



**mdb**  
municipal demarcation board

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**SEMINAR REPORT:**  
**Launch of the Study in Vuwani:**  
**Lessons for Citizen Engagement and Social Cohesion**

**March 2018**

**HSRC Office, Pretoria**

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## 1. BACKGROUND

The report details the outcomes from the seminar conducted by the Human Sciences Research Council (HSRC) in partnership with the Municipal Demarcation Board (MDB).

The seminar took place at the Human Sciences Research Council's Office, Pretoria on 20 March 2018. '*Citizen Engagement and Social Cohesion*' was the seminar theme around which all the key issues deliberated upon evolved.

The discussions were embedded on the HSRC report entitled "WE DIDN'T ASK FOR A MUNICIPALITY" –Unintended consequences of municipal boundary re-determination: Vuwani at a glance". The study on Vuwani investigated the drivers of violence and conflict over the municipal boundaries in Vuwani District, Limpopo Province. It aimed to understand the socio-economic and psychosocial impact of the violence on the communities, their learning activities and people's everyday life.

The seminar was attended by representatives from the Municipal Demarcation Board (7), Human Science Research Council (13), Department of Cooperative Governance and Traditional Affairs (COGTA) (1), South African Local Government Association (SALGA) (1), Independent Electoral Commission (IEC) (1), Office of the Public Service Commission (OPSC) (1), Department of Basic Education (DBE) (1), Ministry in the Presidency responsible for Women (DoW) (1), Limpopo Office of the Premier (2), Collins Chabane Municipality (1), Independent researcher (1); individuals from different media houses, such as, Power FM (1), Pretoria News (5), Business Day (1), ANN7 (2), The Sunday Independent (1); Centre for Being and Belonging (1); as well as representatives from South African Universities, that is, University of Pretoria (1), University of Johannesburg (2), Witwatersrand University (1) and Milpark Business School (1) (**Appendix A**).

## 2. OBJECTIVES OF THE SEMINAR

The research seminar was utilised as a platform to obtain further inputs on the elements or some of the outcomes of the study. Thus, the objectives of the seminar were:

- to raise awareness on issues of citizen engagement vs public participation and its impact on social cohesion;
- to encourage discussions and gain better understanding on mechanisms for constructive citizen engagement in order to avoid violence; and
- to explore whether local socio, historical and political dynamics can be one of the factors to be considered in demarcation.

## 3. SEMINAR PROCEEDINGS

The seminar took place in one day, from 12h30 – 15h30 and had only one session chaired by Programme Director: Hajra Omarjee, Political Reporter of Power FM. The session had one major presentation, presented by Prof Modimowabarwa Kanyane the Research Director, HSRC in the Democracy, Governance and Service Delivery programme, plenary discussion, and concluded with questions and discussions from the participants to consolidate the key aspects of the Vuwani study as outlined in the introduction. More information on the advert of the seminar can be seen from the Seminar Poster attached as **Appendix B** and the Seminar Programme as **Appendix C**.



Prof Kanyane, Research Director of HSRC with the CEO of MDB Mr Sigidi

Dr Themba Masilela, the Research Director, HSRC in the Research Impact Assessment programme opened the proceedings and highlighted whether the case of Vuwani violence was a paradox or a reflection of contradictions that affect democracy today. Thereafter, Prof Barwa Kanyane was invited to make a presentation on the Vuwani study report.



Researcher seminar delegates including media

**Presentation by Prof Modimowabarwa Kanyane:** opened the presentation with a quote from the an interviewed Learner, “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.”

Right from the beginning of the presentation, Prof Kanyane clearly stated that the topic of the report was the message that emerged during the study. The presentation had four sections, the background and rationale for the study, research methodology, limitations to the study as well as the research findings. Furthermore, the presentation touched on what consultation and non-consultation mean to the residents and Traditional leaders in a study area, as well as the ethnicity and tribal question. Finally, last part of the presentation was on the impact of the attacks on schools and conclusions including recommendations. Refer to **Appendix D** for the full presentation.

The following were the key issues highlighted in the presentation:

- The MDB followed all necessary legal prescripts for public consultation as was confirmed by the Limpopo High Court in its judgment.
- The issue of consultation or public participation in the redetermination of municipal boundaries was at the heart of the violence in Vuwani ahead of the 2016 local government elections.
- The question of whether or not the MDB municipal boundary (re)determination has united or divided people attracted mixed reactions.
- The role of the MDB in relation to its constitutional mandate is not well understood by both the literate and illiterate, this is evident in the answers given by those interviewed. In turn, this calls for advocacies and awareness campaigns on the role and mandate of the MDB.
- The MDB should be afforded a larger budget to enable it to execute its mandate adequately, especially for constructive citizen engagement.
- The process of legislative review is perhaps needed for the amendments of the legislation that will empower the MDB to go beyond its current mandate such that it may have constructive citizen engagement.



