

CHAPTER 10

A hot climate for civil society engagement with climate change and water in

Durban

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Not only is the physical climate in the Durban metropolitan area (eThekweni Municipality) getting hotter due to climate change, but the relationship between the municipality and civil society is “hot” in terms of contestation. This chapter raises questions about civil society-municipal interaction around water services and issues related to climate change, drawing on the work of civil society organisation Umphilo waManzi (Life is Water).

A Hot Climate: Civil Society-Government Engagement

South Africa has a strong rights-based approach to governance as a result of its apartheid history. People expect government to deliver services that they were denied under apartheid and to respond to the massive inequalities that remain. How do people engage with government around their socio-economic rights?

One way is through civil society organisations. Historically, non-governmental organizations (NGOs) were largely white service-based organizations supporting community-based organisations (CBOs), which were driven by people

on the ground doing community development and organizing. Within the broad civil society framework, differences emerged between NGOs and CBOs over funding and “who has a mandate to speak for whom”. Over the past decade, social movements have arisen outside the “development” circles, allowing people a direct voice around issues that concern them and creating a structure for organizing advocacy actions.

Locating this range of civil society organisations along a continuum from social change or activist organisations to technical organisations clarifies their differences. There are strong ideological differences between CSOs: most CBOs and social movements more closely embody social change organisations, and technical organisations work closely with government. NGOs are spread across the continuum, influenced by the role of funding in civil society-government relationships. After the transition to democracy in 1994, donors began to provide funds through the government rather than directly to NGOs, placing NGOs in a tight spot. Their critique of government can become cautious or muted to avoid jeopardizing their access to funding (Galvin 2010a, Galvin 2010b).

For example, in terms of climate change networks in South Africa, Climate Justice Now! is considered a social change organization as it is highly critical of government NGO and CBO participation, while the South African Climate Action Network is located near the technical type as it is more mainstream and cooperates with government.

Of course how CSOs approach government is only part of the equation. We also need to ask “How does government engage with its citizens?” Civil society’s

role in general and in terms of water supply is well established in South African legislation and policy. The requirement to consult citizens and/or CSOs or to seek their participation is part of the legal framework for water management, including the Municipal Systems Act (2000), Strategic Framework for Water Services (2003), National Water Act (No.36 of 1998), and National Water Services Regulation Strategy (2010).

Yet this is typically not happening. Part of the problem is a lack of appreciation for levels of participation. Participation can be conceptualized as a ladder with a bottom rung of “persuasion”, where the level of participation increases through the higher rungs of information sharing and consultation. The top rung is “empowerment,” which requires the most active participation of communities (Arnstein 1969). Some issues require only information sharing or consultation, where others require full participation or empowerment.

But it is not simply a matter of officials not understanding that there are different levels of participation. The tendency is for government to simply communicate or consult citizens or CSOs in a perfunctory manner. There are consumer hotlines, mayoral road shows, and invitations to consultations on development plans that are placed in local newspapers. The present paradigm is that government officials make decisions and, if anything, arrange an open information sharing session or expect to co-opt CSOs as one member of a large committee (Galvin 2009).

Finally, part of the problem is how issues get caught in a political tug of war, which disregards the voices citizens and CSOs. For example, there are processes set

out in law for civil society participation in managing water resources, such as Catchment Management Associations (CMAs). Progress was made in establishing the first few CMAs, but government stopped the process mid-stream while negotiating a political plan to change the number and boundaries of CMAs, causing many CSOs to become wary of participating in CMAs (Enright interview, 6 July 2010).

It is the very lack of communication and of being given a voice that has fed widespread protests in response to poor people's frustrations with government's delivery of services (Friedman 2005). Class equity, which still overlaps powerfully with race in South Africa, is a key issue underlying people's rights to services, which climate change is likely to exacerbate further. With few, if any, effective channels to communicate with government around service delivery expectations, community frustration escalates. How might this apply to water services in the face of climate change?

