

Frontiers of Power and Prosperity: Explaining Provincial Boundary Disputes in Postapartheid South Africa

Eddy Mazembo Mavungu

Abstract: Territorial reforms in South Africa, undertaken in order to address the legacy of apartheid, have proven to be a contested terrain. This article considers three case studies and argues that in order to understand these territorial disputes, it is important to pay attention to the material conditions of the affected communities, disparities between provinces in terms of resources and governance efficiency, and perceptions that the preferred province is better positioned to serve the interests of the community. The article highlights the role of party political interests and also reflects on the relevance of the South African experience to other African countries.

Résumé: Les réformes nationales en Afrique du Sud, entreprises afin de répondre à l'héritage de l'apartheid territorial, se sont révélées être un terrain contesté. Basé sur trois études de cas, cet article soutient que pour comprendre ces conflits territoriaux, il est important de prêter attention d'une part aux conditions matérielles des communautés touchées, d'autre part aux disparités en termes de ressources et enfin à l'efficacité de la gouvernance entre les provinces et la perception que la province choisie est mieux positionnée pour servir les intérêts de la communauté. L'article met en évidence le rôle des intérêts politiques partisans et reflète sur la pertinence de l'expérience sud-africaine pour les autres pays africains.

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Introduction

In South Africa, postapartheid territorial reforms undertaken in order to address the legacy of apartheid have given rise to a number of contestations over provincial boundaries. These conflicts began as early as 1993, when the redemarcation of provinces generated a great deal of resistance and confrontation among political parties and from a wide range of local communities (Muthien & Khosa 1995, 1998), resulting in the recognition of fourteen disputed areas in the interim Constitution.¹ Likewise, demarcation of new metropolitan boundaries was the site of significant political conflict that involved political parties, traditional authorities, and communities (Cameron 1999). Most recently, a number of South Africa's local communities have clashed with the national government over their provincial location. Notwithstanding the desirability of these territorial reforms, which in principle have pursued transformative goals such as spatial rationalization, population size balancing, integration of functional communities, and promotion of efficient service delivery, they have generated conflicts associated with huge security, political, economic, and social costs. For instance, Bushbuckridge, a municipality currently located in Mpumalanga Province, waged a twelve-year battle (1993–2005) to stay out of Limpopo Province (formerly known as Northern Province). The campaign involved disruptive protests, fruitless political negotiations within ANC political structures, and costly judicial proceedings. By 1998 the Bushbuckridge conflict had caused four deaths and R40 million worth of destruction to property (Griggs 1998; Narsiah & Maharaj 1999). Khutsong, a black township in the municipality of Merafong, home to the biggest mining complex in Africa, resisted its transfer from Gauteng to North West. There a three-year dispute (2005–2009) produced more than one hundred and fifty arrests and led to the destruction of public infrastructure, the vandalization of private properties, and the disruption of schooling (see Centre for Development and Enterprise 2006). During the standoff the township of Khutsong was rendered ungovernable.

In Bushbuckridge and Khutsong the conflicts were eventually resolved. The municipality of Bushbuckridge was finally incorporated into Mpumalanga in 2005, and after three years of fierce resistance in Kutsong, the municipality of Merafong was returned to Gauteng in March 2009. Unlike these two cases, however, the municipality of Matatiele continues to contest its demarcation in the Eastern Cape (EC). Located at the border between Kwazulu Natal (KZN) and the EC, Matatiele has failed over the course of six years (2005–2012) to have the government reverse its decision. Three Constitutional Court challenges, the formation

of a demarcation-driven ANC breakaway political party, countless demonstrations, and even a local referendum have not secured the transfer of the Matatiele municipality back to KZN.

Though this political phenomenon of contested boundaries has been recurrent and widespread, the existing social science literature has looked mainly at the early Bushbuckridge case (e.g., Niehaus 2006; Griggs 1998) and focuses on material conditions as an explanation for the border dispute. Narsiah and Maharaj, for example contend that “the struggle of the people of BBR is rooted in the material conditions of their existence. . . . [Their goal] is to redefine provincial borders so that their material conditions [can] be addressed” (1999:51). In the same vein, Ramutsindela and Simon argue that “the dispute is not only about the boundary in question but also about opportunities and constraints offered by the process of transformation” (1999:479). Contrasting Bushbuckridge with other surrounding wealthy towns that have not contested their location in Limpopo, Narsiah and Maharaj argue that the key to understanding the dissent of poor black local communities over provincial boundaries “is not what they are, but how they are” (1999:43).

This emphasis on the material determinants of these conflicts has meant that little attention has been paid to their ideological and strategic underpinnings. Given the number and complexity of these disputes, it is clear that a more extended explanatory matrix is needed to enrich our understanding of the social, economic, and political drivers of these territorial contests. This article contributes to this literature by showing that there is more to provincial boundary disputes than just the material interests of the affected population. It highlights the role of symbolic attachments to provinces and a sense of social pride for one’s traditional place, as well as the role of democracy in legitimizing resistance. It also considers, however, the compounding effect of the strategic and material interests of key individuals and political parties, mainly the ruling ANC.

This analysis of sociopolitical meanings of subnational boundaries also contributes to the literature on borders, particularly African borders. This literature has concentrated so far on international borders, although the significance of subnational boundaries has also received important scholarly attention (see, e.g., Ramutsindela 2013; Zimmerbauer & Paasi 2013; Jones & Paasi 2013), with scholars and political practitioners offering diverging views about the significance of “territory” in an era of globalization and the continuing salience of borders. The postapartheid cases of provincial boundary disputes that are analyzed in this article attest to the continuing significance of subnational boundaries notwithstanding the unitary nature of the state and the impact of globalization.

