

The involvement of interest groups in the Lesotho Highlands Water Project

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***Abstract:** This article explores the role of interest groups in the politics of the Lesotho Highlands Water Project (LHWP). These types of non-governmental actors have, in the recent past, begun to make inroads into the domain of water politics. Their participation in this milieu stretches from Namibia to China and Latin America. The LHWP also has its fair share involvement of these groups. They seem to focus their attention on the World Bank which is partially funding the LHWP. Their endeavours do not seem to be very effective due to the existence of certain factors, among others the willingness or rather unwillingness of the governments of Lesotho and South Africa and of the World Bank to bow to their influence. Therefore, the interest groups are not very influential in their actions against the governments of Lesotho and South Africa and the World Bank regarding the LHWP.*

Introduction

In 1990 the government of Botswana decided to supply water to a diamond mine in the north of the country, by dredging parts of the Okavango Delta and damming some of the outflows. This plan had to be postponed after the interest groups in Botswana and abroad as well as the communities in and around the delta voiced their concern about the proposed project (Meissner, 1999:93). This heralded an era in which interest groups became much more involved in the water politics¹ of Southern Africa.

The role of interest groups is however not restricted to the Okavango River. Elsewhere in the world interest groups have also started to make inroads into water politics. Non-governmental organisations (NGOs), local interest groups and social movements² have, for instance, criticised the construction of the Sardar Sarovar Dam in the Narmada River basin in India and the Three Gorges Dam project in China. Interest groups also participate in the politics of the Lesotho Highlands Water Project

(LHWP). This article will look at the phenomenon of interest group politics; the means that the interest groups use to exert influence, the issues that are addressed, who they are trying to influence, their perceived effectiveness in influencing the government as well as state departments, authorities, and international organisations involved in the project. In particular, the nature of the involvement of the interest groups will be determined. Interest groups are not particularly influential in their campaigns against the LHWP. The reasons for this are, the size of the groups, the cohesion between the groups, their relationship with the ruling parties in Lesotho and South Africa and the political culture in both Lesotho and South Africa. These factors will be discussed in greater detail.

The article has two parts. The first will look at the role of interest groups as political actors in society. This will be the theoretical guideline in which the article will be cast. From this, certain indices will be isolated to shed some light on the nature of the involvement of interest groups concerning the issues surrounding the LHWP. In the second part the role of interest groups concerning the LHWP will be discussed.

The LHWP was conceived in 1956, when it was felt that there was a need to supply water from Lesotho to the (Orange) Free State Goldfields. The project was then called the Oxbow scheme. It later changed in character after the Department of Water Affairs projected that the then Witwatersrand area, today Gauteng, would become more thirsty, because of population and industrial growth. It was decided that the water from Lesotho would be transported to the Vaal River basin, which supplies most of Gauteng's water, irrigation water to the Vaal-Harts scheme, and water to petro-chemical and power plants in Mpumalanga. The central issue addressed by the interest groups concerns the large scale infrastructural and dam building projects that

make up the LHWP. The interest groups are opposed to the negative effects – be they socio-economic, political or environmental – of these undertakings.

Interest groups as political actors in society

Interest groups, like political parties, form one of the major links between government and the governed in today's society (Heywood,1997:252), and they are distinguishing features of democratic regimes (Sadie,1998:280). This link comes to the fore in the definition of interest groups. According to Clarke (1998:36), "interest groups are private, non-profit, professional organisations, with a distinctive legal character, concerned with public welfare goals". Baldo and Sibthorpe (1998:64) are more comprehensive in their definition of interest groups: "Interest groups form part of civil society which is defined as the wide range of voluntary associations that occupy the broad terrain between the individual and state, and which are the primary means by which citizens can articulate their interests to both the state and to the society at large". All in all these groups have but one purpose and that is to influence the political decision-making process (Ball,1988:96) while remaining apart from it (Duverger,1972:101).

Interest groups have a wide array of tactics and political strategies at their disposal. Different groups have different characteristics that produce a variety of strategies of influence (Whiteley and Winyard,1987:85). According to Sadie (1998:284), no group confines itself to a single strategy or tries to exert influence through just one channel. Two types of influencing techniques can be discerned: direct personal communication with decisionmakers and indirect contact via the media as well as public opinion. Strategies of direct communication include deputations to politicians and the personal presentation of research results and testimonies at legislative hearings. These

techniques are found to be the most effective (Sadie,1998:284). Litigation can also fall under this type of contact and can be just as effective (Hjelmar,1996:69). Less effective methods of impersonal communication are letters, telegrams and public relations campaigns. Tactics that fall under indirect communication include petitions, protests, strikes and demonstrations to civil obedience (Sadie,1998:285).

Human rights, the promotion of democratic accountability, gender, health, agricultural development, social welfare and the environment are some of the issues that receive attention from interest groups. They have no public power, but they do have public and private resources entrusted to them (Holloway,1998:93). Two types of interest groups can be identified in the politics of the LHWP: those that operate within the national *status quo* (Shepherd,1996:424) and those that operate across international borders. The latter are characterised by organised activities occurring simultaneously in a number of countries; objectives that do not relate to the interests within any given territory; and components that are essentially non-political (Holsti,1995:61).