A Hot Climate: Climate Change and equity issues

Water demand already outstrips supply in Durban. The government's water reconciliation plan shows that the Spring Grove dam was supposed to be built in 2009 to respond to this shortfall, but funds were evidently used to prepare for the World Cup and the dam was delayed. Fortunately supply is based on an average and there has been heavy rainfall in 2009. But this is expected to turn to dry spells soon, and then the municipality will have to resort to imposing water restrictions (Macleod interview, 2011).

The municipality would most likely introduce a restriction of 400 litres per household per day. Currently middle class families tend to use this amount of water per person, so it will be quite an adjustment for an entire family to live on that much (Macleod interview, 30 April 2010). In contrast, many poor and working class families live on the free basic water allotment of roughly 50 litres per person per day (for an estimated household size of five people). So it is the wealthy who are likely to feel the pinch of living on less water.

Water scarcity alongside the high capital cost of a new dam means that we can also expect the cost of water—and tariffs-- to increase. But how will the tariff curve be shaped? In other words, will this be passed onto users equally? Poor people who go above the free basic allocation due to a typical large family size would suffer. Or can the tariff curve be steep and concave enough that high end users bear the brunt of the increase? (Bond 2002).

These equity issues show how the impacts of climate change in an urban African city is mediated by municipal policies. To make the bland statement that “variable rainfall will put more pressure on water services and even more pressure on poor people” misses the complex role of the municipality in adding or buffering that pressure. How can civil society engage with these issues?

One example of civil society engagement is Umphilo waManzi’s work in three related areas:

1. Challenging the current paradigm of participation

One of Umphilo’s first projects was administering The Water Dialogues-South Africa, a national multi-stakeholder dialogue based on its research in eight

areas of the country (www.waterdialogues.org/ South Africa). The Water Dialogues promoted civil society's inclusion in water deliberations and decisions, and the need for such participation was the basis of many of its final recommendations (Galvin 2009). To address water struggles requires the kind of paradigm shift or change described by The Water Dialogues' stakeholders as:

“A radical rethink of *how* we work is needed to ensure effective, equitable and sustainable delivery of water supply and sanitation provided affordably to all... Local and national government need to acknowledge the range of voices which must be heard if lasting improvements are to be achieved in service delivery. Discussion of the way forward to better servicing must be broadened to harness the ideas, skills, competencies and resources that exist in our communities. To pursue a developmental agenda means formulating local solutions for local realities...” (Galvin, 2009:7)

At the local level, Umphilo has also conducted research on how civil society engages with eThekweni Water and Sanitation (EWS), recognized as one of the top public water utilities in South Africa and even in Africa. It highlighted and assessed various approaches used by civil society to advocate change—the hydropolitics of eThekweni (Galvin forthcoming). While civil society succeeded in initiating some change through dialogue and regular engagement with the municipality, citizens were left with quiet resistance and protest to pursue other outcomes.

For example, through his engagement with civil society organisations in the Water Dialogues, the EWS director decided to increase the free basic water

allocation in Durban from 6 to 9 kilolitres. He also adjusted a “citizens voice” programme that was piloted in Cape Town (see Figure 10.1). It provided civic education on aspects of water and sanitation and then established “user platforms”, regular meetings in which citizens raise systemic water and sanitation related problems directly with EWS officials.

FIGURE 10.1: “Citizen’s Voice” in Metropolitan Areas

The Citizen’s Voice project was piloted in Cape Town in 2006 and subsequently introduced in other cities including eThekweni, Msunduzi and Ekurhuleni. Citizen’s Voice provides training to community members and ward committee members on a range of water and sanitation issues. The aim is to provide civic education about the issues related to water services so that participants have a foundation to hold officials and politicians accountable for sustainable water provision and are able to articulate their problems and issues in a way that permits officials to hear them and consider them at a systemic level. Officials meet with citizens to share information, and so that citizens can raise and discuss their problems and concerns around water and sanitation with those responsible.