The experiences analyzed in this article also resonate with the situations in other African countries such as Congo (DRC), Kenya, and Zambia.² Conflict over provincial, district, or constituency boundaries has been a common occurrence in these African states, especially in the context of constitutional territorial reform, delimitations of electoral boundaries,

or the enactment of decentralization policies. For example, the DRC, created by the Belgian King Leopold II through the amalgamation of disparate territories in Central Africa for mainly extractive purposes, has had a history of unstable and contested regionalization (Bruneau 2009), with the number of provinces and provincial boundaries shifting on many occasions. From the Belgian colonization to the most recent territorial reform enshrined in the Constitution of 2005, the DRC has gone through regional arrangements that started with eleven districts in 1888 and moved to fifteen districts in 1895, four large provinces in 1914, six provinces in 1933, eleven provinces in 1988, as well as other regional reforms in 1962, 1966, and 2005. For instance, the Maniema province was discontinued in 1966 as a separate province by the Mobutu regime, but it was reinstated in 1988 when the provinces of North Kivu and South Kivu were also created as separate entities. The 2005 Constitution also stipulated an increase in the number of provinces from eleven to twenty-six. This policy was implemented only in 2015 amid protests and condemnation of what several political actors saw as a highly politicized territorial reform (Mavungu 2015).

The Kenyan experience presents other useful parallels and contrasts to the South African case. In 2008 the Kriegler commission, in response to the elections violence of 2007, called for restructuring political representation so as to minimize the imbalances in the previous spatial configuration of electoral constituencies. But in 2010 the redrawing of electoral constituencies and delimitation of districts and counties called for in the new constitution spurred popular protest in the affected communities and judicial review. While confirming the delimitation as initially made by the Independent Electoral and Boundary Commission (IEBC), the High Court of Kenya called for a legal framework for the delimitation of sub-locations in order to guard against gerrymandering (see Republic of Kenya 2012). The Zambia experience is similarly instructive. Following the ascent of the late President Michael Sata to power, the Zambian government in 2012 attracted fierce community resistance when it moved the town of Chirundu from Southern Province to Lusaka and Itezhyi Tezyi to Central Province, and tried to move some districts from Northwestern to Copperbelt and some from Western to Northwestern (see *Zambian Watchdog* 2012). Sata also unilaterally created twenty-nine new districts and one entirely new province called Muchinga (*Lusaka Times* 2012).

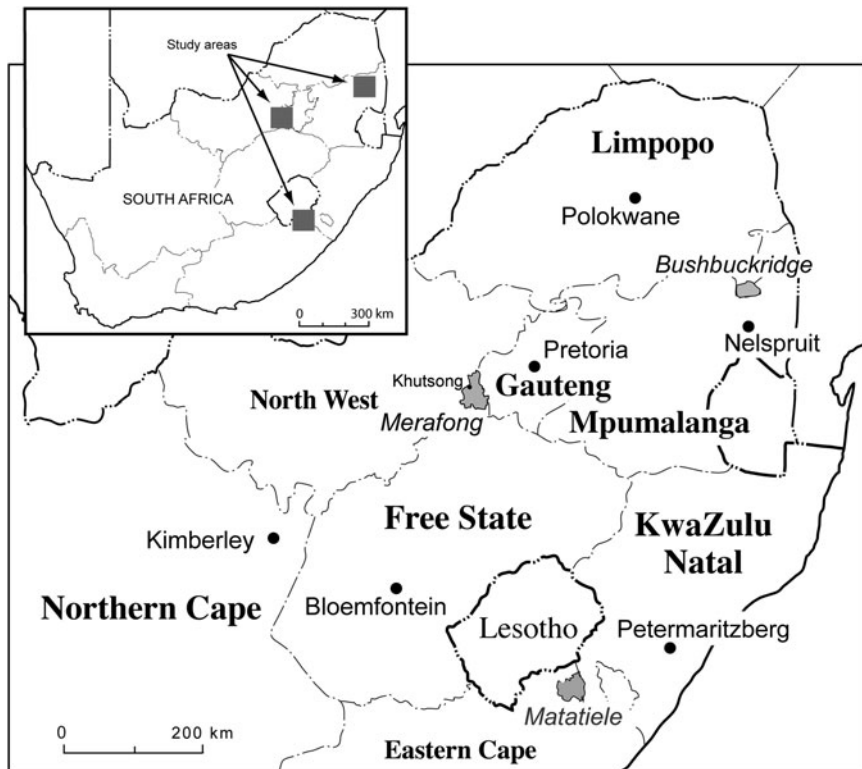
While these regionalization processes and territorial contestations in these diverse national contexts are in many ways unique, all of them can be illuminated by an analysis of the South African experience. Using an inductive analytical process, this article looks at provincial boundary disputes in three municipalities in postapartheid South Africa with an emphasis on several explanatory factors: the material conditions of the affected communities, their conceptions of local development and democracy, government's democratic promises and deficits, and strategic political struggles.⁴ These case studies draw on interviews, court materials, and direct observation in Khutsong (Feb. 15–March 12, 2009), Matatiele (Nov. 7–12, 2009),

and Bushbuckridge (April 27–May 6, 2007; Nov. 15–22, 2007; Aug. 18–24, 2010). Additional interviews took place in Johannesburg, Mafikeng (North West), Newcastle (KZN), and Hazyview (Mpumalanga) (see map). In each research site, interviews were conducted with key protagonists including representatives from government, traditional authorities, trade unions, professionals, informal traders, opposition parties, ANC and tripartite alliance partners, and antidemarcation organizations. Useful insights were also gained by attending the Gauteng legislature's local government portfolio committee (Feb. 20, 2009; Feb. 26, 2009; March 3, 2009; March 6, 2010), the general elections rally in Khutsong (Feb. 21, 2009), and a public hearing session in Carletonville (Feb. 25, 2009).