To determine the influence of interest groups is very difficult but not impossible. A myriad factors that can further or hamper influence can be identified. Such indices can count in their thousands and can, at worst, sketch a very confusing picture. To simplify matters, these factors can be divided into three main categories: those that have a bearing on the characteristics and nature of the group itself, those related to the nature of the political system, and those related to the political culture in a society (Sadie,1991:179).

Regarding the characteristics and nature of the group, the following aspects can play a role: the size and cohesion of the group, its degree of legitimacy, the sanctions it can

bring to bear in pursuit of its objectives (and conversely its usefulness to those in power), and the relationship between the group and the party in power. The group's aspirations should fit in with the general values held by society (Sadie,1991:179) otherwise they will hamper their influence. The type of group that is trying to influence the state can also be an indicator of the group's effectiveness. Insider groups enjoy a privileged and usually institutionalised access to government through routine consultation or representation on government bodies. Outsider groups, both in relation to the government and geographically (i.e. situated outside the country) are either not consulted by government or only consulted irregularly and not usually by a senior level. Radical groups in the field of environmental protection fit this profile of being outsiders. Their goals are frequently out of step with government policy (Heywood,1997:255) and are therefore not very influential.

The nature of the political system, both internally and internationally, is also an important factor that can help or impair influence. Nationally, in pluralist systems that accept social diversity within an agreed framework, the expression of social interests is relatively unhindered, and indeed even encouraged by competition between parties (Sadie,1991;179). Because of the pluralist character of a society, the impact of interest group influence is greater in the advanced industrial states than in the developing world (Kegley & Wittkopf,1997:148). This does not mean that interest group activities are restricted to the rich North. North American and even European interest groups, which were brought up in a democratic culture, can try to influence states or state departments in the South where democracy is not widely held as a popular belief. The party system, structure and ideology can also help in the exercise of influence. If political parties are weak, party discipline is lacking and there are no strong ideological differences between parties, the interest groups have a

greater chance of exerting influence. How open to advice the head of government or state department is, is also important (Sadie,1991:179).

The character of the international political system can play a role in the influence exerted by interest groups across borders. States remain the dominant actors in world politics. Their interests, capabilities and goals shape world politics. However, the supremacy of the state has been severely challenged. World affairs are increasingly being influenced by organisations transcending international borders (Kegley & Wittkopf,1997:145). This does not mean that interest groups are on a par with the states. There is still a clear hierarchy or pecking order in the world political system. At the top of this order are states, followed by international governmental organisations (IGOs), like the United Nations (UN), and lastly by interest groups.

According to Kegley and Wittkopf (1997:147-148), 95% of international organisations are non-governmental. However, the remaining 5% are more important to states because their members are states. The IGOs that governments create and join will remain important as long as the importance of states persists. Because of this, interest groups might try to influence IGOs, whose members are states, and in turn these IGOs might have an influence over states. This is a form of indirect influence. Interest groups can operate in a consultative capacity to IGOs that operate as servants of the state, but only if states allow these interest groups to play a role in IGOs.

Globalisation also has an effect on the operation of interest groups. Interest group activity has increasingly adjusted to the impact of this phenomenon and the strengthening of supranational bodies. The groups that are best suited to take

advantage of such a shift are charities and environmental bodies, such as Greenpeace and Friends of the Earth (FOE), which already possess transnational structures and an international membership (Heywood,1997:265). Does this mean that they are more effective in their influencing endeavours? They seem to be better placed to exert influence because of globalisation. Globalisation has had an effect on the influence of interest groups in that states have become more porous to outside sway and transactions (Holsti,1995:66). The advent of modern communication systems means that more people can be reached *via* the media and the internet, and that ideas can flow more easily across borders. Not only can interest groups reach more people, but they are also able to form coalitions that span the globe, and so enhance their ability to exert more influence. This does not mean that they are always successful in influencing of policy decisions.

The third aspect that promotes or handicaps influence, is the dominant political culture in a society. Political culture refers to the set of values inherent in a political system. The political culture, according to Heywood (1997:260), is crucial for two reasons. Firstly, it determines whether or not interest groups are viewed as legitimate or non-legitimate actors, and whether or not their formation and influence are permitted and encouraged. For example, in communist and some developing countries interest groups are not generally tolerated. Secondly, it affects the willingness of people to form or join organised interests or to engage in group politics. Internationally, the aspect of toleration of interest groups has an effect on the operation of interest groups across borders. The end of the Cold War had a profound effect on the influence of interest groups over states. After the collapse of the Soviet Union, many communist and military ruled countries in the developing world

embraced democracy. This presented fertile ground for interest groups to exert influence over other governments.

The nature of interest group involvement in the LHWP

This section will focus on the involvement of non-state actors in the LHWP, and in particular on who they and their targets are, the issues concerned and the strategies they employ. Their perceived influence will also be determined by using the factors set out in the previous section. Firstly, a short history of the international political character of the LHWP will be sketched.