The project provides an excellent example of deepening citizen participation, although since there is no clear and independent driver, the process can be taken up and used by organisations for their own goals. There is a lack of oversight and

quality control to ensure that this does not take place and to maintain standards of training. As the process is now endorsed in the National Water Services Regulation Strategy (2010), practitioners are working to address these weaknesses (Galvin 2011).

However, some counsellors are threatened by the municipality meeting directly with citizens as they perceive this as undermining their role. So formally civil society meets with the municipality, but in practice EWS issues its invitation to civil society organisations cautiously. This limitation, along with other controversies such as those related to Urine Diversion toilets, have started to diminish EWS' achievement in charting a new course of civil society-municipal engagement.

2. Action research: grounding people's truths

Umphilo has also been grounding issues with action research on how things work in practice, giving power to people's experiences and "stories" as much as the "data" that is often treated as the factual "truth" in the technical water sector. One example is the 80,000 Urine Diversion (UD) toilets built by the municipal government in the peri-urban and peri-rural areas of eThekweni (see Figure 10.2). Umphilo has found that most are not working (well) because of problems with both the social acceptability of emptying them and the lack of consultation and education before introducing them (Galvin and Nojiyeza, forthcoming). As part of our climate change and water work, Umphilo has been working with one community to explore a pilot

project that addresses these problems and explores options for improved take-up as part of local climate change adaptation.

FIGURE 10.2: Resisting Urine Diversion Toilets in eThekweni

One community activist put it simply: “Black people want to experience the flush”. People who have not had water/sewer services for years want the same level of services as wealthier neighbouring areas.

When Durban’s municipal boundaries were extended in 2000, EWS suddenly had tens of thousands of new households in its jurisdiction that required sanitation. Ventilated Improved Pit (VIP) toilets had been found difficult and highly expensive to empty. So EWS turned to dry sanitation in the form of Urine Diversion (UD) toilets, a form of “ecosan” that is considered by many international sanitation specialists as the way of the future.

Why are local people practicing “everyday forms of resistance” (Scott 1992) such as refusing to use their UD toilets, turning them into storage cupboards or transforming them to flush toilets using a French drain? Umphilo’s research in six different wards consistently showed that the municipality did not consult with people on their options (because they really had none) and provided user “education” that was of extremely poor quality. This meant that people often had a toilet they did not

want, could not use properly, and were left to empty themselves. Waste did not dry out properly, and people are angered by having to empty wet sludge.

People's non-use of toilets threatens to turn into a public health crisis. Umphilo believes that this situation can be averted by implementing a full community consultation and education process, and providing a municipal service to empty UD toilets.

3. Advocacy: from awareness-raising and acting as a watchdog to protest

The municipality encourages water conservation, squeezing the poor to use even less water. For social equity reasons Umphilo is highlighting the need for the middle-class to use rainwater harvesting and greywater systems. It has done surveys of middle-income households' use of rainwater harvesting and produced participatory videos and posters on how using these systems can save money and water.

Umphilo waManzi also plays a watchdog role. The national Department of Water Affairs has put into place Blue drop and Green Drop awards, which recognize municipalities for having achieved a high standard of water quality and waste-water treatment respectively (see chapter 7 in this book). Ongoing sampling takes place and results appears on a website, enabling civil society to monitor this process. Citizens can keep an eye out in their local area to ensure that what their municipality reports is actually what is happening on the ground.

Finally, Umphilo joins other civil society organizations in strategizing and organizing protest actions related to water services and resources. While progress can sometimes be made by engaging with government, additional pressure is needed for better water policies, such as steeper tariff increases for higher-income people and corporate water users, and other service delivery improvements.

Conclusion

Umphilo is presently working with community groups in eThekweni to identify and assert their agency on climate change adaptation and water issues. As their experiences may be applicable to other peri-urban and peri-rural municipalities in South Africa, we aim to use these learnings about community level adaption to influence higher levels of decision-making in order to affect broader socio-political change.