Powers and Functions of Provinces

The territorial reform undertaken at the 1991 Convention for a Democratic South Africa (CODESA) was ultimately a product of compromise and horse-trading among political parties (see Muthien & Khosa 1995, 1998). In 1993 the Commission for the Demarcation and Redetermination of

Map of Study Areas



Regions (CDRR) was mandated to redraw provincial boundaries, and nine provinces were the result: Gauteng, Free State, Northern Province (currently Limpopo), Mpumalanga, Kwa Zulu Natal, Eastern Cape, Western Cape, Northern Cape, and North West. However, the process of demarcating the provinces was contentious and, as many charged, based on diverse and conflicting criteria (Fox 1995; Muthien, Khosa, & Muthien 1998). Various political parties submitted different boundary proposals to the commission that reflected conflicting political agendas, and in the end the commission failed to agree on one provincial boundary configuration, producing a minority and majority report. The boundaries that subsequently were adopted followed closely the apartheid era “development regions” model (Lemon 1995), as many former Bantustans were constituted as provinces or were merged with others to form one province. In this regard scholars have argued that land reform and boundary demarcation “tend[ed] to cement the geography of the former Bantustans” (Ramutsindela 2007:43) and reproduce “socio-spatial and economic inequalities” (Giraut & Maharaj 2003:49). The apartheid geographical structure of resources and privileges was left intact, and “uneven development” and inequitable distribution of resources (Harvey 1987; Hudson 2007) among and within provinces has persisted during the postapartheid era.

To understand why provinces have generated so much contestation one also needs to be aware of their considerable powers and functions. Under the Constitution, provinces are regarded as a sphere of government that is autonomous from the national and local spheres. Nevertheless, while they are separate entities, they all operate under the laws and policies made by the national Parliament and are expected to deliver cooperative governance. According to Schedule 4 of the Constitution, both Parliament and the provincial legislatures can legislate in the areas of housing, health care, education, policing, and education. Under Schedule 5, provincial legislatures have exclusive powers over functional areas such as beaches and amusement facilities; billboards and public advertising; cemeteries, funeral parlors, and crematoria; fencing and fences; local sports facilities; noise pollution; street trading; street lighting; and traffic and parking. Given the principle of cooperative governance, therefore, provincial executives are expected to implement not only provincial legislation, but also all national legislation within the functional areas listed in Schedule 4 or 5 (except where the Constitution or an Act of Parliament provides otherwise).

Provinces thus play a significant role in the delivery of services to citizens and in the implementation of development goals, and a good provincial government can make a huge difference to the delivery of basic services. Of course, it can also wreck the best-laid plans of a national minister if it fails to do its job. As Pierre de Vos (2011) explains, a national minister of housing, health, or education has limited powers to ensure that the services provided in a province are of a high standard. For example, if the MEC (Member of the Executive Committee in a provincial government) for education fails to ensure that textbooks are delivered on time (as was the

case in Limpopo province in 2012) or that ARV medication is freely available at hospitals and clinics, the national minister has little leverage. Unless the national government decides to intervene officially in a province under Section 100 of the Constitution, the national minister has limited power to interfere in the provincial government's day-to-day affairs.

The significant role played by provinces in the delivery of key services such as education, health, and transport also explains why, as the three case studies will make clear, provincial boundaries have considerable socio-economic and political significance, even though the importance of boundaries has often been downplayed by government representatives in South Africa. The former premier of North West, for example, opposed the demands for border changes in Khutsong by arguing that "whether people fell in one or the other province should not be a critical matter . . . What was important was that they belonged to one South Africa where all people were guaranteed their rights and services irrespective of where they lived" (quoted in Ramutsindela 2013:8). But "this is not true," argues Maano Ramutsindela, "because regions have a constitutional mandate to provide services such as basic education and health to residents found in those regions" (2013:8). Of course, subnational boundaries, just like international borders, are also socially constructed (Paasi 2009) and imbued with meanings that may refer to cultural, economic, social, and political registers. And throughout the continent, unstable and ever-changing boundaries and their meanings are important reflections of power relations (Gore 1984) at any given moment.

In the DRC, for instance, provincial identities are often mobilized for political agendas or the elite's self-interest. But despite the country's decentralization policy of 2005, provincial administrations, unlike those in South Africa, are not significant agencies in the delivery of crucial services or economic development. Therefore, for ordinary citizens, belonging to one province or another does not have a significant impact on their lives. For bureaucrats and the political elite, however, the provinces instead serve as opportunities for corruption and predation. In this context, much of the contestation about the number of provinces and their boundaries is the product of agitation by national, provincial, or local elite for their self-interest.

