, as well as creating an opportunity for socio-economic upliftment funded by royalties.

6.1.1.3. Level of National Loyalty

Although Lesotho was characterised by political instability (see Table 14) after independence, there are no indications that national unity is threatened.

A precondition for socio-economic development, according to Lesotho's Prime Minister Pakalitha Mosisili, is political stability. As indicated, Lesotho had experienced a number of political episodes in the past that undermined this. In May 2002, voters went to the polls for an election in which the country replaced its Westminster-style first-past-the-post electoral system with a unique mix of simple majority and proportional representation (the mixed-member parliament). This was an attempt to bring a measure of political

consistency to Lesotho politics. The rationale behind the move was to ensure majority rule by the victorious party while guaranteeing a voice in the National Assembly for minority parties. Moreover, it was to prevent a re-occurrence of the disastrous 1998 elections, in which the Lesotho Congress for Democracy (LCD) won 79 of the 80 seats with 60 per cent of the vote. The Basotho National Party (BNP) won the remaining seat with 24 per cent of the vote (Ajulu, 2001: 50; *The Times*, 25 May 2002; *New African*, May 2003b: 6). Despite Lesotho's turbulent history, the level of national loyalty towards the state remains high.

Table 14. A concise history of Lesotho's political instability.

Episode	Year
Declaration by Chief Jonathan that the 1970 election was invalid and his proclamation of a state of emergency whereby he arrested leaders of the BCP and seized power.	1970
Failed <i>coup</i> attempt by Vincent Mokhehle, leader of the BCP.	1974
Cancellation of the elections by Jonathan increased hostility with the LLA (military wing of the 'external' faction of the BCP), which launched a number of attacks on BNP targets.	1985
<i>Coup</i> resulting in Maj. Gen. Justin Lekhanya seizing control of the government.	January 1986
All formal political activity was suspended by the military council.	March 1986
Lekhanya suspended the King's executive and legislative powers after a <i>coup</i> plot.	1990
Another <i>coup</i> and Lekhanya was ousted by Col. (later Maj.-Gen.) Elias Phitsoane Ramaema.	30 April 1990
Discontent within the armed forces and a subsequent mutiny.	November 1990
Skirmishes between rebel troops and forces loyal to the government.	January 1994
A royal <i>coup</i> by king Letsie III after dissatisfaction with the BCP government.	August 1994
Mokhehle formed a new political party, the Lesotho Congress for Democracy (LCD) to which he transferred executive power. This was after a protracted struggle between rival factions for control of the BCP.	March 1997
Anti-government demonstrations broke out in the capital in July 1998, over irregularities during the elections. This led to Operation Boleas.	September 1998

Source: *The Star*, 31 January 1970: 1; Weisfelder, 1972: 126; Akokpari, 2002: 1; ASS, 2002a: 547-549.

6.1.2. South Africa

South Africa's ideological power should be viewed in terms of the country's social-historical circumstances, especially regarding that of the present ruling party—the ANC. South Africa's political-social history was dominated by *apartheid* until 1990 and provided the context of the history of the ANC. The government's ideological stance is one of the most important elements of the agential power of both states in implementing the LHWP. The overriding ideological discourses informing the government's stance towards the Project are nation-building and economic growth. It is within the framework of these

discourses that the Project is justified and the government is resisting attempts by interest groups to stop the LHWP.

This section explores the social-historical circumstances of South Africa under *apartheid*, the ruling elite's ideological history and the ANC's attempts at nation-building and economic growth. The latter aspects are important, for it is within the discourse of nation-building and economic growth that the dynamics of the role and involvement of interest groups find meaning.

6.1.2.1. Apartheid

One of the most important political aspects of modern South Africa is the policy of separate development based on racial classification, namely *apartheid*. During the twentieth century, South African society was characterised by race as a basis of political organisation and institutionalisation. There was a commitment by the white elite to establish and maintain a white state on the African continent.

This commitment was already entrenched at the end of the Second World War and was strengthened in 1948 when the NP came to power and introduced *apartheid* as official government policy. In 1955, Johannes Strijdom, the then Prime Minister of South Africa, confirmed: 'Our task in South Africa is to maintain the identity of the white man: in that task we will die fighting'. Ten years later, Hendrik Verwoerd, as Prime Minister of South Africa, said: 'Our motto is to maintain white supremacy for all time to come over our own people and our own country, by force if necessary' (Barber & Barratt, 1990: 2). The rhetoric on militarism aside, the former Prime Ministers' declarations are an indication of the affirmation of *apartheid* and the supremacy of white people in South Africa.

This policy found expression in a number of laws adopted by successive South African governments since 1910. *Apartheid* goes back a long way in South African history, and is not purely synonymous with the NP after 1948 since the latter did not invent racial segregation. Still, the legislative '*blitzkrieg*' of the NP reinforced *apartheid* (Hill, 1972: 68; Leatt, Kneifel & Nürnberger, 1986: 67, 72; Ross, 1999: 114). This '*blitzkrieg*' was in line with the consolidation of Afrikaner nationalism, characterised by an array of laws, regulations and bureaucracies that were created to reinforce Afrikaner ethnic unity and promote Afrikaner interests. 'Apartheid was racist in that it acted against miscegenation through the *Mixed Marriages Act* (1949) and the *Immorality Act* (1950). The *Population Registration Act* (1950), the *Reservation of Separate Amenities Act* (1953) and the *Group Areas Act* (1950) were passed to ensure the separation of races in the "common area" of South Africa. Later coloureds were removed from the voters' roll so as to prevent a coalition of coloured and English-speaking white voters' (Leatt, Kneifel & Nürnberger, 1986: 72; Ross, 1999: 136).

Apartheid regulated every aspect of South African society. Blacks were excluded from any significant role in the central political process. Parliament,

until 1985, was composed of whites who were elected by whites. 'The President's Council, formed in 1980, was charged with developing a new constitution. But the Council excluded blacks, and its Asian and coloured members were nominated, not elected' (Leatt, Kneifel & Nürnberger, 1986: 72).

Nonetheless, the most ambitious project under *apartheid* was the establishment of the homelands or *Bantustans*. This was an attempt to ensure self-determination for all South African peoples, with self-government given to black ethnic nations—to create a national consciousness among the various ethnic groups. The main intention of the *Bantustan* policy was to ensure that each population group could make its own choices about its political future in its own state. In 1976 Transkei became the first black 'independent' homeland, followed by Bophuthatswana in 1977, Venda in 1979 and Ciskei in 1981 (Leatt, Kneifel & Nürnberger, 1986:73; Geldenhuys, 1990: 137; Ross, 1999: 137, 138). These so-called 'states' did not find favour with the rest of the international community and were not recognised as sovereign independent states.

Apartheid, with its embedded racial character, put South Africa at odds with the rest of the world and resulted in the country being ostracised for almost the entire second half of the twentieth century. This ended with the collapse of the Soviet Union in 1989 and the reforms instituted by former President F.W. De Klerk in 1990, when he dismantled *apartheid* (Beinart, 1994: 254). These events had a profound impact on the ANC's ideological stance. Four years later, all South Africans went to the polls for the first time since the 1853 Cape Colony election (Giliomee, 1994: 4). The ANC won a landslide victory and Nelson Mandela became South Africa's first black President. One of, if not the principal domestic force that took previous NP governments to task over *apartheid* was the ANC.

6.1.2.2. The ANC

The ANC was established at Bloemfontein on 8 January 1912, two years after Union as the South African Native National Congress. The two events, although temporally separate, are related. Firstly, the Union was a political entity in which only whites enjoyed a political franchise, therefore indicating the connection between important events in white and black politics⁵⁸. Secondly, the ANC was formed in reaction to this exclusion (Reid, 1972: 32; Leatt, Kneifel & Nürnberger, 1986: 91; Meli, 1988: 37, 39; Esterhuysen, 1990: 9; Norval, 1990: 3).

The ANC was mainly concerned with the economic and political well-being of blacks during its early formative years. This preoccupation with black welfare and political rights is evident in the passing of the *Land Act* of 1913. The Act

⁵⁸ Similarly, the *Peace Treaty of Vereeniging* (May 31, 1902) contained, in Article 8 (Clause 9) this exclusivity in the following statement: 'no franchise for the natives until after the introduction of self-government' (Norval, 1990: 1). This was only realised in 1994.

strengthened black opposition to their exclusion in that the ANC opposed any threatened loss of franchise and land rights (Leatt, Kneifel & Nürnberger, 1986: 91; Esterhuysen, 1990: 10; Norval, 1990: 4; Beinart, 1994: 87). The ANC also had other goals, namely political unity between different black peoples; the establishment of equal rights and justice for black people; influencing black public opinion regarding their aspirations; and representing black people in central and local governmental structures (Esterhuysen, 1990: 10).

During the first phase of its existence, the ANC was therefore an interest group. This is evident from its activities, especially regarding certain bills, during the 1920s and 1930s. At the time, former Prime Minister Hertzog endeavoured to solve 'the native problem' by governmental means. Two statutes were implemented; the *Native Trust and Land Act*, which allocated a little more land to the reserves, and the *Representation of Natives in Parliament Act*. The latter Act abolished the Cape common voter's roll and introduced separate representation of Africans by whites in the House of Assembly and the Senate, and established the Natives Representative Council (NRC). The ANC energetically opposed both these bills (Leatt, Kneifel & Nürnberger, 1986: 91-92).

This led to the establishment of the All-African Convention (AAC). The AAC was not only opposed to the Hertzog bills, but also attacked British colonial policy in sub-Saharan Africa. It argued racial and land segregation led to 'two nations within one state'. The Marxist influence within the AAC was evident, and its policy was consequently more militant than that of the ANC (which was, with other organisations, part of the Convention). This is not to say that the ANC was communist orientated. Traditional leaders were against the ANC association with the South African Communist Party (SACP) (formed in 1921). The ANC disassociated itself from the SACP in 1930, when the moderate Pixley Seme was elected as chairman in place of Josiah Gumede, who was sympathetic towards the communists (Leatt, Kneifel & Nürnberger, 1986: 91-92; Esterhuysen, 1990: 11-12).

During the 1930s, the ANC continued to opt for a political protest programme that included a strategy of protest and petition. This was not effective though, and the ANC lost many members, despite an attempt to establish the Non-European Front in 1939, leading to better relations with the SACP (Esterhuysen, 1990: 12).

Together with the SACP, the ANC founded the African Mineworkers' Union in 1941, and in 1943, membership was broadened to include whites. It was during this time that the ANC Youth League⁵⁹ was created by a number of nationalistic intellectuals. Within the League Nelson Mandela, Walter Sisulu and Oliver Tambo were shaped as political leaders. In 1943, the ANC published its *African Claims*, calling for 'one man one vote' linked with

⁵⁹ The Youth League was formed as a pressure group within the ANC and to publicly arouse political consciousness among blacks (Leatt, Kneifel & Nürnberger, 1986: 95).

separate representation in Parliament and local authorities (Esterhuyse, 1990: 12; Leatt, Kneifel & Nürnberger, 1986: 93; Norval, 1990: 37).

Smuts, as Prime Minister, was asked to reassess policies regarding blacks in light of *African Claims*, but refused. This was the turning point for the ANC, experiencing pressure from the militant Youth League to adopt a more aggressive approach towards the government. The political distance between the ANC and the Smuts government grew substantially, increasing even more when the NP came to power. The NP's racial segregation policy set the scene for more militant confrontations with the ANC. During 1949, the Youth League condemned *apartheid* and called for action to fight it. This was in the form of strikes, confrontational protests, boycotts and civil disobedience (Leatt, Kneifel & Nürnberger, 1986: 93; Norval, 1990: 40; Beinart, 1994: 148).

With this, the ANC's defiance campaign started in earnest in 1952. The Programme of Action was a consequence of pressure from the Youth League to use more aggressive means and to develop mass appeal. The Defiance Campaign failed. In 1955, the ANC, together with other organisations like the left-wing white Congress of Democrats, adopted the Freedom Charter (a mixture of classical liberalism and modern African socialism) (Leatt, Kneifel & Nürnberger, 1986: 96, 100; Meli, 1988: 119; Esterhuyse, 1990: 13; Beinart, 1994: 148).

The adoption of the Freedom Charter led to the breakaway of some leaders of the Congress Youth League to form the Pan-Africanist Congress (PAC) in 1959, for they did not share the vision that South Africa belonged to all (black and white) who live in it. Instead, it belonged to Africans only (Leatt, Kneifel & Nürnberger, 1986: 97). This is an indication of the ANC's ideological stance compared to that of the PAC. The ANC wanted an inclusive society (pragmatic and liberal), whereas the PAC stood for a more exclusive African society (racial and radical).

Nevertheless, the ANC continued its struggle against racial segregation. It decided to launch an anti-pass campaign in December 1959, to begin on 31 March 1960. The PAC launched a similar campaign before the ANC could do so. This led to the tragic events of Sharpeville on 21 March 1960 when 69 people were killed and 178 were wounded when police fired into the crowd of demonstrators (Leatt, Kneifel & Nürnberger, 1986: 99; Meli, 1988: 140; Esterhuyse, 1990: 16; Barber & Barratt, 1990: 69-70).

Countrywide political unrest ensued. The government declared a state of emergency, detained over 20 000 people, and banned the ANC and PAC under the *Suppression of Communism Act*. The two organisations went underground and organised military wings: *Umkhonto we Sizwe* (MK) (Spear of the Nation) for the ANC and *Poqo* (Alone) for the PAC. The ANC reorganised itself as an organisation that operated mainly in foreign countries giving backing and some legitimacy to the armed struggle. In 1961, Nelson Mandela and others abandoned the policy of non-violence—there were, they argued, two alternatives—submit or fight. They opted to fight and chose

sabotage as a strategy (Leatt, Kneifel & Nürnberger, 1986: 99-100; Meli, 1988: 140; Barber & Barratt, 1990: 71; Esterhuysen, 1990: 16-17). However, both organisations were infiltrated by the security apparatus of the government and a number of leaders were arrested, among them Nelson Mandela himself. He was sentenced to life imprisonment in 1963 (Esterhuysen, 1990: 17).

With the armed struggle, the ANC intensified its international campaign to isolate the NP government politically, culturally and economically. The foreign mission of the ANC had the following goals: to garner political and other forms of support overseas; to create opportunities for military training and to develop strategies for the infiltration of military cadres into South Africa (Esterhuysen, 1990: 17, 18).