During the period from 1956-1986 The international political *milieu* of the LHWP was characterised by conflict and limited cooperation between the previous South African government and the government of Lebaua Jonathan of Lesotho. In 1986 a *coup d'etat* took place in the Mountain Kingdom and the government of Jonathan was replaced by the government of General-Major Lekhanya. This heralded a new era for the LHWP. Nine months after the replacement of the government in Lesotho, the LHWP treaty was signed, wherein it was stipulated that Lesotho would supply water to South Africa in return for royalties (Meissner,1998:52-54). Since 1986, cooperation between the two countries, concerning the LHWP, has flourished.

During the period from 1986-1991, Lesotho and South Africa were the only prominent actors in the Orange River basin. After Namibia's independence in 1991, Namibia became involved in the water politics in the Orange River and indirectly in the LHWP. In 1995 interest groups became increasingly involved in the issues surrounding the LHWP, which will be discussed in greater detail below.

Actors involved in the LHWP

Various interest groups from grassroots level, such as villagers in the area where the LHWP is implemented, to interest groups in South Africa and abroad have been involved in the LHWP. The reason for their involvement stems from the perceived detrimental affects on the environment and the people living in and around the areas of large dam projects. The focus of the interest groups is mostly directed at the World Bank that is providing partial funding to the LHWP, although some came into contact with the governments of Lesotho and South Africa and the project authorities, most notably the Lesotho Highlands Development Authority (LHDA). The World Bank seems to be the main target because of its high profile in the financing or partial financing of large infrastructural projects, like the LHWP, the world over (Internet: Horta and Pottinger,1998).

The issues addressed and strategies used by interest groups in Lesotho and South Africa

The first of many encounters between interest groups and the World Bank. The strategy of direct communication was seemingly to pursued the World Bank not to finance further work on the LHWP, and in so trying to delay the work on further phases. The World Bank was not the only organisation that came under attack, the project authorities and especially the LHDA³ also came under severe criticism from interest groups in Lesotho.

In October 1995, a representative of the Highlands Church and Solidarity Action Group (HCSAG)⁴, an interest group based in Lesotho that monitors the project and speaks through the Lesotho council of non-governmental organisations (LCN), together with representatives of the International Rivers Network (IRN)⁵ and

Environmental Defence Fund (EDF) met with officials of the World Bank, the United States Treasury Department, and other agencies involved in the project. According to Whiteley and Winyard (1987:88), joint action by an alliance of different groups can disproportionately increase the influence of any one group as opposed to when it acts alone.

The purpose of the meeting was to register a list of complaints from people living near the Katse Dam. The complaints listed ranged from an increase in the crime rate, due to the influx of construction workers, to the lack of compensation for the loss of land. However, compensation of land would become a recurring theme in the efforts of the interest groups to influence the World Bank.

At the opening ceremony of the Katse Dam, South Africa's Minister of Water Affairs and Forestry, Kader Asmal, gave phase 1A of the LHWP a "clean bill of health". He also lashed out at interest groups opposing the project, calling them "green terrorists" and saying that they were ignoring the positive effects of the LHWP. The World Bank said, however that there was a need for phase 1A to "be cleaned up" and that the Bank would not go ahead with financing further phases of the project until the existing problems had been resolved (Internet: Coleman,1995). However, the Bank was not in concert with the interest groups.

The issue of the construction of the Katse Dam played a central role in the complaints of the interest groups. The main issues for the HCSAG were the environmental and social impacts of the project. The HCSAG is also providing counselling and advocacy services for the local communities, particularly in relation to their compensation claims. The group set up a monitoring and evaluation institution to

have continued liaison with the LHDA in all aspects concerning environmental degradation, gender sensitivity, compensation and the resettlement process. It is also a priority of the HCSAG to liaise with internal and external organisations to strengthen the work of the HCSAG (Internet: Khits'ane,1997). To liaise with other organisations explains the solidarity between the HCSAG, the IRN and the EDF. It is also clear that to exercise influence, the HCSAG is in contact with the World Bank and the LHDA to try and offset the negative effects of the project.

In July 1996, this contact with the LHDA resulted in a joint workshop between interest groups and the LHDA. The recommendations of the workshop are still in progress although there have been issues that slowed down the implementation of some of the recommendations⁶. But as Khits'ane reports, the LHDA has gone out of its way to formulate policies (e.g. compensation) to offset the claims by the interest groups (Internet: Khits'ane,1997).

Khits'ane also says that the LHDA's policies are in violation of article 7 section 18 of the LHWP treaty, which ensures the protection and compensation of the people's lives and properties⁷. Nothing tangible on the side of the affected communities in the form of proper compensation has come forward since the establishment of the LHDA (Internet: Khits'ane,1997). Human rights issues also played a role in the influence of the interest groups.