In Kenya, subnational boundaries have been understood mostly as the basis for the politicization of ethnicity which has been responsible for political violence. Before the constitutional reforms of 2010, Kenya's provinces were artificial creations of the colonial era. The Rift Valley, for example, was created as a way of protecting the white settler minority from surrounding African settlements and granting them political influence. Since most of the provinces were framed along ethnic lines, they became the basis for ethnic elites, in the context of the postindependence politicization of these identities, to use their home provinces as "personal fiefdoms" (Amutabi 2010) from which they could engineer their ascent to national political power. The 2010 redemarcation of electoral constituencies therefore aimed

at ensuring equitable political representation for territorial units and communities. But unlike in South Africa, again, such reforms have no bearing on the administrative system for the delivery of public services. And whether the elimination of provinces and redesign of electoral constituencies will help move the Kenyan national politics away from the past ethnic and violent polarization remains to be seen.

In Zambia, political power is devolved to provinces and local authorities, and cultural and economic representations of provincial and district boundaries dominate public debates over provincial and district boundary change.⁵ But contestations have less to do with the delivery of basic services and more with larger issues of social and economic development. Crucially, different provinces have different pools of resources, particularly mineral wealth, and it is these differentials that influence communities' preferences or resistance with regard to being demarcated in one or another province.

In contrast to the above-mentioned experiences on the African continent, South Africa's provincial boundary disputes have been of a genuinely popular character, still shaped by sectional or partisan strategic interests but devoid of ethnic politics and driven mostly by concerns for better standards of public services and for the fulfillment of the country's democratic values. Though the initial redrawing of provinces left fourteen disputed boundaries, most of these conflicts were politically diffused as the Constitution was finalized in 1996. In the period 1998–2000 the demarcation of metropolitan areas such as the cities of Johannesburg, Durban, and Cape Town also generated a great deal of conflicts which were resolved through compromise, court arbitration, and political domination (Cameron 1999). Subsequent attempts to change provincial boundaries were related to issues left unresolved, such as the initial failure to integrate in one province functional communities that had been separated by apartheid geographical engineering. In an attempt to deal with the legacy of the separation of cohesive communities into two different provinces, the South African government in 1998 established "cross-boundary municipalities" that could be serviced by neighboring provinces on an agency-by-agency basis. But due to inefficiencies and administrative complications, the government decided in 2005 to do away with cross-boundary municipalities, although as the case studies will show, the government objectives of equitable allocation of resources ("equitable share") and more effective service delivery were not transparent, were not effectively communicated to the affected communities, and did not take into account the communities' alternative notions of democracy and their own best interests. In addition, these government goals were not insulated from other partisan and strategic considerations that reflected patronage networks, gerrymandering, and authoritarianism. Now, two decades after the advent of democracy, Bushbuckridge, Merafong, and Matatiele—localities in the frontier zones between former Bantustans and the former white South Africa—are still burdened with these apartheid and postapartheid legacies. Clearly, for these municipalities democracy has not been translated into socioeconomic equality and uplift.

The Bushbuckridge Case

The Bushbuckridge provincial boundary dispute, which was most active from 1993 to 1998, has been described as the first revolt of a black community against a black government (Niehaus 2005). A local municipality of 2,589.56 square kilometers hosting a population estimated at 541,248 (Statistics South Africa 2011), Bushbuckridge is situated in the northeast part of South Africa, midway between Nelspruit and Tzaneen. The region encompasses parts of two former apartheid homelands (Gazankulu and Lebowa) as well as sections of the formerly “white South Africa” consisting of white-owned farms and state lands, including military reserves and a large airbase. The past incorporation of the area in the homelands of Lebowa and Gazankulu during the apartheid era had been fiercely resisted, though never successfully challenged.⁶ In 1993, however, the community rejected its incorporation into Northern Province—now known as Limpopo—and lobbied for the transfer to Mpumalanga, and the next five years saw political mobilization that included the call for a referendum, mass protests, and a court action. Between 1998 and 2005 the protests decreased in intensity due to the failure of the legal case, general fatigue of the population, and the designation of the area as a cross-boundary municipality administered jointly by both Limpopo and Mpumalanga.

It is important to note that according to the Electoral Commission of South Africa (IEC), the population of Bushbuckridge voted overwhelmingly for the ANC, even in the midst of resistance against its regional policy: 93 percent in the 1999 general elections and 92.39 percent in the 2004 general elections. What, then, were the key driving factors behind residents’ opposition to inclusion in Limpopo?

The driving force behind this position was their anticipation of future socioeconomic opportunities. Until the dawn of democracy in 1993, Bushbuckridge was in a condition of extreme poverty and underdevelopment. Unemployment stood at 50 to 60 percent in early 1990s (Narsiah & Maharaj 1999). The census conducted in 2011 estimated the general unemployment rate at 52.1 percent and the youth unemployment rate at 64.6 percent (Statistics South Africa 2011). Despite its location in a tourism zone, the locality has witnessed little investment and job creation as well as a lack of basic services such as water, electricity, health care, schools, policing, and road infrastructure (Narsiah & Maharaj 1999). Indeed, the socioeconomic conditions in Bushbuckridge are still precarious.

