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A Community in the Orange: A story about people and politics

The development of a multi-level water governance framework in the Orange-Senqu River Basin in Southern Africa

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Water Research Commission

6 November 2012



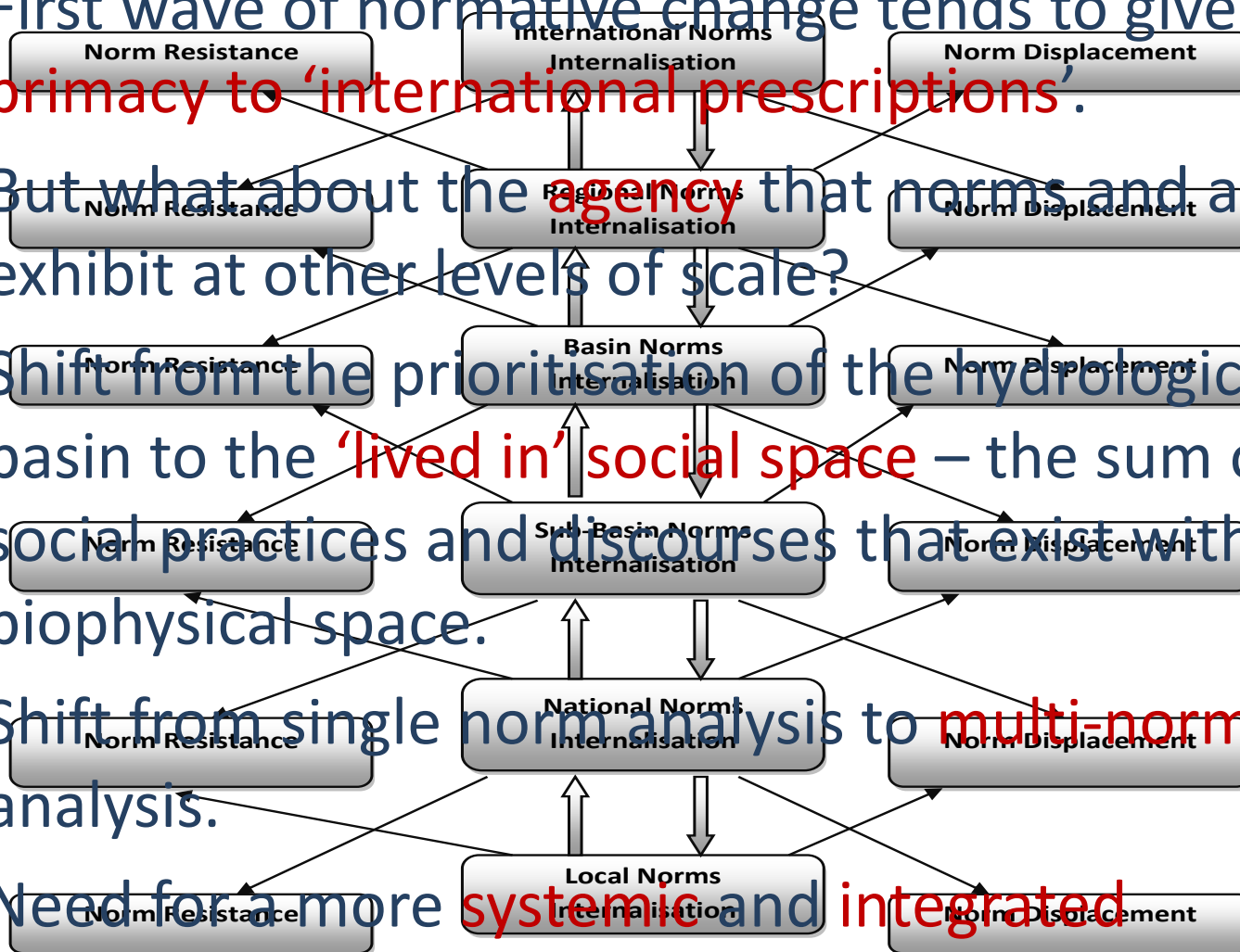
Purpose

- 💧 To examine the **interlinked relationships** between cooperative management norms/principles constructed at different levels of scale in the Orange-Senqu River Basin, and the ways in **which both norm and context are transformed as a result of the other**;
- 💧 To examine the **non-linear progression of norm diffusion** from one level of scale to another;
- 💧 To construct a **multi-level governance framework** for the Orange-Senqu River Basin.

