"WE DIDN'T ASK FOR A MUNICIPALITY" – Unintended consequences of municipal boundary re-determination: Vuwani at a glance

[i]Pic

A report by the Human Sciences Research Council on the demarcation crisis in Vuwani

Contributors

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QUOTABLE QUOTE

"I think Venda and Tsonga [people] must come together and only depend on one municipality, so that there will be unity among us, and even us as children, we must know that Venda and Tsonga people are our parents."

Learner Interview 5

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ACRONYMS

CCLM	Collins Chabane Local Municipality
CEO	Chief Executive Officer
COGTA	Cooperative Governance and Traditional Affairs
DGSD	Democracy, Governance and Service Delivery
EIA	Environmental Impact Assessment
HSRC	Human Sciences Research Council
MDB	Municipal Demarcation Board
MINMEC	Ministers and Members of Executive Councils Meeting
SABC	South African Broadcasting Corporation
SAPS	South African Police Service
SCIA	Socio-Cultural Impact Assessment
UNESCO	United Nations Educational, Scientific and Cultural Organisation
RIA	Research Use and Impact Assessment
JP	Judge President

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EXECUTIVE SUMMARY

- *Background*

Prior to May 2016, the relatively unknown villages of Vuwani were hardly synonymous with destruction of public infrastructure and violent protests. This all changed when the Limpopo High Court dismissed an application by the Masia Tribal Council together with eight other applicants for the setting aside of the Municipal Demarcation Board's decision to incorporate Vuwani and parts of Thulamela into a single new municipality. What followed were widespread protests manifesting in the violent destruction of public property, especially schools.

This study investigates the drivers of violence and conflict over the municipal boundaries in Vuwani District, Limpopo Province. It also aims to understand the socio-economic and psychosocial impact of the violence on the communities, their learning activities and people's everyday life.

- *Methodology*

This study was grounded in qualitative research, which aimed to understand and explain the research participants' interpretations of and opinions on the violence that broke out in Vuwani. It was based on an exploratory research design. In the case of Vuwani, there were no existing empirical studies, which explored the causes and consequences of the violence. An exploratory research design was thus essential for this study of Vuwani, as it is an on-going saga in which communities continue to express their dissatisfaction with the demarcation outcome.

The HSRC research team conducted semi-structured interviews in two phases. **Phase 1** involved a visit to Vuwani six months after the arson attacks on schools and other public destruction of infrastructure in December 2016. Interviews were conducted with two traditional leaders who reflected on the tensions around the re-determination of the

boundary and the incorporation of their areas into the new municipality. Nine informal interviews were conducted with community members to obtain their views on what had caused the violence.

Phase 2 was largely informed by the preliminary findings of the first visits, and was conducted in January-February 2017. This Phase comprised visits to four schools to conduct **9** individual learner interviews across all the schools; **4** principal interviews, one at each school; and **6** Focus Group interviews with learners across the different schools. Each focus group comprised an average of six learners. Apart from the interviews in Vuwani, an interview was conducted with a senior official from the MDB to provide the Board's perspective on the matter.

The Phase 1 and 2 interview sessions were also informed by practical observation on the ground. Evidence of this is depicted in photographic material of the burning of public properties and captured in this report.

- *Findings*

Below are the key findings of this research. It is summarised according to the key themes, which emerged from the interviews:

a) *Residents did not accept the idea of merging poor communities in the name of viability*

- The rationale for dis-establishing the Mutale Local Municipality, which was part of the four local municipalities under the Vhembe District Municipality, was its financial non-viability.
- The state indicated that that the only plausible way to improve service delivery in the District would be through its dis-establishment and reconfiguration in a new municipality with a broader tax base and population that would guarantee viability.

- However, according to some Vuwani residents there was no evidence to support the fact that a new municipality, which comprised villages from Vuwani and the Thulamela areas that were initially part of Mutale, would lead to viability.

b) *The people argue that they were not consulted*

- At the heart of the crisis in Vuwani is the issue of consultation or public participation in the re-determination of the boundary.
- The Limpopo High Court ruled that the MDB had done everything within its mandate and legal provisions to consult the communities concerned. However, there are conflicting views, which point to the pitfalls in the current methodologies of public consultation.
- The voices of Vuwani residents show that residents hold different understandings of what consultation should entail, as opposed to what the MDB hold is stipulated by law.

c) *The perception that government wanted to please the people of Malamulele*

- Participants often mention Malamulele as the reason behind the re-determination of the boundaries, which led to Vuwani being incorporated into the new municipality.
- Perceptions that Vuwani was incorporated into LIM345 to please the people of Malamulele are quite widespread in the communities that were visited by the research team.
- The processes of citizen engagement should have gone a step further to explain to the affected citizens whether there was truth in those perceptions.

d) *The ethnicity or tribalism question – a sore issue*

- Ethnicity is a very sensitive matter in understanding the main drivers of protests in Vuwani, and previous protests over service delivery in Malamulele. This is because,

while community members expressed sentiments, which could easily be interpreted as "tribalistic", the relationship between such sentiments and the acts of burning schools is not easy to prove and most interviewees did not draw such conclusions. The research instruments used in this study did not ask interviewees to comment on tribalism, but these sentiments were expressed in most of the interviews. Many of the interviewees mentioned ethnic tensions in the area.

- This report does not make claims that the violence in Vuwani was in fact driven by tribalism or ethnicity. In the case of Vuwani, ethnicity might have been used to paint the decision of the MDB to place the villages of Vuwani under LIM345 in a bad light triggered people to protest. It might also have been used to mobilise people to engage in arson attacks and shut down businesses in protest against the new local municipality boundaries. The historical distribution of majority Tshivenda-speakers in the northern wards of LIM345 and majority Xitsonga-speakers in the south might have facilitated easy mobilisation. However, one cannot argue with outright certainty on such matters judging from interviews and sensitivities which most of the participants attached to the issue.

e) Reasons for burning of schools

- Government officials often condemn the destruction of infrastructure during protests. The level of destruction of school property through burning, and in some cases looting, was shocking in Vuwani. It is the worst form of arson attacks on public infrastructure in recent years. A dominant perspective was that public infrastructure such as schools are prominent symbols of local governance and therefore fair game to target and destroy in order to ensure that community demands are heard.
- The majority of interviewees did not want to speak about who they thought was behind the burning or to explain the main motives for these actions. In one interview, government response to the burning of schools in Malamulele was blamed for creating a precedent for the arson at schools in Vuwani. Others labelled the burning of schools as purely criminal.

f) The nature and extent of damage caused by the protests

- The impact of the attacks on schools is still evident in Vuwani, with very few schools having been repaired to their original state.
- An official report that was presented to the Parliamentary Portfolio Committee on Education included an estimate of the cost of the damages to schools. The preliminary assessment of infrastructure damages caused to schools in Vuwani was estimated at a grand total of R175-million for 24 primary and high schools.
- In addition, 76 new mobile classrooms would cost R27.2 million. This cost was calculated based on a desktop analysis of the number of classrooms required for temporary relief. The provision of security at 27 schools for 3 months soon after the burning of schools amounted to R3.1 million.

The study underscored the unintended consequences of the MDB decision, which triggered the violence in the Vuwani community. It is important to recognise that dissenting voices should not be underestimated or ignored as they have the potential to cause much damage to society, in this case, in the form of the learners' future. The learners are caught up in the MDB and Vuwani conundrum as victims of circumstance.

Based on the critical issues raised, the following recommendations were formulated;

a) The question of whether the MDB delimitation of wards has united or divided people attracts mixed reactions as MDB decisions are plagued by protests and court wrangles. Delimiting wards should not come at the expense of communities' hope for reimagined futures. In essence, it is therefore crucial that the MDB should go beyond the requirements of legislation and policy to consult the affected communities thoroughly before and after issuing notices. This should be coupled with advocacies and awareness campaigns about the role of the MDB.

b) Before the MDB takes a final decision about the demarcation of municipal boundaries, including incorporation, amalgamation, disestablishment and delimitation of wards, it

should run a number of tests to satisfy itself that its decisions will be not only lawful but also unifying. A cultural planner should run such tests to support the process of delimiting wards. In much the same way that experts conduct environmental impact assessment (EIA) before engineering and earthworks are undertaken, the MDB should carry out socio-cultural impact assessment (SCIA) before municipal boundaries are demarcated and wards delimited.

c) Sections 28 and 29 of the Municipal Demarcation Act, 1998 on the MDB public hearing process should be amended, and, through regulation, a more detailed adaptive community engagement process for public hearing should be established (Mpofu, 2016:21).

d) The MDB needs to consider conducting constructive investigations and studies on the viability of demarcated municipalities before making its final decisions on demarcations. The financial and fiscal implications of boundary re-determination should be prioritised and established before any demarcation decision is pronounced. As such, the MDB should be afforded a larger budget for research to enable it to execute its extended mandate adequately. In its current form, the budget is inadequate.

e) An analytical framework (scorecard) that will assist the MDB to review and improve citizen participation in demarcation is an innovative tool for constructive dialogue. Overall, the scorecard is useful to hold difficult conversations with local government and residents as it serves as a 'focusing device' to keep the conversations framed to deal with specific issues affecting the communities. The process could also result in some immediate or short-term outcomes throughout the scorecard process involving a number of influential participants from the community and the affected municipality.

1   INTRODUCTION

"Though it may have started from boundaries, you can see that it goes deeper. So that's why I say, this is going to be a process, and we need God's intervention to help us" (Interview with High School Principal, 16 March 2017).

1.1   Background

Municipal mergers and disestablishment have been a common policy approach to addressing lingering historical spatial inequalities as a means of improving service delivery in South African local government since 1994. For example, between the 2011 and 2016 local government elections there have been a considerable number of municipal mergers across the nine provinces, including (dis)establishment of municipalities. Altogether, there are now 267 municipalities, a decrease from the previous 278[1] across the nine provinces of South Africa. The merging of economically unviable municipalities with metropolitan areas has also been a key policy shift as government seeks to address the need for improved fiscal management in municipalities. Although affected communities expressed dissatisfaction, usually through violent protests, with municipal boundary re-demarcations, the reactions of communities in Vuwani have arguably been exceptional in many different ways. By resorting to violence and shutdowns after losing a legal battle, groups that are in opposition to the formation of a new municipality have utilised other means to register their rejection of legal decisions in order to pressurise government to reverse such decision. Although in May 2017 President Zuma personally weighed in on resolving the crisis, community consensus was not reached and continues to manifest itself in sporadic protests to date.

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[1] This number of 267 decreased from 278 by the time of the 2016 local government elections (http://www.sanews.gov.za/southafrica/number-municipalities-decrease)

Figure 8.1: Location of Local Municipalities in the Vhembe District Municipality[2]

The disestablishment of the Mutale Local Municipality which had incorporated both the Vuwani and Malamulele communities into LIM 345 Municipality, now known as the Collins Chabane Local Municipality (CCLM),[3] by the Municipal Demarcation Board (MDB) was met with resistance by some villages in Vuwani. This is but one of the many unfortunate situations which brought about unintended consequences. According to Christmas and de Visser (SA, 15), the MDB is entrusted with the often difficult question of demarcating municipal boundaries. Disputes regarding municipal demarcation, delimitation and incorporation are prone to protests and court battles by the communities affected by the decisions. The torching of over 20 schools, a post office facility and the traditional leader's office, as well as the barricading of roads in Vuwani, shows the extent to which communities yield power in reacting to top-down policies and projects of the state.

Overall, the volatile situation in Vuwani warranted an empirical investigation because it presented complexity in a democratic dispensation in which legal outcomes do not conform

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[2] *Source: https://www.localgovernment.co.za/locals/view/241/Collins-Chabane-Local-Municipality#map*

[3] Collins Chabane Local Municipality was established by the amalgamation of portions of Thulamela Local Municipality and Makhado Local Municipality on 3 August 2016 - http://www.localgovernment.co.za/locals/view/241/Collins-Chabane-Local-Municipality accessed on 31 July 2017

to community expectations. To conduct this empirical study, it was prudent to first interrogate the literature on the history and politics of demarcation and community engagement, as well as the psychosocial dynamics of conflicts and service delivery concerns. *The questions that guided this research were:* **why did the people of Vuwani resort to destruction of public infrastructure instead of exhausting legal and democratic channels? What do the dissenting voices convey concerning the demarcation?**

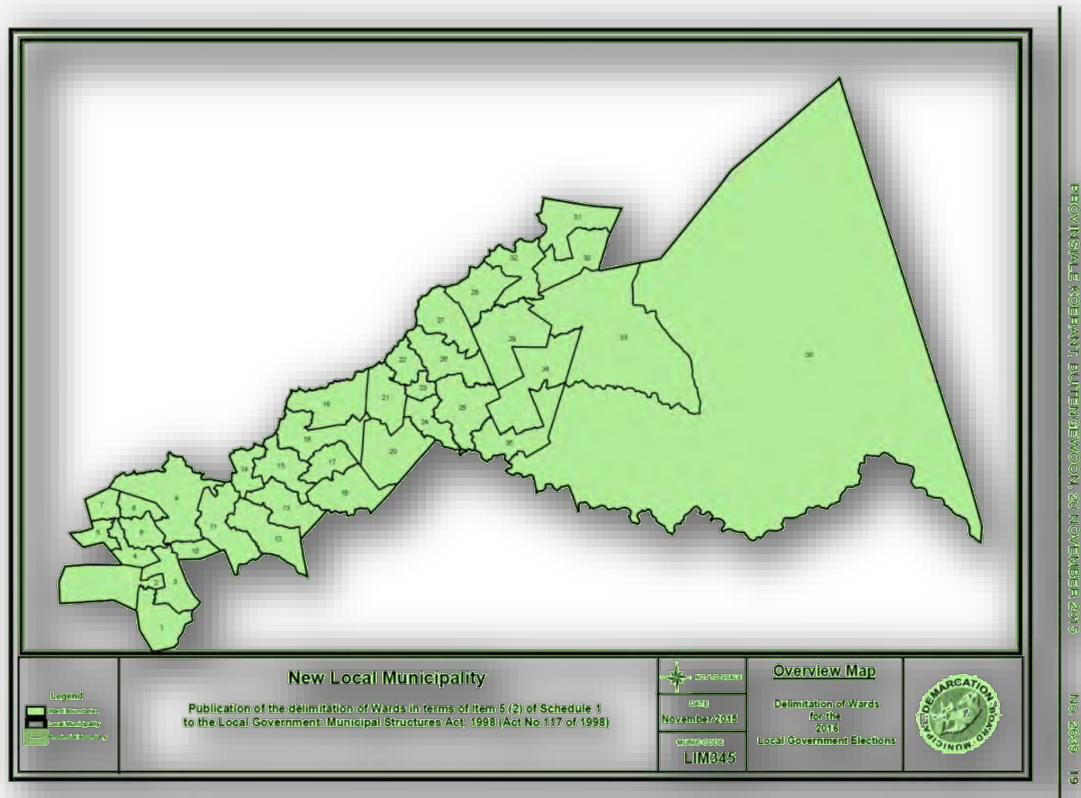**Figure 1.2: New ward demarcations in Collins Chabane Local Municipality (LIM345)[4]**

1.2   Study objectives

The aim of this study is to investigate the drivers of violence and conflict over municipal boundaries in Vuwani District, Limpopo Province. It also aims to understand the socio-

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[4] Source: Limpopo Province Provincial Gazette, vol. 22, no. 2639, 20 November 2015, Polokwane.

economic and psychosocial impact of the violence on the communities, learning activities and people's everyday life routines.

The objectives of the research are:

- To investigate the drivers of the protests in Vuwani
- To establish both the social and economic consequences of the protests on the affected communities
- To assess the response by state and non-state actors in their efforts to resolve the crisis.

1.3   A brief overview of the Vuwani demarcation crisis

Prior to May 2016, the relatively unknown villages of Vuwani were hardly synonymous with destruction of public infrastructure and violent protests. This all changed when the Limpopo High Court dismissed an application by the Masia Tribal Council, together with eight other applicants, for the setting aside of the Municipal Demarcation Board's decision to incorporate Vuwani and parts of Thulamela into a single new municipality. What followed were widespread protests manifesting in the violent destruction of public property, especially schools.

The Vuwani protests, which began in March 2016 just as the IEC officially opened the voter registration process in preparation for the local government elections on August 3, 2016, have continued to date. At the heart of the problem is the residents' resistance against an approved merger between Vuwani in the Makhado Local Municipality with parts of Thulamela Local Municipality, sections of Musina Local Municipality and parts of Mutale Local Municipality to form a new municipality (Magubane, 2016). In the ensuing conflict, a number of schools were burnt down as community members vented their anger and frustrations at the Municipal Demarcation Board decision.

1.4 Politics of Demarcation and Public Participation in South Africa

The challenges in Vuwani and other municipalities in South Africa around demarcation are not new. In order for one to have a full understanding of the complexities and politics around municipal demarcation in South Africa, currently, one needs to analyse the transition of the local government system from the form it took during the apartheid era to the form it takes in the post-1994 democratic era. Three main challenges confronted municipalities during the transition phase:

- Many municipalities reported skills shortages after some of the more experienced municipal managers and skilled personnel left council employment.
- The amalgamation of former white municipalities with their surrounding black townships brought in the challenge of creating a unified administration (officials from the former Black Local Authorities together with officials from the former White Town Councils).
- The amalgamation of municipalities brought financial challenges with issues such as over-staffing posing a big challenge (Pycroft 2000: 146).