In 1993 residents determined that future development of the municipality would depend on its proximity to provincial centers of political decisions and economic activities. Bushbuckridge is one hour away from Nelspruit, the Mpumalanga provincial headquarters, and its residents work and do business in Hazyview, Nelspruit, and other Mpumalanga towns. By contrast, Pietersburg, the Limpopo provincial headquarters, is three hours away, and work- and business-related traffic between Bushbuckridge and Limpopo towns is significantly lower. Government officials tried to

challenge this association between local development and proximity to political and economic centers, arguing that South Africa is a unitary state and that “nobody will be disadvantaged by being a citizen of the Northern Province (Limpopo)” (Narsiah & Maharaj 1999:105). This argument, however, was not persuasive to residents, who were not only aware of inequality among the provinces and the critical role of provincial administration, but who also were motivated by noneconomic factors such as ideas of self-worth, dignity, and belonging that transcended ethnic affiliation with Limpopo. It is in fact this ethnic affinity with the Sotho of Limpopo and the area’s past association with the Lebowa Bantustan that had led the CDRR to recommend in 1993 its inclusion in Limpopo. As a former leader of the Bushbuckridge Border Crisis Committee (BBCC), Themba Godi, put it,

We would clearly say in our meetings that even if Mpumalanga was being ruled by AWB (Afrikaner-Weerstandsbeweging, a right-wing Afrikaner group), we would still want to go to Mpumalanga. We knew that Mpumalanga has its own problems. It is one of the crisis-ridden provinces, with high levels of corruption. However, it made sense for the people to be in Mpumalanga. They are where they had always wanted to belong, they are where they belong. (Interview, Aug. 9, 2010)

In response to changing political circumstances, residents successively established the Referendum Facilitation Committee in 1994, the Bushbuckridge Border Committee (BBC) in 1996, and the Bushbuckridge Border Crisis Committee (BBCC) in April 1997, each of which had broad representation from major sectors including churches, political parties, traditional authorities, and business associations. All groups enunciated their commitment to popular sovereignty and the right to self-determination. For instance, a meeting of ANC leaders and the BBCC at Mapulaneng Education College in September 1994, which resulted in an agreement to transfer Bushbuckridge to Mpumalanga, concluded with the statement that “the people have spoken” (Ramutsindela & Simon 1999:491). However, internal ANC infighting and strategic interests of key protagonists prevented the implementation of the agreement, as this article argues later.

For the Bushbuckridge community, the advent of democracy raised expectations of a new era of people-driven policies and economic development. The possibility contemplated in the interim Constitution of 1993 to resolve boundary disputes through local referenda was consistent with such a political atmosphere, although the government’s conduct ended up disappointing popular expectations and exacerbating conflict. Soon after the election of the first postapartheid government, power to decide on the Bushbuckridge boundary dispute was moved to top ANC national and provincial leadership. The ANC government ignored local referenda, at first delayed and ultimately opposed the move of Bushbuckridge from Limpopo to Mpumalanga, prevailed in a court complaint filed by the Bushbuckridge municipality, and reneged upon promises it had made to the residents of

Bushbuckridge prior to the adoption of the interim Constitution in 1993 and subsequently. As the Constitution was finalized in 1996, Bushbuckridge remained in Limpopo.

The Bushbuckridge position clearly was driven not only by considerations of economic self-interest and the right of self-determination, but also by the strategic interests of the ANC political elite in the area. A significant number of ANC branches with active participants were located in Bushbuckridge, and historically these branches had established strong networks with Mpumalanga branches and regional structures (interviews with Kgoshi Mokoena, Bushbuckridge, Aug. 21, 2010, and Malatji Matome, Bushbuckridge, Aug. 22, 2010). Local ANC elites also foresaw less competition for influence in Mpumalanga than in Limpopo, where other more powerful ANC powerhouses existed. Thus, while the majority of residents rejected Limpopo based on functional and ideological grounds, local ANC elite who led the resistance were focused on securing their hegemonic position in Mpumalanga ANC politics and associated political dividends. According to Reinas Khumalo,

We were told as ANC structures that we will remain politically in Mpumalanga, but the area would be administered by Limpopo while government rounds up everything. But in 1997 there was a resolution that party structures and government structures had to be aligned. So it was confirmed that ANC structures in Bushbuckridge will fall under Limpopo. As soon as that was implemented, there were protest actions in the region. (Interview, Bushbuckridge, Aug. 20, 2010)

Within the national and regional leadership of the ANC, divided opinions about the Bushbuckridge situation ultimately led to paralysis. As Kgoshi Mokoena explained,

The ANC itself was divided. There were those who were in favor of the area going to Mpumalanga, and those that were in favor of the area remaining in Northern Province. In the province of Mpumalanga, the leadership wanted the area to come to Mpumalanga. But some serving in the NEC (National Executive Committee) of the ANC did not want the area to come to Mpumalanga. Hence the ANC was undecided. It said: let the situation [remain] as it is and we will review it later." (Interview, Bushbuckridge, Aug. 21, 2010)

Matthew Phosa, the premier of Mpumalanga (1994–99), pushed for a speedy incorporation of the area in Mpumalanga, but Ngoako Ramathodi, the premier of Limpopo (1994–2004), and other NEC members such as Colette Shabane opposed the move. Members of the provincial legislatures of Mpumalanga and Limpopo that had Bushbuckridge as their power base were naturally lobbying for a solution that would not sever them from their constituency. It was also believed that certain ANC leaders who did not welcome Matthew Phosa's ambition to be named ANC deputy president at

the Mafikeng national conference in December 1997 did not want to push for rapid inclusion of Bushbuckridge into Mpumalanga, as this would have strengthened Phosa's position with added support from Bushbuckridge ANC branches (interview, Themba Godi, Aug. 9, 2010). Thus, this conflict brought to the fore elite strategic battles, residents' quest for socioeconomic development, and in general the contestations of the democratic nature of the decision-making process. Established in 1998 as a cross-boundary municipality managed by Limpopo and Mpumalanga, the municipality of Bushbuckridge was finally incorporated in Mpumalanga in accordance with residents' preferences in 2005 after the discontinuation of cross-boundary municipalities. However, the same constitutional amendment raised resistance in Khutsong and Matatiele.