Then came the events of 1976. The Soweto riots led to another countrywide spate of political upheaval. It was not only confined to black townships and coloured townships also rioted. In the wake of the clamp-down on dissidents, thousands of young blacks left the country to join the ANC's military wing (Barber & Barratt, 1990: 204; Esterhuysen, 1990: 19).

Throughout the 1970s and 1980s, the ANC led a campaign of violence against the state and its citizens. Internationally the ANC garnered increased support and the South African government became more isolated, which reached a peak in 1986 with the adoption of the *Comprehensive Anti-apartheid Act* (CAAA) by the US congress. The 1980s were also a tumultuous time in South Africa's history, with civil disobedience and sabotage the order of the day. Central to these events stood the ANC, with its seemingly communist stance supported by the Soviet Union and SACP (Barber & Barratt, 1990: 333).

In light of the internationalisation of the ANC's activities, what was its relationship with other ideological forces, like communism? Many of the ANC's leaders were from an educated, middle-class elite, influenced by liberal ideals. It was for this reason that the ANC saw the PAC's Africanism as a 'black version of Afrikaner nationalism'. The ANC was prepared to work formally with communists. However, 'a Marxist analysis of the South African predicament in terms of class gained little credibility among its members' (Leatt, Kneifel & Nürnberger, 1986: 101). The reasons for this are manifold and complex. Firstly, the ANC lost face because of communist policy changes, as in the communist support for white workers in the 1922 general strike. Secondly, the African worker did not relate politically to the white worker. Thirdly, race and not class, was the cause of the problem. The ANC, therefore, could not be seen as a Marxist-Leninist organisation (Nel, 1990: 41). Yet, the ANC's affiliation with the SACP, and indirectly with the Soviet Union, brought a number of radicalising and moderating influences to bear on the organisation (Nel, 1990: 47-48).

Within the ambit of radicalisation, the formal and informal contacts between the ANC and SACP led to the ANC paying more attention to the issue of a

radical and socialist transformation of the socio-economic conditions within South Africa. This was particularly the case in the period 1969 to 1986 when the ANC paid more attention to the plight of black workers. This radicalisation should be understood within the context of Karl Marx's radical philosophy of communism in that it addresses the unjust economic production forms in a capitalist system. For this reason the ANC associated itself with the Congress of South African Trade Unions (COSATU) (Nel, 1990: 47-48). Furthermore, another form of radicalisation took place in 1968, when the ANC started to underwrite the Soviet Union's proletariat internationalism, supporting its viewpoint of what was in the best interest of the international worker (Nel, 1990: 48). With respect to moderation, the SACP's formal ideology and organisational characteristics led to the ANC's inclusion of whites. The SACP's modernising concept of solidarity among workers also rejected tribalism as well as racism. This was deepened by the ANC's efforts at nation-building since its establishment in 1912 (Nel, 1990: 51-52).

Global events in the late 1980s and 1990 had a sobering effect on the ANC's ideological direction. Communism was discredited as a 'failure' and through internal reforms the ANC and its majority black supporters were incorporated into the mainstream South African political setting. When the ANC, after four years of negotiations with the government, won the general elections in April 1994, it could institute the political changes it had propounded for so long. The most important programmes were nation-building and socio-economic development, areas of concern almost entirely ignored by all previous South African governments.

6.1.2.3. Nation-building

Currently, nation-building within South African society finds expression in *Ubuntu*. This is the short-form of an isiXhosa proverb *Umuntu ngumuntu ngabantu*, meaning: 'A human being is a human being only through its relationship to other human beings'. *Ubuntu* implies a number of social aspects: a sense of hospitality and the integration of strangers, solidarity (survival in the face of abject poverty) and, alternatively, ostracism and compulsory conformity (Marx, 2002: 52).

An alternative side of *Ubuntu* is invoked when the strategy for survival is transformed into a nationalist ideology. Thus *Ubuntu* is elevated to a new cultural nationalism, as articulated for instance, by Archbishop Desmond Tutu as chairperson of the Truth and Reconciliation Commission (TRC), when he 'Christianised' *Ubuntu* as a form of human compassion contrasted to *apartheid* (Marx, 2002: 52).

What is the linkage between nation-building and *Ubuntu*? *Ubuntu* is, according to Marx (2002: 53), 'a formula that at one and the same time excludes and includes, integrates and rejects. Out of the goal of unity and harmony, the practice of exclusion and separation follows inevitably, because identity can only be established through difference. Thus, included in the project of nation-building is the need to ensure conformity and the

suppression of dissidence'. The government therefore interprets any criticism of its actions as evidence of its critics' own limitations (Marx, 2002: 54).

Thus, interest groups criticising the LHWP are seen not as part of the *Ubuntu* spirit of nation building, but as 'others' with a different identity to Africanism. This explains the branding of interest groups involved in the large dam's debate. Asmal has called on occasion the interest groups lobbying against the LHWP 'environmental terrorists' (Q. Espey, personal communication, 28 August 2003). In the context of *Ubuntu*, this means that interest groups are not supporting nation-building by being against a project that is going to bring wealth and prosperity to the previously excluded portion of South Africa's population. Accordingly, the LHWP, although 90 per cent of the Project is situated outside the country, should not only be seen as a strategy to bring water to South Africa's economic heartland, but also as part of the greater nation-building project of the ANC.

6.1.2.4. Economic Growth

Apartheid was responsible for turning South African society into one of the most unequal in the world. The wide disparities in education, health care and the economy favoured the 13 per cent white population at the expense of the 75 per cent black portion (ASS, 2002b: 966; PRS, 2002: 64). Within this context, the ANC, as ruling party, is attempting to bring about changes within society to address these imbalances. An important element of this strategy is economic growth, since economic life is embedded in social life (Polanyi, 1957; Lazar, 1996: 599, 623).

During the period 1990 to 1994, the ANC changed its stance towards economic life in South Africa from centralised statist intervention in the economy to a more market driven attitude. The main reasons for this move are as follows: growing realism concerning economic options; strong criticism from domestic and international businesses and investors; fear of mass white emigration or resistance; the humiliating collapse of state-run, repressive 'planned' economies of East-Central Europe; and globalisation, with its profound impact on the macroeconomic policy and ideology of the government (Lazar, 1996: 612; Magubane, 2002: 89).

Against this background the communist influence, the anti-*apartheid* struggle and the resistance against the previous government's regional expansionist policies, at first informed the ANC's discursive stance against the LHWP. When it assumed power and had a mandate to redress inequalities, its ideological orientation changed.

Accordingly, the ANC initially launched the leftist, basic-needs-oriented Reconstruction and Development Programme (RDP) as a vehicle to address national oppression through socio-economic transformation—the ANC answer to an economic policy. Two years later the RDP was replaced by a rightist, neoliberal Growth, Employment and Redistribution (GEAR) policy and an industrial policy through which the government hoped to create economic

growth and jobs, redistribute income, and provide funds for social expenditure and welfare programmes (Magubane, 2002: 92, 100, 102; Peet, 2002: 54). Water is needed for industrial development and economic growth, but water also needs to be redistributed more equitably between the different uses and users in society. It is for this reason that the current government is taking the stance that water is an economic and social resource and therefore it supports the LHWP. With equality in mind, what is the level of national loyalty towards the government's policies?

6.1.2.5. Level of National Loyalty

Voter loyalty towards the ANC-controlled government's nation-building initiative remains high. Support to its policies is reflected in the fact that it won the 2004 general elections with a near two-thirds majority. Irrespective of ideological and social dimensions, South Africa's population at large shows a commitment to nation-building and national loyalty. The only real dissenting voice comes from the ultra-right wing, as recent events have indicated.

In 2002, white right-wingers, including senior SANDF officers, were arrested on charges of conspiracy to commit sabotage, sabotage and high treason. They, amongst others, allegedly⁶⁰ planned to blow up the Grootdraai and Vaal Dams with the intent of causing an untold loss of lives as well as economic disruption; the seizure of army bases and military hardware; the execution of a *coup*; and the repression and repatriation of coloureds, blacks, Jews and whites who were not prepared to work with the alleged conspirators. The right-wingers believe that 'pure whites' should govern South Africa and all racial impurities were to be 'wiped out' (Sunday Times, 31 March 2002: 4; Die Volksblad, 11 April 2002: 1; Beeld, 17 August 2002: 4).

The number of ultra right-wing supporters in South Africa constitute about 3 772 people who planned to overthrow the government, without being linked to a specific political party (The Citizen, 15 August 2002: 1; The Star, 15 August 2002: 2). This is about one per cent of the white population and 0.008 per cent of the entire population of South Africa. Could these right-wingers overthrow the government and unleash a racial war?

Their efforts, to not only overthrow the government and unleash a racial war, but also to build loyalty among other whites, are unlikely to be successful or widely accepted. This is an overestimation of their support at best. Moreover, in October 2002 when acts of sabotage were committed in Soweto and Bronkhorstspuit, every political party in the country, the Freedom Front (a moderate right-wing party) included, condemned their action (Venter, 1998: 5; Business Day, 31 October 2002: 4; Beeld, 31 October 2002: 2). Writing in 1998, four years before the ultra right-wing activity, Venter (1998: 6) stated: 'What resistance remains [of the white right-wing after 1994] would be of a certain nuisance value: right-wing terrorist action which could be contained by

⁶⁰ At the time of writing the thesis, the trial of the right-wingers were continuing and no court finding could prove or disprove the plan.

the new state'. This is the case and there is no chance that these elements constitute a serious threat to national loyalty.

6.1.3. Core Interest Groups

Three core interest groups are engaging government and project authorities regarding the LHWP, namely the HCAG, the LCN and the TRC.

6.1.3.1. The Highlands Church Action Group (HCAG)

The HCAG was established in 1987. Its formation was a response to the churches in Lesotho as well as other organisations' concern about the impact of the LHWP. The first reaction was from the MCC, who placed two field workers in the central Project area in 1985. The second was the result of the Heads of Churches Workshop for clergy and other church workers in the mountains, focusing on the proposed LHWP. The participants were firstly dissatisfied with the way such an important decision was made without prior consultation with the affected people. Secondly, they were concerned about the ability of the Project authorities to deliver the promised goods and services. At the workshop a decision was taken on arrangements to monitor the Project's progress. It was within these structures that the MCC joined forces with the churches in Lesotho and the HCAG was formed (Internet: Khits'ane, 1997).

Leaders from Lesotho's Anglican, Catholic, and Independent churches are its trustees. The HCAG's transitional management committee includes representatives from two interest groups, the TRC and the Development for Peace Education (DPE); and from two church organisations, the Christian Council of Lesotho and the MCC. Christian Aid and Oxfam fund its work (Archer, 1996: 2). There is therefore a strong ecumenical element involved in the interest group.

The churches in Lesotho, and their allies in other countries like the MCC and Christian Aid, through their lobbying against the Project, are ideologically committed in their opposition to the LHWP, and ideologically linked to society. Hence the churches' decision, to side with the poor and oppressed, as required by the scriptural truth of the Bible that God is a God of the poor and oppressed. 'The church, therefore, in ministering God's love and forgiveness to all has to make a preferential option for the poor and oppressed if she wants to follow in her Master's footsteps' (Leatt, Kneifel & Nürnberger, 1986: 299-300). It is for these reasons that the churches and related ecumenical interest groups are involved in the LHWP.

6.1.3.2. The Lesotho Council of NGOs (LCN)

Although called the Lesotho Council of NGOs (LCN), it is an interest group with representation and policy shaping (influencing) roles. The LCN was established in 1990 to coordinate the activities of NGOs and other civil society actors. Since its inception, it has played an important role in promoting

democracy. At first, it adopted a non-political stance, perhaps in fear of a negative response from the military government. Yet, the LCN soon changed its orientation to become more political, and even engaged the military government when democracy came under threat. As argued by Akokpari (2002: 2): 'As a result of these democratic stances, it succeeded in hastening the disengagement of the military from politics in 1994. This achievement has been largely due to the inclination of the leadership towards democracy.'

Throughout the 1990s, the LCN played an important part in bringing about political change in Lesotho. For instance, it was 'instrumental' in invalidating the royal *coup* of August 1994. In addition, in 1997, it was employed in mediating the constitutional crisis that was aggravated by the breakaway faction of the elected BCP government, led by Prime Minister Ntsu Mokhele (Akokpari, 2002: 3). The LCN's involvement in politics is therefore based on the ideology of liberal-democracy and it is through this ideology that it contributes to discourses regarding the LHWP.

6.1.3.3. The Transformation Resource Centre (TRC)

The TRC was founded in 1979 by Jimmy and Joan Stewart as an ecumenical and non-governmental membership organisation. The TRC played an important role in the non-violent struggle against *apartheid*. Its ecumenical character is reflected in the fact that it is partially funded by Christian Aid and the MCC (TRC, 2003).

It serves as a resource centre for those individuals and organisations committed to work for peace, justice and participatory development in Lesotho and parts of the SADC region. The ideological stance of the interest group is captured by Jimmy Stewart, when he declared: 'We have begun to see that true justice and true sharing will only happen when real power to decide and act is spread through our peoples, through every community, at every level, until it reaches to the highest forces and influences them' (TRC, 2003). This is an indication of its commitment to its main objective, namely to the peaceful co-existence of peoples, communities and the state through the dissemination of power throughout all layers of society.

Other objectives of the TRC are first, to cooperate with Basotho communities, churches, other organisations, government and international agencies to promote and protect human rights, economic justice, participatory development, democratic government, the rule of law and peaceful resolution of conflicts in Lesotho and the SADC region; and secondly, to facilitate effective teaching of the principles of democracy and good governance in the Secondary and High Schools of Lesotho (TRC, 2003).

Presently, the TRC has three field workers serving the affected areas of the LHWP. Their primary role is to act as 'friends of the affected communities, to facilitate their empowerment and to enable them to express their own needs and goals'. The 'TRC also monitors resettlement and integration of relocates into their new communities' (TRC, 2003). As an interest group, the TRC has

close relations with the World Bank, LHDA and other international interest groups and NGOs, concerned with the environmental and social risks of high dams. It wants to ensure that the Project benefits both Lesotho and South Africa, without sacrificing the rural poor for 'high tech development' (TRC, 2003). It is with this social-historical background in mind that the TRC is contributing to discourses on and ideologically influencing the compensation policy of the LHDA.