Concisely, the challenges that existed within municipalities in the transition period could be attributed to systemic and structural weaknesses. One of the key policies adopted was the Local Government White Paper developed in 1998, which sought to restructure local government in South Africa. Three key areas of reform were:

- "The geographic boundaries of each municipality will be re-examined in an effort to increase the income-generating capacity of the municipalities;
- the council and administrative structure will be re-examined to ensure that, sufficient resources remain available to fund an ever increasing level of service delivery; and
- municipal systems will be re-examined and new systems introduced to improve the efficiency and accountability of local government"(Pycroft 2000: 148).

The Constitution of the Republic of South Africa, 1996, mandates an independent authority in the form of the MDB to determine municipal boundaries and to delimit wards (Ncube and Vacu, 2014: 308). The central argument advanced in section 24 of the Municipal Demarcation Act is that "when the Board determines a municipal boundary its objective should be the creation of an area that would enable the provision of democratic, accountable government and services for local communities in an equitable, sustainable manner which promotes social and economic development, as well as safety and a healthy environment" (Municipal Demarcation Act, 1998). More policy and other extensive requirements also exist as guides to how, why and where demarcations should take place.

This aligns with Napier's (2007:180) argument that boundaries created because of demarcation are usually because of electoral district boundaries or polling areas with the intention to assign voters to various spatial or geographic regions. According to Buthelezi and Dollery (2004:101), "forced integration, formerly known as amalgamation in South Africa, refers to the compulsory merging of previously independent municipalities into a larger whole, with or without the consent of residents". There are debates about the pros and cons of municipal mergers especially when it comes to improvements in service delivery. Critiques of municipal mergers, such as that by Buthelezi and Dollery (2004: 101), make use of public choice theory and empirically analyse the failures of local government to address the plight of the poor. With reference to public choice theory, Buthelezi and Dollery argue that voting by citizens in political elections is an irrational activity since the voting process is costly, whereas the benefits associated with voting are negligible.

Ncube and Vacu (2014: 308) are of the view that instead of demarcation enhancing municipal finance and fiscal performance, it led to unviable and unsustainable municipalities. Even COGTA has expressed concerns and consequently established a task team to review the demarcation process, which led to preparations for the 2016 local government elections (Ncube and Vacu, 2014:309). On the positive side, Buthelezi and Dollery (2004:101) posit that, through demarcation, the hierarchical structures of government were removed so that lower tier levels do not feel inferior to higher ones. This in essence meant that 'local government is an autonomous and people-oriented sphere of government' (De Beer and Lourens, 1995:3), implying community participation and involvement in crucial decisions which affect the

public. This was evident in the Matatiele Municipality and Others v President of SA and Others judgment where the Court emphasised the importance of participatory democracy and public involvement in legislative and other processes (Christmas and Visser, no date).

Another example is the merger of the former Metsweding Municipality with the City of Tshwane in 2011, which had far-reaching ramifications, especially financially, socio-economically, environmentally and infrastructural. Part of the reason it was done, according to the City of Tshwane (2011), was to speed up service delivery and to enable communities from smaller municipalities to benefit from the larger municipality's superior infrastructure and skills. According to Ncube and Vacu (2014/15: 313), the 2011 re-determination of the boundaries led to the city population increasing from 2 470 694 to 2 916 785. However, the land area increased dramatically to 6 368 km², which resulted in a drop in overall population density, from 908 persons/km² to 464 persons/km².

Ncube and Vacu (2014/15:313) point out the far-reaching fiscal implications, namely estimated transitional costs of R1.04 billion, which was not matched by a once-off grant of only R20-million from Gauteng COGTA to the City of Tshwane. The more than R1 billion difference between the costs and the grant allocation remains a sore point for the new municipality. Although the influence of politics was at play in the demarcation process, the African National Congress (ANC, 2013) expressed its concern at the 53rd national conference in 2013 that the MDB should take into account the financial implications of its re-demarcation of municipalities. This includes the challenge of unviable municipalities, the need for ward boundaries to break down racial barriers, and a reduced frequency of re-demarcations. In meeting and addressing such challenges, the MDB has a lot to consider in the process of demarcating boundaries.

Arguably, the complex task entrusted to the MDB to demarcate municipal boundaries is a highly contested process owing to the complexities and inherent interests of a number of affected parties. According to Mathoho (2014), the MDB faces multiple challenges in executing its functions. In the year 2000, for example, there were 17 cross-provincial boundary municipalities and about 30 local municipalities under dispute. However, a number of these disputes were settled. Mathoho (2014) writes that besides the issues related to

'tribalism' referred to earlier, there are issues of financial viability at play in these types of conflict because certain municipalities are not financially viable. Thus, one of the key issues that the MBD needs to consider as part of its demarcation processes is constructive community engagement and, more importantly, to get buy-in before demarcation decisions are concluded and implemented. The MDB must go beyond their mandate to have multiple constructive engagements.

A classic example of a decision made and implemented without buy-in from the community is one in the Free State Province in January 2013 when the residents of Zamdela in the Metsimaholo Local Municipality embarked on a violent protest to reject the merger with the neighbouring and ailing Ngwathe Local Municipality. "The residents' argument was that they did not want to be amalgamated with the neighbouring municipality as they believed the municipality was poor and had problems with maladministration" (Mathoho, 2014). Residents expressed the view that because Ngwathe municipality owed Eskom R116- million the planned merger simply meant that they would inherit that debt, which would eventually lead to the collapse of the municipality. The residents of Zamdela also accused the MBD of not listening to their objection to the proposed merger and simply going ahead and implementing the decision.

Delineating and changing municipal boundaries has attracted political tension and community outrage across the stakeholder spectrum. This is attributable, in part, to what the Constitutional Court described as "the degrading realities inherited from an apartheid history which impacted very practically on the ability of certain municipalities to meet even the most basic obligations of service delivery. The extent to which demarcation is riddled with conflict is demonstrated in the case of the Matatiele community, which violently protested to prevent its transfer from Kwazulu-Natal to the Alfred Nzo District Municipality in the Eastern Cape, claiming that the latter has a poor record of service delivery (Kanyane, 2016:73). In a similar way, the Vuwani community violently protested against the court judgment upholding the MDB decision to amalgamate Vuwani and Malamulele into the CCLM.

The issue around demarcation thus becomes a politically contested terrain in the complex context of the apartheid legacy and the inherited democratic government in which citizens

have to compete for limited resources. As such, the MDB is left to feel the wrath of the citizens (Mathoho, 2014) and is faced with the almost impossible task of restructuring colonial spatial planning and to balance the scarce resources within municipalities.

1.5 The Masia Traditional Council and others vs MDB and others judgment: an analysis

The Applicants, with the exception of the eighth applicant (Vuwani Service Delivery and Development Forum) were all traditional authorities. These are the Masia, Shikonelo, Tshimbupfe, Davhana, Mulenzhe, Mashau, Masakona and Senthumule Traditional Councils. The traditional authorities established in terms of the Limpopo Traditional Leadership and Institution Act, 2006 (Act No 6 of 2005) as recognised traditional communities was institutionalised by the enactment of the Traditional Leadership and Governance Framework Act, 2003 (Act No 41 of 2003). Section 212(1) of the Constitution of the Republic of South Africa, 1996, envisaged traditional leadership as an institution at a local level on matters affecting local communities.

- **The Judgement**

The Limpopo Province presently comprises of the five District Municipalities: Mopani, Capricorn, Waterberg, Vhembe and Greater Sekhukhune. The Vhembe District Municipality comprised of four local municipalities: Musina, Mutale, Thulamela and Makhado. Mutale is the disestablished municipality that is the cause of disagreement. At the request of the COGTA Minister, the MINMEC meeting on 4 December 2014 had resolved that each of the provinces should provide a list of municipalities that should be considered for re-demarcation in order to make them more functional and viable. The MDB acted on the request of COGTA Minister to (re)determine the local government boundaries with the view to optimise the financial viability of Vhembe District, by recommending the disestablishment of Mutale according to section 22 of the Municipal Demarcation Act. Upon receiving the ministerial instruction, the MDB acted on the matter and followed all consultative processes, issuing notices for the attention of councillors, ward committees, traditional leaders, community development workers, business and community organisations, and print media (Daily Sun,

Sowetan, Beeld and Star). Notices were also distributed to local and national radio (Phalaphala, Thobela, Munghana Lonene and SAFM). At a consultative meeting attended by over 1 000 people on 21 April 2015, Chief Masia said that no one should speak on behalf of traditional councils because they wanted to remain in Makhado. Subsequent to the meeting, several submissions with objections led the MDB to vary the determination according to section 21 (5) of the Municipal Demarcation Act (*Masia Traditional Council and others vs MDB and others judgment, 2016[5]*).

- *Analysis*

Against this backdrop, the Makgoba Judge President (JP) dismissed the applicant's case against the MDB decision based on administrative procedural grounds of consultations. It is clear from the judgment that the MDB was compliant in following all administrative procedures to delimit Mashau and Masakona traditional areas; to disestablish Mutale; and to create the new Collins Chabane Local Municipality (CCLM) in order to retain the option of four municipalities in the Vhembe District, as informed by commissioned City Insight study. However, despite the legal imperatives being followed to the letter, underlying dissenting vocal objections and frustrations were inadequately addressed. Most importantly, there is a need to distinguish between consultation and public participation in the form of citizen engagement. The former is passive engagement whereas the latter is constructive, a missing link in the legal framework. This means that deeper issues could not be dealt with during the consultative process despite mention in the judgment that the new configuration of municipalities took into account social cohesion, preserving legacies, and attempted as far as possible to consolidate traditional authorities in one municipality. Community consultations or public hearings are once-off evens, while citizen engagement, which is preferable, is a constructive participatory process with a longer lifespan. Passive consultation as a proxy for active citizen engagement thus emerges as a primary cause of the Vuwani protests.

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[5] Masia Traditional Council and others vs MDB and others judgment, Case No:1256/2016

2   VIOLENT PROTESTS – AN ANALYTICAL FRAMEWORK

Globally, collective political protests driven by social movements are on the rise (Walgrave, Van Laer, Verhulst, and Wouters, 2010:1). Norris (2002:1) confirms that the number of people signing petitions, boycotting products, or participating in demonstrations have risen in almost all countries. South Africa is no exception, where more than two decades since the dawn of democracy ordinary people have grown increasingly disenchanted, particularly with the State and the slow pace of the delivery of the most basic services. They have, therefore, with increasing regularity engaged in protest action to voice their discontent and demand what they feel is their entitlement. Such is the prevalence of social protests in South Africa that to claim that it is a daily occurrence would not be an exaggeration.

Thus, South African Police Service (SAPS) data from 1997 to 2013 identified about 70 000-protest actions, which equates to roughly 11 per day (Ranchman, Alexander, Rampedi, Moloto, Maruping, Khumalo, & Sibanda, 2016:5). According to a South African Institute of Race Relations (2015) press release, there had been a 96% increase in social protest from 2010 to 2015. During 2013/2014 there were 11 668 peaceful crowd-related incidents, 1 907 unrest-related incidents, and 1 691 incidents of public violence (SAPS 2013/14 Annual Report, as cited in South African Institute of Race Relations, 2015:1). These incidents included major service delivery protests, industrial action, demarcation issues, and conflict between political parties (South African Institute of Race Relations, 2015:1). A key feature of social protests in South Africa is that they frequently turn violent. Violence in these circumstances means more than just criminal activity.

2.1 Defining Violence

Violence is the intentional use of psychological and physical force and/or coercion against another person or object in interpersonal relationships within the family, the community or against the state. Violence results in psychological, emotional and/or physical harm and/or

destruction. Psychological theories on violence often locate the reasons for violence as a problem of the individual. Whilst individuals perpetrate violence, it can also happen in a group and community context. Violence in communities can either be classified as communal or political violence, depending on the motivation for the group violence. Political violence is defined as the use of violence as a form of resistance against the state and is fuelled by the dynamics of unequal relations of power and authority, contested by subordinate community groups.

Mathis (2013:423) defines the state as, "not just as a set of institutions, but also as a set of practices and processes that enable the deployment of power". Political violence is often defined through big political moments of resistance against the state such as South Africa's transition to democracy. However, political violence is also the 'smaller' moments of localised violence of resistance against the state, such as the burning of schools in communities. In situations when the state takes decisions such as a demarcation ruling that will divide land and resources, the practices of the deployment of power are indicative of the authority of the state. The high incidence of political violence and social protest in KwaZulu-Natal during the period preceding the 1994 elections signified popular frustration at how the new democratic dispensation was being conceptualised and implemented during the last years of the apartheid government (Jarstad and Holund, 2015; Gibson, 2011). Arguably, the violence in Vuwani is an extension of the culture of political violence that prevailed during apartheid.

2.2 Violence within the South African context

On the one hand, the causes of some protests and violence clearly relate to the demarcation of municipal boundaries. The demarcation of municipal boundaries reflects the deeper inheritance of spatialised, apartheid geographies and inequalities and the incorporation of areas in the former Bantustans through the democratic processes of spatialisation and redistribution of resources in South Africa. The Vuwani community, represented through the traditional authority, contested the right to make a determination about demarcation of the area. The contest between the traditional authorities and local government is a fundamental challenge of state authority and power; and the process of democracy and modernisation.

On the other hand, the protest and violence reflect a deeper contestation of the access to socio-economic rights through the provision of basic services such as water, housing, health and education that enable meaningful citizenship and belonging. Sedate, Niekerk, Suffla and Ratele, (2014:137) argue that: "The socio-economic and psychological dynamics underlying the burden of violence surface from an interplay of factors, including widespread poverty, chronic unemployment and income inequality…". The violence becomes an indicator of the failing discourse on human rights and the attendant discourses of liberalism that do not necessarily benefit the unemployed and the marginalised.

2.3   Theories of Violence

The frustration-aggression hypothesis is a useful theory in explaining the Vuwani situation. It is based on the assumption that a major goal for most, if not all of the people, is to satisfy our desires, wants, and ambitions. Often, however, one encounters barriers, which thwart the pursuit of satisfying these desires, wants, and ambitions. This can cause frustration and lead to anger. Although not all frustration leads to aggression, social psychologists contend that frustration is most likely to heighten aggression when it is intense and the source of the frustration is perceived as arbitrary and unfair. In addition to this, environmental cues such as the availability of weapons exacerbate the potential for transition from frustration to aggression (Vogelman, 1991). As the intensity and duration of frustration increases, so does the probability of aggression. Gurr (1970:24) argues that the intensity and scope of relative deprivation determines the potential for collective violence. He concludes that aggression is the primary source of the human capacity for violence.

In addition to the frustration-aggression hypothesis, social learning theory (Bandura, 1978:17) is also useful in explaining violence related to social protest actions. While the theory was initially applied to education and training, it is also applicable to the link between criminality, violence and aggression. Social learning theory considers the effect of observing other people being rewarded and how this affects behaviour. Thus, aggressive behaviour could be learned by observing and imitating the aggressive behaviour of other people. When we see aggression

rewarded, we imitate this by incorporating aggression into our own behaviour (Bandura, 1978:21). The social learning theory can be applied to instances of gender-based violence where men perceive rewards from acting aggressively, and where men and boys are affirmed for being tough. It is also more likely that men behave more aggressively and violently than women, and hence in the Vuwani protests most of those who were arrested are men.

2.4 Reasons for collective protest and violence

The prevalence of social protest internationally, and in South Africa in particular, raises questions about why people become involved in collective protest action. These questions are of particular interest to psychologists (Duncan, 2012:781). More than a century ago, the view of collective action was largely pessimistic, with Le Bon in particular regarding crowd behaviour as irrational and potentially dangerous (Fedi, Mannarini, and Rovere, 2012:22). Recent studies, however, have shown that collective action can lead to change, development, and empowerment of those who participate in such action, as well as the broader community (Drury, Cocking, Beale, Hanson, and Rapley, 2005:323). According to Fedi et al (2012:22), change can occur at both the individual level and the level of relationships between groups. Thus major psychological changes in collective identity result from the unexpected consequences of action, whose effects reverberate through identity (Drury and Reicher, 2000:14).

According to Fedi et al (2012:22), empowerment and community development are also positively linked to participation in collective action. Drury and Reicher (2009:707) write that in the pursuit of collective empowerment, those without institutional power tend to form crowds. The empowerment that derives from engagement in collective action could take the form of positive social psychological transformation, which relates to a sense of being able to (re)shape the social world by overturning or challenging existing relations of dominance (Drury and Reicher, 2009:708). Empowerment can also be gained through the development of a narrative of self-transformation (Britt & Heise, 2000:255), or through the acquisition of skills (communicative, technical, political) resulting from their involvement in protest action (Fedi et al, 2012:22).

At a collective level, empowerment refers to the repertoire of skills and resources that could serve the interests of political decision making and other common goals (Zimmerman, 2000:46). Fedi et al (2012:23) write that empowerment derived from involvement in collective action can further enable people to develop deeper insight of relevant issues at stake. It can also enable them to develop a self-representation through which they come to perceive themselves as being able to make a difference (Drury et al., 2005:323). In addition to this, social movement participants can achieve a higher level of political skills, particularly insofar as it relates to their ability to influence political debate through their collective action (Yeich and Levine, 1994: 266).

Efficacy theory (Bandura, 1977:205) offers further explanation of the link between change and empowerment emanating from involvement in collective action. According to Bandura (2000:76), efficacy in the context of collective action is defined as an emergent property rather than the sum of individual members' self-efficacy. The significance of efficacy in understanding why people engage in protest action arose in the 1970s when sociologists argued that people would engage in collective action when the expected benefits for such action outweighed the costs (McCarthy and Zald, 1977:1221). From a psychological perspective, Klandermans (1984:583) asserts that at least at an individual level, people's decisions to participate in social movements are based on their evaluation of the effectiveness of a particular action. Other psychological research emphasised the importance of group efficacy, or the belief that through collective action one's group could achieve change (Drury and Reicher, 2005:715). Linked to this is the notion of agency, which, according to Simon and Klandermans (2001:322), is characteristic of politicised collective identities.