On September 14 1996, police killed and injured striking workers at the construction site of the Muela power station. Interest groups in Lesotho, the LCN in particular, came out strongly against the police confrontation with the workers. The LCN released a press statement condemning the police of improper conduct. Again the

Lesotho NGOs contacted the IRN and the EDF, petitioning them to add their voices to those of the Lesotho interest group in calling for justice in the matter. Together they called on the World Bank to use its good offices to press the government of Lesotho and the LHDA to take proper measures regarding the incident (Internet: IRN letter to the World Bank, September 26, 1996; IRN press release of September 26, 1996).

The World Bank visited Lesotho in October 1996. The objective was to determine for themselves what happened and a thorough study of the incident was conducted (Internet: International Rivers Network, 1996a). The World Bank representative, Stephan Klasen, did not only speak to officials of the government of Lesotho and the LHDA, but also to the various interest groups that lodged the complaint with the World Bank (Internet: International Rivers Network, 1996a). This shows the impartiality of the World Bank. It does not seem as if the World Bank suddenly withdrew funding from the project, but the Bank was clearly concerned about the events that took place in September 1996. The government of Lesotho was asked to launch a credible, open and independent inquiry into the event and to take appropriate action if such an inquiry found fault with actions of the police or other entities. Although the interest groups asked for an international commission of inquiry and criticised the government for its slow response, the World Bank only recommended the government to launch an inquiry (Internet: International Rivers Network, 1996a). After the incident at Muela, human rights started to feature more prominently in the interest groups' campaign against the LHWP. Their strategies took on a more direct approach.

Before work started on the Mohale Dam in 1997, part of phase 1B, villagers filed a lawsuit against the LHDA in the Lesotho High Court. Using litigation in this regard

is seen as an attempt to influence the implementing stage of the policy process (Whiteley and Winyard,1987:107). The villagers' argument for the suit is that the LHDA is violating national laws regarding the seizing of land. The suit stated that the village of Ha Nqheku had had its fields, trees and water supply affected by the infrastructure construction for the project. This does not seem to be the issue. The LHDA has not registered 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 our rights" and directed the LHDA to make the books of reference, 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 our representatives" (Internet: Pottinger,1997). The reason why litigation⁸ was used in this instance is that it is an effective strategy. A verdict can put an immediate halt on a given project (Hjelmar,1996:69), and personal contact and lobbying can take longer to bring about a change. However, it seems very unlikely that the court would rule in favour of the villagers, but this strategy indicates that not everyone is satisfied with the LHWP and the impact it has on their lives.

At the end of 1998, a petition from the HCSAG was sent to the project authorities, the World Bank and the Department of Water Affairs and Forestry (DWAF). The petition stated that the people living around Katse dam had not received fodder as compensation for the loss of grazing land (Internet: IRN, Community petition regarding compensation of communal lands, October 26, 1998). The issues suddenly changed from "hard" to "soft" issues. In 1998 Lesotho interest groups suddenly backed down from efforts to persuade the authorities to delay phase 1B, in part due to

political pressure (Internet: Pottinger,1998), which intensified over the period from 1997-1998. The change in the nature of the issues could be an indication of this pressure.

It is not only the interest groups in Lesotho that are expressing their dissatisfaction towards the LHWP. A small number of South African interest groups are also voicing their objections. The Alexandra Civic Organisation (ACO) in conjunction with the South African National Civics Organisation (SANCO Soweto) also showed their aversion. The ACO held a meeting with the Department of Water Affairs and Forestry Minister, Kadar Asmal in March 1998. At this meeting, according to the ACO, Asmal gave them the Department's commitment that the rest of the LHWP's phases (phase 2 onwards) would not go ahead as planned (Internet: SAEP,1998).

At a meeting of the ACO Housing Workshop, 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 pushing apartheid era plans to supply water to South Africa. They urged the World Bank to delay phase 1B of the project. The point here is not the disruption of their livelihoods, as in the case of the people directly affected by the LHWP, but the money spent on the Mohale Dam. This, the ACO argues, would lead to water tariff increases in Gauteng and use up resources that could be utilised to fix leaking pipes and taps, extend services to all residents and create jobs. Direct and indirect communication was used as methods to exert influence. This says something about geographic proximity and the ease of communicating with the minister and the World Bank.

It was agreed at the meeting that the ACO would respond to the World Bank's Inspection Panel⁹ (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). For the ACO there is a link between the LHWP and the payments in arrears of water services in the township. They are more concerned with the implementation of water services than they are opposed to the LHWP. To make the LHWP the scapegoat for their grievances, they focused the government's attention on their plight, because of the government's commitment to the LHWP.

Foreign interest groups' involvement in the LHWP, their strategies and the issues raised

Foreign interest groups seem to be the most vociferous when it comes to campaigning against the LHWP. Here three groups are particularly prominent: the International Rivers Network (IRN), the Environmental Defence Fund (EDF) and Earth Life Africa (ELA). The IRN publishes most of their arguments against the LHWP in their mouthpiece the *World Rivers Review*¹⁰. Since 1995 the organisation, together with the EDF, has published numerous articles and briefs in this journal. Their focus, like the interest groups in South Africa and Lesotho, is also the World Bank. In the December 1998 issue of the *World Rivers Review*, the IRN and the EDF focused on the slowness of the World Bank to adapt to the world's growing emphasis on sustainable water management. According to the IRN and the EDF, there is a prejudice by the World Bank towards big infrastructure projects, which promotes unsustainable, inequitable water management, which is a "perfect setting for future water wars". They appealed to the World Bank to reverse its approach to water

management to one that would help avert rather than worsen the world's growing water crisis (Internet: Horta and Pottinger,1998).

