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Articulation and management of protected areas in southern Africa: for a social justice?

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Since the beginning of the 90s, Southern Africa knows important spatial conversions. One of them, named "Peace parks", has for function to place the national parks in transfrontier conservation areas by a partnership between States and by public-private collaborations. From a theoretical point of view, this step can allow to evolve from an elementary logic towards logic where the notion of ecosystem and biosphere are valued. In this way, the conservation of the biological diversity and so the improvement of the knowledge of the natural processes allow a better management of the nature according to the diverse objectives pursued in natural reserves, ranches, private reserves, local sanctuaries ... and so support the economic, social and cultural development. But from a practical point of view, this step collides with problems due to the short-term divergent interests and the difficulties to articulate the various levels of decision-making.

The opening of parks towards cross-border areas raises from political strategies that could be found in legal texts on the different spatial scales - international, regional, national. The analysis of the law, because it is based on social values which it has to protect, brings precise information on the contents of the choices of society. It seems to be able to show the vision of the environment protected in the various spatial scales and their articulation. By the legal analysis, we want to clarify what the Peace Parks allow and underline the incompatibilities of the way of development or policies chosen.

This communication is based on a study realized in South Africa in July 2007. It has for object to target the problems of a current research which aims to understand the functioning of the "globalized" legal system, the position and the role of the populations in this system and, so, think about a tool of "governance" able to protect the resources in the long time, in the perspective of social justice.