In a study comparing demonstrators' motives across issues and nations, Walgrave, Van Laer, Verhulst and Wouters (2010:19) found that people's reasons for taking to the streets in protest are extrinsically motivated. In other words, their participation is a means of reaching an external goal, with most of them referring to a group of people when making those claims. Consistent with Wagrave et al (2010:19), Fedi et al. (2012:22) assert that there are a number of psychosocial factors that motivate people to engage in collective protest actions, including issues such as collective identity, sense of injustice, and shared grievances. Similarly, Van

Zomeren, Postmes, and Spears (2008:508), in a meta-analysis of the social psychological literature on collective action, identified three key variables predicting collective action: injustice, efficacy, and identity.

According to Smith and Ortiz (2002), perceptions of injustice based on group memberships rather than on individual characteristics were more likely to be related to collective action. In addition, concerning perceptions of injustice, a distinction is made between *cognitive* measures of injustice, i.e., perceptions of unfairness or discrimination (e.g. Corning & Myers, 2002:716) and *affective* measures of injustice, i.e. perceptions and feelings of relative deprivation (e.g. van Zomeren, Spears, Fischer, and Leach, 2004:661). In their meta-analysis, Van Zomeren et al (2008:521) found affective measures of injustice to be more powerful predictors of collective action than non-affective measures of injustice.

Duncan (2012:781) states that studies on collective action by social psychologists are also rooted in relative deprivation theory and resource mobilisation theory. According to Crosby (1976:88), relative deprivation describes the negative emotions experienced by individuals who feel unjustly deprived of something they desire. In terms of Crosby's model, five preconditions are necessary and sufficient for relative deprivation to occur. In the first instance, one needs to see that someone else possesses (X – a desired good). In the second instance, one should want X. One should also feel that one deserves X and that it is feasible to obtain X. Finally, one should lack a sense of responsibility for failure to possess X (Crosby, 1976:90). According to Clayton and Crosby (1992:59), comparison between one's situation and that of another is based on an awareness that the two individuals belong to the *same* group or to *different* groups.

Resource mobilisation theory (McCarthy and Zald, 1977:1217), on the other hand, holds that social movements emerge when economic and material resources are combined in pursuit of a particular cause. According to Jenkins (1983:528), a number of principles underpin resource mobilisation theory. The first is that the actions of members belonging to social movements are rational. Secondly, a social movement's actions are strongly influenced by institutionalised power imbalances and conflict of interest. These are sufficient to generate grievances that lead to the mobilisation of the social movement's intent on changing the

distribution of resources. Centralized and formally structured social movements are more effective at mobilizing resources and achieve change than decentralized and informal social movements.

Finally, the group strategy and political climate exerts a heavy influence on success of social movements (Jenkins, 1983:528). Mobilisation is such a complicated process that Van Stekelenburg and Klandermans (2010:7) suggest that it be broken down into two sub-processes, i.e. consensus mobilisation and action mobilisation. Consensus mobilisation takes place when agreement is reached regarding who should act, why and how. For action mobilisation to take place people need to sympathise with the cause; need to know about the upcoming event; must want to participate; and they must be able to participate (Klandermans and Oegema, 1987:519).

Therefore, what do these theories mean in relation to the violence in Vuwani? Gibson (2011:57) argues that "the violence of the lived experience of the poor must be allowed expression". On an individual level, the theories of frustration-aggression and relative deprivation theory can be a motivator for violence in the context of poverty, unemployment and inequalities. However, it does not fully explain the collective nature of the violence. Hence, the theories of efficacy, with a focus on empowerment and collective change as well as resource mobilisation, provide deeper insights into the individual and collective motivations and rewards of the Vuwani community residents.

The perception of change for the collective is experienced as positive and rewarding, and the goals are attainable; hence the motivations for the collective protest. As discussed earlier, the actions of the community residents enacting the violence are perceived as rational, able to bring about the necessary change and in the interests of the collective community. These perceived benefits of social mobilisation and protest align with the increasing participation of collectives and mobilisation of social protests, globally.

2.5 Psychological and Public Health

Violence is traumatic, for both the victim/s and offender/s. Common psychological effects of violence include depression, change in lifestyle such as eating and sleeping habits, fear, panic, mood swings and anxiety and health related illnesses, such as tension headaches, substance abuse, high blood pressure, etc. Individuals who either participate in violence or are threatened by the violence commonly experience this. If the violence is chronic and ongoing, the effects can develop into post-traumatic stress syndrome (PTSS). Similarly, communities experience forms of trauma. Measuring the effect of trauma on communities is relatively understudied in South Africa. Seedat, Niekerk, Suffla and Ratele (2014:37) argue that: "The threat and occurrence of violence produce a sense of unrelenting panic and psychological distress and weaken social cohesion".

Atwoli et.al (2013:8) found that in South Africa "… witnessing events – many of which likely included violence – accounted for 50% of the relative Post Traumatic Stress Disorder (PTSD) burden and were associated with a very long duration of symptoms. In chronicity only symptoms associated with war events". In a study conducted with children in South African communities it was found that it was not uncommon for children to have been witnesses to violent acts, been threatened or attacked with a gun or other weapon, or been shot at and robbed: 40% of these children had witnessed a murder (Shields, Nadasen & Pierce, 2009). The political and social context of violence in communities, schools, and within families results in the normalisation of violence. Communities become paralysed with panic and experience symptoms of PTSS because of the on-going fear and threat of violence. For example, in Vuwani the shutdown and closure of schools can develop into a form of paralysis within the community. Furthermore, the on-going violence will result in the normalisation of violence, which leads to further on-going violent practices in the community.

2.6 Socio-Economic Development

The destruction of state property affected not only physical infrastructure and resources, but also the emotions of the community members. As a consequence of the burning of schools, schooling was shut down for 3 months in Vuwani. Schooling resumed on the 4 August 2016.[6] The Department of Basic Education (DBE) estimated that the financial cost of the destruction was R440 million.[7] Police spokesperson Colonel Malesela Ledwaba said a school which had previously been vandalised by protesters had been further vandalised. "The total number of affected schools is 24. There are 20 burnt school and four damaged school," he said at the time.[8]

Figure 2.1: Burnt classroom

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[6] http://www.gov.za/speeches/vuwani-schools-24-jul-2016-0000

[7] http://www.sabc.co.za/news/a/7da32e004dd13bccb6f8feb0fb15ae20/Departmentundefinedcountingundefinedtheundefinedcostundefi nedofundefinedschoolingundefinedinundefinedVuwani-20161008

[8] http://www.news24.com/SouthAfrica/News/let-the-schools-burn-let-them-burn-vuwani-resident-20160507

Media reports stated that mobile schools had been supplied in Vuwani. However, schooling also resumed under the trees.[9] The socio-economic effects of this violence have long lasting repercussions and it will take financial resources to rebuild this community. Buccus[10] argues that the burning of schools is a crisis of local democracy rather than a crisis of service delivery, and that the violence is a direct outpouring of frustration with local democratic processes that are perceived to be exclusive and authoritarian.

Figure 2.2: Burnt classroom block and planted prefab

3. METHODOLOGY

This report is based on fieldwork research carried out largely in Vuwani from November 2016 to April 2017. The scope of the research and methodologies are dealt with in more detail below.
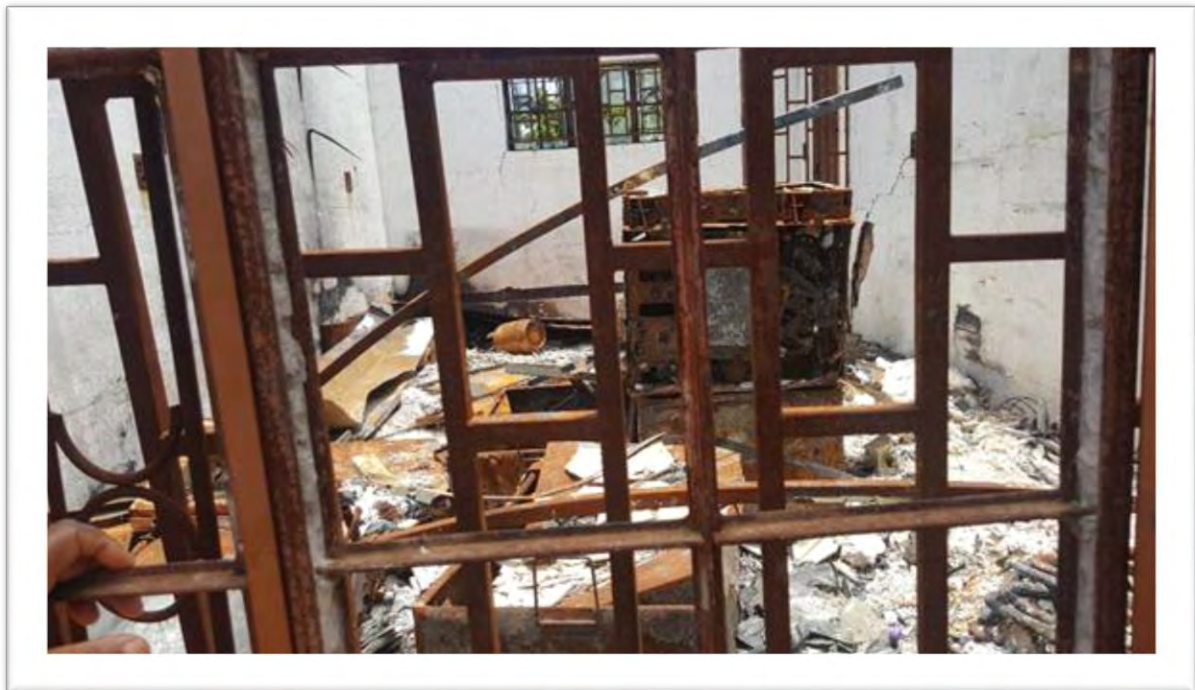
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[9] http://www.sabc.co.za/news/a/7da32e004dd13bccb6f8feb0fb15ae20/Departmentundefinedcounting undefinedtheundefinedcostundefi nedofundefinedschoolingundefinedinundefinedVuwani-20161008

[10] http://www.iol.co.za/mercury/understand-the-burning-of-schools-in-vuwani-2023671

3.1 Research Approach and Design

This study is grounded in qualitative research aimed at understanding and explaining the research participants' interpretations of, and opinions on the violence that broke out in Vuwani. It is based on an exploratory research design. According to Labaree and Scimeca (2016), an exploratory research design is pursued to answer a research problem where "there are few or no earlier studies to refer to or rely upon to predict an outcome." In the case of Vuwani, there are hardly existing empirical studies that explore the causes and consequences of the violence. There have been few scholarly reflections on how the violence in Vuwani is a consequence of failures in addressing service delivery in local government in South Africa (Mokgopo 2016; Sekgala 2016) and how the violence signals the communities' rejection of government (Maseremule 2016). A gap still exists on the views of Vuwani residents and their community leaders on what led to the violence, who the perpetrators are, and how it affected the people.

An exploratory research design was thus essential for this study of Vuwani because it is an ongoing saga in which communities continue to express their dissatisfaction with the demarcation outcome. In an exploratory research design "the focus is on gaining insights and familiarity for later investigation or undertaken when research problems are in a preliminary stage of investigation" (Labaree and Scimeca, 2016). The outcomes of this research are not conclusive or generalisable to the larger population of Vuwani, but they could be used to establish an understanding of the baseline information on causes of the violence in the words of the research participants. Another key outcome of this report is that it can inform future research on this topic on the selection of appropriate methodology which would need to be employed to effectively address gaps in knowledge about the Vuwani demarcation crisis[11].

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[11] Labaree, R. V. & Scimeca, R., 2016. Research Guides: Organizing Your Social Sciences Research Paper: Types of Research Designs. University of Southern California. Available at: http://libguides.usc.edu/writingguide

3.2 Data Collection

This study employed semi-structured interviews, comprising both structured and unstructured questions. They are strategic in that the flexibility of open-ended questions "permits a more valid response from the informant's perception of reality" (Burns 2000: 424).[10]

The HSRC research team conducted the semi-structured interviews in two phases. Phase 1 involved a visit to Vuwani six months after the arson attacks on schools and other public infrastructure had happened in December 2016. This visit to the affected areas occurred at a time when community members were in a calmer state, and were able to speak freely on the matter. If the visit had occurred in the immediate aftermath of the violence it would have been difficult to secure the trust of the participants. It would have been practically impossible to observe the state's response to the arson attacks because the state only erected temporary classes in the affected schools a few months after calm was restored to the area. It was also unsafe to travel in the area in the immediate aftermath of the violence because there were patrols by some community members to enforce the total shutdown to ensure that everyone complied with the actions taken.

During this first phase, interviews were conducted with two traditional leaders who reflected on the tensions around the re-determination of the boundary and the incorporation of their areas into the new municipality. One of the traditional leaders was interviewed in the presence of six men comprising his advisors and headmen. At the end of the interview, he offered two of his headmen to accompany the researchers to view the affected schools and the tribal court torched in one of the villages. The presence of these headmen also made it possible for principals to be receptive of the researchers, even though they expressed 'interview fatigue' because of numerous visits by journalists to the area. Most of the interviews conducted in Phase 1 were informal in nature and they provided a basis for return. Nine informal interviews were conducted with community members to obtain their views about what had caused the violence. One such interview was conducted with a car wash employee who was washing the researchers' car. No question guide was applied, but the

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[10] Burns, R. 2000. Introduction to research methods. London: Sage Publications

researchers asked the participant for his views on the violence that had erupted. The school principals highlighted the need for gatekeeper permission from the provincial department of education. This was secured before commencement of the follow-up interviews.

Phase 2 was largely informed by the preliminary findings of the first visits and was conducted in January-February 2017. The researchers visited four schools in Vuwani, of which one was a primary school, to interview learners and educators. The breakdown of the semi-structured interviews is as follows:

- There were **9** individual learner interviews across all the schools.
- They were **4** Principal Individual interviews, with one conducted at each school visited.
- They were **6** Focus Group interviews with learners across the different schools. Each focus group comprised an average of six learners.

Both Phase 1 and 2 were also informed by researchers' observations, evidence of which photographed and embedded in this report.

Apart from the interviews in Vuwani, an interview was conducted with a senior official from the MDB to speak on the Board's perspective on the matter. This was a very insightful interview, which demonstrated the complex nature of the work of the MDB, especially in highly volatile contexts such as Vuwani.

3.3 Study limitations

As with exploratory research, there are limitations because "it generally utilises small sample sizes and, thus, findings are typically not generalisable to the population at large" (Labaree and Scimeca 2016). In addition, the exploratory nature of the research means that one cannot make definitive conclusions about the findings. Nevertheless, the findings are insightful and they provide a basis for further empirical research on the subject matter.

In terms of the findings, some of the limitations of the study are that it proved difficult to establish how the attacks on schools and property were conducted or to establish the

perpetrators' modus operandi. The voices of those who were arrested and charged with violence are also missing.

4. FINDINGS: VUWANI DEMARCATION CRISIS—EXPERIENCES AND PERCEPTIONS

The impetus of recent protests over municipal demarcation partly lies in the state's decisions to re-demarcate certain areas without carefully considering the support of affected communities and in some cases without pondering the timing of such exercises. The state, however, in most cases acted within the remit of the law; but communities and their leaders failed to accept the outcomes of the MDB's recommendations for new boundaries and the court's rulings on such matters. Maseremule (2016) makes a thought-provoking statement when he says:

> If the courts, as in the case of Vuwani, make determinations and the citizens disregard them, while the executive's attempt to enforce them came to naught, it means people are no longer interested in the arrangement that seeks to establish social order using government.

Through the theoretical lens of civil disobedience—which refers to "the act of disobeying the authority of the state on moral grounds—Maseremule (2016:6) argues that what is at play in Vuwani is that tribalism and ethnicity triggered by the demarcation board's decision, were merely proxies for a bigger malady—corruption. The rejection of state actors' authority by the communities of Vuwani requires more research in order to understand not only what factors led the communities to protest violently against the MDB and the High Court's decision on re-demarcation, but also to understand how the communities' reactions shape local governance and service delivery matters going forward. How central is service delivery and corruption to the disputes over boundaries in Vuwani and other areas in South Africa where such disputes have occurred in the past? What views and understandings do state actors at local, provincial and national spheres of government, as well as important arms such as state security agents, hold concerning Vuwani? Are community grievances that the state implements policies without public participation founded?