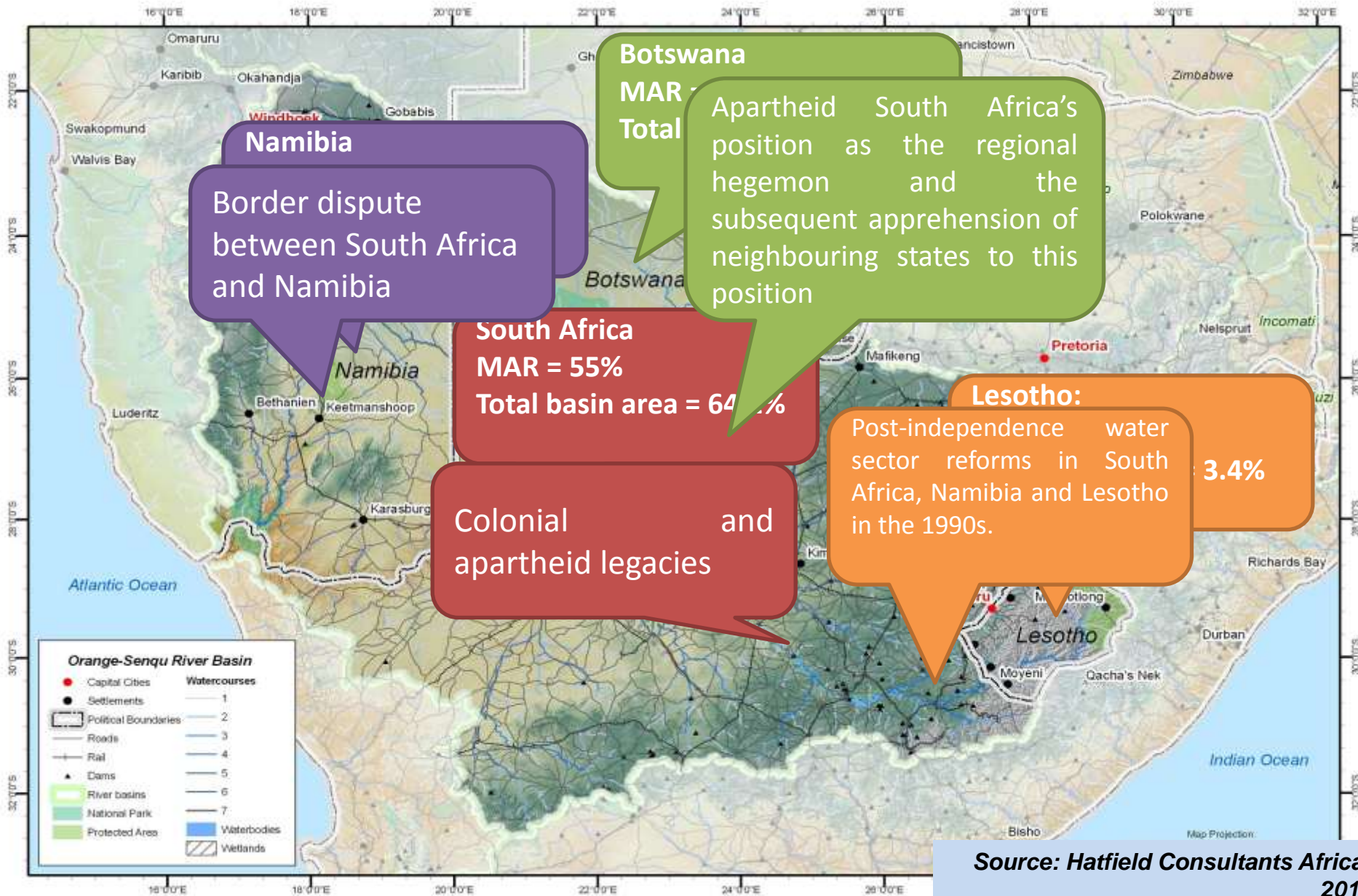


Rationale: On scale

- First wave of normative change tends to give **causal primacy to 'international prescriptions'**.
- But what about the **agency** that norms and actors exhibit at other levels of scale?
- Shift from the prioritisation of the hydrological basin to the **'lived in' social space** – the sum of social practices and discourses that exist within the biophysical space.
- Shift from single norm analysis to **multi-norm** analysis.
- Need for a more **systemic and integrated** interpretation of norm development.