6.1.4. Inner Peripheral Interest Groups

6.1.4.1. The Alexandra Civics Organisation (ACO)

Alexandra is a predominantly African township, about 13 km from Johannesburg's city centre, and surrounded by formerly exclusively white residential areas. It is a polluted, over-crowded and dangerous slum with minimal infrastructure, and home to the poorest people in urbanised South Africa (Ndletyana, 1999: 35; Weissman, 1996). These conditions formed the immediate background to the creation of the ACO. However, its establishment was also closely linked to the emergence of civic associations throughout South Africa during the 1970's and 1980's. Civic associations were formed to address the grievances of township residents, concentrating efforts on so-called 'bread and butter issues'. During unrest periods, they joined the ANC in the struggle and accentuated these issues. Local community action was mobilised against state policies, becoming a significant arena of political conflict. *Apartheid* therefore prompted the formation of civics throughout South Africa (Shubane & Madiba, 1994: 241; Mtimkulu, 1995: 43; Ndletyana, 1999: 34).

Black university students played a leading role in this process and student organisations that embraced a radical form of black consciousness formed the nucleus of the civics movement. The first civic emerged in the aftermath of the 1976 Soweto uprising to provide organisational support for the resistance activities of that period. The increased organisation of workers into trade unions during the late 1970s provided another stimulus. Furthermore, services in the townships were poor, material deprivation was a concomitant feature of township life, and residents were not democratically represented in the local councils. These societal factors contributed to the establishment of civic associations (Lodge, 1983: 353-354; Shubane & Madiba, 1992: 2-3).

The political violence sweeping across South Africa in the mid-1980s was another important factor contributing to the formation of civics. During the first six months of 1986, violent encounters between police and Alexandra residents led to increased collective initiatives. On 29 April 1986, the trade unionist and Alexandra Action Committee (AAC) leader, Moses Mayekiso, announced that the AAC was taking control of Alexandra with the intention of making the township ungovernable, and that leaders from various community organisations would assist the AAC in the running thereof. The AAC became the forerunner of the ACO. Mayekiso wanted to establish a worker's party with a worker's charter, 'which would state clearly who would control the

farms, factories and mines once *apartheid* was abolished'. Mayekiso termed the Freedom Charter a 'capitalist document' and therefore did not subscribe to it (Carter, 1991: 115, 132; Weissman, 1996; Ndletyana, 1999: 35). As a result, the formative years of the ACO were heavily influenced by a socialist ideology.

The ACO was established in 1989, against the backdrop of rent increases, poor social services, and political opposition to *apartheid* local government. The ACO allied itself with the liberation movement under the leadership of the United Democratic Front (UDF). As *apartheid* ended, the ACO shifted its focus from protest action to socio-economic development (Ndletyana, 1999: 35; Mayekiso, 1993; Weissman, 1996). The socio-economic challenges facing Alexandra are still its main focus, evidenced by Mayekiso's opinion that: 'So far, our economic situation and the physical environment in which we suffer have not improved much' (Mayekiso, 1996).

Even so, the ideological power of the ACO, like most other civic organisations in South Africa, had been diluted by two factors. The first, ironically, was the demise of *apartheid*. After *apartheid* was abolished, the ACO lost most of its momentum and energy since it no longer had a political rationale to function as an anti-government organisation. The second was the local government elections that drew in a new generation of local councillors from both the ANC and the civic movement. As the new councillors took up their positions and initiated the process of township development, the basis of civic associations was eroded. Suddenly the ACO was plagued by financial problems, skills' shortages, declining influence within the alliance and a demoralised leadership (Ndletyana, 1999:35). Thus, the ACO does not have the ideological power it previously had to oppose government policies, the LHWP included.

6.1.4.2. The Group for Environmental Monitoring (GEM)

The Group for Environmental Monitoring (GEM) was established in 1991 to conduct research on major environmental problems in South Africa. It was premised on a paucity of reliable information on the environment and related issues, and was founded in response to needs expressed in the run up to the Rio Summit. In other words, that the environment cannot be understood outside a relationship with socio-economic development, especially in a country with limited resources and large inequalities in sharing those resources (GEM, 1994: 6; Internet: GEM, 2003).

Concerned trade unionists, academics, journalists, lawyers, and researchers were responsible for its creation. Their aim was to popularise a vision of sustainable development in Southern Africa, by raising awareness and environmental education (GEM, 1995: 2; GEM, 1996: 2). This popularisation of sustainable development is encapsulated in GEM's mission and vision, namely that 'GEM strives for equitable and ecologically sustainable development for South Africans and all peoples in this and future generations'

(GEM, 2002). This vision is achieved through its 12-point mission, which informs its ideology and the way it produces discourses:

- Promoting and monitoring sustainable options through the equitable use and access to natural resources within ecological limits, the enhancement of biological diversity, and the promotion of a clean and healthy environment.
- Redressing past and continuing environmental injustices.
- Redefining security to include pressing socio-economic issues such as poverty eradication and good environmental governance.
- Building environmental awareness and confidence within society to ensure appropriate decision-making and action.
- Creating synergy through strong and active sustainable development networks of environmentally conscious civil society organisations in support of these strategies.
- Creating local successes that can be replicated.
- Researching sustainable development issues, in particular case studies of successes and failures.
- Providing information and research to support community development.
- Advocating sustainable development policies and monitoring the implementation thereof.
- Promoting environmentally sensitive consumption patterns.
- Ensuring the needs of those that it serves are met.
- Improvement through internal reflection and teamwork (GEM, 2002).

Thus, sustainable development is a central element of its ideology. It is also noteworthy to see that GEM does not only focus on advocacy but that research and information dissemination play a central role in its activities. This is an indication of a pragmatic interest group, which not merely opposes policy—but serves as a driving force in the development, articulation and dissemination of alternatives to adverse environmental policies.

6.1.5. Outer Peripheral Interest Groups

In the previous chapter on the Kunene, the ideological power of a number of outer peripheral interest groups was discussed. Two of these interest groups are also involved in the LHWP, namely FIVAS and the IRN and therefore require no further discussion in this regard.

6.1.5.1. Christian Aid

The churches in the UK and Ireland formed Christian Aid in 1945. Initially it was known as the Christian Reconciliation in Europe in response to the plight and needs of refugees and churches after the Second World War. In 1949, it became part of the British Council of Churches as the Department for the Inter-Church Aid and Refugee Service. At this stage, it got involved in world refugee settlement and justice issues. It also worked closely with the World Council of Churches and the churches in the newly independent countries of

the South (especially in Africa and elsewhere where decolonisation was taking place) (Internet: Christian Aid, 2001).

In 1964, it changed its name to Christian Aid and since 1991 has functioned as a separate legal entity, although in close relationship with the Council of Churches (Internet: Christian Aid, 2001). The interest group works in over 60 of the world's poorest countries on long-term development projects where the need is greatest. Its essential belief is summed up in the statement: 'We believe in life before death. This belief is there to strengthen the poor, share common humanity and promote the dignity and rights of women and men everywhere' (Internet: Christian Aid, 2001).

With this in mind, Christian Aid strives to:

- End poverty and promote the dignity and basic rights of every person.
- Provide resources that enable poor people to improve their quality of life.
- Work with poor and marginalised communities who are struggling for justice and to support them as they tell their stories, so no one can plead ignorance.
- Empower people to reform the systems that keep them poor.
- Take the risks and ask the questions that spotlight the causes of poverty.
- Engage young and old, poor and rich in a global movement that changes the course of history.
- Work with partners in the Church, and those of other faiths and beliefs who side with the poor.
- Be inspired by the Gospel of good news to the poor, which promises a fulfilling life for all and the hope of a new earth (Internet: Christian Aid, 2001).

The eradication of poverty is central to its ideology. This is done through a number of intentions, of which the most important is 'to strive for demonstrable changes to address unjust and unequal power relationships, systems, structures and processes that discriminate against the poorest people, achieving these through education, advocacy and campaigning' (Internet: Christian Aid, 2001).

6.1.5.2. Environmental Defence (ED)

Environmental Defence (ED) was established in the US in 1967, after four scientists from Long Island won a court case banning the pesticide *dichlorodiphenyl trichloroethane* (DDT). It was the beginning of modern environmental law and following the event ED was established (Internet: ED, 2003). The scientists, therefore, acted in *defence* of the *environment*—hence its name.

From the beginning, ED was committed not only to oppose ill-conceived policies, but also to propose alternatives. It still uses litigation when necessary, but works increasingly and directly with business, government,

and community groups, forging solutions to environmental problems. The interest group is dedicated to protecting the environmental rights of all people, including future generations. Among these rights are clean air and water, healthy and nourishing food and a flourishing ecosystem (mission statement). Guided by science, ED evaluates environmental problems and works to create and advocate solutions that win lasting political, economic, and social support because they are non-partisan, cost-efficient and fair (Internet: ED, 2003). This mission statement, like GEM's, is greatly influenced by sustainable development and a green political or ecocentric ideology. The fact that it is guided by science lends ED more credibility than other more ideologically orientated interest groups like Greenpeace. It is also an indication of ED's pragmatic stance within the policy process.

6.1.5.3. The Mennonite Central Committee (MCC)

The Mennonite Central Committee (MCC) was founded on 27 September 1920, three years after the rise of communism in Russia and two years after the end of the First World War. On that day, 13 church leaders met in Elkhart, Indiana (US), to discuss ways how North American Mennonites could respond to the needs of hungry people in the former Soviet Union. The MCC's name is a reflection of the coming together of different church groups into one central committee. Today it is supported by 15 different Mennonite groups and the Brethren in Christ as the relief, development, and peace service wing of the Mennonite and Brethren in Christ churches in Canada and the US. The MCC placed workers in Lesotho in 1973 and works closely with the TRC (Internet: MCC, 2003). It is, thus, like the TRC and HCAG an ecumenical interest group.

It is motivated by the Bible and the Mennonite experience. The Bible calls Christians to serve those who are hungry, thirsty, sick, in prison and strangers (Matthew 25: 35-36) (part of the MCC's mission statement). This command was expressed by Menno Simons (hence Mennonite), a sixteenth century church leader, who stated: 'True evangelical faith cannot lie sleeping, it clothes the naked, it comforts the sorrowful, it feeds the hungry, it shelters the destitute, it cares for the sick, it becomes all things to all men'. This pastoral expression is furthermore articulated in its mission statement, that 'the MCC seeks to demonstrate God's love by working among people suffering from poverty, conflict, oppression and natural disaster; MCC serves as a channel for interchange by building relationships that are mutually transformative; and MCC strives for peace, justice and dignity of all people by sharing our experiences, resources and faith in Jesus Christ' (Internet: MCC, 2003).

The Mennonite experience relates to the familiarity many Mennonites have had with war, refugee flight and hunger in the former Soviet Union and Europe. This past experience causes them to respond 'compassionately to others who are hungry, caught in war or refugees' (Internet: MCC, 2003). The pastoral ideology has impacted on the way the MCC generates discourses on

and engages in the water politics of the LHWP, being guided by the plight of the poor and displaced.

6.1.5.4. Oxfam

Oxfam has been working with impoverished people in 70 developing countries for over 50 years. At any given time, Oxfam can work with more than 3 000 local groups in the developing world. The interest group is a 'development, relief, and campaigning organisation dedicated to finding lasting solutions to poverty and suffering around the world', but it also carries out advocacy and policy work to ensure that governments and international organisations understand the issues surrounding poverty (Internet: Oxfam, 2003).

Oxfam's six core beliefs are an indication of its socio-historical background, informing its ideology and the way it produces discourses:

- The lives of all human beings are of equal value.
- In a world rich in resources, poverty is an injustice which must be overcome.
- Poverty makes people more vulnerable to conflict and natural calamity; much of this suffering can be prevented and must be relieved.
- People's vulnerability to poverty and suffering is increased by unequal power relations based on, for example, gender, race, class, caste and disability; women, who make up a majority of the world's poor, are especially disadvantaged.
- Working together, a just and safer world can be built, in which people take control over their own lives and enjoy their basic rights.
- To overcome poverty and suffering involves changing unjust policies and practices, nationally and internationally, as well as working closely with people in poverty (Internet: Oxfam, 2003).

Oxfam also has an independent identity that has a bearing on its ideological power. This identity has the following characteristics:

- Oxfam works internationally as part of a worldwide movement to build a just and safer world.
- It is an independent UK organisation, registered as a charity, affiliated to Oxfam International, with partners, volunteers, supporters and staff of many nationalities.
- Oxfam is accountable both to those who support it and those whom it seeks to benefit by its efforts (Internet: Oxfam, 2003).

Oxfam is therefore an interest group that highlights the worldwide plight of the poor. This is the main issue it articulates, with the other being injustice, which it feels lies at the heart of the poverty problem.

6.2. Economic Power

The LHWP is one of the largest engineering endeavours ever constructed on the African continent. The multiplicity of its different components, its sheer size and the implementation of the institutional arrangements also make it expensive. The original cost of the project was US\$3 770 million, with Phase 1B costing a total of US\$1 100 million. The final price of the project as of March 2003, for Phase 1A is R9.6 billion and for Phase 1B R6.1 billion. Thus, the Project has a total cost of R15.7 billion. Most of the financing was raised through loans, because the LHDA is not an equity based financial institution (ASS, 2002a: 552; Internet: LHWP, 2003; TCTA, 2003b: 49) (Table 15 outlines the loans that were secured from other financial institutions for financing the Project).

Table 15. Financial institutions lending money for construction of the LHWP.

Institution	Amount (million US\$)
World Bank	45
DBSA	45
European Investment Bank	110
Dresdner Bank	na
Banque Nationale de Paris	na
Credit Lyonnais	na
Hill Samuel Merchant Bank	na
Standard Merchant and Corporate Bank (SMCB)	na
Amalgamated Banks of South Africa (ABSA)	na
Rand Merchant Bank	na
First National Bank (FNB)	na
South African capital, money markets and Vaal River water users.	US\$825 million

Source: Finansies & Tegniek, 3 March 1986: 27; The Star, 20 November 1991: 28; Business Day, 22 June 1990: 3; ASS, 2002a: 552; Business Day, 22 August 1986: 8; Business Day, 21 August 1986: 1; Sunday Times, 5 October 1986: 3; The Citizen, 21 January 1987: 17; Sunday Times, 23 September 1990: 4.