The Khutsong Case

The Khutsong provincial boundary dispute of 2005–2009 involved the township's resistance to being transferred, along with the rest of Merafong City Local Municipality, from the wealthy Gauteng province to the less resourced North West. It is remembered as the most violent of such disputes in South African history, involving the arrests of more than one hundred and fifty people, the destruction of public infrastructure, the vandalism of private property, including houses of councilors forced to flee the township, and the disruption of schooling (Centre for Development and Enterprise 2006).

Merafong City Municipality straddles the southwest of Gauteng Province and the northeast of North West Province, 75 kilometers from Johannesburg and 50 kilometers from Potchefstroom. Established in 1958, Khutsong owes its existence to its role as township to Carletonville, one of the principal mining areas to the west of Johannesburg and the main center of economic activity in Merafong City Municipality. Under apartheid, Khutsong resisted attempts by the National Party and the Bophutatswana homeland to detach it from Transvaal. So, resistance against territorial displacement is deeply embedded in the township's historical roots. Populated mostly by black people, the township has the largest population of the municipality—33.2 percent of a total population of 197,520 (Statistics South Africa 2011). Like Bushbuckridge, it votes overwhelmingly for the ANC: 78.2 percent in the 2004 general elections and 75.33 percent in the 2009 general elections (IEC 2004, 2009). When they were at loggerheads with the ANC government over the boundary issue, Khutsong residents opted to boycott the 2006 local government elections rather than switching political loyalty. What, then, were the key drivers of the border dispute in Khutsong?

As in the Bushbuckridge case, precarious material conditions of the inhabitants of Khutsong and their conceptions of local development and democracy shaped the resistance to government regional policy. In terms of the unemployment rate and household income, Khutsong has the worst socioeconomic profile in the municipality of Merafong

(Merafong Municipality 2007–8). The dolomitic nature of the land in Khutsong renders 90 percent of it unfit for human habitation, while the area has also failed to benefit financially from the mines. This situation creates frustrations within the population and makes the area a “fertile breeding ground for protest” (Centre for Development and Enterprise 2006). The decision in 2005 to move Merafong from the wealthier Gauteng Province to the poorer North West appeared to be compensation to the North West, which had lost territory in the same year as a result of the inclusion of its areas such as Mabopane, Garankuwa, and Hammanskraal in the metropolitan municipality of Tswane, in Gauteng. Opposition parties alleged that the ANC government had sought to consolidate its electoral dominance in Tswane (interviews with Herman Droenewand, Andrew Gerber, and Chris Hantingh, Mmabatho/Mafikeng, March 9, 2009; and with Thabiso Jonathan Moalusi, Wedela [Merafong], March 12, 2009)—allegations which, if true, also point to some level of gerrymandering in the decision to situate Merafong in North West. However, to the residents of Khutsong the move was perceived as having the potential to worsen an already precarious situation. The overarching perception was that service delivery and prospects for social development in areas such as education, health care, and emergency services were brighter in Gauteng.⁷ In addition, the economic crisis in the mining sector in the early 2000s and the related downsizing in an area so dependent on jobs in the Carletonville mining industry raised doubts about North West’s capacity to relaunch Merafong’s local economy.⁸ In this context, the provincial boundary dispute served as a proxy for residents’ quest for socioeconomic progress.

Concerns about existing and future material conditions assumed accentuated saliency in the context of specific conceptions of local development and democracy. As in the Bushbuckridge case, residents of Khutsong insisted on a regional arrangement that takes into account proximity to centers of political and economic power and conforms to the natural flow of goods and movement of people. As some residents put it, “We spend our money in Gauteng.”⁹ Other residents claimed entitlement to remain in Gauteng because of the contributions made by the Merafong mining industry to the development of Gauteng (interview with Jomo Mogale, Khutsong, March 7, 2009). Moving beyond materialist considerations, other residents spoke of the community’s pride in being associated with a big metropolitan area (Gauteng and Johannesburg), and of local feelings of belonging. In court papers, the Merafong Demarcation Forum (MDF) argued its case partly by appealing to the idea that affected residents have “emotional attachment” to the Gauteng province and that the government’s policy violated their dignity (Constitutional Court of South Africa 2008). During rallies, residents routinely cited the ANC Freedom Charter slogan, “The People Shall Govern,” and held banners with statements such as “Khutsong 100% Gauteng.”

Throughout the years of the dispute, Khutsong’s residents were critical of the government for disregarding their rights to popular sovereignty,

failing to provide adequate justifications for their policy decisions, and breaking the promises it had made to Merafong at a public hearing jointly organized by the Gauteng and North West provincial legislatures on November 23, 2005, (Centre for Development and Enterprise 2006). Although residents, under the banner of the Merafong Demarcation Forum, proactively conveyed their objections to authorities such as Council Mayor Des Van Rooyen, Premier Shilowa Mbazima, and the minister of local and provincial government, Sydney Mufamadi, these objections were ignored. Other leaders during this period, such as ANC Chairperson Mosioua Lekota, Justice Minister Brigitte Mabandla, and President Thabo Mbeki, treated residents' opposition with arrogance. "Why focus on Khutsong? Khutsong is just a drop in the ocean. Whether they vote or not won't make any difference," Thabo Mbeki told journalists at the wake of the 2006 local elections boycott (interviews with Gladys Matshoele and Yvonne Ntshabele, Khutsong, March 1, 2009).