The first issue of the IRN, like the local interest groups, in their campaign against the LHWP was the Katse dam. According to the IRN, the dam created social problems. These problems were not given the required attention by the authorities. The issues raised by the IRN were compensation, resettlement and the re-establishment of livelihoods (Internet: Coverdale and Pottinger,1996). These would be the issues influencing future endeavours with the World Bank.

After earthquakes – triggered by the filling of the Katse reservoir¹¹ – damaged a few houses in villages beside the dam, the IRN's campaign against the LHWP gained momentum. The IRN visited the area in 1996 to see if the people had been compensated for their damaged properties, and reported that the houses built by the LHDA were inadequate (Internet: IRN press release, February 10, 1997). This visit is an example of gaining firsthand experience to strengthen arguments and to present them to the World Bank based on sound knowledge.

The IRN would not stand alone in their campaign and was soon joined by the EDF. The two organisations started working together in 1997, although the EDF has been opposed to the LHWP for quite some time. According to Korina Horta, an economist with the EDF in Washington, DC, the construction of the Mohale dam will flood some of Lesotho's best farmland, which will be a serious blow for Lesotho's food security (Internet: Pottinger,1996). The alliance between the two organisations is a strategy based on the assumption that strength lies in numbers.

At a meeting on 7 January 1997 between the IRN, the EDF and the World Bank, the alliance gave their reasons for opposing the LHWP. Social and compensation issues were raised at the meeting, although environmental issues also started to surface. The IRN and the EDF were particularly concerned about the improvement of living standards. The relocation of people from inundated reservoirs was also raised. Human rights came to the fore at the meeting when the IRN and the EDF raised the issue of police training, after the shooting incident at the Muela dam (Internet: Horta and Pottinger,1997).

The protection of endangered species and tourism development was also discussed. What came as a surprise to the IRN and the EDF was a request by the LHDA from the World Bank for \$15 million, to do an environmental impact assessment (EIA) for phase 2 of the LHWP. The Bank's staff at the meeting was convinced that the LHDA had requested the money because it was truly satisfied about the need to address environmental matters (Internet: Horta and Pottinger,1997). It should be kept in mind that there is no decision to date about the commitments of South Africa and Lesotho to further phases of the project. This could be a strategy of the LHDA to appease the interest groups, by asking for money for an EIA for a phase that has not yet been decided on.

In response to the criticism levelled at the LHWP from the IRN and the EDF, the LHDA wrote to the IRN to point out the benefits of the project. The LHDA said that it was conscious of the need to protect the environment. It also said: "We have now developed the Environmental Action Plan after consulting affected communities and non-governmental organisations whose criticism and suggestions we welcome as we recognise their important role in the community. If we were to co-opt NGOs we

would be less rich for it in terms of fresh ideas as they have their ear on the ground. We work with Environmentalists not because we want to be green....but because it is the right thing to do". It went further to say that there were minor problems here and there and that the LHDA was addressing them with all the stakeholders. The IRN responded to this by saying that it stood by its critique and that it had "met many people who have not fully accepted the project" (Internet: Makhakhe,1997). It seems as if the critique against the LHWP did not fall on deaf ears.

The IRN continued with its campaign against the LHWP via the World Bank. The World Bank voted on 21 May 1998 on a loan for the second dam in the project, on the grounds that phase 1 was already well advanced. The IRN sent a letter to the World Bank, urging it to wait until all the data on the project had been submitted. Together with this, the IRN still believed that the LHWP had serious unresolved social problems. The IRN argued that if phase 1B would be implemented it might set a damaging precedent for water resources management in Southern Africa, because the project was being executed prematurely and without a full understanding of its implications. The data to which the IRN is referring to is the instream flow requirements for the Orange River, downstream of the project, which will only be finalised in 1999. The IRN urged the Bank that phase 1B should be delayed until the social and environmental information on the instream flow and the issue concerning the increased cost of water tariffs in Gauteng brought forth by the Alexandra Civic Organisation were resolved (Internet: IRN letter to John Roome of the World Bank, May 20, 1998).

The World Bank indicated, however, that it would go ahead with the partial financing of the LHWP, and in June 1998 it approved a \$45m loan. The Bank indicated that

there were outstanding issues to be resolved, like compensation claims, but that it would go ahead with the loan (Business Report, November 26, 1998) in spite of this.