The economic power of Lesotho and South Africa differs considerably relative to implementing the LHWP.

6.2.1. Lesotho

The burden of finding the financial resources for the Muela power station fell on Lesotho. All debt servicing regarding this component is handled by the LHDA on behalf of the Lesotho government. By 1987, it had already secured amounts from various financing agencies. Funding was also secured inside the region. In 1988, the LHDA signed a further R106 million loan agreement with the DBSA, after the DBSA had previously loaned the Project R128.6 million. Furthermore, the Lesotho government had contributed R4.6 million

for the construction of access roads to the Katse Dam's construction site (Business Day, 12 November 1986: 4; Financial Mail, 13 November 1987: 31; The Citizen, 16 April 1988: 13; Internet: LHWP, 2003).

What is Lesotho's economic capacity to help finance the LHWP? Lesotho has funded the construction of the Muela hydropower plant, estimated at R860 million at 1991 prices. The electricity produced by Muela will be used exclusively by Lesotho, making it less dependent on ESCOM for its energy needs. The funding of Muela hinged therefore on Lesotho's economic capacity and on the ability of consumers to pay for the electricity (Business Day, 28 November 1991: 3; Internet: The World Bank, 2000c).

In 2001, the World Bank estimated Lesotho's GNI *per capita* at US\$580. Lesotho has an estimated population of about 2.1 million people. The annual population growth rate is in the region of 1.6 per cent. Yet, this growth rate is retarded by an HIV/AIDS prevalence rate of about 31 per cent. More than 85 per cent of the population lives in rural areas and is engaged in agricultural and informal activities (Internet: The World Bank, 2001a).

Agriculture contributes about 14 per cent to the GDP. This sector has also been a supplementary source of income since 50 per cent of rural households' income comes from family members working in the South African mining sector. Although declining, migrant earnings still constitute about 30 per cent of Lesotho's GNI. Moreover, around 35 per cent of the labour force is unemployed or under-employed (Internet: The World Bank, 2001a).

Nonetheless, Lesotho has registered an impressive economic performance between 1995 and 1997. During this period, the GDP growth rate averaged about 10 per cent. Growth has, however, slowed down after the September 1998 political turmoil and the completion of Phase 1A. The LHWP was mainly responsible for rapid economic growth in the mid- to late 1990s (Internet: The World Bank, 2001a). It will probably slow down further now that Phase 1 has been completed.

Despite concerns over political instability that reduced economic growth, the Muela power station was financed by Lesotho and completed. The question remains whether or not there is a market in Lesotho for the electricity. If not, electricity can always be exported to South Africa; earning the country much needed foreign revenue. Nonetheless, because of the production of electricity Lesotho will save about US\$9.6 million (at 1991 prices) per year in electricity bills to ESCOM. In addition, the supply of water to South Africa contributed about R250 million in 1998 to Lesotho which will increase to about R1.1 billion *per annum* on completion of the Project (Business Day, 28 November 1991: 3). This will be a substantial boost to the country's economy enabling it to service the financial package of the Muela power station.

6.2.2. South Africa

In terms of the LHWP Treaty, the South African government is responsible for the costs of the water transfers and provides the guarantees required to support the funding. The TCTA is the South African government's agent in making debt-service payments related to interest and capital (Internet: LHWP, 2003).

When the Treaty was signed, South Africa was facing one of its biggest challenges in its political history—that of punitive international sanctions. South African borrowers, the DWA included, were seen as *persona non grata* in foreign capital markets. Thus, for Phase 1, South Africa, through the TCTA, was expected to provide R250 million needed for the construction of the South African portion. The money was raised on the local capital market. The remaining R1.16 billion was borrowed on the international market under the guidance of the World Bank acting for the LHDA (Sunday Times, 5 October 1986:3; Business Day, 12 November 1986: 12).

In 1987, South Africa announced that it would stand guarantor for all interest payments and redemptions on the R4.5 billion Project. A number of financial institutions were to fund the project, namely the South African government, the World Bank, the EU, the International Development Bank and other smaller funding agencies. The South African government contributed R8.6 million to the construction of one of the access roads to Katse (Business Day, 8 October 1987: 4; The Citizen, 16 April 1988: 6).

Although some of the money for the Project was borrowed from international financial institutions, it is the LHWP's water users that will fund the Project (The Citizen, 24 October 1997: 20). If the South African users are going to fund the Project, in other words, the servicing of the loans, what is the nature of South Africa's economic power? South Africa has a population of about 44.8 million with a growth rate of 2.1 per cent. Yet, South Africa has one of the highest HIV/AIDS rates in the world. By the end of 2001, the adult prevalence rate was 20.1 per cent. The country has nevertheless a GNI *per capita* of US\$2 820, but has one of the highest income disparities in the world. About 13 per cent of the population (around 5.4 million people) live in 'first world' conditions, while about 53 per cent (22 million people) live in 'third world' circumstances. Of these people only one quarter of households have access to electricity and running water; 50 per cent have primary school education and over 33 per cent of the children suffer from chronic malnutrition (Internet: The World Bank, 2000c).

Nonetheless, South Africa's economy is based on abundant mineral and energy resources. Much of the manufacturing industry is based on mining, and exports are led by gold and diamonds. In recent years, the tourism industry, as an earner of foreign revenue, has been catching up with the mining sector and is likely to surpass it (Internet: The World Bank, 2000c).

Because the water from the LHWP is used in Gauteng and other provinces, it is also necessary to outline the economic conditions of this province to fully comprehend South Africa's economic power (see Table 16).

Table 16. A comparison of the Gross Geographic Product (GGP) of South Africa's nine provinces.

Province	GGP (million)	Percentage (%) of South Africa's total GDP
Eastern Cape	R29,049	7.59%
Free State	R23,688	6.19%
Gauteng	R144,359	37.73%
Kwazulu-Natal	R57,007	14.90%
Limpopo	R14,158	3.70%
Mpumalanga	R31,175	8.15%
North West	R21,252	5.56%
Northern Cape	R8,000	2.09%
Western Cape	R81,800	14.2%

Source: RSA, 2002.

Table 16 indicates that Gauteng has the largest GGP of all nine provinces. It also makes the largest contribution to the country's GDP. Thus, the province has the economic ability to pay for the LHWP. It was therefore impossible for the interest groups to convince the World Bank and other financial institutions to discontinue their financial support. The World Bank had in any case financed only a small fraction of the Project's cost.

6.3. Military Power

Military power has not been used to implement the LHWP. Although there was speculation on South Africa's involvement in the 1986 *coup*, this could never be proved. However, nine months after the *coup* the LHWP Treaty was signed. The linkage of military power and the LHWP was again mooted during Operation Boleas. Because of military action near the Katse Dam, it was speculated in the media that South Africa used its military power to secure the flow of water from Lesotho (Homer-Dixon, 1994: 19; Meissner, 2000e: 26; Turton, 2003b: 146).

Operation Boleas was widely condemned by some SADC member states. Yet, and according to Turton (2003b: 159), 'Boleos [sic] was launched at the written request of the elected government of Lesotho, which was being threatened by a military coup; the rationale, therefore, was to prevent this from happening and to restore security. The fact that some of the fighting occurred at the Katse Dam has been argued by some commentators to be evidence of a "water war"'. Turton (2003b: 159) 'refutes this conclusion' because 'the fighting was not over the resource itself'. He furthermore

declares: 'It is logical for a country such as South Africa to wish to protect large infrastructural developments (such as the LHWP) during times of internal political upheaval, for two good reasons: first, South Africa is strategically dependent on the LHWP (a possible water-war argument); secondly, South Africa paid for the entire cost of the project (with the exception of the Muela Power Station), which is situated in another country, so she has a vested interest in protecting a major investment from possible sabotage'. Therefore, military power was not used, although political power is employed on a constant basis.

6.4. Political Power

To determine the political power of the states, it is necessary to analyse a series of events that indicate the nature, scope and degree of the states' political power.

(a) GEM Workshop: In August 1996, GEM held a workshop on the LHWP and its impact on the communities living in the Project area. The then South African Minister of Water Affairs and Forestry, Asmal, in a speech at the occasion gave the guarantee that the communities would be 'better off' because of the Project. According to members of GEM, the Minister became frustrated with the interest group's continued criticism of some aspects of the Project, and in his address labelled them 'environmental terrorists'. The Minister adopted the same viewpoint at the launch of the WCD report in 2000 in Pretoria, when the GEM director, Quinton Espey, interacted with him on the LHWP (Hoover, 1996: 6; Q. Espey, personal communication, 28 August 2003; Personal Observation). What is of significance is not the guarantee given by the Minister, but the fact that he attended the workshop, thereby interacting with the interest group. Nonetheless, labelling them 'environmental terrorists' is the antithesis of a 'friendly' penetration of civil society. It is also an act that does not denote routine and institutionalised negotiations.

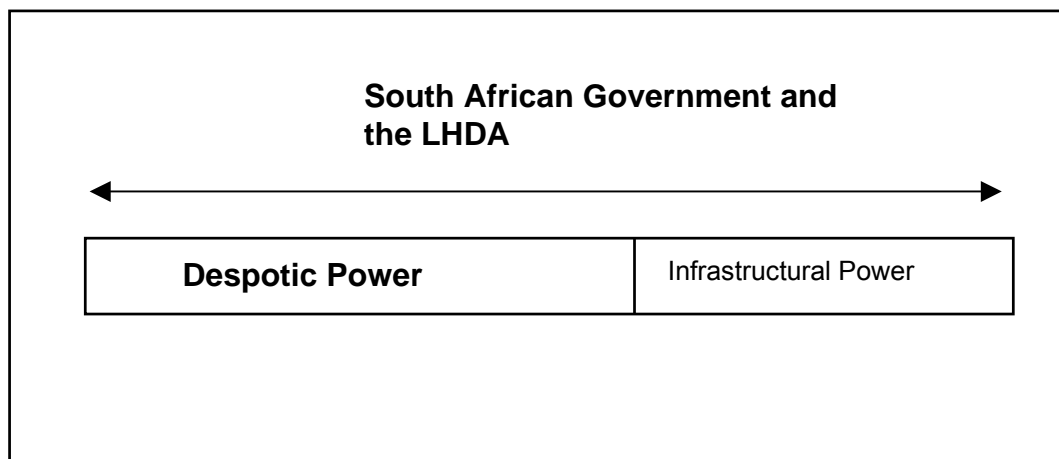
(b) Memorandum of Understanding: In May 1998, a Memorandum of Understanding (MOU) was signed between the LHDA and Lesotho interest groups. This MOU, *inter alia*, addressed the responsibilities of the interest groups involved in the Project. The signing thereof was a new development in the relationship between the actors. Since 1994, the LHDA had initiated regular monthly meetings with the interest groups, when issues of concern were discussed. Subsequently, action plans were developed and implemented, which culminated in the signing of the MOU, which was hailed by both the World Bank and the UNDP as 'unique' (Meissner, 2000f: 26).

One of the most important sections of the MOU is the principle of cooperation that guides the parties' cooperative endeavours. It not only outlines the nature of the relationship between the LHDA and interest groups, but also the way interest groups are expected to behave during their interaction with affected communities (section 6.1 and 6.2). Accordingly:

- 6.1 Lesotho Highlands Development Authority and the cluster of NGOs [interest groups] commit themselves to work in ways that ensure integrity, mutual respect, transparency, accountability, efficiency, full disclosure and access to information in their dealings with each other and affected communities.
- 6.2 The NGOs [interest groups] commit themselves to work in ways that ensure accountability to the affected communities, integrity, effectiveness and accountability in their implementation of specific programmes falling within the areas of co-operation identified in section 5.0 of this MOU. The NGOs working on LHWP programmes that are governed by this MOU shall be capacitated to perform the services and carry out their obligations with due diligence, efficiency and economy, in accordance with generally accepted techniques, practices, professionalism and shall observe sound management and technical practices (MOU, 1999).

Section 6.5 requires of the parties that they develop a code of conduct to govern the cooperative relationship, which will apply to those activities carried out on behalf of the affected communities (MOU, 1999: 5). As one observer puts it: 'The project [LHDA] has learnt the lesson that the NGOs [interest groups] having worked with the communities, have an essential role to play in the delivery of services to the communities by the project and that both the NGOs [interest groups] and the LHDA have the same objective, which is to ensure delivery to the communities' (Mochebelele, 2000: 111). Nevertheless, the MOU was a failure as reflected in the Parliamentarians visit to the affected communities and the ombudsman inquiry. Thus, routine and institutionalised negotiations were rendered ineffectual and more confrontational interaction ensued.

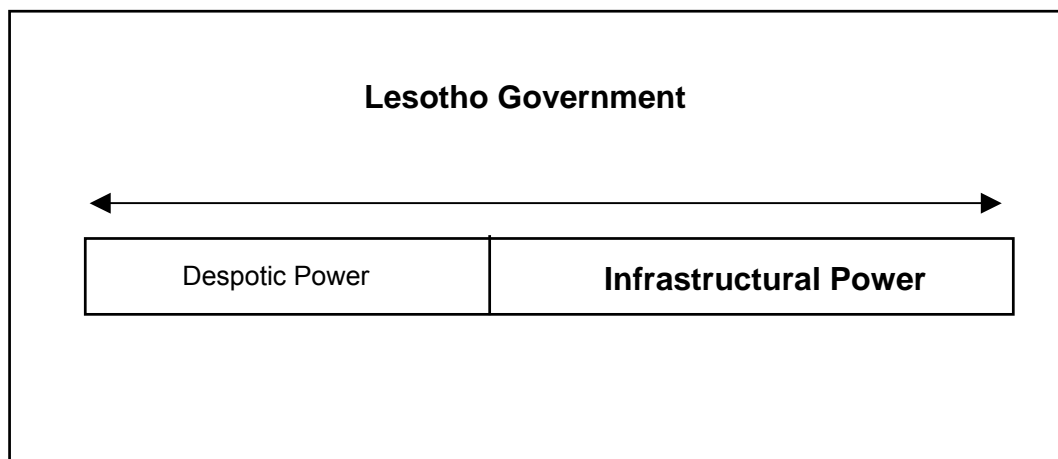
Figure 16. The prevalence of despotic and infrastructural power within the South African and LHDA political systems regarding the LHWP.