4.1 The question of poor service delivery as a grievance

For the state, service delivery is a perennial problem. Backlogs continue to overburden many of the municipalities and service departments. The democratic processes such as elections that occur through ward delimitation and re-demarcation emerged as one of the most important processes in levelling the playfields. The idea behind re-demarcation stems from a 2014 report by COGTA (2014) which undertook an assessment of all municipalities across the country through the Back to Basics (b2b) Programme to examine the status of municipalities in the country. In short, the results indicated, amongst others, that about a third of municipalities are dysfunctional whilst another other third is at risk. In the assessment, the financial viability of several municipalities was very low because of their geographic location and their inability to raise taxation and the nonexistence of a sound revenue base. The specific case of Limpopo showed that eight municipalities were performing well; 12 had the potential to do well; while ten were dysfunctional (Makhurupetje, 2016). On these grounds, the Minister of Cooperative Governance and Traditional Affairs invoked Section 22(2) of the Municipal Demarcation Act, 1998. The outcome of the invoking of Section 22 (2) of the Municipal Demarcation Act in Limpopo province suggested the following changes:

a) Amalgamation of Greater Tubatse and Fetakgomo; and Modimolle and Mookgopong municipalities;

b) The amalgamation of the Modimolle and Mookgopong local municipalities into one municipal area;

c) Discarding Mutale municipality, and distributing its people into areas of Musina and Thulamela municipalities;

d) Establishing a new municipality comprising of portions of Makhado and Thulamela municipalities;

e) De-establishing Aganang municipality with its portions incorporated into areas of Polokwane, Molemole and Blouberg municipalities.

The final determinations outcomes of the MDB were published in the respective Provincial Gazettes on 25 August 2015. Among these announcements was the demarcation and establishment of a new municipality which included Malamulela, Tshikonelo, Mulenzhe, Piet

Boy and Khakhanwa previously under Thulamela Municipality and Masia, Mashau, Vyeboom, Tshino, Davhana, Tshimbupfe, Ramukhuba, Masakona under Makhado Municipality.

In the eyes of the state, therefore, poor service delivery could best be resolved by drawing new boundaries and ensuring optimum distribution of resources as well as merging unviable wards or municipalities into better performing ones. However, the affected communities held their own narratives of difference, which in the case of Vuwani related to an assumption that staying in Makhado would be beneficial to them because they receive a better quality of services from their local authority. Most importantly, official records show that this predominantly rural municipality, with most of its citizens engaged in subsistence farming, has a low revenue base, and is confronted with serious service-delivery backlogs.[12] News report covered a story of a community from Nengwekhulu village outside Vuwani which threatened not to participate in the national and provincial elections, and blaming Makhado municipality for failing to provide electricity.[13]

4.2 Communities' sentiments about poor service delivery

Similarly, in its presentation on the status of Vuwani protests, the South African Police Service[14] highlighted the following lists of grievances:

- Fear of the unknown – contesting for positions
- Fear of being led by Tsonga-speaking people
- Lack of knowledge for the locality of the new Municipal offices
- Community service delivery programmes and developments
- Anticipation of losing business opportunities
- Minimum job opportunities for Venda people.[15]

The presentation went on to list the following uncertainties raised by the communities about the new municipality:

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[12] Makhado Local Municipality 2011:4
[13] The Sowetan, 2009 cited by Makananisa, T.D. 2011 p12
[14] South African Police Services. 2016. CASE STUDY ON VUWANI DEMARCATION PROTEST Presentation at the Human Sciences Research Council. 30 June 2016
[15] Ibid

- Premier and the Government consider Malamulele as more important and better than Vuwani.

- More attention was given to Malamulele people; they also demand Government attention.

- The Government was able to reverse the decision of the MDB for Malamulele and, therefore, they can do it for Vuwani.

- Lack of proper consultation by the MDB.

- The new Municipality situated in Malamulele.

- Tsonga people will take charge of the new Municipality.

- No services will be taken to Venda people.

There is definitely need to probe and test each of the assertions emanating from conversations and interviews with residents of Vuwani on the ground. Take for instance on the issue of "anticipation of losing business opportunities". A former learner of a school that was torched in the area, Tinyiko Maluleka, wrote in the Mail and Guardian:

> The scramble for limited resources argument applies only to corruption and tenderpreneurship. There may be a scramble for limited tenders among the ruling elite and the well connected. A new set of boundaries can be disruptive of cosy arrangements directing tenders and favours in a particular direction. New municipal boundaries could establish new lucrative routes and networks for tenders and favours. Could this be a factor in the Vuwani-Malamulele tug of war?[16]

Therefore, if it is a question of protecting interests and fear of the unknown, the state will continue to address the conflict with the wrong players in the community, especially those who possess little power in comparison to those with stronger interests like businesses. *Likewise, the assertions that service delivery standards would drop if Vuwani residents are*

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[16] Tinyiko Maluleke, Vuwani destruction: A people at war with themselves. 13 May 2016. http://mg.co.za/article/2016-05-13-00-a-peopleat-war-with-themselves

placed under a new municipality are interesting. In an interview with an anonymous Vuwani resident, a journalist captured the following sentiments:

> To me the issues raised were not genuine, because everywhere in South Africa there are challenges when it comes to service delivery. There were people who were determined to ask for a new municipality, and the problem arose when they were told the municipality was not sustainable and they opted to co-opt other areas in Vuwani who had never asked for a new municipality and they started to object. Malamulele was the first to burn some schools and businesses, and when the people of Vuwani lost their case (in the high court trying to set aside the new municipal demarcations) [they] resorted to the same tactics applied by the Malamulele people: burning down schools in order to force the government to accede to their demands not to be included in the new municipality, as they had never asked for it and they saw it as a way to please Malamulele people.[17]

The extract is revealing in the light of the fact that Malamulele protests had set a precedent in the way the state "listened" to the people of that area. Their Vuwani counterparts therefore felt strongly that it was in their best interest to follow suit and engage in violent protests. However, one has to be cautious in that there is no unitary voice in this matter and not all villagers hold the same fears and sentiments.

The other crucial issues concerning challenges to municipal demarcations in rural areas include the fact that consultation is interpreted and used by many, including the MDB, to listen to the inputs by the few, and sometimes not necessarily to accept them. This kind of approach led to much dissatisfaction. The simple example is the Vuwani uprising which saw some parts of areas under the jurisdiction of traditional leaders split from the kingship to be incorporated into another municipality. Such an act is a serious offence for many communities who are separated from their traditional leaders. Most people are sensitive about being

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[17] Hans Pienaar and Anonymous. 2016. Interview: Why were the schools burnt down? http://www.litnet.co.za/why-were-the-schoolsburnt-down/

divided as a community. One should remember that rural communities are communal in nature. They observe and live their customs, cultures and religion as a community rather than as individuals. As such, the communities must be favoured with feedbacks. The MDB does not provide feedbacks to communities on their decisions. Some municipalities fail to call ward meetings to report about issues affecting communities; their greatest successes are budget road shows. Some speakers have alluded to the fact that municipal boundaries are a political issue; but the very same politicians and their political structures do not hold their own political meetings to brief their constituencies about issues affecting them; Vuwani is the case in point (Mavundla, 2016:17-8).

The empirical research component of the study unpacked meanings and dynamics associated with some of the sentiments discussed earlier. Apart from the state and communities, the role of the non-state-actors in quelling and restoring peace during and after the Vuwani violent protests is equally important and deserves scrutiny; hence the discussion of these processes.

4.3 Stakeholder perspectives on causes of the violence

The discussion below outlines the sentiments, perceptions and experiences of residents of Vuwani as well as other key interviewees who participated in this study. Most of these accounts provide explanations of why the violence took place from their perspective, and what they think about thorny issues such as public participation in the re-determination of the boundary, the element of criminality in some of the arson attacks, and their thoughts around the reasons for the burning of the schools.

4.4 Residents were not supportive of the idea of merging poor communities in the name of viability

The rationale for dis-establishing the Mutale Local Municipality, which was part of the four local municipalities under the Vhembe District Municipality, was based on its financial non-viability. The state was of the view that the only way to improve service delivery in the District

would be through dis-establishing it and forming a new municipality with a broader tax base and population that would guarantee viability. However, in the eyes of some Vuwani residents there was no evidence to support the fact that a new municipality which comprised villages from Vuwani and the Tulamela areas disbanded from Mutale would lead to viability. In an interview with a traditional leader, this came out strongly when he stated:

> This crisis started when government contradicted its message of trying to scale down municipalities, which were not viable and productive. That was a good message. Think of Mutale, Fetakgomo, for example. Everybody else who cares about the state of local government I think embraced that decision. Immediately thereafter, they came with a message to say they are now establishing a new entity in Malamulele, which would also include us (Interview with Traditional Leader 1, 12 December 2016).

While this traditional leader agreed with the government on its vision of establishing viable municipalities, the traditional leader went on to argue that it made no economic sense to form another municipality by amalgamated poor communities:

> So communities in Vuwani could not accept that based on the fact that the living standard measurement of Vuwani is predominantly rural. The people have low or no income; it's poverty over there just like people in Malamulele so to them it would be establishing an entity that is not economically viable. No one made a case to prove that there would be economic viability, which, proves that the combination of Malamulele and Vuwani would sustain a municipality. That was not disclosed to anybody. As far as we are concerned, it is non-existent (Interview with Traditional Leader 1, 12 December 2016).

Another key interviewee, who is an educator, also questioned the rationale of the boundary re-determination by saying:

Why add another municipality instead of reducing them? Instead of just expanding another municipality that existed then why add another one called LIM345? We used to watch TV and see them debating in parliament about the merger of the municipalities. But the ruling party seems to have made its mind (Interview with a Senior Educator, 14 March 2017).

The same interviewee argued that there was too much political interference in the decision that finally led to the redetermination of the boundary, as he put it in the last part of the above quote , the "ruling party seems to have made its mind."

The criterion of financial viability as a basis for boundary re-determination is one that is yet to be tested, given the lack of publicly available, comprehensive studies which have empirically studied municipalities merged since 1994. It is thus interesting to hear such sentiments expressed by traditional leaders and other well-informed members of Vuwani. However, in the court application by traditional leaders who were opposed to incorporation into the new municipality these arguments are conspicuously absent. They did not form the main basis for the opposition to the formation of a new municipality.

4.5 "We were not consulted"

At the heart of the crisis in Vuwani is the issue of consultation or public participation in the re-determination of the boundary. The Limpopo High Court ruled that the MDB had done everything within its mandate and legal provisions to consult the communities concerned. However, there are conflicting views which point out the pitfalls in the current methodologies of public consultation. The views of Vuwani residents illustrate diverse understandings of what consultation should entail, as opposed to what the MDB hold is stipulated by law.

In the same vein, one wonders if the MDB also contemplated the historical relationship between Vuwani and Malamulele before reaching the decision to incorporate the two communities into the new municipality. Much of the process behind mergers is governed by constitutional mandates, which were developed with the good intention of trying to navigate

South Africa's transition from the apartheid era to the post-1994 democratic era. However, despite the genuine good intentions, this has failed. Vuwani and many other communities are victims of such unintended consequences. In a sense, one could argue that the challenges concerning demarcation are reflective of similar challenges which South Africa faced during the transition from apartheid to the democratic era when dealing with the legacy of apartheid spatial planning and transformation that resulted in unequal delivery of services. A case in point is the Bushbuckridge municipal boundary re-determination, which sparked violence in 1996 where there was contestation about whether Bushbuckridge should be part of Limpopo Province or Mpumalanga Province. It is critical to find the right balance between administrative imperatives and real-time socio-cultural dynamics on the ground.

One of the issues that emerged was the lack of consultation by the MBD about the demarcation. The school principals and learners pointed out that the MBD did not consult the community concerning the demarcation process and how it would unfold. Quite a number of the principals and learners also pointed out that the MBD did not listen to their feedback and suggestions about the demarcation process. Some of them suggested that the demarcation should not take place and that things should remain the same.

During a focus group interview with high school children, a young female learner was vocal in explaining why the violence broke out and why she seemed to sympathise with the protest:

> The reason why people have been burning and fighting is because they were fighting for their rights. They were not being asked to move to Malamulele. But they were just told to go to Malamulele. According to them Malamulele is far, but Makhado is very near to do their things there for municipality. I think they were right to fight for their rights because you can't just like today tell me, 'Go there!' You must ask me, 'do you agree that you wanna go that side?' They didn't do that. They just requested them to go that side without asking them. They told you people now belong to Malamulele; go there (Focus Group 1 High School).

The above-mentioned learner has sentiments that are possibly rife in her community, which show that these dissenting voices were uncompromising on their position about being part

of the new municipality. The term 'consultation' to community members who hold these sentiments probably implies that the MDB should have asked them for permission to be included in the new municipality.

Others felt that it was not just the lack of consultation but that they should have been personally invited to the hearings with the MDB. One traditional leader charged:

> We did not get consulted by MDB. That is what worries us. That is what we are fighting for. Not even a single meeting. We can go to a meeting if we get letters from them…but if we hear an announcement on the radio that there is going to be a meeting, you don't know what is going to be on the agenda. You can go there. But what if you are going to be killed there? So they must explain and extend an invitation to say we are coming at Mashau area; we are coming to Masiya area; we are coming at Tshimbupfe; we are coming at Vuwani area; we want to consult with people, with the community. Firstly they must consult with the traditional leader. Then after that we go to the community (Interview with Traditional Leader 2, 12 December 2016).

From the response of traditional leader 2, it can be deduced that there are customary protocol issues that irked him. Firstly, he questioned the use of radio as a medium of communication to announce meeting dates and venues for consultative meetings on the basis that such an invitation lacked the 'personal touch' which a letter contains. Secondly, his preference was for traditional leaders to be approached first by the MDB before the community in general was informed that public hearings or consultative meetings were to take place.

However, an interviewee who understood the grounds on which the Limpopo High Court argued that consultation occurred indicated that, even if it had happened, it was still inadequate in that not all villagers were aware of the agenda of the meeting which was held by the MDB in Thohoyandou. Thus, he retorted:

Technically, they argued that they did so and the Court agreed that they consulted. You see, on the day of the public hearings they mobilised people from Malamulele to come to Thohoyandou for a meeting. But people from Vuwani never knew that there is a meeting. In fact those who knew that there was a meeting knew that there was a meeting to consider the Minister's request to rationalise Mutale and merge it with Musina. So if you don't have any interest in that, what do you do? You don't even go, not knowing that in that same hearing there's going to be an introduction of a matter to introduce a municipality which is going to affect you. So if that is called consultation, therefore the word consultation must be redefined in the dictionary (Interview with Traditional Authority 1, 12 December 2016).

The above quote shows that some members of the communities which wanted to remain part of Makhado municipality deny that the consultation meeting was inclusive. The Traditional Authority interviewed calls for further clarification of the meaning of the term "consultation", a sentiment that is expressed in interviews that were held with other community members. We will return later to some of the perceptions around what consultation should entail in the words of some Vuwani residents.

The consultative meeting held at Thohoyandou grounds was a cause of disagreement for the Vuwani traditional communities, particularly those who did not attend. In the two lengthy quotes taken from interviews with traditional leaders cited above it is noted that the agenda of the meeting explicitly stated that discussions would be about demarcation. According to the High Court proceedings, the meeting in question took place on 21 April 2015 at Thohoyandou Sports Centre (Masia vs MDB and others 2916: 21). It is said that over a thousand people attended that meeting, and the main deponent in the court case, Chief Masia, spoke on behalf of other traditional leaders, thus indicating that they were all against the decision to fall under the new municipality. His use of the words the "submission that we submitted" invalidated claims that they were not consulted. It was on this basis that the High Court dismissed claims that the communities had never been consulted as untrue.

An official who was interviewed on behalf of the Board also lamented the manner in which some of the traditional communities of Vuwani "missed an opportunity to be heard" at the Thohoyandou consultative meeting by allowing only one traditional leader to speak on behalf of other traditional leaders. In their experience as a Board there had been several cases where traditional leaders, through their own communicative and governance structures, had participated in crucial decisions, particularly in Vhembe, which affected them. For example, they observed that some leaders convened a *kgoro*[18] first and deliberated with their people on their thoughts concerning issues of demarcation. The resolutions from that *kgoro* were then presented as a final position of a specific traditional community. However, in the case of Masia and others, one traditional leader spoke on behalf of the Tshimbupfe, Nesengani, Davhana, Tshikonelo, and Mulenzhe Traditional Councils.

A point raised earlier about how consultation is understood by different people is worth pondering because it may help promote understanding of what led to the hostility of those Vuwani residents who resorted to violence. As one respondent stated:

> I think the participation was there, but seemingly it may have been conducted not in a way where people were given enough time to air their views and also to come up with proposals on top of what they [MDB] came up with. That is the reason why people showed their anger the way they did, because they felt left out they were not part of the processes (Interview with a School Principal, 16 March 2017).

It is probable that the absence of mechanisms to win over the dissenting voices fuelled the violence as they tried to get the attention of the State. The idea of merging with another municipality was likened to being "bequeathed a wife against your will" by one respondent:

> So they implemented the municipality without following proper procedure. They were supposed to follow the proper procedure and that procedure was to sit down. I cannot just come to you and say, 'this is now

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[18] Kgoro is a Pedi extract referring to an open area where village decisions are made.

your new wife'. You don't know her. You don't know where she's coming from. Then I just come and say, 'this is your wife! You have to stay with her, [whether] you like it or not. This is how you are going to live your life from now on.' Now what you have to do first is to come to me and say, 'I want you to have a wife. Do you need a wife? And if I answer yes, I need, or no, not now, then that's it'.

Whether or not the analogy of the wife is appropriate, it captures the essence of some of the deep-seated emotions which surrounded the demarcation of Vuwani into a new municipality. In particular, the last part of the quote where he says "…no, not now, then that's it" resonates with sentiments of those who opposed being part of the new municipality and strongly felt that they should have been left in Makhado. The same interviewee went further to state:

Those who are in authority should have come to us and say there is a new municipality which is going to be formed. Those of Demarcation Board were supposed to come to us and talk to us as communities and tell us that we are going to demarcate this place from here to this point. We want you to fall under this municipality. Do you agree or not? We are in a democracy. You know that. And democracy is the government for the people and by the people. We vote for it. It is for us. So we have to agree on a certain thing because each one has a freedom of speech, freedom of choice. But that did not matter to them. What they did was on their own. If they had come to speak to us nicely and said community of Mashau, community of Vuwani, we are forming a municipality this side. And the municipality is going to start from point A to point B which you are going to be affected by it. So I think if they did that before signing the papers to say now it is official, we were not going to have problems because people would say NO or say YES. So that was their problem. They did not consult (Interview with a Senior Educator, 14 March 2017).

