



A burnt block of classrooms at a secondary school in Vuwani, Limpopo

"We were not consulted"

"SCHOOLS ARE PROMINENT SYMBOLS OF LOCAL GOVERNANCE AND THEREFORE VIEWED AS FAIR GAME TO TARGET."

– TRIGGERS OF SCHOOL ARSON IN VUWANI

In May 2016, widespread violent protests broke out in the Vuwani community in Limpopo. Twenty-seven schools were burned down or damaged. What drives a community to destroy infrastructure that is crucial for their children's future? HSRC researchers conducted an exploratory study to learn more. They heard that the community felt that they were not consulted about a municipal boundary re-determination, despite a Limpopo High Court finding otherwise. The HSRC's Prof Modimowabarwa Kanyane presented the findings at a recent seminar.

Since 1994, local government has used municipal mergers and disestablishment including spatial transformation as a common policy approach to improve service delivery. In many cases, they merged economically unviable municipalities to address the need for better fiscal management. Affected communities often expressed their dissatisfaction with these re-demarcations of boundaries, but the reaction of the Vuwani community in Limpopo was exceptionally violent.

Losing a legal battle

The Vuwani area was situated in Limpopo's Vhembe District under the Makhado Municipality until July 2015 when the Municipal Demarcation Board (MDB) proposed new demarcations. Makhado (Masia, Mashau, Vyeboom, Tshino, Davhana, Tshimbupfe, Ramukhuba and Masakona) would be merged with Thulamela Municipality (Malamulela, Tshikonelo, Mulenzhe, Piet Boy and Khakhanwa), which is today

known as the Collins Chabane Local Municipality, LIM345.

Not wanting to form part of Malamulela, traditional leaders and community members from Vuwani objected. On 29 April 2016, the Limpopo High Court dismissed an application by Vuwani's Masia Tribal Council, together with eight other applicants, for the setting aside of the MDB decision. The court ruled that the MDB had done everything within its mandate and legal provisions to consult the communities concerned. Two days later, violent protests erupted and to date the conflict has still not been resolved.

No consultation?

Six months after the destruction, a team of HSRC researchers visited Vuwani to explore the deeper reasons for the violent protests. They interviewed traditional leaders, community members, a senior official from the MDB, learners, educators and school principals.

"The silver thread through interviews was that the community felt that they were not consulted, despite the Limpopo High Court ruling that they had been consulted," said Kanyane.

One respondent likened the idea of merging with another municipality to being "bequeathed a wife against your will":

"I cannot just come to you and say, 'this is now 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!'"

The Vuwani community did not accept the rationale of financial non-viability for the dis-establishing of the Mutale Local Municipality and believed that the merger was done to please the people of Malamulele.

Ethnicity

At the seminar, *Sunday Independent* journalist Lebogang Seale said that he had "flashes of fear" when the decision to merge the municipalities was announced, because he knew

that apartheid spatial planning had pitched three ethnic groups against each other in Limpopo. “On the ground reporters saw sentiments around tribalism emerge. The area predominantly comprises Xitsonga and Tshivenda people and the prejudice was from both sides.”

Why burn schools?

The Vuwani arson was one of the worst forms of attack on public infrastructure seen in the country. A dominant perspective was that public infrastructure such as schools are prominent symbols of local governance and therefore fair game to target and destroy to ensure that community demands are heard.

“The communities tried to engage the state through court processes, but did not get recourse. The destruction of what is in fact their own property can never be condoned, but it is an indication of the extent of the frustration and anger that led to the violence. There was also the perception – based on protests in other areas such as Malamulele – that they would be listened to if they targeted public property,” Kanyane explained.

Infrastructure damage

A preliminary assessment of the damage to the infrastructure of 24 primary and high schools was estimated at R175 million. In addition, 76 new mobile classrooms would cost R27.2 million and the provision of security soon after the fires amounted to R3.1 million. Few of the schools have been repaired.

The cost extended to the disruption of mid-year examinations, the destruction of school records and nutrition centres on which many learners relied for their main meal of the day.

Learners had to stay home for three months. The provincial Department of Basic Education set up safe spaces for matriculants to write their June exams so that they could apply for university entrance, but learners from the other grades felt disadvantaged.

Trauma

The researchers also found that the learners, their families and some

teachers experienced significant psychological trauma. Those who lived near the schools witnessed their schools going up in flames. Many were intimidated and threatened with violence by fellow community members, if they did not participate in the protests.

“This trauma was almost worse than the destruction of property. We are trying to build social cohesion, but these events tore the community apart. It was the consequence of our decisions. We need to follow the law, but also we also need to consider community-level satisfaction,” said Kanyane.

Jane Thupana, chairperson of the MDB, said the challenge is that specific criteria apply to how municipalities may be demarcated. “If the board gets too sympathetic with views of specific groupings and ignore the criteria, we can be taken to court.”

Thupana and Kanyane emphasised the challenges in consulting with entire communities. Most are represented by traditional leaders. Dissenting voices may not be heard, but the board may not prescribe to community members who should represent them.

Recommendations

The report emphasised that dissenting voices should not be underestimated or ignored as they have the potential to cause much damage to society.

“The voices of Vuwani residents show that residents hold different understandings of what consultation should entail as opposed to what the MDB holds and is stipulated by law. It is an indication that the current consultation methodologies might not be ideal,” said Kanyane.

“There was a gap between the law and the realities on the ground. If there was more robust consultative engagement to understand the social and cultural dynamics there, we would have come closer to understanding the bone of contention.”

The researchers concluded that the MDB should go beyond the requirements of legislation and policy to consult the affected communities thoroughly before and after issuing

notices. Before the MDB makes a final decision, it should run a number of tests to make sure that it is not only lawful but also truly unifying. The MDB needs to carry out socio-cultural impact assessments before boundaries are demarcated and wards delimited, similar to the environmental impact assessments normally undertaken before engineering and earthworks.

The researchers also found that laws that regulate the public hearing process should be amended to be more detailed. The MDB also needs a larger budget for research to ensure that the demarcated municipalities are indeed viable.

Kanyane also said that the timing of the merger announcement during local government elections was a problem. “These matters are very emotional. They should not be pursued before local elections to avoid the perception of party political point scoring.”

According to Kanyane, there is still an impasse and people are still rejecting that municipality. “We are two years into the process and there are still service delivery and education issues there. We want to conduct a longitudinal study in a second phase to dig deeper into the identities and socio-cultural dynamics. We need to ask what a community is and what it means to be part of it.”

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