The practice of MOUs between project authorities and interest groups may become the norm in future large dam projects. An impediment that hampers such a development is the inclination of governments and project planners, desperate to implement water development projects, to exclude interest

groups from such endeavours out of fear that these non-state actors will obstruct development (Meissner, 2000e: 25). A despotic attitude will also hamper successful co-existence.

Figure 17. The prevalence of despotic and infrastructural power within the Lesotho political system regarding the LHWP.



Both the South African government and the LHDA exhibit a high degree of despotic power (see Figure 16). The opposite applies to the Lesotho government, especially since late 2002. This is exemplified by the visit of Lesotho parliamentarians to the Project area and the ombudsman inquiry shortly thereafter (see Figure 17).

(c) Parliamentarians' Visit: From 7 to 8 November 2002, Lesotho parliamentarians visited the areas affected by the LHWP. The TRC, through the Speaker of the National Assembly, organised the visit. Its objective was to acquaint the members of parliament (MPs) and Senators with developments relating to social and environmental aspects of the Project (The Survivor, 22 January 2003).

This gave communities in the area of the Katse Dam a chance to communicate directly with their government representatives. Community members told the parliamentarians that they were disgruntled and disappointed with the way the Project authorities treated them. George Molise from the Bokong community adjacent to the Katse Dam said: 'The Project has made several promises to us as far as our compensation for our communal and private assets were concerned. They used to supply us with fodder to replace our grazelands destroyed by the construction works of the Project. After some time they stopped the supply of fodder saying that they would give us money. But that money has not come until now'. Another Bokong villager, Mohapi Makoetlane, testified that they do not want this dam. '[It] has brought no socio-economic developments to this area as promised' (The Survivor, 22 January 2003).

The Bokong community appealed that a motion be put before Parliament calling for the compensation policy of the LHWP to be made into law or at least gazetted it to oblige the LHDA to comply with its provisions. The villagers indicated that the compensation policy was not legally binding (The Survivor, 22 January 2003). The leader of the Lesotho Workers' Party (LWP), Macaefa Billy, remarked that the plight of the communities was serious, 'heartbreaking' and needed Parliament's urgent attention. He also insisted: 'Government, through the LHDA, should be brought before the courts of law to answer all these grievances. All non-governmental organisations under the umbrella of the Lesotho Council of Non-governmental Organisations should be mobilised for funds for such a court case and solidarity' (The Survivor, 22 January 2003).

According to the Deputy Leader of the BCP, Sekoala Toloane, it was unfortunate that MPs for the affected areas were not present to hear the grievances. He furthermore told the press: 'These are not political party issues. Nevertheless, they are national issues, which need the concerted effort of all including Parliament and government. We must lobby and fight for the establishment of a Parliamentary Portfolio Committee dealing with issues related to the affected communities and the Project. This is very important and urgent. It is the primary duty of government to ensure welfare and security of the people against projects that impact negatively on them' (The Survivor, 22 January 2003). These utterances are an indication that the issue of compensation had finally reached the policy agenda. However, the LHDA tried to influence this.

Before the visit, the LHDA, through the Ministry of Natural Resources, informed the TRC that no arrangements had been made for the parliamentarians' visit. The LHDA also stated that such visits should be arranged well in advance so that the parliamentarians could be briefed by trained people and that arrangements could be made with contractors working on sites to avoid the embarrassment of not allowing parliamentarians access to some areas (The Survivor, 22 January 2003).

Following the visit, in January 2003, the LHDA expressed concern that the MPs did not get a balanced brief on the project. This followed complaints by communities that they received improper compensation. The LHDA maintained that it always had an open-door-policy regarding compensation matters. It also prepared a second visit to take both the Upper and Lower Houses of Parliament to the Project sites where they 'will get first hand information' (The Survivor, 22 January 2003). The initial visit was, however, followed by an inquiry by the Lesotho ombudsman.

(d) The Ombudsman Inquiry: At the beginning of March 2003, the Lesotho Ombudsman, Sekara Mafisa, held a week-long formal inquiry into the complaints of the communities. The inquiry came after the ombudsman received many written complaints over the period December 2002 and January 2003 from people who had been affected by the Project in various ways. Seven resettled communities had the same complaints, *inter alia*, late

payment of compensation money, inadequate compensation for communal assets and no vocational training as promised. The conclusion drawn by the villagers was that the LHDA was responsible for their decreasing living standards. The ombudsman also investigated the complaints because the Lesotho government wanted to finally lay the matter of compensation to rest (The Survivor, 13 March 2003; The Survivor, 6 August 2003; G. van der Merwe, personal communication, 20 August 2003).

The ombudsman's report was published at the end of July 2003. Mafisa concluded that the LHDA should pay interest at the commercial bank lending rate in terms of section 39 (2) of the LHDA Order No. 23, 1986 on all compensation outstanding at the time of the inquiry. The report states: 'This delay in the payment of compensation monies subjects the already traumatized resettles/relocates to unexpected hardships.' The ombudsman furthermore recommended that the 'communities be involved truly and in earnest in the revision of the Compensation Policy' (The Survivor, 6 August 2003). This is an indication that the communities were not fully involved in the policy process from the onset.

The report also stated that compensation for communal assets should be enjoyed by both the resettled and host communities by expending the funds on development projects such as the construction of access roads, water supply, the provision of electricity and the initiation of income-generating activities to avoid the polarisation of communities and the alienation of the resettled community by the host community. 'We endorse the idea of cooperatives as a means by which these funds may be accessed by the beneficiary communities. The communities also have a right to suggest ideas on how best they can access these monies without taking any risks' (The Survivor, 6 August 2003).

Mafisa called for closer cooperation between the LHDA, the resettled communities and core interest groups. In the report he stated that the LHDA was unable to function successfully in its administration of the compensation programme of the affected communities and 'do not meet it a fraction of the way'. The report, therefore, emphasised and reflected the relationship between the LHDA and Lesotho interest groups and called for repair of the damaged relationships between the two parties. Nevertheless, according to Mafisa, the LHDA as a public institution should take the lead in this regard. Mafisa stated that the interest groups were good vehicles to exemplify the good image of the LHDA to the rest of the world, and this vehicle is needed by the LHDA (The Survivor, 6 August 2003). This is an indication that the MOU, signed between the LHDA and interest groups, was a failure. It can be concluded that the LHDA should make more use of its infrastructural power and less of its despotic power, by engaging the interest groups in a constructive manner. According to the ombudsman, the LHWC, as overseer of the Project, should carry out its obligation to the LHDA in terms of the Treaty. Because of these recommendations, the report was viewed as a victory by the interest groups, especially the TRC (The Survivor, 6 August 2003).

The inquiry and report was a significant turning point in the relationship between the core interest groups, the affected communities and the LHDA. The ombudsman is an officer of the state appointed to safeguard citizens' rights and to investigate allegations of misadministration, ranging from the improper utilisation of powers to the failure to follow procedures and plain incompetence. His or her role is to enhance and not replace normal avenues of complaints like administrative courts or elected representatives. Notwithstanding this specific role, the ombudsman's investigations and findings seldom have the force of law. An ombudsman is concerned with wider administrative morality. This concern is the gist of the change in the relationship between the three actors. In effect, the ombudsman had found that the LHDA was administering the compensation programme in an immoral and ineffective manner. This moral aspect also surfaced when the corruption scandal rocked the Project. Thus, morality does play a significant role in domestic as well as international affairs, with the exercise of despotic power, in this case, seen as being immoral (Venter, 1991: 86-87; Heywood, 1997: 355).

Although the ombudsman does not have executive powers whereby the LHDA could be criminally prosecuted, the report empowers the interest groups to exercise sound control over the LHDA. As indicated, the interest groups viewed the report as a great public relations victory, to be used as a benchmark to evaluate the performance of the LHDA and the issue of compensation. Because of this success the interest groups may in future call on the ombudsman's services; that is to say if the interest groups and the LHDA fail to put their differences aside and recommit themselves to cooperation through a refined MOU—thus improving infrastructural capabilities in policy implementation.

7. Interaction between the Actors

A number of incidents, which occurred during the course of the interest groups' campaign, are indicative of the interaction between the actors. These relate to the control techniques used and the resistance to these procedures.

(a) Moea Ramokoatsi's Meeting with the World Bank: When Moea Ramokoatsi met World Bank officials in October 1995, they recognised her complaint and indicated that Phase 1A need to be 'cleaned up'. They also remarked that the Bank did not intend to move forward with Phase 1B until existing problems are resolved. Despite this assurance, World Bank consultants were already doing preliminary work on Phase 1B, with advanced infrastructure in place. At the closing of the sluice gates of the Katse Dam, Asmal (the former South African Minister of Water Affairs and Forestry) gave the project 'a clean bill of health'. He said that the interest groups had accentuated the negative aspects of the Project while disregarding the positive elements (Internet: Coleman, 1995b). The World Bank reacted through conditional agreement, while Asmal responded by disagreeing, disputation and alternative interpretation.

(b) Response to Labour Unrest: On 14 September 1996, labour unrest broke out at the construction site of the Muela power station, near Butha Buthe. Reports stated that some workers were killed by the police and that others were injured. Interest groups in Lesotho, the LCN in particular, responded strongly to the incident and accused the police of improper conduct. The Lesotho interest groups contacted the IRN and the ED, petitioning them to add their voices in calling for justice in the matter. Collectively they requested the World Bank to use its good offices to pressurise the Lesotho government and the LHDA to take proper measures. In response, World Bank team visited Lesotho in October 1996 to investigate the incident. It stated in a letter to the interest groups that 'the objective of this visit was to try to determine for ourselves what happened'. A report was compiled after the visit (Internet: IRN, 1996b; Internet: IRN, 1996c). The coalition of interest groups also requested for an international commission of inquiry, but the Lesotho government refused. It did, however, launch an internal inquiry into the matter, following pressure from the World Bank (Internet: IRN, 1996b; Meissner, 2000f: 26).

The World Bank report contained a number of recommendations:

- The Lesotho government should establish an independent and transparent public Commission of Inquiry to examine the issues that led to the labour dispute and the events. While the internal inquiry might be a useful precursor to such a Commission, the establishment of the public Commission of Inquiry should not depend on the outcome of the internal inquiry.
- That the capacity of the Lesotho government be strengthened to enable it to monitor labour disputes at the LHWP more efficiently. A dedicated unit dealing only with the LHWP might be the best option.
- That the LHDA should incorporate the lessons of recent events in the drafting of contracts for Phase 1B to ensure close monitoring of labour relations and occupational health and safety issues (Internet: IRN, 1996b).

Thus, the interest groups, through appeals to shared values (justice), convinced the World Bank to apply pressure on the government and LHDA.

(c) Interest Group Recommendations to Project Authorities: Representatives from Christian Aid, Oxfam, the HCAG, and the Christian Council of Lesotho met a number of South African government officials and other organisations in Pretoria, Johannesburg and Maseru, in November 1996 (see Table 17).

After the visit, a number of recommendations, contained in a report, were presented to the Project authorities:

- The LHDA should strengthen its capacity to manage complex issues of social policy, by appointing expert staff to senior posts in the organisation and the LHWC.
- Both governments should eliminate policy differences. The Project should evaluate the impact on less-affected people by adopting a list rather than a community-based approach. It should also publicise its long-term compensation policy in the Project area and keep the development aspects of the compensation programme alive.
- The operation of the Lesotho Highlands Water Revenue Development Fund should be transparent, accountable and politically neutral. The Lesotho government and the Project authorities should use the Development Fund to spread the benefits of the Project more equitably across the Highlands.
- The Project should cease to use external contractors to build replacement houses, but use local builders and local material for this purpose. The compensation programme should include all sources of income, dagga (marijuana) included.
- The coalition of interest groups welcomed the LHDA's policy to support work undertaken on social issues in the Project area. Yet, the government, Project authorities and NGOs should publicise information about the health and social problems that are likely to occur in Phase 1B and encourage public discussion on the matter.
- The Project should communicate its policies more clearly and consistently in the Highlands, and provide more information in Sesotho.
- More NGOs could work in the Project area to deliver services and monitor the LHWP. The interest groups urged those NGOs that were thinking of opening programmes, to do so. The NGOs working in the Project area should also form a group and seek recognition from the Project. Moreover, Project authorities should regularly meet with NGOs that work in the area to discuss policy matters and agree to guidelines for financial and other forms of cooperation between the Project and NGOs (Archer, 1996: 52-55).

Table 17. Individuals consulted during the Christian Aid, Oxfam, the HCAG, and the Christian Council of Lesotho's visit to the LHWP in November 1996.

Individuals	Organisation Represented
Chief Seeiso B. Seeiso	Principal Chief of Matsieng
Mr. R.T. Mochebelele	Lesotho government (LHWC)
Dr. F. Falhbusch	Lesotho government (LHWC)
Mr. H.A. Plettenberger	South African government (LHWC)
Mr. W. Maartens	South African government (LHWC)
Mr. W. Croucamp	South African government (LHWC and DWAF)
Mr. T. Putsoane	LHDA
Mr. M. Lerotholi	Lesotho government (Ministry of Natural Resources)
Mr. T. Pekeche	Lesotho government (Ministry of Natural Resources)
Dr. M. Nyaphisi	LHDA (Environment Division)
Mr. D Field	Hunting-Consult 4

Mr. M. Edington	Development Bank of South Africa (DBSA)
Mr. G. Wain	British High Commission
Mr. M.C. Moteane	Thaba Tseka Training Centre
Chieftainess M. Mateal	Chief of Ngoajani
Chief R. Qhobela	Chief of Muela
Chief S. Mohale	Chief of Mohale
Mr. M. Sejanamane	HCAG
Mr. Matobakele	HCAG

Source: Archer, 1996: 3

The report and recommendations are part of argumentation and policy prescription based on 'scientific proof'. This was, however, not the only report produced by the interest groups.