Another objection had to do with the top-down nature of the national government's policymaking. The move to incorporate the Merafong municipality in North West appears to have been initiated at the national level without the cooperation of provincial and municipal leaders, who objected to the policy up until the meeting of the National Council of Provinces (NCOP) in late 2005 (Constitutional Court of South Africa 2008)—at which point, according to many residents, they caved in because they received promises of promotions in North West. However, in court papers, the Gauteng provincial legislature argued that they were persuaded that resisting the exclusion of Merafong would have had detrimental consequences, including the perpetuation of the cross-boundary municipality status which everybody agreed had been inefficient. Whether delegates of the Gauteng provincial legislature at the NCOP were right in voting against the promises they had made to the affected community without first returning to the community for further consultation remains an open question, and one that divided even the judges of the Constitutional Court of South Africa. The majority ruling emphasized the fact that the results of a public participation process are not binding on legislators (Constitutional Court of South Africa 2008). The situation in general thus fueled perceptions that all levels of government overlooked principles of democratic governance and that the regional policy was illegitimate.

In 2008 residents of Khutsong pursued a court challenge against the government (Constitutional Court of South Africa 2008), and though this was unsuccessful, they continued to lobby the new ANC leadership that had emerged from the 2007 Polokwane elective conference. In 2009 the reversal of the decision to move the municipality was clearly related to the ANC's need to secure Khutsong's votes in the 2009 general elections. This was a strategic imperative in a context of decreasing ANC membership in Gauteng due to the competition of the ANC breakaway party, Congress of the People (COPE), and the controversy over the moral integrity of the ANC's presidential candidate, Jacob Zuma. Weeks before the decision was

finalized by Parliament, the Gauteng premier and ANC chairperson, Paul Mashatile, in a rally held in Khutsong, appealed to “residents of the Merafong Municipality to reward the ANC with their votes for bringing them back into Gauteng” (Du Plessis 2009). No wonder, then, that opposition parties at the time criticized the move as “political expediency” and “an opportunistic political move by the ruling ANC through Government structures” (Bateman 2008).

The policy reversal could also be explained by the personal interests of certain provincial and local politicians. The Merafong councilors’ initial change of position to support the move to North West was explained by residents as motivated by considerations of self-interest, and they were regarded by the community as traitors. Their property, as well as municipal facilities, became targets of public violence. At the same time, certain opposition party members of North West provincial legislature opposed the return of the Merafong municipality to Gauteng in a bid to retain their electoral base in North West. Sections of the white population in parts of Merafong (Wedela, Greenspark, Kokozzi, Fochville) also did not support the return of all of Merafong to Gauteng, with which they claimed to have little social and political connections.¹⁰ However, an ANC Member of the Gauteng legislature dismissed this opposition as driven by narrow interests and as the lamentation of losers (anonymous interview, Gauteng Legislature, Johannesburg, March 2009).

It is apparent, nevertheless, that political parties and individuals sought to promote their strategic interests through the border changes. The provincial boundary dispute certainly was based, on one level, on residents’ quest for socioeconomic prosperity and also on their feelings of belonging. These sentiments were evident, for example, in the jubilation of a sixty-two-year-old woman, Sophie Mabitle, at the news in 2009 that the National Council of Provinces (NCOP) had approved the legislation returning Merafong back to Gauteng: “We’re excited but mostly relieved that this thing is finally over. I’ll sleep well tonight knowing that I’m home. It’s good to be home” (quoted in Tau 2009). But the dispute also involved the motivation of securing or conquering political power, especially for politicians and the ruling party. Far from being isolated, the various factors that shaped this struggle represented different layers of meanings and social action. As in the Bushbuckridge case, dynamics within the ANC and the tripartite alliance (ANC, SACP, and COSATU) were most decisive in bringing about either the intensification or the resolution of the conflict.¹¹

The Matatiele Case

The provincial border conflict that erupted in 2005 as the town of Matatiele was transferred from Kwazulu Natal (KZN) to Eastern Cape (EC) remains unresolved. This move has resulted in deep divisions within local sociopolitical structures and occasionally violent antagonism. The majority of residents oppose the move, while an influential minority group led by ANC

councilors and traditional authorities strongly supports it. This has left the community disaffected.¹²

Matatiele Local Municipality is located in the foothills of the western Drakensberg, EC, on the border with KZN and 20 kilometers from the southern frontier of Lesotho. It comprises three areas—Matatiele town, Cedarville, and Maluti—and together with the municipality of Umzimvubu forms part of Alfred Nzo District Municipality. As a result of apartheid segregation, this area has been characterized by spatial fragmentation, confused provincial identity, racial polarization, and ethnic antagonism. Originally, Matatiele and the Maluti area constituted a single unit in the Cape Colony before being moved to the Natal Province. Matatiele was an urban development, while Maluti was a rural area. In 1978, in line with apartheid policy of separate development and constitution of homelands, the rural Maluti areas were placed in the Transkei while Matatiele town remained in Natal. The 1994 Interim Constitution and the 1995 Trengove Commission failed to integrate these two closely interdependent territorial units. In 2005 Matatiele and Maluti were reunited as a unique municipal unit, but its incorporation into the EC was contrary to the majority preference for KZN. Traditionally, Matatiele supports the ANC, with 80.09 percent and 86.87 percent voting for the ruling party in the 2004 and 2009 general elections, respectively (IEC 2004, 2009). The border dispute, however, saw the formation in 2006 of an ANC break-away political party which has had limited success in attracting the loyalty of disgruntled residents. What are the sociopolitical factors that have shaped this protracted conflict?