The reason the World Bank refused to conform to the IRN was the Bank's positive view of the LHWP. In a World Bank project appraisal report, the Bank states that "the LHWP is one of the very few successfully implemented projects in the world aimed at regional water management". The World Bank also argues that the LHWP is the best way to help Lesotho develop its way out of poverty. John Roome, an official of the Bank, said that if the project was delayed for one year it would mean a six percent reduction of Lesotho's GDP (Internet: Pottinger, 1998). It is evident that the World Bank took the middle road regarding the LHWP. In financing a project that has led to cooperation between two historically-antagonistic countries, the Bank has shown its intention to promote such cooperative projects, but at the same time to show its commitment to democratic practices¹². There is also money to be made for the Bank. It operates as any other bank, the more money it loans the more interest will be paid on that money.

At the end of 1998 the IRN and the EDF took up the issue of compensation of communal land after communities wrote to the World Bank and the LHDA requesting them to deliver fodder for their cattle (see NGOs in Lesotho). The IRN and the EDF said in another letter to the World Bank that a land-for-land compensation programme is the most effective way in dealing with the issue of resettlement. Environmental concerns were also tackled, especially the implementation of the environmental action plan and work undertaken on the instream flow requirements study of the lower Orange River. The issue of political and geopolitical effects of the LHWP was, for the first time, a subject of the letter (Internet: IRN, Letter to World Bank from EDF

and IRN, November 5, 1998). The reason for this was the Southern African Development Community (SADC) led military intervention into Lesotho. This action made the interest groups aware of the international political implications of the project.

It seems as if the foreign interest groups echoed the sentiments of the groups in Lesotho and South Africa. It is clear that the IRN and the EDF used their geographical location in the United States to influence the World Bank, although a few field trips had been undertaken to Lesotho to get firsthand experience.

Earthlife Africa's (ELA) regional office in South Africa also launched a campaign against the "detrimental" environmental and human rights effects of the LHWP. In 1998 the organisation released a statement wherein they questioned the ecological soundness of the LHWP, and the impact the project would have on Namibia. The ELA argued that phase 1B would have an adverse effect on the sustainable development of water resources in Southern Africa. In the statement, the ELA, other regional organisations and interest groups called on the South African government to "fulfil their obligation to the affected communities of the Lesotho Highlands as set forth in the 1986 treaty". The government was also asked to withdraw its commitment to phase 1B "until all outstanding compensation and grievances against the LHDA from construction of phase 1A are immediately addressed and adequately settled, and an independent and cumulative assessment of environmental, social, resource economic and technical aspects of the project has been conducted". The ELA further urged the DWAF to publish the information on demand side water management in Gauteng with regard to phase 1B (Internet: Earthlife Africa,1998). This was in view of the ACO's protest against the project.

In the ELA statement, the issues surrounding compensation of communities in the area of the Katse dam, and the arguments brought forward by the HCSAG, the IRN, the EDF, ACO and SANCO also received attention. The statement challenged Asmal, who is also chairman of the World Commission on Dams, to commit himself to the protection of the rights of people affected by the LHWP in Gauteng, the Lesotho Highlands and other parts of the Orange River basin. The statement also called on President Nelson Mandela, Asmal and the government of Lesotho to stop all work on phase 1B and to abandon all plans for the construction of phases 2, 3 and 4. The World Bank was asked to stop further financial assistance to the LHWP. The statement was endorsed by the following interest groups: the Group for Environmental Monitoring (GEM), ACO, SANCO, the IRN, the EDF, Earthlife Africa (Johannesburg, Durban, Cape Town, Pretoria, and Namibia branches), the Environmental Justice Networking Forum – the Gauteng Provincial Steering Committee (EJNF Gauteng), the Institute for Human Rights Education, *Somarelang Tikologo* – Environmental Watch Botswana¹³, the HCSAG, Friends of the Earth/United States, the Centre for International Environmental Law (CIEL), the Berne Declaration, and Reform the World Bank Campaign (Internet: Earthlife Africa, 1998). This suggests an alliance of both foreign and national interest groups. It is significant to see how the ELA calls on the president and tries to persuade him to halt further work on the LHWP. The image of Mandela in world politics could be the reason for this. The ELA used an indirect line of communication with the government via the mass media and public opinion by posting the statement on the internet. In this regard, indirect communication may reflect either the group's outsider status and its inability to gain direct access to policy makers (Sadie, 1998:285).

Factors that enhance or impair the interest groups' influence

The strategy used by the interest groups is to come into contact with both governments and the World Bank, and to accuse them of evading their responsibility (Laidlaw,1998:67) to address the negative effects of the LHWP on the communities. The responses of the World Bank and the project authorities to some of the issues raised begs the question of what factors hamper or advance the interest groups influencing attempts of the interest groups.

Interest groups in Lesotho, South Africa and abroad face the same difficulties when it comes to exerting influence.

Although cohesion within and between the groups exist, they are also legitimate groups, though they are seen by some as green terrorists. All the groups are quite cohesive except for the ACO. The complaint before the World Bank was lodged by individuals that disagreed with the ACO's meeting with Asmal. But, there is an alliance between the different groups: it seems as if they speak with one voice. This can have a significant effect on the influence they exert. This cohesion has a positive effect on their influencing endeavours. However, it is not enough to bring about profound changes.