(d) Report by the HCAG: Two days before the commissioning of Phase 1A, in January 1998, the HCAG released a report on a survey conducted in the Project area. It concluded that 75 per cent of the Highland villagers affected by the LHWP believed that their standard of living had decreased since the start of the project. The report also showed that 40 per cent of the 93 households surveyed claimed their grievances and compensation claims had not been addressed. Only two of the households were satisfied with the compensation (The Star, 21 January 1998: 5; Business Day, 19 March 1998: 14). In response to these findings the HCAG commented: 'The inaction on the cases shows, at best, a lack of co-ordination and organisation within the [LHDA] bureaucracy. At worst, it demonstrates a lack of respect for affected people as well as a lack of co-operation with non-government organisations' (The Star, 21 January 1998: 5).

Willie Croucamp, Director of International Projects at DWAF, however indicated that he was satisfied that compensation was adequately addressed by the LHDA. The World Bank had set in place performance milestones for the LHDA that were successfully met. The LHDA had also previously appointed new staff to its compensation department in 1997. Croucamp furthermore remarked: 'There has been satisfactory progress for the World Bank to go ahead [partially funding Phase 1B], I think that is the best evidence that the LHDA has got behind some of the problems that have been plaguing the project. Our view is that this is not an issue (any longer)'. A survey conducted by the LHDA indicated that all but 14 of 679 complaints lodged in the Phase 1A area had been settled to the satisfaction of the parties concerned (The Star, 21 January 1998: 5; Business Day, 19 March 1998: 14). The South Africa government, therefore, reacted to the 'scientific proof' of the interest groups through disagreement, counter-force and disputation.

(e) Three Individuals Complain: After the complaint lodged by the three Alexandra individuals in May 1998, and after the World Bank's inspection panel decided in September 1998 that no further investigations be conducted, Asmal argued that issues raised by the claimants were 'extremely relevant'. These issues, namely wastage of water in townships and water tariffs, 'have

been vigorously pursued by the Department over the past four years'. The Minister also stated: 'It is the democratic right of individuals to question decisions of government and international organisations. The independent review process by the [World Bank] ombudsman proved that we are transparent in our dealings, that this is a sound project that benefits both South Africa and Lesotho' (City Press, 6 September 1998: 2). The response of the Minister to reply on the 'appeals to shared values' control technique was indicative of an alternative interpretation of the grievances of the Alexandra residents. This reaction would surface again when interest groups tried to prove that Operation Boleas was a 'water war'.

(f) Water Wars?: Some of the interest groups saw Operation Boleas to be the first example of a water war in the Southern African region. The IRN, ED and SARA made a direct link between the Operation and the LHWP, saying that 'a massive World Bank-funded water project in the African nation of Lesotho helped spark the type of armed confrontation water experts predict. The prejudice toward big infrastructural projects promotes unsustainable, inequitable water-management—in short, the perfect setting for future water wars' (Internet: IRN, 1999c). Graeme Addison, from SARA, in a letter to the *Mail & Guardian* of 2 to 8 October 1998 remarked: 'The attack was more than symbolic. Like the United States in Kuwait, we had a strategic interest in a precious natural commodity. The Lesotho Highlands Water Project and in particular Katse dam are the key to South African thinking (if you can call it that) about Lesotho'.

Meissner (1998: 20) and Turton (2000c: 112) define a water war as a violent confrontation that directly results from a desire for access to water. Water is therefore both a necessary and sufficient condition that causes a war or violent confrontation between actors. The claim by the interest groups that Operation Boleas was Southern Africa's 'first water war' was nevertheless denounced by the director-general of DWAF, Mike Muller. He said that the LHWP brings benefits to both countries. In other words, a win-win situation prevails regarding the Project. If South Africa did intervene in Lesotho and did use the fostering of democracy as an excuse, as the conspiracy theory goes, the water from Lesotho would have become too expensive for South Africa, not only in terms of human lives, but also economically, according to Muller (Mail & Guardian, 16 October-22 October 1998: 28). DWAF thus disagreed with the interest groups' 'scientific' argument that Operation Boleas was a 'water war'.

(g) Interaction with the World Bank: The ongoing corruption scandal that rocked the Project in 1999 led to further interaction between the interest groups and the various state, parastatal and non-state entities assisting in its implementation. The letter sent by the IRN and ED to the World Bank on the issue, evoked a response from the latter. In the letter, the interest groups claimed that the Bank played a much larger role than mere limited funding. 'Not only did the World Bank finance the design of the project; it also is responsible for setting up and coordinating the financing program. It is unacceptable for the World Bank to claim that it is a passive bystander in the

unfolding corruption investigation'. Based on this, the interest groups therefore demanded that the Bank 'debar the companies involved in the bribery from future World Bank-financed activities. It should also launch an investigation into its own role in this controversial project' (Internet: WPC, 1999). 'Arm twisting' was therefore the technique used.

Responding to the letter, Jean-Louis Sarbib and Callisto Madavo from the Bank stated that it was proud to make the project a reality, despite its limited financial contribution of five per cent of total costs. It also committed itself to fight corruption in African countries (Internet: WPC, 1999). In other words, the World Bank would not debar companies involved in the corruption scandal (disagreement was the response). The World Bank also declared that it supported the Project because of its importance to Lesotho, South Africa, and the entire SADC region, and because it believed that the project served the poor in Lesotho and South Africa (Internet: WPC, 1999). Poverty reduction was therefore presented as a fundamental reason for the Bank's involvement in the Project.

The Lesotho interest groups, in turn, responded by a letter to the Bank's reaction stating that they 'are troubled, however, by their [Bank officials] failure to promise World Bank sanctions against the 12 multinational corporations when it is proved that they bribed the former chief executive of the LHWP'. The interest groups also dismissed the claim that the Bank was helping poor communities in Lesotho through a social fund set up with LHWP revenues and called the fund 'a tool of opportunistic politicians'. The Lesotho interest groups declared that they supported the LHWP, but questioned the 'openness and care with which it was prepared'. They called on the Bank to serve the 'poor' by helping them to 'challenge the existing power and economic relations that keep [them] "poor"' (Internet: WPC, 1999). This was an attempt at the 'appeals to shared values' control technique.

(h) Alternatives Suggested: A report submitted to the WCD by EMG, GEM and the IRN, in November 1999, based on scientific research conducted by a team of experts from the three interest groups, declared: 'Water conservation and demand management (WC/DM) holds tremendous potential to help the region to meet its water needs'. This was to show that the LHWP had an alternative for the alleviation of water scarcities experienced in the Rand Water delivery area. The report indicated: 'Very few WC/DM measures have been implemented in southern Africa to date. Research conducted for this report suggests that fewer than one-third of the 40 million urban water users who are served by developed supply systems are encouraged to use water efficiently by any measure other than escalating block tariffs' (Internet: Rothert & Macy, 1999).

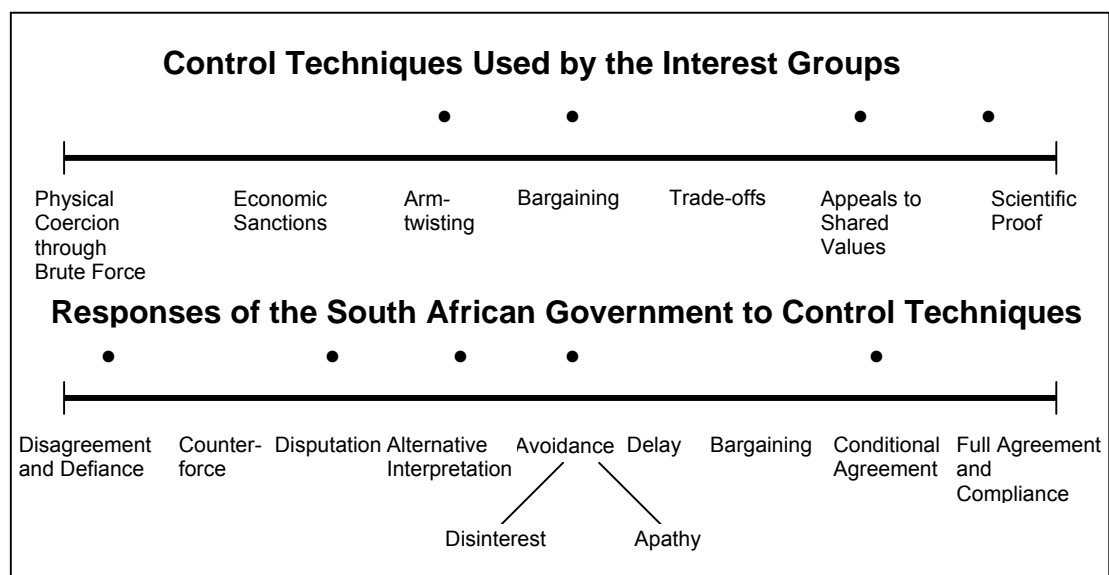
The report also declared: 'An increase in efficiency of only 20 percent in urban and agricultural water use would save 9 000 million m³ [of water] each year—more than the combined use of Namibia, Botswana, Swaziland and Zimbabwe, and more than 10 times the combined yield of Katse and Mohale dams' (Internet: Rothert & Macy, 1999). According to the interest groups, by

implementing WC/DM (appeal to a shared value) instead of large WRMPs, like the LHWP, Southern Africa could save a large volume of water. The interest groups and governments therefore used various control techniques in their interaction with one another (see Figures 18 and 19). Throughout a campaign, interest groups obviously use a number of control techniques. These evoke responses from those actors at whom these techniques are directed and *vice versa*. This is significant, because the process of control and counter-control drives the hydro-politics of WRMPs.

8. Analysis

The Orange River is South Africa's most strategic surface water resource, providing water to various users playing an important role in the economy of South Africa. This strategic importance was already realised in the 1960s when the South African government started implementing IBTs. The LHWP is the most recent, and most probably the last of these water transfers. This prognosis is primarily based on the transnational role and involvement of interest groups. It is anticipated that economic considerations and especially the limited availability of financial resources, as well as alternative policy initiatives, articulated by interest groups, like WDM, will in future have an impact.

Figure 18. The control techniques used by the interest groups and responses to them.

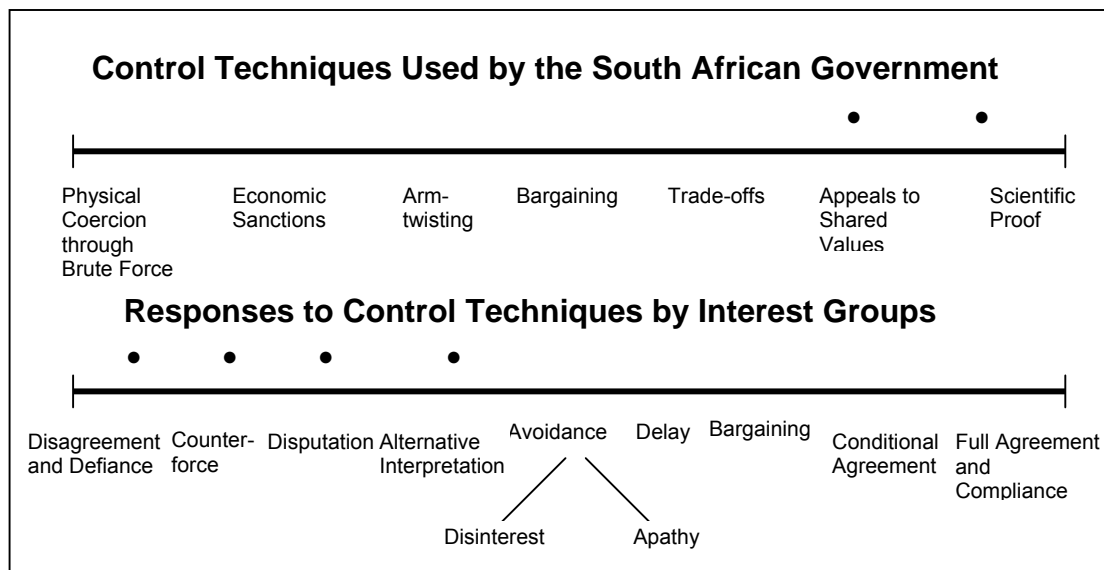


Interest groups are omnipresent in any democratic society, based on their representing role and attempts to influence public policy. These are fundamental agential roles and all other subsidiary roles are based on, or derived from them. Interest groups, because of their near-universal character, could transnationally be involved in any policy field—including water resources management as the case of the LHWP testifies. They are primarily, but not exclusively, involved in the domestic political arena when

engaging government in the water policy sector. However, over the past decade they have also become transnationally involved in the Lesotho and South African water sectors through the LHWP. In this respect, not only interest groups from South Africa engage governmental and parastatal institutions on water policy, but groups from around the globe are also participating.

This chapter covered some of these nuances in order to put the transnational role and involvement of interest groups in the water politics of the LHWP into perspective. Of importance in this context is the nature of the transnational involvement of interest groups. The MCC had already field workers in place before the Project's inception in 1986. Thus, the transnationalisation of the LHWP commenced at a very early stage, through an interest group with a truly transnational character. Soon thereafter, the Lesotho interest groups followed, with the establishment of the HCAG and its monitoring activities in the Project area. Only then did interest groups from South Africa and further afield become involved. The transnational movement thus grew over the years to such an extent that the LHWP was no longer only a bilateral project between two states, but a multilateral, globalised one involving a plethora of interest groups.

Figure 19. The control techniques used by the South African government and responses to them.



This is noteworthy, for although Project officials did and still do not have a high level of routine and institutionalised negotiations with interest groups, attention was redirected away from the engineering feats to the political and socio-economic aspects and ramifications of the Project. This redirection was transnational in nature, with interest groups from outside Lesotho and South Africa's borders, taking both governments and Project authorities, especially the LHDA, to task about the adverse impact of the LHWP and its various components. Thus, it is not only the involvement of states and of contractors

and sub-contractors from across the world that provides the LHWP with a transnational cross-border character (cooperation on the flow of water across or, in this case, under the border), but interest groups as well.

Interest groups possess a certain measure of agential power to affect policy changes. Although they could not prevent the implementation of the LHWP, since the state's agential power prevailed, they were part of both the policy and the integrated water resources management (IWRM) process. Initially, these non-state actors played an insignificant role when the Project was first suggested in 1956. At the time the main goal was to sustain socio-economic development in South Africa and to initiate it in Basutoland. The only norm, within the engineering community, was that large water infrastructural projects were a necessity for development, informed by the state's hydraulic mission.