It is not clear how the MDB ought to "speak nicely" with communities, but the sentiment expressed is an indication that the MBD could have performed much better in this respect.

The MDB clarified its position by stating that they went the extra mile to consider submissions based on historical roots and identity issues of the affected communities:

> Some people had said NO. But the boundary as it stands at the moment separates us from the Mashaus and the Masakonas who are naturally our people. They mentioned those, and we went back into history to establish what relationships exist. But the only problem was that …if indeed they belong so much together, if they say we are closely knit community such that we wouldn't want to be separated, it means they have to be together on one side [of the boundary]. Thus, it's either they go together to one side or the other side together. The notion that came to the Board was that separating for example the Masias and Mashaus is like you are cutting an umbilical cord and the reconsideration by the Board was to extend the boundary a little more southwards and bring in one or two of those communities (Interview with MDB official on 27 March 2017).

It is interesting to see how the MDB circumvented this particular aspect by making a decision to extend the new boundary in order to incorporate these traditional communities, which felt strongly that they should all be allowed to stay in Makhado based on their ethnic and kinship ties. Instead they were all incorporated so that "no one was left behind", as it were.

The Demarcation Board remains resolute that it made efforts to help people to understand the decision it made within the prescripts of the law. They argue that they consulted widely:

> We had engaged with the King [Mphephu]. The chiefs in those areas we had engaged them earlier on. We had engaged with the province and everybody else we could reach just to make them understand that we did what we had to do. An application came and we evaluated it according to the criteria. We had considered all submissions.… We considered the demarcation criteria, the social integration issues. We considered the economic viability issues and you would know in that area that there had

been a case of Malamulele, which we had finalised and made our ruling known earlier to say Malamulele alone cannot qualify to be a municipality on their own (Interview with MDB official on 27 March 2017).

Not everyone shared the sentiment that consultation was critical. One respondent indicated that it was more important to guarantee that service delivery would not be affected.

To me, non-consultation may not be a valid reason because at the end of the day if the Demarcation Board has realised that should we do this and this it will speed up service delivery, people will not be worried. Because whether you're in the new municipality or in Vhembe district [it is] still the same country, South Africa. All the service you were getting you will still get them, if not even better (Interview with School Principal, 16 March 2017).

4.6 "They wanted to please the people of Malamulele"

Participants often mentioned Malamulele as the reason behind the re-determination of the boundaries and led to Vuwani being incorporated into the new municipality. The area of Malamulele was part of the Thulamela Local Municipality, while its neighbour Vuwani was part of the Makhado Local Municipality prior to the re-determination by the MDB in 2016. Malamulele residents protested in 2013, and again in 2015, demanding their own municipality, claiming that they were not experiencing any significant local development and service delivery because Thulamela Municipality was biased towards Tshivenda speaking residents. This is the reason they gave in their demand for a separate municipality. At the beginning of 2015, Malamulele made national news when it went into a period of total shutdown, which led to arson attacks on businesses and mobs preventing schoolchildren from going to school for almost two months. During that period, four schools were torched, and patrols by protesters ensured that no one defied the total shutdown. On both occasions, in 2013 and 2015, the MDB turned down the requests for a new municipality on the grounds

that the Malamulele area did not qualify because, in part, they did not have a viable tax base to sustain a new municipality (Musitha 2016: 47).

When residents of Vuwani learnt that they would be incorporated into a new municipality with Malamulele they automatically deduced that this was the state's way of revisiting the latter's demands. They argued that Malamulele alone could not form a municipality; so Vuwani was used as a scapegoat to justify granting them a municipality. One resident argued:

> You will remember that Malamulele had requested their own municipality, which was rejected before. But now all of a sudden, when this request by the minister came to rationalise municipalities they took advantage of this situation to say we are now re-submitting our plea but this time including some communities in Vuwani. Subsequent to that, we think that government had warmed up to their request. But we do not think that it was based on any factual information. But it was based on a desire to resolve anarchy because the Malamulele people have been all out to destroy properties and protest and so on. So they thought that the best way to solve this would be to hand over a municipality (Interview with Traditional Authority 1, 12 December 2016).

The sentiment that the incorporation of Vuwani into a new municipality with Malamulele was meant to appease the latter ethnic group was so strong among interviewees that one of them went as far as to say that they did not ask for a new municipality:

> Tsonga people requested a municipality, while those people are being granted their own municipality at the expense of Venda people. We don't have a problem if the Malamulele people can be given their own municipality. Leave us where we are. We didn't ask for this! Then why are you including us there? …. We view this as a way of punishing the Venda people whereas at the same time they are pleasing the people of Malamulele (Interview with a Senior Educator, 14 March 2017).

Perceptions that the incorporation of Vuwani into LIM345 was a means to please the people of Malamulele were quite widespread in the communities that the researchers visited. The processes of public engagement should have gone a step further to explain to the affected citizens whether there was truth in those perceptions. This is a role that the national and provincial arms of the state, rather than the MDB, should have fulfilled.

However, another interviewee dismissed claims that the protests in Vuwani had any connection with Malamulele. He responded, "These are two different stories. We are not fighting for a municipality [like the Malamulele people]" (Interview with Traditional Authority 2 on 12 December 2016).

The MDB also dismissed the perceived link between decisions about municipal boundaries in Vuwani and Malamulele:

> They had approached the court many times, dated back to 2000. And when we investigated we realised that where they wanted a municipality would just be a re-creation of the former homeland of Gazankulu to say now Tsongas want their own municipality. Indeed, even economically it was not feasible. But the Vuwani people were protesting. Their thinking was, 'oh, now you're indirectly giving the Malamulele people a municipality that they always wanted'. The Board concluded on the Malamulele matter and put a full stop. Had it not been for the Minister and the Back to Basics and the disbanding of unviable municipalities we wouldn't have done anything. But there was an application by the Minister, backed by the Province, backed by your players in those areas that prompted us to revisit the boundaries in these areas (Interview with MDB official on 27 March 2017).

According to the MDB official, the re-determination of the boundary would have never been implemented were it not for the ministerial request. Since this was an executive request, the Minister of COGTA and other senior officials should have played a critical role in obtaining the

support of the affected communities. The MDB alone, as an independent entity, does not have the political power to persuade dissenting community members to accept the decision.

4.7 Ethnicity undertones

The creation of new boundaries and rationalisation of municipalities during the post-apartheid era was a welcome development. Most of these municipal boundary re-determination processes have brought together communities which were historically separated on racial grounds under the same municipalities. However, an MDB official expressed concern that the post-apartheid government never anticipated a situation whereby African communities which had been historically separated on ethnic lines in homelands could pose a challenge if they were to be merged under one municipality. Issues of identity and belonging are closely linked to sentiments around who governs the other and who has access to state resources, particularly in communities that were historically separated according to tribal groups. It has been pointed out that, despite much reform to improve the institutions and quality of life as it had been during apartheid, in this case the homelands and their former citizens, there is always the threat that these attempts reinforce the very boundaries created by past regimes (Ramutsindela, 2007: 43).
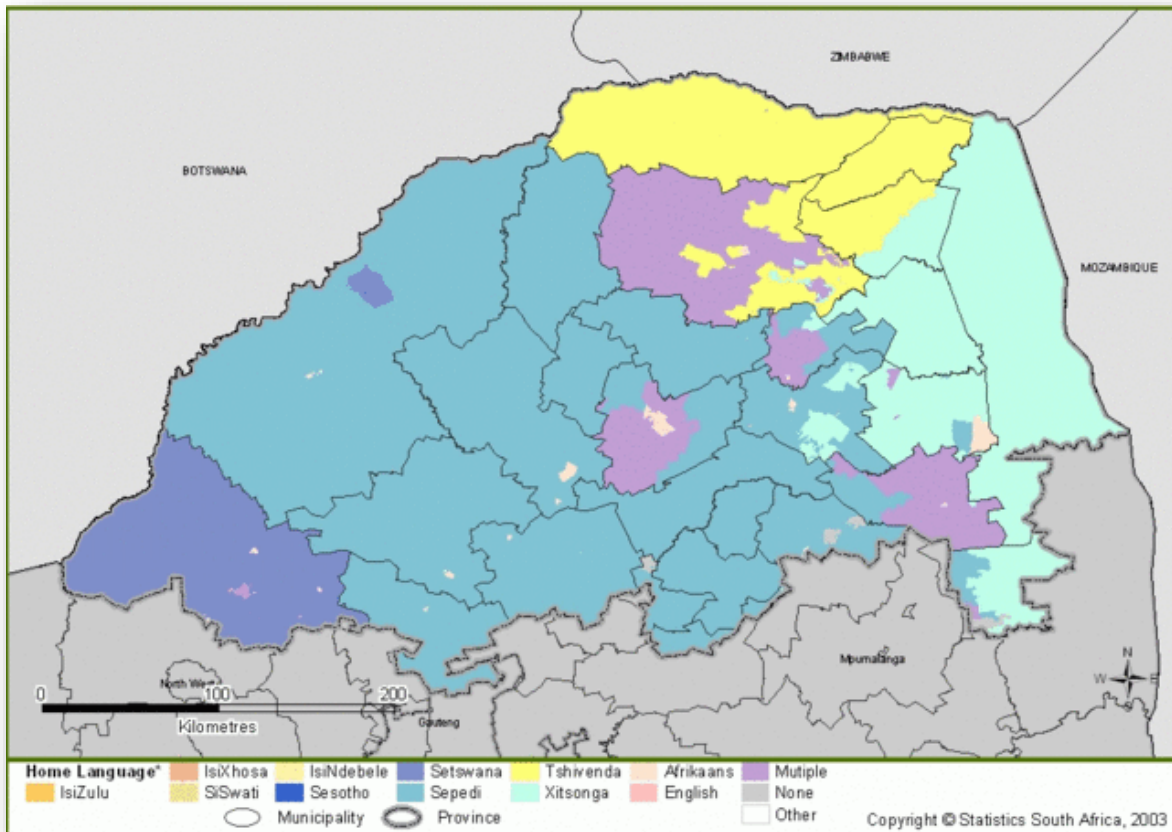
Figure 3.1: Distribution of Main Language Groups in Limpopo[19]

The interview with the school principal revealed that, historically, Vuwani had been predominantly Tsonga, but that owing to community growth the Vendas became the majority and had changed the name from Vukani to Vuwani during the homeland era. People's attitudes had been affected by this historical change and it's ethnic connotations. The Venda were presumably concerned that the new municipality would undermine their identity because the Malamulele people had wanted better service delivery, which translated into demands for a new municipality by the Tsonga people. The issue of service delivery by the Vhembe District Municipality was one cause of the disagreement about this conflictual issue as the Malamulele people wanted services and the strategy to deal with this was for the MDB to review the boundaries, which affected the Vuwani community. Deeper issues are ethnic opposed to lack of consultation, according to a school principal. In meetings people insinuate

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[19] *Source: Statistics South Africa (2003).*

their superiority over the Tsongas, for instance, with one standing up in the meeting and saying, "we Vendas are intelligent people". There is tension around ethnicity when there are Vendas and Tsongas in the same meeting.

According to one school principal, 'people from Mashuo want to burn our schools. They were preventing Vendas from crossing the bridge to their side'. As he was speaking, they have moved to the new municipality, CCLM. The issues are masked or sugar-coated through the demarcation, but the underlying issues are beyond the municipal demarcations. However, the municipal demarcation was the trigger.

A key issue which was raised in interviews was the ethnic dimension to the conflict. Tribal divisions among different ethnic groups (Vendas and Tsongas) were a key theme. Some of these divisions were attributed to the colonial era when people were separated. Relevant literature makes it clear that spatial segregation was at the heart of the apartheid regime, which created a system of ten ethnically distinct homelands with the goal of dividing the black opposition and promoting tribal identity and allegiances (Abel, 2016). The Vuwani area bears the scars of this unfortunate history.

Coupled with these challenges is the complexity of retaining these traditional leadership systems in the post-1994 era. Commenting on the place of traditional structures of authority in South Africa's 'transition' period, Oomen and Van Kessel (1997: 585) write:

> The institution of chieftaincy has been transformed by the experience of British colonial rule and subsequently by the apartheid scheme of Bantustans. Even during the decades of Bantustan rule, the institution, although operating within strict boundaries, allowed at least for some mode of expression of popular concern. Now it faces a new challenge of transformation under the new masters of the ANC government.

Traditional authorities are critical stakeholders in the case of Vuwani, illustrated by the fact that about eight of them took the MDB to court over the demarcation dispute.

Analyses of present-day Vuwani in relation to the demarcation crisis have to take into consideration some of the historical factors, which may have simmered for years. There is a history to this region which may explain why some commentators have been quick to label the Vuwani protests as tribal in nature. Most of the areas under the Vhembe District Municipality were in the former Venda Homeland, which was established in 1961 (territorial authority), following the 1951 Bantu Authorities Act and the 1959 Promotion of Bantu Self-Government Act. Venda became self-governing in 1973, and gained independence in 1979, becoming the third black-governed homeland in South Africa (Barrie 1985: 149; Venter 1985: 6). The Venda homeland became defunct in 1994 following the establishment of the Commission on the Demarcation and Delimitation of Regions (CCDR) in 1993, and the beginning of South Africa's democratic dispensation.

Two areas, Hlanganani and Malamulele, were in the Gazankulu Homeland during apartheid, but then incorporated into the Vhembe district after 1994. This restructuring of municipal and provincial boundaries was part of the new government's efforts to transform post-apartheid South Africa spatially. The merging of areas which fell under different homelands based on ethnic identity may have sowed the seeds for the current challenges in the demarcation of Vuwani. However, there is need to exercise caution in drawing such conclusions. Nedohe (2016) points out that if much of the conflict in Vuwani is due to 'tribalist' undertones, then it is not much different from the sentiments expressed by residents of Malamulele when they rejected the naming of their municipality in 2000 as Thohoyandou, preferring Thulamela instead. Malamulele residents, in the run up to the 2014 national elections, called for a separate municipality citing that Venda-speaking administrators in Thulamela were biased in providing basic services and local economic development to Tsonga-speaking residents of the municipality (Nedohe, 2016).

One learner said 'the burning of schools [were] instigated by the Tsonga and Venda ethnic conflicts. The Vendas do not want to be ruled by the Tsongas and the Tsongas do not want to be ruled by the Vendas. If they do, they will think they will be undermined'. Another learner said that "there is a hate between the Vendas and the Tsongas. That is why there is a place called Bungeni where part of the Tsongas are located. "Bungeni" [as in its original roots

Bungani] simply means toilet, and the Tsongas are dumped there" (Interview with High School learner, 16 March 2017).

One learner lamented:

> It is not Bungeni. It is Bungani, meaning toilet. We are dumping Tsongas there. It is their toilet (Interview with High School learner, 16 March 2017**).**

Ethnicity is a very sensitive matter in understanding the main drivers of protests in Vuwani, and even before then in the Malamulele protests over service delivery. This is because, while community members expressed sentiments which could easily be interpreted as tribalistic, the relationship between such sentiments and the acts of burning schools is not easy to prove; and most interviewees did not draw such conclusions. The research instruments used in this study did not also ask for interviewees to comment on tribalism. However, these sentiments were expressed in most of the interviews. For instance, a traditional leader brought up the matter but rejected claims of tribalism as baseless;

> When we protested, people started to interpret our protest by saying we do not want to be part of Tsongas. Besides the fact that where we live in the Makhado municipality, three out of five mayors we have had so far have been Tsonga. And there has been no issue as to what tribe they are. For our people it was not an issue that they were a different people. Our wish to stay in Makhado wouldn't mean that we want to be only a Venda municipality without Tsongas. There are many Tsonga communities between us and Makhado town like Chabane area, Elim and so on. So there would be no proof that these communities in Vuwani simply wanted to be part of a municipality that is dominated by one group or another. So it was a desperate effort to make others look bad (Interview with Traditional Authority 1, 12 December 2016).

The leader went on to admit, nevertheless, that ethnicity played a critical role in the protests themselves:

> But you would not easily brush tribal issues aside because when the people of Malamulele started protesting they would sing tribal songs hurling insults at Venda. And when Vendas responded with similar insults it created a problem. But those of us leaders have insisted that ours was not about tribalism, but the issues of viability. In Makhado we are not saying issues were good. But we have already an established municipality which needs to be improved in terms of service delivery. But a new entity would take us maybe more than ten years for it to start delivering. It's like starting from the beginning (Interview with Traditional Authority 1, 12 December 2016).

A high school learner pointed out that there had been no effort to reconcile African ethnic groups which were separated in the previous dispensation:

> The root is because of the apartheid system, because at first it divided Tsongas from Vendas. When it came to an end no one joined the two groups; and now it continues again. I think something should have been done to make them one (Interview with Learner 4, 16 March 2017. Focus Group Interview 1).

The words of this learner reflect sentiments that were widely held by youth in the areas affected by the protests. They all seemed to point to what they saw as protests driven by resentment for the other. Another interviewee also expressed the view that community members who participated in the violence and arson attacks may have been driven by some of the tribal sentiments which were being peddled by those he refers to as "influential people":

> But I feel that the processes of consultation, although it was not done satisfactorily, the issue of ethnicity played a critical role. Influential

people were saying something like, 'hey you are now going to be under Tsongas in this new municipality.' That spreading of information to people stirred their emotions, you know, and they started dealing with infrastructure, burning it and so on (Interview with High School Principal, 16 March 2017).