All the groups have a very high degree of legitimacy in their respective communities, except again the ACO. Although they are legitimate in their respective communities, they are not powerful forces in that they do not participate in elections like political parties. This has an adverse effect on their influencing attempts. In addition, the interest groups are not very useful to those in power. This can be seen in the remark by Asmal referring to the NGOs as "green terrorists". None of the interest groups are

being used by either the government of Lesotho or the government of South Africa in a consultative capacity, although the LHDA had a workshop organised to hear the views of the groups.

All the interest groups involved in the politics of the LHWP are quite small, except perhaps the IRN, the EDF and the ELA. The ACO is, for instance, an organisation that represents the interests of the people of a particular township in Gauteng. The HCSAG is not very large in itself and its members are from various groups within the church community in Lesotho. This has an effect on their influencing attempts in that the smallness of the groups creates a situation of Goliath destroying David. Their resource base is just not big enough to take on the governments of Lesotho and South Africa.

The relationship between the interest groups and the ruling parties in Lesotho and South Africa is not brotherly, but they are tolerated. In Lesotho it seems as if the government is very apathetic towards the interest groups. In South Africa there has been contact between some of the interest groups and the DWAF. But the DWAF wants to push forward with the project in spite of the protests of the interest groups. This can only mean that, in spite of the contacts, the DWAF does not see the interest groups as experts in the field of water management. It is also unlikely that the environment will become a major political issue in an election in South Africa (Müller,1997:117) or Lesotho, and that “bread and butter” issues will still be prominent. This was reflected in the June 1999 election in South Africa. The Government by the People Green Party (GPGP) could garner only 9 193 or 0,06% of the votes in the national election. In Lesotho such a party does not exist. This means tha

y the World Bank, but also geographically, in that they are situated outside the borders of South Africa and Lesotho. In this regard, states are the most important actors in world politics, because the state is a system of rule over a defined territory and population. This rule is imposed by a government and bureaucracy (Schoeman,1998:3). This makes the state the ultimate authority within a given territory and over a given population. This diminishes the interest groups' chances of influencing the respective governments.

The nature of the political system both nationally and internationally is also an important factor in determining the influence of interest groups. In Lesotho with its unstable political nature, interest groups are not very influential. This is because the attention of the government is detracted from the attempts of the interest groups and it focuses its attention on the instability. In South Africa, a pluralist and democratic system is in existence. This is fertile ground for interest groups, allowing them to protest against projects like the LHWP. After the 1994 elections in South Africa interest groups, including NGOs and INGOs and other organisations, "used the openness of the post-1994 South African decision-making process to lobby for policy decisions that directly affected their domain of interest." (Booyesen and Erasmus,1998:237). This does not necessarily mean that they are very influential, albeit they are tolerated and allowed to operate in the political system of South Africa. The reason why the IRN and the EDF are more vociferous in their campaign against the LHWP is the character of the political system in the United States. There the pluralist tradition is well established.

There is a democratic culture in South Africa that will make it more and more conducive for interest groups to exercise influence over the government concerning

the LHWP. In Lesotho this culture still seems to be largely absent. It should also be kept in mind that there existed a non-tolerant culture in South Africa before 1994, not only among the ruling white elite but also among the African National Congress (ANC). During the struggle against *apartheid*, the ANC's teachers were communist countries, which were and are not very tolerant of interest groups. This legacy can make it difficult for interest groups, and especially environmental ones, to exert influence.

The nature of the issue plays a very big part in the perceived effectiveness of the interest groups. The issue here is the delivery of water. Water is a very important element, not only for nature to function well, but also that without it nothing can exist, including a vibrant economy. This economic value of water is an important determinant in the growth of developing economies. Both Lesotho and South Africa will gain from implementing the LHWP. For Lesotho it means more jobs in the construction industry and a lesser dependence on South Africa for electricity. South Africa will have a larger supply of water for its economic heartland situated in the Gauteng province. It is because of this that the interest groups are not quite influential in their endeavours against the LHWP.

After the end of the Cold War, more and more societies embraced democracy. In Southern Africa the countries had their fair share of this. Because of the establishment of democracy, the IRN and the EDF found it much easier to bring issues to the fore regarding the LHWP. It is noteworthy that these two organisations became louder in their protests after 1994. Interest groups in Lesotho also seem to be more enthusiastic in their campaigns after 1994. The hierarchical nature of the international political system explains why most interest groups try to influence the

World Bank first, and then go after the authorities and the governments. States enter IGOs because they want to enhance their individual interests. Because of this an IGO can become the instrument of its member's foreign policy (Rosen and Jones,1980:391) and explains the World Bank's commitment to the LHWP. There is also a high degree of commitment to the LHWP from Lesotho and South Africa. This, together with the willingness, or rather unwillingness, of the governments and the World Bank to let interest groups influence their policies is the major obstacle in the perceived effectiveness of the interest groups to exert influence. The question of more will gain and fewer will not gain as much, is the underlying Lesotho and South Africa's commitment towards the LHWP.