The Orange-Senqu River Basin



Source: Hatfield Consultants Africa, 2011

Institutional and legislative development contributing to the community



South Africa

- Political transformation led to water policy reform in the 1990s-2000s
- Pioneering NWA of 1998
- Current legislative and institutional infrastructure ensures compliance with international/regional obligations
- Implementation challenges



Botswana

- Oldest legal and institutional framework in the Orange-Senqu
- Currently under revision



Namibia

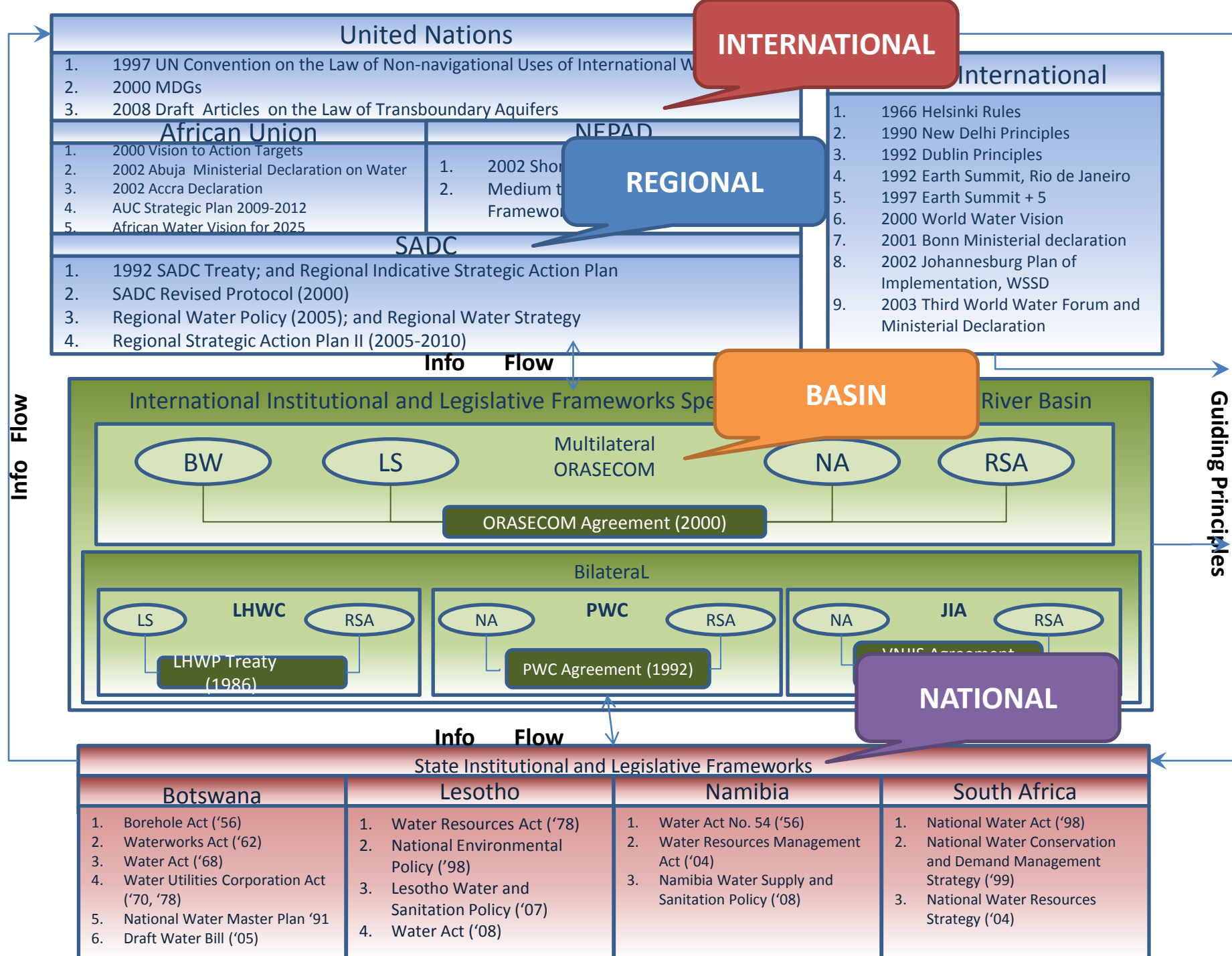
- Water reforms after independence in 1990
- Politically charged reform
- Current legislative infrastructure ensures compliance with international/regional obligations
- Implementation challenges



Lesotho

- Policy framework under revision
- Implementation challenges





But what about other barriers and drivers to the development of the community?