Another interviewee differed, arguing that "people have married each other and from such things we can't say Venda and Tsonga people are not socially intertwined. It is only the time of the strike that we had issues" (Interview with a Senior Educator, 14 March 2017).

This report does not make claims that the violence in Vuwani was driven by tribalism or ethnicity. In studies of the causes of violent ethnic conflict there is debate on "whether these conflicts are the result of deeply felt grievances or the product of an opportunity structure in which rebellion is an attractive or viable option" (Bara 2014: 696). In studies of violent conflicts which shocked the world, such as those in Rwanda in 1994, there have been contestations as to whether ethnic identity is an incentive for violence or whether these identities are merely (re)created and instrumentalised by extremist leaders who sense an opportunity to come to – or hold on to – power (Bara 2014: 697). In the case of Vuwani, ethnicity may have been used to discredit the decision of the MDB to place the villages of Vuwani under LIM345 and encourage people to protest. It may have been used to mobilise people to engage in arson attacks and forcing the shutdown of businesses. However, one cannot speak with outright certainty on such matters judging from interviews and sensitivities which most of the participants attached to the issue. Indeed, the court case brought before the High Court in Limpopo Province challenged the MDB's decision on the basis that the affected communities were not consulted. More research is needed to understand this rather complex situation.

Some of the learners suggested that there should be concerted efforts to achieve reconciliation and unity (social cohesion) amongst different ethnic groups to diffuse issues of conflict. For example, one learner pointed out that a good idea could be to have more mixed schools in terms of ethnicity (both Vendas and Tsongas), or convene social functions which

brought Vendas and Tsongas together as this would allow for cohesion that is more social and break some of the ethnic divisions.

4.8 Why burn schools?

The experiences, which the learners described in Vuwani that included psychological trauma and violence with ethnic undertones, can be termed *Social suffering*. "Social suffering results from what political, economic, and institutional power does to people and, reciprocally, from how these forms of power themselves influence responses to social problems (Pedersen, 2002: 187). The notion of social suffering can also be used in finding a solution to some of the challenges faced in Vuwani in that it includes the idea that it is critical to address both individual and collective levels of analysis; personal experience and politico-economic context; local problems and their relation to global issues; community grounded solutions and professional responses; and health problems and social problems when one wants to address holistically challenges which emerge from these contexts (Pedersen, 2002: 187).

Another key issue to emerge was the psychological trauma which affected learners, their families and some of the teachers as a consequence of intimidation and acts of violence during the protests. Some of the learners pointed out that they were intimidated and their families were threatened with violence by community members if they did not participate in the protests. Therefore, there was a certain degree of coercion in some of the protests, which also resulted in the burning of some of the schools.

Government officials often condemn the destruction of infrastructure during protests. The level of destruction of school property through burning, and in some cases looting, was rather shocking in Vuwani. It was the worst case of arson attacks on public infrastructure in recent years. During a debate session by the Parliamentary Portfolio Committee on Basic Education, one of the Members of Parliament condemned the attacks on schools by saying:

> We are told that the protests were sparked by the discontent on municipal demarcation, leading to widespread mayhem and destruction.

Strangely and painfully so, schools became the soft targets of disruption and destruction. It is very much unfortunate that the culture of destruction during protest action is growing and entrenching in our country. If we recall, this was not the first. When the fees must fall campaign protests intensified in the past year, the university assets were targeted and burned. This kind of mayhem cannot be tolerated because it disturbs the culture of learning. In Vuwani, ten days lost is far too many. The Chinese proverb reads that "a day of reading is a day of gain; a day without reading is 10 days of loss". This means that the 10 days and more we lost in Vuwani will have far-reaching loss to society, which we will continue to count in many years to come.[20]

Apart from politicians, learners and villagers held similar sentiments during interviews. Particularly because they witnessed first-hand the burning of schools it was traumatising, and they felt hopeless when they could not stop the engulfing flames from destroying their schools.

The majority of interviewees did not want to speak about who they thought was behind the burning and to explain the main motives for these actions. In one interview, the government's response to the burning of schools in Malamulele during the previous year was blamed for creating a precedent:

Yah you see it was just a matter of uhmm … I am not trying to justify these things which we have all condemned of burning schools and so on. But the precedent had been set. People had seen the people of Malamulele destroying property and finally they had been rewarded with what they wanted. The people of Vuwani were like oh! 'Ok, if violence brings you results let us also be violent…' We must not be surprised when, if, the people of Vuwani get what they want, then another community

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[20] Debate by Honourable N Gina on Stability in schools and protecting education from disruptions, "Ways to resolve the crises in Vuwani to restore the people's rights to human dignity and basic services" 17 May 2016 http://caucus.anc.org.za/show.php?ID=4635

somewhere in Eastern Cape may do the same because government seems to have given the impression that once you become violent you get what you want (Interview with Traditional Authority 1, 12 December 2016).

Another perspective was that public infrastructure such as schools are a channel though which communities' demands could be heard once destroyed:

> I think you cannot separate schools from society, though we would always say education should not be politicised. But there's no way you can separate a school from society. That is why if people want to be heard they know that if you touch a school you will be heard… Even if it is a complaint about tarred roads, learners will always be involved. I don't think it would be possible to separate schools from society and schools remain the targets. The school is the most affected institution. People know if you touch the schools, you're touching the president. If you are a president and schools are getting burnt during your period of reign you feel that, hey this is a dent on my profile… (Interview with High School Principal, 16 March 2017).

A high school learner reiterated similar sentiments by saying: "I think the conflict which led to the burning of the schools was just people who wanted to try to push harder by burning schools. So they knew that if you burn them you get a quick response" (Interview with Learner 4, 16 March 2017).

Some respondents labelled the arson attacks as purely criminal:

> Some people of course took advantage of the situation. In some cases, before schools were burnt there were incidences of theft of school feeding scheme food before burning (Interview with a Senior Educator, 14 March 2017).

In villages where schools were not burnt, community members formed security patrols to guard the schools from arsonists. In one school it was reported that:

> This school was not burned. It was almost [burnt]. It is the CPF, the community policing forum who protected the school. Many people volunteered to guard the school. They slept here. The school even provided food for those who were sleeping here (Interview with Learner 2, 16 March 2017).

When questioned about the lack of security to guard the schools from arson attacks, it emerged that law enforcement officers lacked resources and the vastness of the area made it difficult to deploy personnel to quell potential arson attacks. It was only recently that the Minister of Safety and Security made a revelation that they had received information that violence would erupt in the area. He thus remarked: *"We must realise that when we have intelligence, we cannot scream and announce we have intelligence...let me make an example of Vuwani. We knew that Vuwani, Malamulele, a year ago that it will happen."* The Minister later on clarified that even when they had gathered intelligence regarding the potential for protests to happen, some people were arrested but were eventually not prosecuted.[21]

4.9 The nature and extent of damages caused by the protests

The impact of the attacks on schools is still evident in Vuwani as very few schools have been repaired to their original state. An official report presented to the Parliamentary Portfolio Committee on Basic Education included estimates of the cost of the damage to schools. The preliminary assessment of infrastructure damage caused to schools in Vuwani was estimated to be a grand total of R175m for 24 primary and high schools. In addition, 76 new mobile classrooms would cost R27.2m. This cost was calculated on the basis of a desktop analysis of the number of classrooms required for temporary relief. The provision of security at 27 schools for 3 months soon after the burning of schools amounted to R3.1m. The Department

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[21] http://www.huffingtonpost.co.za/2017/07/05/david-mahlobo-clarifies-vuwani-comments-to-huffpost-were-still_a_23016707/

of Basic Education roped in corporate partners to assist learners to catch up with schooling during the period of shutdowns. One such partner was Vodacom, which provided 55 tablets and mobile libraries to 11 schools.[22]

Table 4.2: Summary of schools that were vandalised/ burned

CATEGORY	Number of Schools	Number of Learners
High Schools	11	4 800 (2 600 Grade 12)
Primary Schools	16	5 200

Source: Limpopo Department of Education (2016)[23]

If we are to appreciate the extent of the damage to schools in Vuwani there is need to look beyond the monetary costs involved. The chairperson of the Parliamentary Portfolio Committee on Basic Education thus lamented:

> The real cost of this disruption is far beyond financial strain of that Province. School records were destroyed. Mid-year examinations were disturbed. Classrooms, libraries, laboratories, nutrition centres and utensils were burned. It is painful that children who mainly depended on school feeding have been deprived of their main meal for two weeks and counting.[24]

Indeed, a lot of valuable information was lost in the fires that engulfed these school buildings. Much hard work had gone into developing these schools. One school principal told the researchers that together with members of staff they had raised funds for the acquisition of computers that were used to teach learners computer literacy. Nothing survived the fire in that computer lab.

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[22] https://pmg.org.za/committee-meeting/22594/ Vuwani school destruction: update by Department of Basic Education Basic Education 24 May 2016 Chairperson: Ms N Gina (ANC)

[23] Presentation by Ms NB Mutheiwana, acting HoD: Limpopo Department of Education to the Portfolio Committee on Basic Education. Available at pmg-assets.s3-website-eu-west-1.amazonaws.com/160524VUWANI.pptx 24 May 2016

[24] http://caucus.anc.org.za/show.php?ID=4635

Learners and educators described the trauma that was associated with watching schools burn and seeing their future tarnished. The experience of their school being destroyed by fire has traumatised learners. Learners residing in proximity to the schools saw their schools go up in flames; and those images stayed in their minds. Learners had to stay at home for three months, waiting for official communication to announce the resumption of classes. In the same period the provincial Department of Basic Education set up safe spaces for matriculants to live in camps to write their June exams so that that they could apply for university entrance. In fact, Vuwani learners performed fairly well in the final matric examinations. While the camps were set up for matric learners, Grades 1 to 11 had to stay at home until it was finally announced that they could return to school. One interviewee, however, seemed to imply that although matric students performed well, the interim arrangements placed the other grades at a severe disadvantage:

> This is really political because you hear that Vuwani performed well at the
> end of the year. But if you look at the real situation on the ground, you'll
> see that Vuwani learners were severely affected. They missed some of
> the quarterly assessments, especially those who were not in Grade 12
> (Interview with a Senior Educator, 14 March 2017).

Learners in a focus group discussion mentioned several issues, which affected them during the shutdown period:

> "We were affected by the strike. It took about three months. We were
> not ready for the exams. This was not good at all. Many are behind."
> "We did not have transport to come to school."
> "In Vuwani many shops were closed like Spar. We could not even go and
> shop."
> "The roads were closed so buses were not moving. So we had to hike to
> school."
> "If you were found walking around during the strike the police could beat
> you up or hit you with rubber bullets thinking you were part of the striking
> people" (Focus Group Interview 1).

The learners in this focus group expressed unhappiness with the violence that occurred around them, and they all concurred that they needed some form of counselling to help them to recover from the traumatising events they had witnessed:

> "Lots of threats. Coming back to school after burnt schools. Chaos and lost hope. Perceptions that no schooling would happen until next year made learners to think we're dismally affected as no one thinks of schooling. Some left for other schools. But affordability levels of mobility and transfers was costly so others remained. Businesses came to standstill, shutdown during the strike. No selling, no shops opened. Spent month not going to town. Pay extra money to any person to go to town. Life was unbearable. Now there is hope based the schooling has resumed and the rebuilding is taking place. There is change happening to regain confidence. However, cultural conflicts are at play. Things have to remain as they are because learners went through a very rough time. Need to resolve issues on the negotiation table. Plenty talks to resolve what they want and don't want. Strongly believe the government, especially local government, is not committed to service delivery as this may lead to water strike, as there is no water around. One learner died in the strike. There is a need for counselling to learners (Interview with High School learner, 16 March 2017**).**

The stoppage of schooling impacted on the learners to the extent that some have lost hope in schooling, and even when the schooling was resumed after three months the appetite and the hope was unlike before the burning of the school. This is a pathetic situation. Transport and normal life were disrupted, and it was hard for the learners to learn on their own at home without the teacher.

One educator mentioned that they felt guilt associated with receiving their salaries for those three months when no schooling was occurring.

In addition, a SADTU representative in Vuwani stated that the Department of Education (DoE) underestimated the volatility of the situation in Vuwani concerning the protests and conflict. The SADTU members affected by protests and victimisation pointed this out.

Photographs taken by the researchers during their visit in December 2016, months after the protests, illustrate the nature of the damage inflicted.

Figure 4.9: Burnt classroom block

Figure 4.10: Remains of the Mashau Tribal Court

Figure 4.11: Burnt school photocopying machine
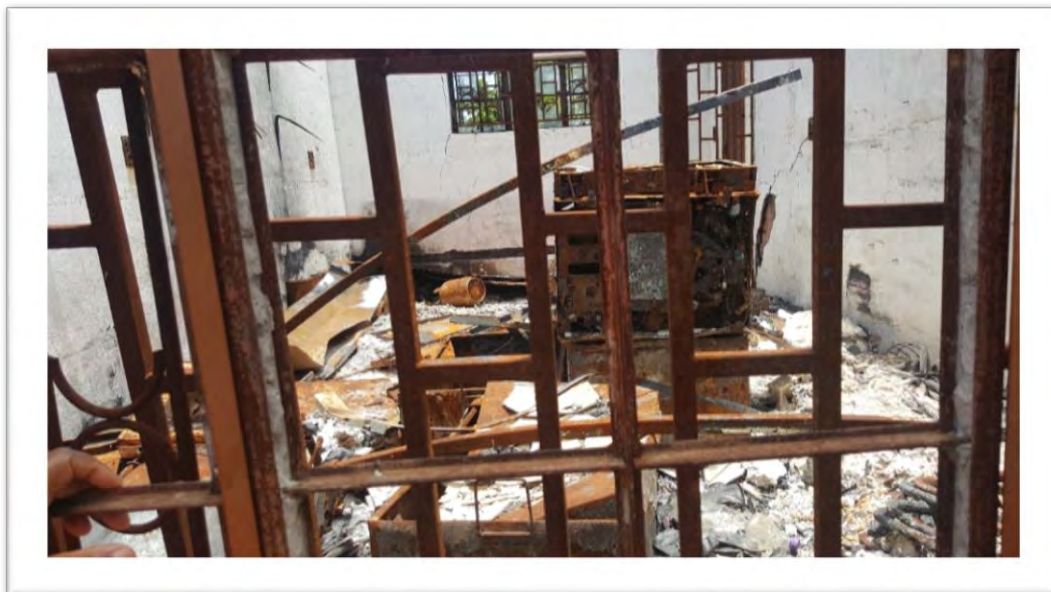
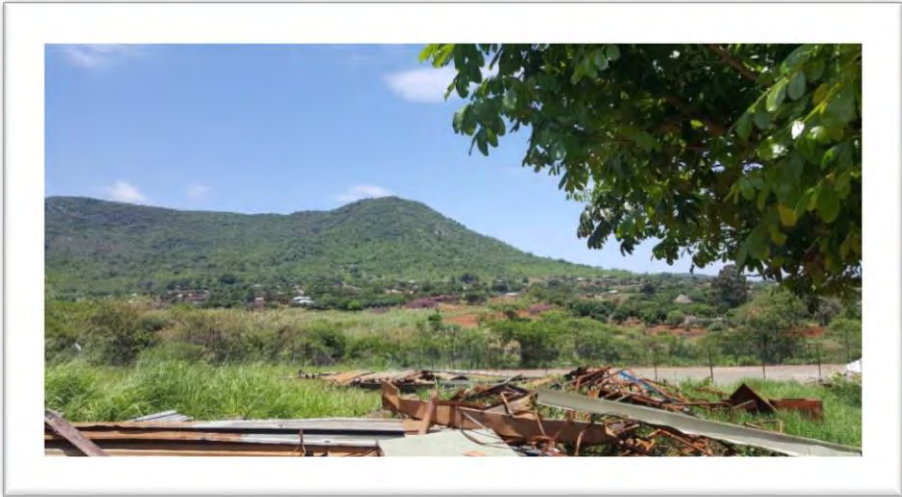**Figure 4.12: Burnt class adjacent to prefabricated classroom**

Figure 4.13: Rubble from burnt classes

Figure 4.14: Computer Lab destroyed only showing sockets/plugs on the wall

Source: Pictures taken by authors

4.10   Responses to the Violence

Several immediate attempts were made to quell the violence that erupted in Vuwani. President Jacob Zuma appointed a task team led by the Minister of Co-operative Governance and Traditional Affairs (COGTA), Des Van Rooyen, to lead the process of developing a package of social infrastructure projects for the Makhado Local Municipality (Government Communication and Information System [GCIS], 2016). In addition, President Zuma met with the King of the Vhavenda, Khosikhulu Thovhele Toni Mphephu Ramabulana, at the request of his majesty, on the 8 May 2016 to discuss issues in Vuwani (GCIS, 2016). COGTA Minister Des Van Rooyen put together a mediation team to help resolve issues in Vuwani. The team comprised of Father Smangaliso Mkhatshwa; Wits University Professor of Education, Mary Metcalfe; former Municipal Manager of City of eThekwini, Mike Sutcliffe; and Joe Mohlakoana, former Municipal Manager of the West Rand District Municipality (South African Broadcasting Corporation [SABC], 2016).