Delegates participating in discussion

#### 4. KEY EMERGING ISSUES

As the key aspects of Vuwani report were discussed, the following were the key emerging issues from the seminar deliberations:

- a) The Municipal Demarcation Board (MDB) acknowledged that there is a need to enhance public education and public engagement to ensure that the law regarding its constitutional obligations is succinctly understood. However, it must also be considered that although majority of people expressed a differing view to the Board decision that in itself could not have necessarily persuaded the Board to change its legal standing on the Vuwani matter.

*“Unfortunately, in terms of the Demarcation Act the majority is not the arbiter the arbiter is the criteria that we find in the legislation. Consultation should take place, but ultimately there are criteria that should decide how municipalities are demarcated. If at all, the Board would go overboard and try to be sympathetic with some grouping ignoring the criteria, it can be taken to court (and) that demarcation*

*would be unlawful and set aside*” (a quote by the Chairperson of the MDB).

According to the Chairperson of the Board, *“The frequency and timing of demarcation processes is disruptive to the local government sector”*. That is very critical because the role of traditional leadership in a developmental local government should be clarified and well understood. In other instances of demarcation processes, the community is represented by their traditional leaders hence the MDB cannot dictate to communities who must represent them.

- b) Department of Co-operative Governance and Traditional Affairs (COGTA), eluded the community of Vuwani refuse to legitimise the new municipality. The community of Vuwani continues to reject the new Collins Chabane Municipality despite previous calls for calm. The community continues to state that it would prefer any other person to render services for them except the new municipality. As a result, the representative from CoGTA, said that there was a need for the department to start upscaling the participation methods in the demarcation process as well as creating awareness on the side of government.
- c) The South Africa Local Government Association (SALGA) hinted that it was unfortunate that *“the MDB became a sacrificial lamb in the case of Vuwani”*. The main issue raised here was that the Republic of South Africa (RSA) must acknowledge that it has not made serious strides or achieved much in changing its spatial planning, hence Vuwani is a reflection of this. It was further highlighted that SALGA and the MDB should look at cycle of demarcation to lesson pressure, because there are contradictions in public participation. As such, SALGA maintains that Vuwani situation is a learning curve towards effective spatial planning, thus everything cannot be put in one basket since public participation cannot be assumed to be working.
- d) It merged from the deliberations that the role of the media should not only be seen as disseminators of information, but also to tell the story as it is, bearing



in mind that the reporters do not want to provoke or incite any violence or issues of tribalism. It became apparent from one media reporter that the issue of tribalism, prejudice and self-hate comments emerged between the VaTsonga and Vha-Venda's through interviews conducted with various individuals. In fact, this issue of tribalism was persistently coming from both parties. So, the question that remains is, "*Did the MDB consider the tribalism aspect when it was re-determining?*" This appears to be critical, because Limpopo Province has 3 main ethnic groups, and the area is largely impoverished hence municipalities are seen as source of jobs in this area. Nevertheless, consultation was seen to be critical vs public participation.

## **5. SEMINAR OUTCOMES AND RECOMMENDATIONS FOR THE MDB**

- a) 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. 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 assessments (SCIAs) before municipal boundaries are demarcated and wards delimited.

- b) 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 meeting process should be amended, and, through regulation, a more detailed adaptive community engagement process for public meetings 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.
- g) 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 ground-

breaking 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. CONCLUSION**

The seminar agreed that whilst progress has been made by the MDB with regards to public participation within their processes, more can be done to ensure that the public participation goals are realised. It is also worth noting that the following critical issues were raised during the seminar deliberations:

- The study conducted on Vuwani call into questions the legitimacy of various structures within the local government sphere.
- There are tasks to be taken to political dynamics, for example, the cycle of demarcation process in South Africa.
- The fact that spatial planning, such as, land reform has varying dimension.
- To be clear of what constitutes social cohesion and how it is conceptualised; and
- To be aware of the deficiency of legal approach when dealing with social issues, such as, community engagement and public participation.

The objectives of the seminar was to raise awareness on issues of citizen engagement vs public participation and its impact on social cohesion to encourage discussions and gain better understanding on mechanisms for constructive citizen engagement in order to avoid violence. Over and above, the seminar was successful in the sense that it served as a platform through which participants from various sectors engaged actively on constructive deliberations

around demarcation processes in South Africa with reference to public participation vs citizen engagement.

## **APPENDICES**

**Appendix A:** Attendance register of the participants

**Appendix B:** Seminar Poster

**Appendix C:** Seminar Programme

**Appendix D:** Presentation by Prof Modimowabarwa Kanyane “We didn’t ask for a Municipality”