Barriers

- 💧 Skills flight and lack of sustainable knowledge transfer
- 💧 Lack of trust

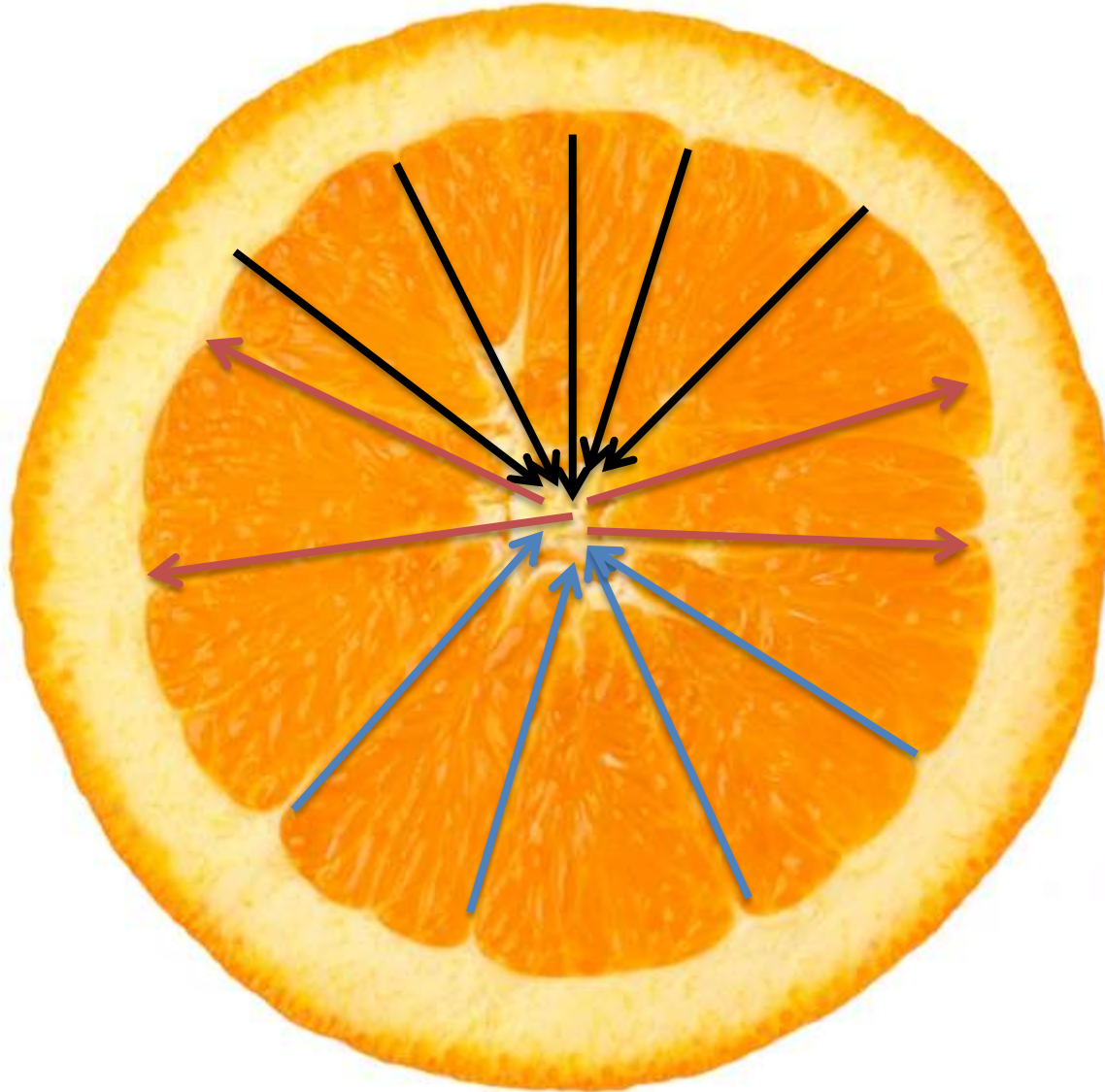


Drivers

- 💧 Technical co-operation
- 💧 Norm entrepreneurs and the significance of personalised politics
- 💧 Congruent norm sets



Multi-level Norm Convergence



1. Top-down global norm diffusion

- 💧 **Indirect compliance** with global norms and principles by virtue of compliance with the Revised SADC Protocol;
- 💧 **Norm congruence** with domestic and regional norms developed as a result of political change and the water reforms in the 1990s;
- 💧 Adherence to global principles and standards **legitimises regimes and the sovereignty of states**;
- 💧 Local actors display **instrumental commitment** to global norms.



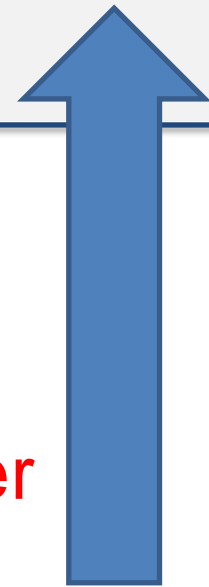
2. Lateral norm convergence from state to state



- 💧 Transitional nature of national legal frameworks since the 1990s in South Africa, Namibia and Lesotho;
- 💧 Shift in focus from bilateral arrangements to the creation of joint water commissions with multilateral basin-wide agreements;
- 💧 Multi-actor landscape.