On the 31 May 2016, the Chairperson of the Vuwani Mediation Panel, Father Smangaliso Mkhatshwa, pointed out that meetings led by the inter-ministerial task team had yielded few positive outcomes (SABC, 2016). However, while some areas had stabilised, there were still

pockets of tension and resistance in others. Mkhatshwa pointed out that the area could only stabilise when all sectors of the society engage with each other (SABC, 2016). Mkhatshwa's statement came at a time when the provision of services as well as schooling and business operations remained suspended in and around Vuwani (SABC, 2016). As of the 1 June 2016, the State Security Minister, David Mahlobo, pointed out that the inter-ministerial team on Vuwani had made significant progress in ensuring that normalcy was gradually restored in the area (SABC, 2016). Mahlobo, together with Justice and Constitutional Development Minister, Michael Masutha; the then Police Minister, Nathi Nhleko; and Co-operative Governance Minister, Des van Rooyen, met with Vha-Venda King Toni Mphephu Ramabulana and concerned traditional leaders from Vuwani (SABC, 2016). However, a year later in 2017, violent protests ensued. Efforts are on-going to seek a lasting solution.

4.11   Perceptions on the way forward

The data in the interviews conducted for this study gave rise to two key recommendations pertaining to how the Vuwani demarcation and future similar situations should be resolved. The first recommendation, expressed strongly by some, is that the decision by the MDB should be reversed. One respondent said:

> This case will only be rested if the people who are complaining are satisfied. We will continue to have problems, especially if they are not returned to Makhado. The ethnic thing will remain; people are still having grudges. In meetings some people were very emotional when they expressed strong views about the municipal boundaries (Interview with High School Principal, 16 March 2017).

A similar view was put as follows:

> Best way is to reverse the decision or say that those who are interested should choose where to go: stay or leave. Tshimbupfe and Davhani can say they want to be in the new municipality. Let them go there. Grant

them a municipality there in Malamulele and leave us here (Principal and

School Governing Body Member - Primary School, 14 March 2017).

It should be stated, however, that in law, the decisions of the MDB are final and cannot be reversed unless through judicial review.

The second recommendation is that laws on consultation should be changed to become more inclusive and to create platforms for constructive engagement with affected communities. There are complexities associated with consultative processes that have financial costs, and questions about the feasibility of involving every member of a community. One interviewee argued:

> MDB must learn not to impose issues on people; let us sit with them and
>
> plan with them. They have to consult people and listen to the views of the
>
> people. After all, they plan for the people and so they should take their
>
> views seriously (Interview with a Senior Educator, 14 March 2017).

Another suggestion about public consultation or participation was to increase the involvement of traditional leaders in communicating with villagers:

> We have got Mphephu; they can go and talk to him. We can go to
>
> stadiums here and go there and listen to this consultation, say at
>
> Thohoyandou stadium. They go there and talk to all the traditional
>
> leaders and other stakeholders. That would have been the good way of
>
> doing this instead of going village to village (Interview with a Senior
>
> Educator, 14 March 2017).

In the interview, MDB officials mentioned that they had actively engaged with traditional authorities before reaching their decision. The MDB itself agrees that while they had done everything possible to consult communities within the remit of the law, this had proved to be insufficient, as evidenced by the protests. The MDB official indicated that it is time for government to consider revising the law to make it more consultative than it is:

We have been saying as the Board when people are unhappy with the law they mustn't say we are not happy with the Board, because we don't make the law. You the people and parliament make the law. Now if you're unhappy with the law, which I said, I agree with them most of the time. The only problem is that an attack is on us, the face of implementing the law. But if you want change, change the law. Don't shoot the messenger. Make the law that will make people happy (Interview with MDB official on 27 March 2017).

In the meantime, the MDB has been improvising and implementing some measures to go beyond what the law requires them to do with regards to public consultation:

Right now we are doing some improvisation, for example, going the extra mile in public consultation. But effectively we do not have the resources to do that because the resources allocated to us are meant to do exactly, strictly what the law says we must do (Interview with MDB official on 27 March 2017).

The official stated that the MDB would continue to consult the public through the current legal provisions until the law is changed in view of the cost of consultation. The Vuwani protests also demonstrate the need to cater not only for the will of the majority incorporated under the new municipality matters, but also the people who opposed the MDB proposals. In the case of Vuwani, these may have been relatively few, but their dissenting voices need to be factored into the decision-making process. The municipal council and provincial departments responsible for local government matters should have been involved in the processes of negotiating the outcome of the re-demarcation process.

5. CONCLUSION AND RECOMMENDATIONS

It became apparent that the violent protests in Vuwani were fuelled by underlying cultural dynamics when the MDB decision to de-establish Mutale Local Municipality and to incorporate both Vuwani and Malamulela into a new municipality was challenged in court. The study underscored the unintended consequences of the MDB decision, which triggered violence in the Vuwani community. It is important to recognise that voices of dissent should not be underestimated as they have potential to ruin a community, in this case, in the form of the learners' future. Learners were inadvertently caught up in this MDB-Vuwani conundrum as victims of circumstance.

Based on the critical issues raised, the following recommendations were drawn:

a) The question of whether the MDB delimitation of wards has united or divided people attracts mixed reactions as MDB decisions are plagued by protests and court wrangles. Delimiting wards should not come at the expense of community hopes for a reimagined future. In essence, it is therefore crucial that the MDB should go beyond the call of duty, and should consult the affected communities thoroughly before and after issuing notices. This should be coupled with advocacy and awareness campaigns about the role of the MDB. In addition, the communication system should also be modernised to include social media platforms such as Facebook, Twitter, mobile phones, WhatsApp, SMSs, and the like. Although consensus may not be reached, the Board should ensure that the entire affected municipality and community has been fully informed (Kanyane, 2016:77).

b) It is clear that intensive community engagement is needed so that all voices are heard and opinions are analysed. Before the MDB takes a final decision about the demarcation of municipal boundaries, and the incorporation, amalgamation, disestablishment and delimitation of wards, it must run a number of tests to satisfy itself that its decisions will be not only lawful but also unifying. Political and socio-cultural tests in particular are essential if the community is politically charged and

ethnically and racially diverse. A cultural planner should run such tests that enable delimitation of wards. In much the same way the that experts conduct environmental impact assessment (EIA) before engineering and earthworks are undertaken, the MDB should carry out socio-cultural impact assessments (SCIAs) before municipal boundaries are demarcated and wards delimited. The MDB should develop a cultural planning strategy/tool to circumvent any cultural dynamics in line with the United Nations Educational, Scientific and Cultural Organisation (UNESCO) concern with incorporating culture as a strategic element in national and international development (Kanyane, 2016:77).

c) The MDB should consider socio-political, geographic and economic factors that define local sensitivities because (re)determination of municipal boundaries is an emotive issue in a competitive political and culturally charged environment and must be based on sound and defensible criteria (MDB, 2016:12).

d) Sections 28 and 29 of Municipal Demarcation Act, 1998 on the MDB public hearing process should be amended, and, through regulation, a more detailed adaptive community engagement process for public hearing should be established (Mpofu, 2016:21).

e) The MDB needs to consider conducting constructive investigations and studies on viability of demarcated municipalities before finalising its decisions on demarcations. The financial and fiscal implications of boundary redetermination should be prioritised and established before any demarcation decision is pronounced (Khumalo and Ncube, 2016:39). As such, the MDB should be afforded a larger budget for research to enable it to execute its extended mandate adequately. In its current form, the budget is inadequate.

f) A scorecard analytical framework would assist the MDB to review and improve citizen participation in demarcation. This is an innovative tool for constructive dialogue which is useful to facilitate difficult conversations between local government and residents. It serves as a 'focusing device' to restrict conversations to deal with specific issues

affecting the communities. The scorecard process could also result in some immediate or short-term outcomes for the affected municipalities and the MDB. Community leaders are best placed to know which issues create difficulties, and what the most effective means to achieve the best results for their residents. Use of the scorecard in the City of Cape Town, ward 67 (2014/15), produced positive outcomes and valuable hard data in the form of indicators and scores, combined with practical (first-hand) and contextualised information to inform action. Furthermore, the framework can be groundbreaking in bringing together key actors (citizens, government officials and academics), who usually engage in antagonistic ways or silos, by offering a practical and tangible method for officials to gain understanding of the lived realities of communities. Several officials have said that other methods rarely provide such insights, and that it was very beneficial and strengthened relationships with local field officials, which directly improved service delivery and garnered respect for the officials. In particular, the scorecard allowed constructive active dialogues among MDB officials, affected municipalities and citizens (Kanyane, 2016:77)

6. REFERENCES

Abel, M. (2016). Long-run Effects of Forced Resettlement: Evidence from Apartheid South Africa. Available Online at Accessed [28, July 2017].

Atwoli, L., Stein, D., Williams, D., Mclaughlin, K., Petukhova, M., Kessler, R. and Karestan, CK. (2013). Trauma and posttraumatic stress disorder in South Africa: analysis from the South African Stress and Health Study, Atwoli et al. *BMC Psychiatry*, 13:182, http://www.biomedcentral.com/1471-244X/13/182

Bandura, A. (1977). Self-efficacy: Toward a unifying theory of behavioural change. *Psychological Review, 84,* 191-215.

Bandura, A. (1978). Social learning theory of aggression. *Journal of Communication, 28*, 12–29. doi:10.1111/j.1460-2466.1978.tb01621.x

Bandura, A. (2000). Exercise of human agency through collective efficacy. *Current Directions in Psychological Science, 9*, 75-78. DOI: 10.1111/1467-8721.00064.

Bara, C. (2014). Incentives and opportunities. *Journal of Peace Research*. Vol 51, Issue 6, 696 – 710

Barrie, G.N. (1985). "Constitution of the Republic of Venda". *Constitutions of Transkei, Bophuthatswana, Venda and Ciskei.* D.J. Van Vuuren, M.P. Vorster, & M.P. Wiechers, (Eds).

Britt, L. & Heise, D. (2000). From shame to pride in identity politics. In S. Stryker, T. J. Owens, & R. W. White (Eds.), *Self, identity and social movements* (252–268). Minneapolis

Buccus, I., Hemson, D., Hicks, J. and Piper, L. (2008). Community development and Engagement with local governance in South Africa. *Community Development Journal, 43(3)*, July 2008, 297–311

Burns, R. (2000). *Introduction to research methods*. London: Sage Publications.

Christmas, A. and de Visser, J. (SA) Stepping stones and stumbling blocks: Changing municipal boundaries, *Local Government Bulletin*, Community Law Centre, UWC.

Christmas, A. and Visser, D.P. (SA). Local Government Bulletin 15/16. Community Law Centre University of the Western Cape.

Clayton, S. D., & Crosby, F. J. (1992). *Justice, gender, and affirmative action*. Ann Arbor: The University of Michigan Press.

COGTA. (2014). Back to Basics Strategy presented at the Presidential Local Government Summit 2014, Gallagher Convention Centre, Midrand.

Corning, A. F., & Myers, D. J. (2002). Individual orientation toward engagement in social action. *Political Psychology*, 23(4), 703-729

Crosby, F. J. (1976). A model of egoistical relative deprivation. *Psychological Review, 83*, 85-113.

Drury, J. & Reicher, S. (2009). Collective psychological empowerment as a model of social change: Researching crowds and power. *Journal of Social Issues, 65*(4), 707—725.

Drury, J., & Reicher, S. (2000). Collective action and psychological change: The emergence of new social identities. *British Journal of Psychology* 39(4), 579-604.

Drury, J., & Reicher, S. D. (2005). Explaining enduring empowerment: A comparative study of collective action and psychological outcomes. *European Journal of Social Psychology, 35*: 35-58.

Drury, J., Cocking, C., Beale, J., Hanson, C., & Rapley, F. (2005). The phenomenology of empowerment in collective action. *British Journal of Social Psychology, 44,* 309-328.

Duncan, L.E. (2012). The psychology of collective action. *In The Oxford handbook of personality and social psychology.* K. Deaux & M. Snyder (Eds.). Oxford: Oxford University Press.

EWN. (2016). *Vuwani pupils express frustration over empty classrooms, no teachers.* Retrieved from http://ewn.co.za/2016/05/16/Vuwani-pupils-express-frustration-over-no-teachers.

Fedi, A., Mannarini, T., & Rovere, A. (2012). Beyond protest: Community changes as outcomes of mobilization. *Advances in Psychology Study, 1*(1), 22-30.

Gibson, N. (2011). What Happened to the "Promised Land"? A Fanonian Perspective

Government Communication and Information System. (2016). Statement on the Cabinet meeting of 11 May 2016. Available: http://www.gcis.gov.za/newsroom/media-releases/statementcabinet-meeting-11-may-2016 [2016, May 11].

Gurr, T. (1970). *Why men rebel.* Princeton: Princeton University Press.

http://uahost.uantwerpen.be/m2p/publications/1267102079.pdf

http://www.afesis.org.za/local-governance/local-governance-articles/30-examining-thepolitics-of-municipal-demarcation.html

http://www.bdlive.co.za/national/2016/05/04/municipal-demarcation-protests-in-limpopoworsen [2016, May 4].

http://www.bdlive.co.za/opinion/2016/05/11/Flames-of-SA%E2%80%99s-apartheid-pastbroil-Vuwani

http://www.sabc.co.za/news/a/c8db03004cf5f6ccbe9eff00ab741406/Engagement-key-toresolving-Vuwani-standstill-20160531%20Ibid.[2016, May 31].

https://scholar.harvard.edu/files/abel/files/abel_homeland_social_capital.pdf

Jarstad, A. & Höglund, K. (2015). Local violence and politics in KwaZulu-Natal: perceptions of agency in a post-conflict society, Third World Quarterly, 36(5), 967-984.

Jenkins, J. C. (1983). Resource mobilization theory and the study of social movements. *Annual Review of Sociology, 9,* 527-553.

Kanyane, M.H. (2016). Ward delimitation: Impact on municipal service delivery, Conference on Demarcation and Spatial Transformation, MDB Conference Report.

Khumalo, B. and Ncube, M. (2016). Financial and functional viability and sustainability of municipalities – beyond the demarcation instrument, Conference on Demarcation and Spatial Transformation, MDB Conference Report.

Klandermans, B. & Oegema, D. (1987). Potentials, networks, motivations, and barriers: Steps toward participation in social movements. *American Sociological Review, 52,* 519–531.

Klandermans, B. (1984). Mobilization and participation: Social-psychological expansions of resource mobilization theory. *American Sociological Review, 49*(5), 583–600.

Labaree, R.V. and Scimeca, R. (2016). Research Guides: Organizing Your Social Sciences Research Paper: Types of Research Designs. University of Southern California. Available at: http://libguides.usc.edu/writingguide

Magubane, K. (2016). *Municipal demarcation protests in Limpopo worsen.* Available: http://www.bdlive.co.za/national/2016/05/04/municipal-demarcation-protests-in-limpopo-worsen [2016, May 4].

Makhurupetje, M.G. (2016). Executive Member's Statement by MG Limpopo MEC for COGHSTA to the extraordinary sitting of the Limpopo Provincial Legislature on the situation in Vuwani, 9 June 2016, Lebowakgomo Legislative Chambers.

Maseremule, M. (2016). Editorial: Civil obedience, state leadership and local government through the lens of Vuwani. *Journal of Public Administration* 51(1),1-5

Mavundla, I.W.T. (2016). Challenges of boundary demarcations in rural areas, Conference on Demarcation and Spatial Transformation, MDB Conference Report.

McCarthy, J., & Zald, M. (1977). Resource mobilization and social movements. *American Journal of Sociology, 82*, 1212-1241.

MDB (2016) Municipal Demarcation: Challenges and Opportunities for Spatial Transformation, Conference on Demarcation and Spatial Transformation, MDB Conference Report.

Mokgopo, T. I. 2016. The burning South Africa in the 20 years of democracy: Service delivery protest and the demarcation problems with specific reference to the case of Malamulele and Vuwani. SAAPAM Limpopo Chapter 5th Annual Conference Proceedings.

Mpofu, M. (2016). Demarcation Process Review Task team, Conference on Demarcation and Spatial Transformation, MDB Conference Report.

Nedohe, S.T. (2016). "Tribalism is the root cause of Vuwani and Malamulele uprisings, and President Jacob Zuma fuelled it". http://african-times.co.za/2016/05/12/tribalism-is-theroot-cause-of-vuwani-and-malamulele-uprisings-and-president-jacob-zuma-fuelled-itwrites-dr-thivhilaeli-simon-nedohe/

NGO Pulse. (2016). *The right to basic education in Vuwani*. Retrieved from http://www.ngopulse.org/article/2016/05/12/right-basic-education-and-vuwani

Norris, P. (2002). *Democratic Phoenix*. Cambridge: Cambridge University Press. On Post-Apartheid South Africa, *Antipode* Vol. 44 No. 1 2012 ISSN 0066-4812, 51–73.

Ntuli, P. (2016). "Flames of SA's apartheid past broil Vuwani".

Patterson and Power. (2016). Report: A journey rough the Vuwani schools ashes. *Daily Maverick*. Retrieved from http://www.dailymaverick.co.za/article/2016-05-11-report-raking-throughthe-vuwani-schools-ashes/#.V6wzbvGKTIU Accessed 1 September 2016 *Political Psychology, 23,* 703-729.

Pedersen, D., (2002). Political violence, ethnic conflict, and contemporary wars: broad implications for health and social well-being. Social science & medicine, 55(2), pp.175-190.Available Online at http://www.sciencedirect.com/science/article/pii/S0277953601002611 Accessed [28, July 2017].