States played the dominant part in this materialistic and agent-centric milieu and they created the international political setting of the Orange River during the period from 1956 to 1986. This is evident from the rationale behind the LHWP, namely to sustain development and stimulate it. Lesotho and South Africa sought their power, interests and utility-maximising choices through, *inter alia*, the LHWP. This is furthermore evidenced by low-level conflict that erupted from time-to-time between the two countries over contentious political issues, particularly *apartheid*. During this period, the Project was also used by Lesotho as political leverage since South Africa was dependent on the LHWP as a potential source of water, and because Lesotho was able to translate this vulnerability into power and influence.

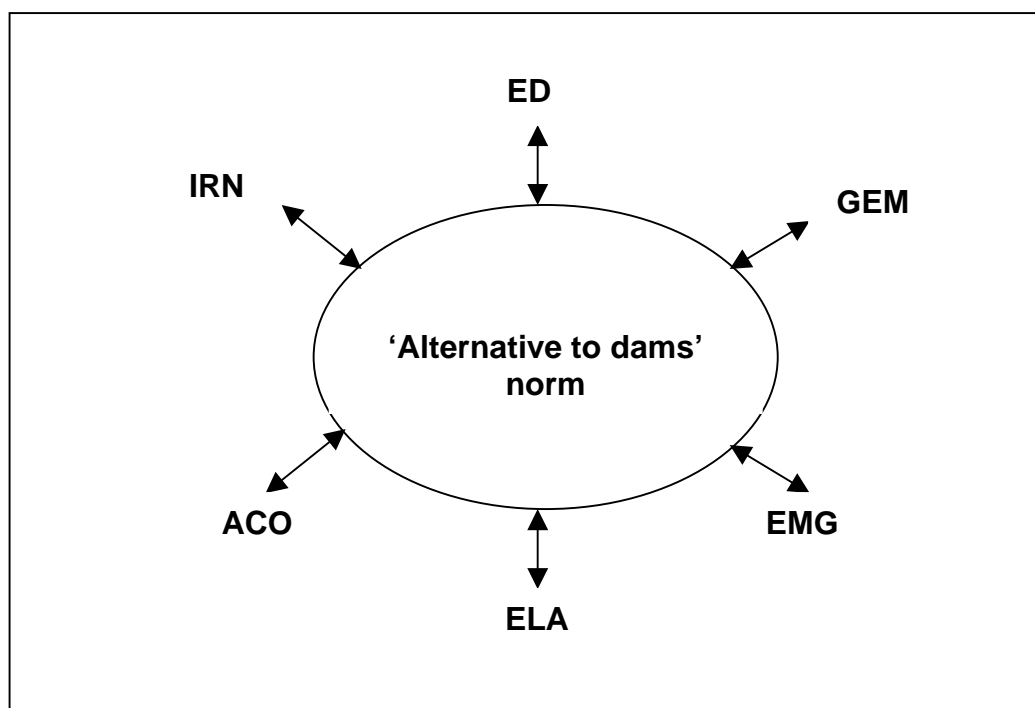
The predominance of state actors declined when interest groups became seriously involved in the water politics of the Project. At first these actors played a monitoring role, in other words, they were watchdogs. This role changed as more components of the Project were implemented, leading to stronger interest group opposition. With this, a new normative structure took shape around the issues of the Project. One of the most significant is that large dam projects are not essential to secure an abundant water supply. Alternatives, like WDM, are available. This norm was mainly imported by outer-peripheral interest groups (ED, FIVAS and IRN) and adopted by some of the inner-peripheral interest groups (ACO, ELA, EMG and GEM). The inner-peripherals, however, had different intentions in mind in expressing this norm. For instance, for the ACO the development of Alexandra was the main priority. For EMG, ELA and GEM, the environmental considerations and the human rights of the Lesotho Highlanders were of key concern.

Thus, the 'alternative to dams' norm is shared by interest groups, but utilised to advance different political agendas. This means that amongst the interest groups, a norm literally becomes a commodity. Because of their dissimilar identities, ideologies and interests, interest groups use the particular norm differently and therefore play different roles. A number of interest groups nevertheless clustered around this norm (see Figure 20).

The interest groups also converged on the norm of the reduction of poverty in the highlands communities, specifically phrased as the ‘protection of the poor’. In this case, interest groups with an ecclesiastical or philanthropic identity played a major role (see Figure 21). In this respect, interest groups from both the core and outer-periphery attached themselves to the ‘protection of the poor’ norm and argued against the Project.

These two norms sustained the interest groups and their actions and also served as a source of information. Paradoxically, the interest groups also created and enhanced these norms to the extent that they observe and respond to the hydropolitical environment of the LHWP. This process is called normative commensalism and refers to the symbiotic relationship that exists between the norms created by the interest groups and the interest groups using the same norms to sustain their arguments for or against a policy, project or programme (see Figure 22). Both the ‘alternative to dams’ and the ‘protection of the poor’ norms were actively articulated, but only the ‘protection of the poor’ cluster of interest groups have had a measure of success to influence the actions of the LHDA.

Figure 20. Interest groups cluster: the ‘alternative to dams’ norm.

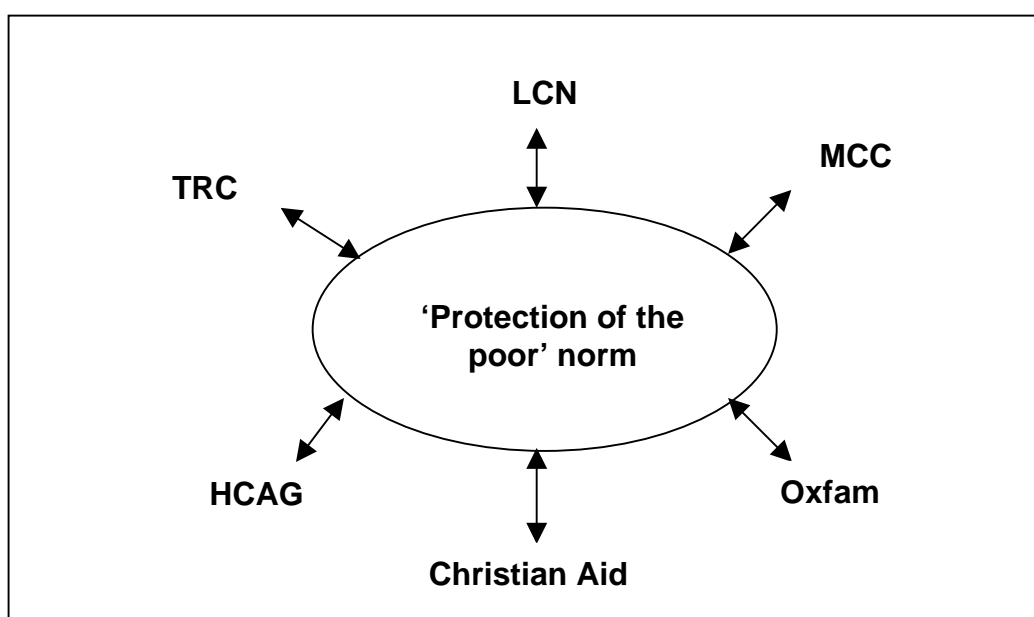


The ombudsman inquiry and subsequent report and World Bank reaction attest to this. The ‘alternative to dams’ norm cluster of interest groups could convince neither the governments nor the project authorities to halt the Project. The main consideration was the fact that there was not enough water in the Orange River for more dams. Other reasons were the World Bank’s low profile in financing large dams, seen together with South Africa’s ability to finance the Project from internal revenue sources. The World Bank also

supported the Project and this support was instrumental for its implementation. Because of these factors, the interest groups were, therefore, unable to lobby the governments of developed states and the Bank to reduce funding and thereby inhibit the progress of the Project.

Moreover, as a key factor the ANC's identity changed at least five times during the period from 1912 to 2004. It progressed from an interest group (1912 to 1960) to a national liberation movement (1961 to 1990), to a political party (1990 to 1994), to a ruling party with a socialist agenda (1994 to 1998) and finally to a ruling party with a more liberal-capitalist agenda (1998 to 2004).

Figure 21. Interest groups cluster: the 'protection of the poor' norm.



With the end of *apartheid*, a new norm was advanced in South Africa, namely racial inclusivity through nation-building. This reconstructed the ANC's identity, which in turn changed its interests to that of a political party aspiring to become the ruling party, as opposed to a liberation movement. However, its ideology initially remained unchanged. When it became the ruling party, its identity changed as well as its interests (see Figure 23). It was during the first shift that the ANC started to support the LHWP, since the latter was to become an important component of its future water and overall socio-economic policies. Within the RDP policy framework, 18 million people needed water. The LHWP could supply a substantial volume of water to many of these 'have-nots'. However, since sustained socio-economic development was also a priority, the Project was an important component of this process, supplying water to Gauteng. When the ANC altered its ideological stance from socialist to liberal-capitalist (with residual socialist elements) in the period 1998 to 2003, the norm emerged that anybody who is against the LHWP is undermining development, namely an 'exclusion and ostracism' norm. Therefore, through an ideological shift and the creation of

the exclusion and ostracism norm, the ruling party and the South African government's ideological power prevailed over the interest groups. This had an adverse impact on the success rate of interest group lobbying.

Figure 22. The process of normative commensalism.

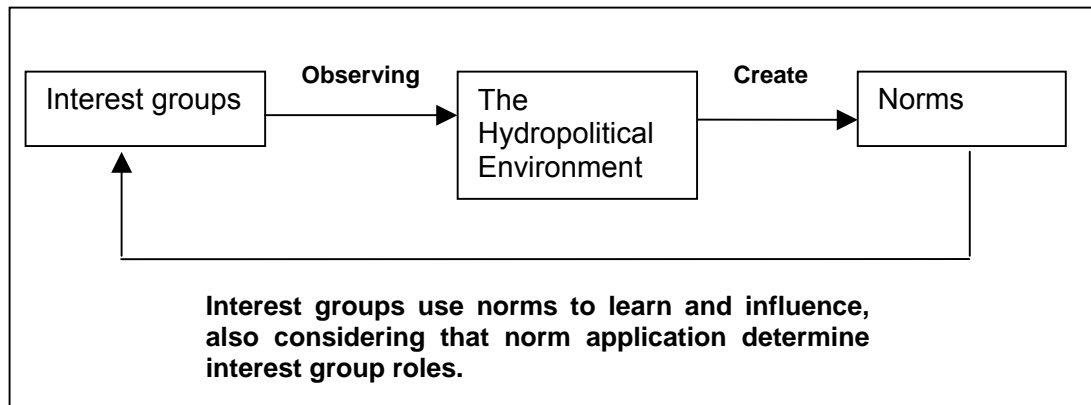
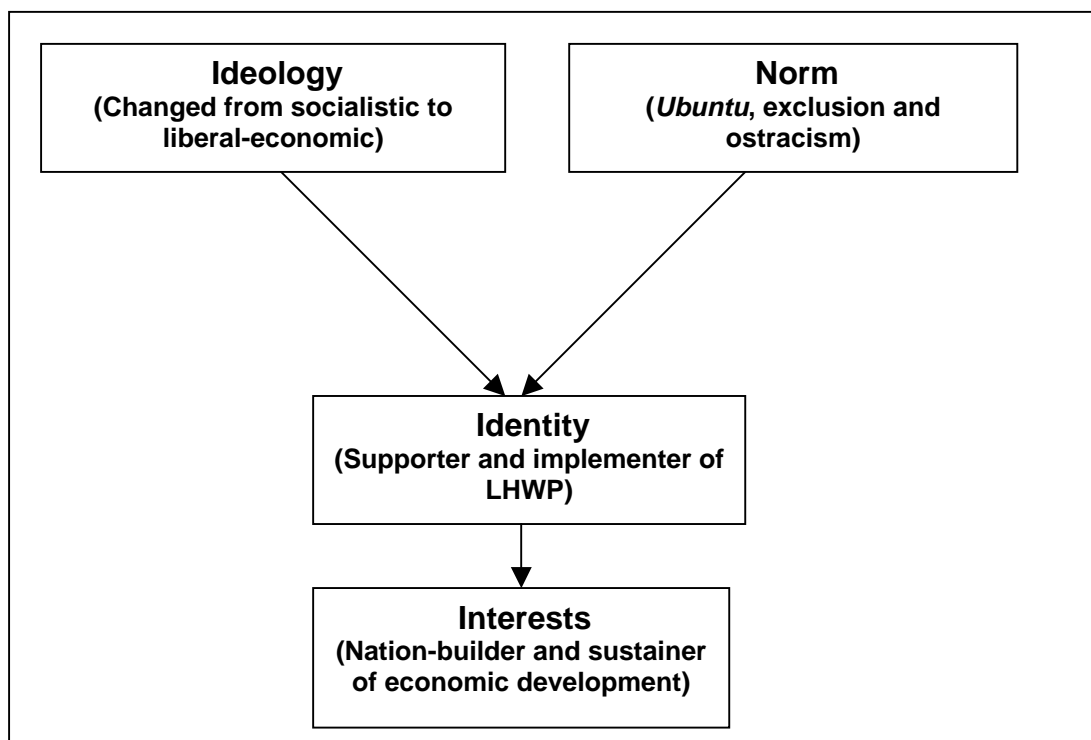


Figure 23. The ANC's ideological and norm shift.



Another dimension strengthening the ideological power of the South African government is its relationship with Lesotho. The two countries enjoy a good relationship, strengthened by the LHWP and their shared attitude towards Lesotho's independence and opposition to *apartheid*. The interest groups clustered around the 'protection of the poor' norm have nonetheless had some success lobbying the LHDA regarding its compensation policy. Lesotho's norm and identity affect this. To counter its unstable domestic political image after September 1998, Lesotho changed its identity drastically

in 2000 with the adoption of the mixed-member parliamentary system. A norm change also occurred, shifting from political actors (e.g. the military, the king, and political party leaders) exhibiting deviant behaviour to them demonstrating acceptable political actions. Thus, the norm change reconstructed Lesotho's identity leading to a change in its interests.

This 'acceptable behaviour' norm reconstructed the country's identity to that of a responsible actor on the international stage, which in turn changed its interests (implementing this responsible actor identity). This is exemplified in Lesotho by the crackdown on corrupt companies and the ombudsman inquiry. This afforded interest groups the opportunity to be more successful in lobbying for investigations into inadequate compensation policies. Thus, with Lesotho gaining the moral high ground, its ideological power gained strength, but in a way that afforded interest groups a better chance at lobbying success.