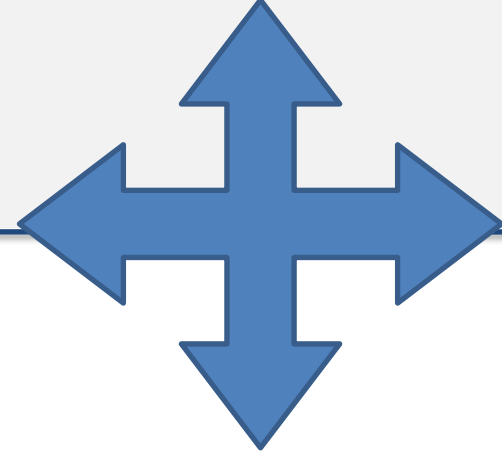
3. Bottom-up (local to national) norm convergence



- Degree to which local actors help further national agendas;
- Repackaging of local norms in order to appeal to a wider national audience;
- Norms may face local resistance if they appear to contradict longstanding local norms.



4. Norm dynamism



- Multiple norms originating at different levels of scale;
- Precursors of external norms have had their own history of domestic development that pre-date the arrival of the international norm;
- Role of norm entrepreneurs:** push norm-based change through certain state channels; actors conform to emerging standards of behaviour because it helps define them as members of the region;
- While power and money drive normative agendas, so too does the desire by some local actors to form a regional community.



Conclusion

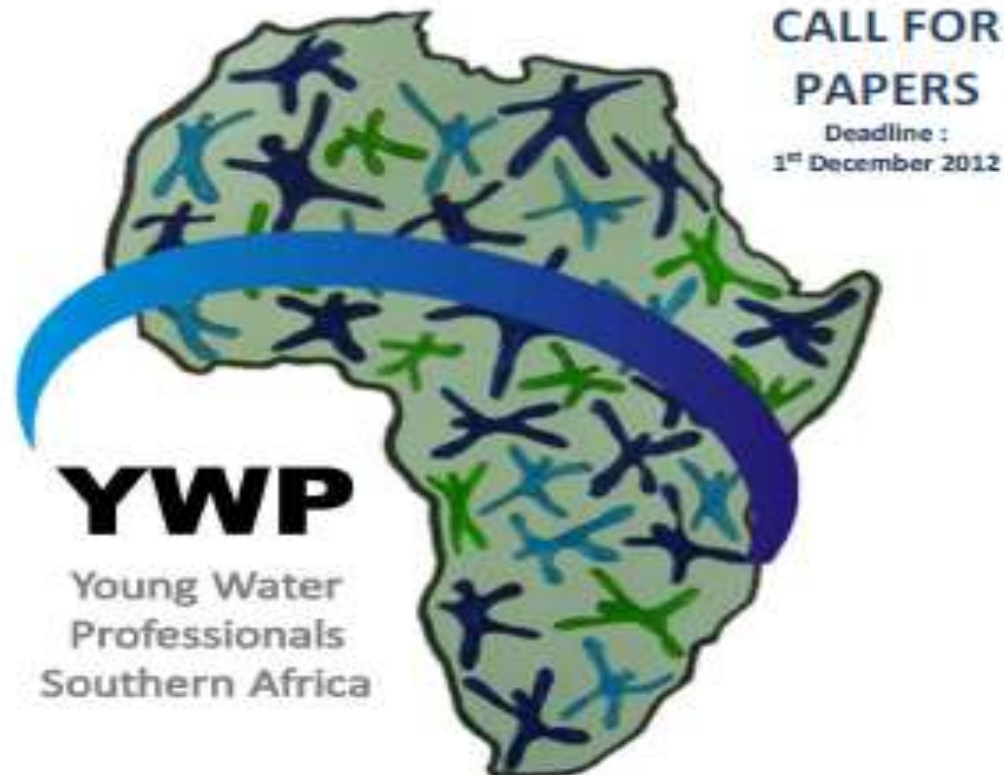
- 💧 **Holistic analyses of governance** = legal/institutional hardware + multi-level normative software.
- 💧 **Non-linear diffusion** of global norms in the Orange-Senqu.
- 💧 **Norm congruence** with pre-existing national norms facilitated faster diffusion of global norms.
- 💧 Commitment to regional norms by SADC member states **helped to legitimise national policies** and a sense of good neighbourliness.
- 💧 Resistance to some national norms experienced at the local level.



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