Pycroft, C. (2000). *Democracy and delivery: the rationalization of local Government in South Africa.* Available: http://ras.sagepub.com/content/66/1/143.full.pdf

Ramutsindela, M. (2007). "Resilient geographies: land, boundaries and the consolidation of the former bantustans in post-1994 South Africa". *The Geographical Journal*, *173*(1), 43-55.

Runciman, C., Alexander, P., Rampedi, M., Moloto, B., Maruping, B., Khumalo, E., & Sibanda, S. (2016). *Counting police-recorded protests: Based on South African police service data.* Retrieved from https://www.uj.ac.za/faculties/humanities/sarchi/Documents/Counting%20PoliceRecorded%20Protests.pdf

SAPS. (2016). *Case study on Vuwani Demarcation Protest.* 30 June 2016. Retrieved from http://www.hsrc.ac.za/uploads/pageContent/7120/VUWANI%20CASE%20STUDY%20JUNE% 202016.pdf

Section 27. (2016). *Burning the Right to Education*. Retrieved from http://section27.org.za/2016/05/burning-the-right-to-education/

Seedat, M., van Niekerk, A, Suffla, S. & Ratele, K. (2014). Psychological research and South Africa's violence Prevention responses. *South African Journal of Psychology*, 44(2) 136–144.Sekgala, M. P. 2016. The persisting challenges of achieving developmental local government in South Africa: Lost hope in the people. SAAPAM Limpopo Chapter 5th Annual Conference Proceedings

Shields, N., Nadasen, K. & Pierce, L. (2009). A Comparison of the Effects of Witnessing Community Violence and Direct Victimization among Children in Cape Town, South Africa. *Journal of Interpersonal Violence,* 24 (7), 1192-1208. doi: 10.1177/0886260508322184.

Simon, B., & Klandermans, B. (2001). Politicized collective identity: A social psychological analysis. *American Psychology* 56(4), 319-31.

South African Broadcasting Corporation. (2016). "*Engagement key to resolving Vuwani standstill".*

South African Broadcasting Corporation. (2016). *Vuwani inter-ministerial team making progress:Mahlobo.*http://www.sabc.co.za/news/a/100fe2004cf88edc9054d6a4a305 fcae/Vuwaniund efinedinter-

South African Broadcasting Corporation. (2016). *Vuwani meditators seek lasting solution to crisis.* Available: http://www.sabc.co.za/news/a/593100804ce316578fd3bf271348019a/Vuwanimedi tation-seeks-lasting-solution-to-crisis-20162505 [2016, May 25].

South African Institute of Race Relations. (2015). *Press Release - 26 May 2015*. Retrieved from http://irr.org.za/reports-and-publications/media-releases/social-protests-on-the-rise-insouth-africa/view

Van Kessel, I., & Oomen, B. (1997). "'One chief, one vote': The revival of traditional authorities in post-apartheid South Africa". *African Affairs*, *96*(385), 561-585.

van Stekelenburg, J. & Klandermans, B. (2010). *The social psychology of protest*. Retrieved from http://www.surrey.ac.uk/politics/research/researchareasofstaff/isppsummeracade my/instr uctors/Social%20Psychology%20of%20Protest,%20Van%20Stekelenburg%20&%20Kl anderm ans.pdf

Van Zomeren, M., Postmes, T., & Spears, R. (2008). Toward an integrative social identity model of collective action: A quantitative research synthesis of three socio-psychological perspectives. *Psychological Bulletin, 134*, 504-535.

Van Zomeren, M., Spears, R., Fischer, A. H., & Leach, C. W. (2004). Put your money where your mouth is! Explaining collective action tendencies through group-based anger and group efficacy. *Journal of Personality and Social Psychology 87*(5), 649–664.

Venter, F. (1985). "Perspectives on the Constitutions of Transkei, Bophuthatswana, Venda and Ciskei". *Constitutions of Transkei, Bophuthatswana, Venda and Ciskei.* Van Vuuren, D.J., Vorster, M.P., Wiechers, M.P (Eds). Durban: Butterworths.

Vogelman, L. (1991). *Some psychological factors to consider in strikes, collective violence and the killing of non-strikers.* Retrieved from: http://www.csvr.org.za/index.php/publications/1828some-psychological-factors-to-consider-in-strikes-collective-violence-and-the-killing-of-nonstrikers.html

Walgrave, S., Van Laer, J., Verhulst, J., & Wouters, R. (2010). *Why do people protest? Comparing demonstrators' motives across issues and nations.* Media, Movements, and Politics working paper, University of Antwerp.

Yeich, S., & Levine, R. (1994). Political efficacy: Enhancing the construct and its relationship to mobilization of people. *Journal of Community Psychology, 22*, 259-271

Zimmerman, M. A. (2000). Empowerment theory. Psychological, organizational and community levels of analysis. In J. Rappaport, & E. Seidman (Eds.), *Handbook of community psychology* (pp. 43-63). New York: Kluwer Academic/Plenum Publishers.

ANNEXURE A: ETHICS CLEARANCE LETTERS – HSRC AND DBE

HSRC
Human Sciences
Research Council

Research Coordination, Ethics and Integrity
(ReCEI)

RESEARCH ETHICS COMMITTEE ADMINISTRATION

Room 1345 - HSRC Building
134 Pretorius Street, Pretoria
Gauteng, South Africa
Tel: 27 12 3022012 - Fax: 27 12 3022005
Email: ksithole@hsrc.ac.za - Website: research.ethics@hsrc.ac.za
REC toll free no 0800 212 123

27 September 2016

To: Prof Modimowabarwa Kanyane
Human and Social Development (HSD)
Human Sciences Research Council
Private Bag X41
Pretoria
0001
South Africa

Dear Prof Kanyane

Ethics Clearance of HSRC Research Ethics Committee Protocol No REC 7/20/07/16: Demarcation for Democracy or Violence: Vuwani at Glance

The HSRC REC has considered and noted your application dated 20 July 2016.

The study was provisionally approved pending appropriate responses to queries raised. Your responses dated 27 September 2016 to the queries raised on 10 August 2016 have been noted by a sub-committee of the Research Ethics Committee.

The conditions have now been met and the study is given full ethics Approval and may begin as from 27 September 2016.

This approval is valid for one year from (27 September 2016). To ensure uninterrupted approval of this study beyond the approval expiry date, an application for recertification must be submitted to the HSRC REC on the appropriate HSRC form 2-3 months before the expiry date. Failure to do so will lead to an automatic lapse of ethics approval which will need to be reported to study sponsors and relevant stakeholders.

Any amendments to this study, unless urgently required to ensure safety of participants, must be approved by HSRC REC prior to implementation.

Your acceptance of this approval denotes your compliance with South African National Research Ethics Guidelines (2015), South African National Good Clinical Practice Guidelines (2006) (if applicable) and with HSRC REC ethics requirements as contained in the HSRC REC Terms of Reference and Standard Operating Procedures, all available at http://www.hsrc.ac.za/index.php?module=pagesetter&func=viewpub&tid=132&pid=167

The HSRC REC is registered with the South African National Health Research Ethics Council (REC-290808-015). The HSRC REC has US Office for Human Research Protections (OHRP) Federal-wide Assurance (FWA Organisation No. 0000 6347).

We wish you well with this study. We would appreciate receiving copies of all publications arising out of this study.

Yours sincerely

Professor D.R Wassenaar
Chair: HSRC Research Ethics Committee

www.hsrc.ac.za

LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
EDUCATION

Ref: 2/2/2   Enq: MC Makota PhD   Tel No: 015 290 9448   E-mail: MakotaMC@edu.limpopo.gov.za

Dr. B Moolman
Human Science Research Council
Private Bag x 41
Pretoria
0001

RE: REQUEST FOR PERMISSION TO CONDUCT RESEARCH

1. The above bears reference.

The Department wishes to inform you that your request to conduct research has been approved. Topic of the research proposal: **"DEMARCATION FOR DEMOCRACY OR VIOLENCE: VUWANI AT GLANCE".**

2. The following conditions should be considered:

3.1 The research should not have any financial implications for Limpopo Department of Education.

3.2 Arrangements should be made with the Circuit Office and the schools concerned.

3.3 The conduct of research should not anyhow disrupt the academic programs at the schools.

3.4 The research should not be conducted during the time of Examinations especially the fourth term.

3.5 During the study, applicable research ethics should be adhered to; in particular the principle of voluntary participation (the people involved should be respected).

3.6 Upon completion of research study the researcher shall share the final product of the research with the Department

REQUEST FOR PERMISSION TO CONDUCT RESEARCH: B MOOLMAN

Cnr. 113 Biccard & 24 Excelsior Street, POLOKWANE, 0700, Private Bag X9489, POLOKWANE, 0700
Tel: 015 290 7600, Fax: 015 297 6920/4220/4494

The heartland of southern Africa - development is about people!

4   Furthermore, you are expected to produce this letter at Schools/ Offices where you intend conducting your research as an evidence that you are permitted to conduct the research.

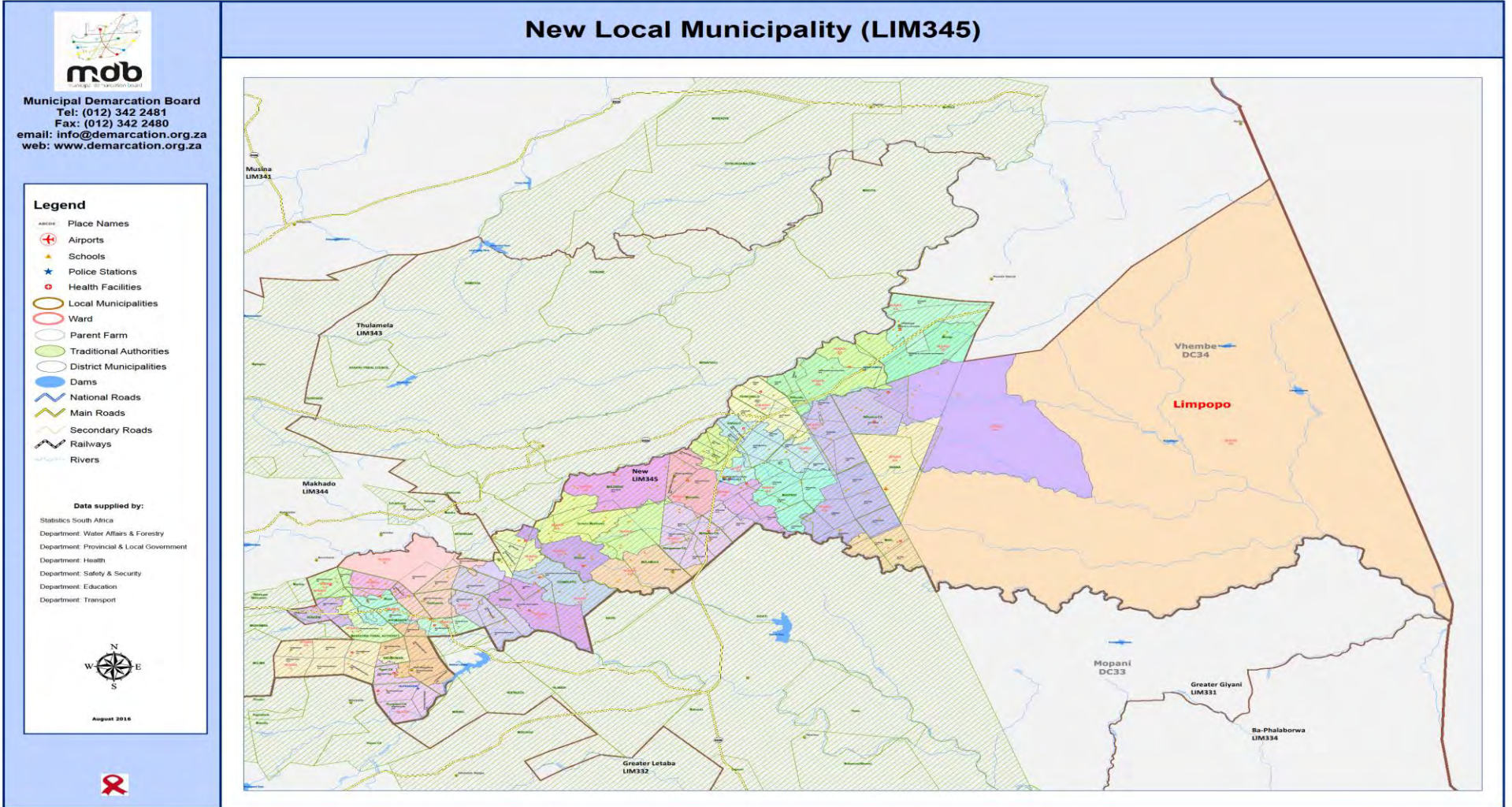5   The department appreciates the contribution that you wish to make and wishes you success in your investigation
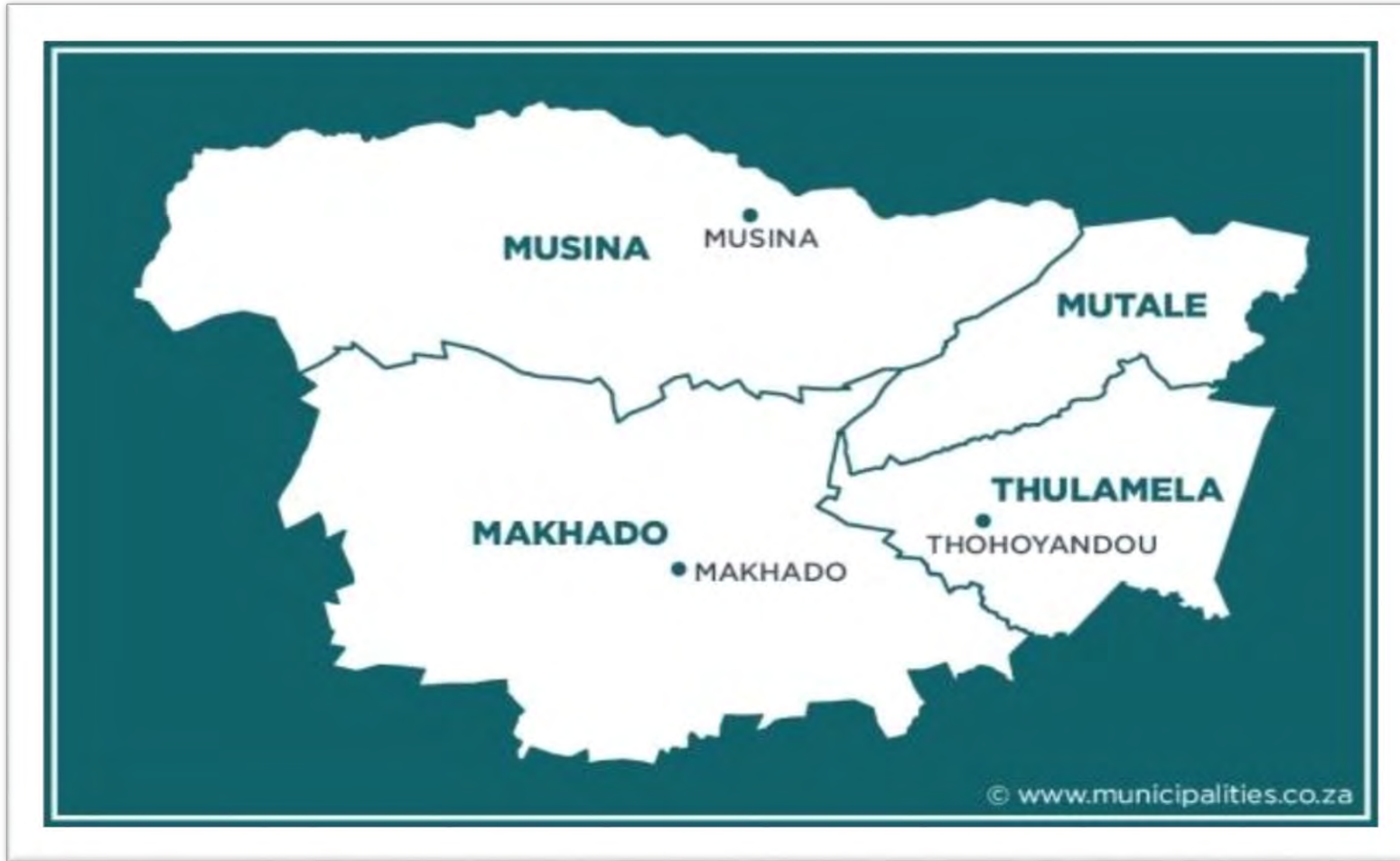
Best wishes.

Ms NB Mutheiwana
Head of Department

19/02/2017
Date

New Local Municipality (LIM345)

Municipal Demarcation Board
Tel: (012) 342 2481
Fax: (012) 342 2480
email: info@demarcation.org.za
web: www.demarcation.org.za

Legend
ABCDE   Place Names
          Airports
          Schools
          Police Stations
          Health Facilities
          Local Municipalities
          Ward
          Parent Farm
          Traditional Authorities
          District Municipalities
          Dams
          National Roads
          Main Roads
          Secondary Roads
          Railways
          Rivers

Data supplied by:
Statistics South Africa
Department: Water Affairs & Forestry
Department: Provincial & Local Government
Department: Health
Department: Safety & Security
Department: Education
Department: Transport

August 2016

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https://www.google.co.za/search?q=VUWANI&rlz=1C1CHZL_enZA700ZA700&source=lnms&tbm=isch&sa=X&ved=0ahUKEwiJprKD6_7WAhWjDMAKHVrnAp8Q_AUIDCgD&
biw=1536&bih=762#imgrc=zIjRB4FBh9EYzM: [Accessed on 20 October 2017]