Moreover, the nature of the LHWP as an international project means that the two states' domestic and international spheres are facets of a single social and political order. The interest groups are together with the states, project authorities and other non-state actors, the main drivers that link the domestic and international spheres into a single social and political order through their policy shaping (influencing), representation, and transnational agential roles. By lobbying the various actors, the interest groups are responsible for change in an important sector of the global political environment—the possible decline of the state. It is, however, concluded that in this case the state as actor did not significantly decline. In fact, there was no decline at all. Both states reconstructed themselves through the change in norms, identities, and interests, through their interaction with interest groups, albeit being compelled to do so because of international and domestic political events.

This raises the issue whether interest groups constitute a 'community' opposed to state policies or certain components of policies. The loose coalition, the clustering of interest groups around the two main norms and the way they engaged the governments and other non-state actors are evidence of such a 'community of political engagement'. Interest groups successfully prescribed what appropriate behaviour ought to be, especially the LHDA, and with this induced a number of transformations. Although the coalition of interest groups failed to prevent the implementation of Phase 1A and 1B, they were responsible for introducing certain changes. These were either broad-based (within the overall South African and Lesotho water sectors) or specific (concerning the LHWP itself).

Firstly, their role and involvement were unprecedented. Before the implementation of the LHWP, the South African Department and Water Affairs and Forestry (DWAF) went about its business in an undisturbed manner. Many projects were implemented without the interference of interest groups. This was clearly not the case with the LHWP and it was no longer a matter of 'business as usual' for DWAF. This change was therefore broad-based in that a governmental department had to contend with increasing interest group involvement.

Secondly, no longer was it only government departments, contractors and financial institutions that were involved in the implementation of the project. Interest groups also started to take an interest and through them civil society participation became more pronounced. There was therefore a paradigm shift regarding the implementation of WRMPs in the South African water sector with interest groups contributing to the development of a more complex and rapidly changing policy environment.

Thirdly, along with a change in the actor dimension, the hydropolitical environment changed accordingly. The interaction was no longer limited to the governments of two states, financial institutions and various MNCs implementing certain parts of the project. Interaction also involved interest groups who brought about a widening of the interactive network between the state and the non-state actor community, thereby also creating new channels of communication.

Lastly, one of the most important and far-reaching changes was the discourse modification regarding the LHWP. Knowledge and power are inextricably linked and mutually influence each other.

The discourse changed when the interest groups become involved and criticised the Project and some of its components. No longer were WRMPs seen as benevolent, in providing water to a developing society. Interest groups started to question their viability and benefits to society, voiced concern about their negative impact, and even proposed a policy alternative—WDM. This meant that many citizens empowered themselves with alternative knowledge (discourses), whereas in the past they unquestioningly accepted the knowledge forwarded by governments, project planners and managers.

In this respect, Richardson (2000: 1021) states that: 'Whilst not always a threat, ideas and knowledge can have a virus-like quality and present a very real challenge to those stakeholders who have relied on the security of cocoon-like policy communities. Ideas, like viruses, tend to be destabilizing agents and demand much skill on the part of existing players, if these players are to retain their existing benefits. In practice the new ideas and their attendant policy frames often "capture" all stakeholders who then find themselves adjusting to a new set of rules and power distributions quite different from the old policy regimes'. Interest groups are major producers of virus-like ideas and knowledge through their agential roles.

The change regarding the LHWP was therefore temporal, agential, political and discursive. Within these domains, interest groups always play an important role. They are therefore, along with states and governmental institutions, the driving forces behind water politics. Thus, interest groups are part of the policy process on account of their norm creating ability. This agential role, along with their policy shaping (influencing) and representation roles are largely responsible for their importance as role players in international and domestic water politics.

Furthermore, members of interest groups like Moea, the three Alexandra residents, and the Highland villagers were transformed into agents by the norms they upheld and pronounced. These norms enabled them to act politically as representatives of the interest groups and communities they were members. Using their freedom of speech and association as agents in a democratic context, they embedded themselves, consciously and sub-consciously, in established and accepted international norms (e.g. freedom of speech and association) and acted in accordance with these norms.

The behaviour of the interest groups, made possible by their inter-subjective social contexts, led to a relationship and understanding between them based on shared norms and practices. For instance, the interest groups' response to labour unrest; the recommendations to Project authorities; the reports regarding compensation and social upliftment; the complaints by Alexandra residents; the articulation of the 'water wars' discourse; the interaction with the World Bank concerning corruption and the suggestion of alternatives to the Project created and enhanced norms that impacted on the power relationship between the states and interest groups and that gave meaning to the interest groups' action.

The norms created or advocated by the interest groups, also informed their identity. Because the interest groups were regarded by the South African government, the LHDA and to a certain extent the TCTA as inhibitors of socio-economic development and nation-building, they were excluded from negotiations concerning the project. Thus, the South African government responded through exclusion to the 'alternatives to dams' norm identity of the interest groups. Nonetheless, following its identity change from an unstable to stable entity, the Lesotho government responded more favourably to the interest groups requesting the parliamentarians to visit the Project area. This shows that only one actor in a relationship has to change its identity for the whole relationship to be redefined.

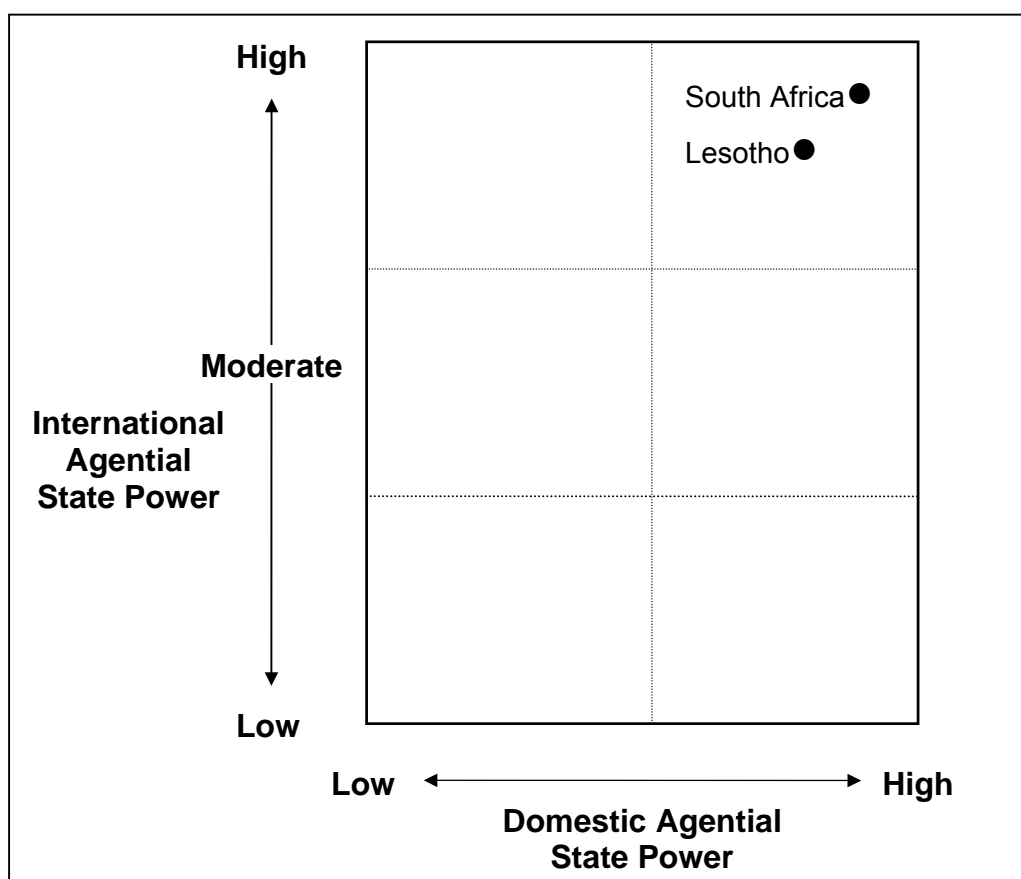
From the previously mentioned discussion and analysis of the transnational role and involvement of interest groups in the water politics of the LHWP, the following conclusions are drawn regarding the agential power of the actors (see Figures 24 and 25).

South Africa is credited with high international and domestic agential power. The reason for this is that present and past governments had the ability to implement the LHWP with little concern to interest groups. The present government resisted all attempts by the interest groups, from the outer- and inner-periphery and the core not to implement the Project. Although the interest groups brought about a discursive change regarding large dam projects, they were unable to stop the Project.

Notwithstanding South Africa's high agential power, the interest groups, especially those from the core and inner-periphery, are credited with moderate international agential power and high domestic agential power. The

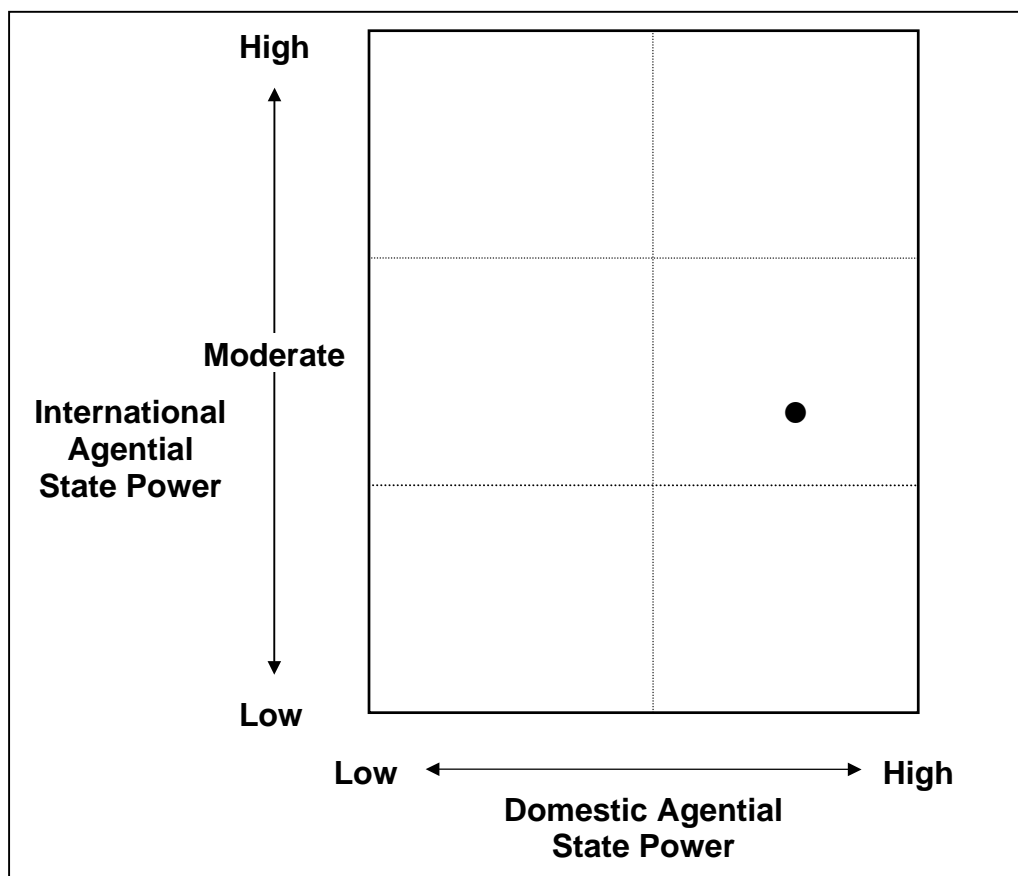
moderate international agential power of the interest groups manifests in their discursive modification ability regarding the LHWP, and their high domestic agential power in their ability, especially that of the Lesotho interest groups, to secure the visit of the Lesotho parliamentarians to the Project area, the consequent ombudsman inquiry and the report that followed.

Figure 24. The agential power of South Africa and Lesotho regarding the LHWP.



The Lesotho government, on the other hand, exhibits a high degree of reflexive agential power. This means that their agential power is embedded not only in the capitalist class both inside and outside Lesotho, but also in the normative structures of society. Evidence of this is the crackdown on corrupt MNCs involved in the LHWP; the visit of the parliamentarians and their attendance to the grievances of the Highland communities; and the ombudsman inquiry. This was brought about by Lesotho's changed identity as a responsible 'citizen' of the international community; economic considerations, e.g. to attract foreign revenue based on a 'solid' reputation as a country in which it is worthwhile and safe to invest; the democratisation process that has gained momentum since 2000; the anti-corruption campaign; and general efforts on the part of the Lesotho government to create a stable and peaceful society. Therefore, Lesotho's reflexive agential power was not only induced by the transnational role and involvement of interest groups, but also came about from its willingness to reverse its unstable political climate.

Figure 25. The agential power of the interest groups involved in the debate over the LHWP.



The fact that the LHWP has been completed does not mean that the transnational role and involvement of interest groups have ended. They are expected to remain transnationally involved and to continue to play a representation and policy shaping (influencing) role. More specifically, their watchdog role in the hydropolitics of the Orange River is expected to become more intense and pronounced as democracy is consolidated in Lesotho and South Africa.

9. Conclusion

The purpose of this chapter was to put the political process, encapsulated by the interaction of the interest groups, governments and other actors involved in the LHWP, into perspective. In other words, it described, explained and analysed the transnational role and involvement of interest groups in the water politics of the LHWP by using the framework for analysis. This was accomplished by first describing the Orange River basin and showing that the Orange is one of South Africa's most important surface water resources, in that it supplies water to a number of economic activities within and outside the basin. Secondly, the actors within the river basin were identified, indicating the plethora of interest groups involved in the LHWP. Thirdly, the Orange River's hydropolitical history indicated that states played a predominant role

until the 'arrival' of interest groups in 1985, where after the nature and scope of the interaction changed significantly. Whereas states were the predominant actors, interest groups became more prominent in their pronouncements. Fourthly, the agential power of the actors was assessed. It was found that the interest groups have moderate agential power and that South Africa had high agential power. Lesotho, on the other hand, actually increased its reflexive agential power after changing its identity.