Conclusion

The interest groups are not very influential in their attempts to exercise influence, even though the World Bank and the LHDA responded to certain issues is more a question of lessons learned during phase 1A than interest groups exerting pressure on them. One can also in this instance refer to the LHDA's organising of the workshop. This may have been in response to the calls from interest groups concerning the LHWP. This was the one and only in which instance the interest groups may have exerted influence over the LHDA.

Unlike the success that the interest groups had in Botswana, concerning the issues of environmental protection and the upholding of the standards of living of the communities in and around the Okavango delta, interest groups in Lesotho, South Africa and abroad will in future still be unable to be very influential against the LHWP. The reason for this is the perception of the LHWP by the World Bank, Lesotho and South Africa. It is seen as a very positive project, not only in the social

and economic domain, but also in the regional political arena. Because of this perception, there is an unwillingness from the side of the two governments and the World Bank to let interest groups exert pressure on them. The non-governmental organisations' goals are therefore out of step with the policy of the two governments and the World Bank.

Notes

1. Water politics is the systematic analysis of the interaction between states, non-state actors, and other participants, such as individuals within states, with regard to the authoritative allocation/use of international and national water resources – be they rivers, lakes, glaciers, wetlands or ground water aquifers (Meissner,1999:4).
2. (I)NGOs manifest a form of political action that oscillates from social movement to interest group (Hjelmar,1996:2). In this article the terms (I)NGO and interest group will be used intermittently.
3. The Lesotho Highlands Development Authority (LHDA) was formed under the 1986 treaty. In the treaty the two governments set out to establish the Joint Permanent Technical Committee (JPTC) to oversee the implementation of the

LHWP. The LHDA is under the JPTC which sees to it that the project's Lesotho components are implemented. The Trans Caledon Tunnel Authority (TCTA) is also under the JPTC which sees to the implementation of the components of the project on the South African side.

4. The HCSAG is an umbrella organisation that consists of various groups dealing with the issues confronted by communities which are affected by the LHWP. Groups that make up this loose coalition are: Development for Peace and Education (DPE), the Transformation Resource Centre (TRC), the Mennonite Central Committee (MCC), the Community Legal and Resource Advice Centre (CLRAC), and the Construction and Allied Workers' Union of Lesotho (CAWULE) (Internet: Khits'ane,1997). There are pros and cons attached to such an alliance. However, according to Whiteley and Winyard (1987:106) the advantages outweigh the disadvantages.
5. IRN is working with a network of agencies in Southern Africa, Europe and North America to apply pressure to funding agencies to address unresolved problems caused by the LHWP (Internet: World Rivers Review, Vol. 10(2), November 1995)
6. This slowness in the processing of the workshop recommendations can be an indication of the magnitude of the LHWP and the lateness of the interest groups' involvement in the project.
7. The article reads as follows: "The Lesotho Highlands Development Authority shall effect all measures to ensure that members of local communities in the Kingdom of Lesotho, who will be affected by flooding, construction works, or other similar Project related causes, will be enabled to maintain a standard of living not inferior to that obtaining at the time of first disturbance: Provided that such Authority shall effect compensation for any loss to such member as a result of such Project related causes, not adequately met by such measures (Article 7, section 18 of the Lesotho Highlands Water Project Treaty, 1986:27).
8. There seems to be a link between the litigation strategy of the villagers and their contact with the IRN and the EDF. The EDF was founded in 1971 by former members of the Audobon Society who were told that an activist-oriented litigation had no place within this protectionist organisation. As a consequence the EDF was formed with the specific purpose to defend the environment by litigative means (Hjelmar,1996:69). The international contact between interest groups in different countries, especially in the developing world and the developed world, and the exchange of ideas and strategies can have a profound effect on the evolution of interest groups in the developing world and begs further research.
9. The World Bank's Inspection Panel reported on 3 September 1998 that it had found no grounds for further investigation into whether the Bank had violated its own policies and procedures in approving the \$45m loan for phase 1B of the LHWP. Review of the Bank's action was sought by three residents of Alexandra on the grounds that the costs of the LHWP would not only have to be borne by poor consumers (Business Day, 4 September 1998).
10. This journal not only focuses attention on the LHWP but on "rivers in peril" and other large scale water infrastructure projects the world over, like the Epupa scheme on the Cunene River, a joint project between Namibia and Angola.

11. This is a common occurrence when large dams fill up. The earthquakes are caused when the massive volume of water pushes down on the bottom of the reservoir, causing the bottom to shift.
12. The World Bank does not finance international water projects that might create conflictual situations between countries. For instance the Bank refused to finance Turkey's Greater Anatolia Project (GAP) on the Tigris-Euphrates River. The GAP is a considerable source of conflict between Turkey, Syria and Iraq (Meissner, 1999:131-137). The World Bank also played a role in the 1948 dispute between India and Pakistan concerning the Indus River. In this case the World Bank was the paramount actor in setting up and signing an agreement between the two countries that resolved the Indus dispute.
13. This organisation is part of a coalition of NGOs in Botswana to monitor the Okavango River system. The coalition played a role in the 1996 dispute between Botswana and Namibia over the waters of the Okavango River (Meissner, 1999:102).

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