As in the two preceding case studies, residents' poor material conditions and their notions of local development and democracy underpinned the border dissent. The municipality is rife with unemployment and poverty. Of its estimated population of 194,692, some 13 percent are employed, 22 percent are unemployed, and 65 percent are economically inactive. Some 41 percent of the households have no income, while 90 percent have an annual income of less than R19,200 (Matatiele Municipality 2011). This grim socioeconomic profile partly explains why concerns about service delivery, public governance, and economic development abounded in residents' justifications of their rejection of the perceived corrupt and ineffective EC and preference for KZN. In a number of interviews residents criticized the EC's inefficiencies in processing identity documents, the bad status of public roads, poor health care services, lack of tertiary education institutions, poor management of schools, human resources management problems, and pervasive corruption (interviews with Mbuso Kubheka, Newcastle, April 5, 2009; Davidson Lebeko, Nov. 11, 2009; Chief Jeremiah Moshoeshe, Ongeluksnek farms [Matatiele], Nov. 8, 2009).¹³ Accusations of widespread corruption and patronage in EC provincial departments and municipalities were also recurrent in conversations with informants. For pro-KZN residents, municipal officials resist provincial change because their long-established patronage networks within EC risk

being dismantled while establishing similar networks in KZN political structures might prove challenging.

The majority of residents conceive of the failures of local development as a function of the community's distance from the provincial capital. The capital of the EC, Bisho, is nine hours away from Matatiele while KZN's capital, Pietermaritzburg, is only three hours away (see Musgrave 2006). Sections of the Matatiele farming community explain their preference for KZN on the grounds that "the area is closely associated with KZN . . . [and] their interests can be more effectively served from Pietermaritzburg as the capital" (Adams 2005). Proximity matters, because "when a problem has not been addressed by the municipality, we want to be able to easily contact the provincial authorities" (interview with E. T. Hehlela, Nov. 8, 2010).

Here as well, notions of democracy construed as popular sovereignty permeate the border dissent. Pro-KZN activists made it clear that "instructions from above" or "orders from Luthuli house" (the ANC headquarters) should not override local preferences, and here, too, the Freedom Charter credo "The People Shall Govern" was frequently cited. The African Independent Congress (AIC), a grassroots political party created in 2006 to oppose the demarcation decision and contest local elections, states that it works to ensure that democracy prevails on the demarcation issue.

On many accounts, the government's approach to the contested policy has been perceived as undemocratic. In 2005 the Minister of Local and Provincial Government, Sydney Mufamadi, lobbied Parliament to support the bill to exclude Matatiele from KZN despite opposition from the Matatiele Municipal Council and the Municipal Demarcation Board. Such lack of consensus across state bodies and reliance on "party discipline" to impose controversial decisions appeared undemocratic and fueled popular opposition. This dissent received support from the Constitutional Court of South Africa (2006), which ruled that the KZN legislature had failed to facilitate public involvement in its legislative process. Legislative reforms aimed at correcting the initial defect subsequently passed constitutional muster, although to many they appeared formulaic and a "sham" (see SAHRC 2008). Under the South African laws, the results of a public participation process are not binding on legislators. In 2007 the government's renewed decision to keep Matatiele in EC based on alleged cultural affinities, economic links, and the need for population load balancing was similarly criticized. During the legislative session that approved the exclusion of Matatiele from KZN for the second time, members of opposition political parties decried ANC's disregard of residents' majority preferences as "betrayal," "messing with people's life," "messing up with public participation," "messing up with democracy," and "Mugabeism at its worst" (KwaZulu-Natal Legislature 2007). Though the Zuma administration did conduct a poll in October 2009 in Matatiele in order to determine the majority view (Tabata 2009), its inaction has since frustrated hopes.

As in Bushbuckridge and Khutsong, strategic calculations to secure partisan and personal interests also have played a role in the dispute.

The initial government decision to move Umzimkulu to KZN made geographical sense since this municipality had been an enclave within EC. However, this policy also achieved the ANC strategic goal of consolidating political support in KZN, where the ANC and the Inkhata Freedom Party (IFP) compete for provincial dominance: KZN gained 174,032 people from Umzimkulu, a traditionally ANC electorate. In line with this interpretation, residents of Matatiele have interpreted their exclusion from KZN as compensation to the Alfred Nzo District and to the EC for the loss of Umzimkulu. According to this analysis, the simultaneous change of provincial location of Umzimkulu and Matatiele is a “voter swap” or “a package deal.” It “ensure[s] that a large number of committed ANC voters are added to KZN, which is a marginal ANC province [it held only one-half of the seats in the provincial legislature from 2004 to 2009] in exchange for a relatively wealthy area to be ‘given’ to the EC in return” (KwaZulu-Natal Legislature 2007). Given the practice of gerrymandering in postapartheid territorial restructuring (see Cameron 1999), this accusation cannot be dismissed.

It also appears that the ANC political elite in Alfred Nzo District had a vested interest in keeping Matatiele in EC rather than letting Maluti areas join Matatiele town in KZN. This would have left the district with only one municipality, Umzimvubu, which would have called for the disestablishment of the district altogether. Political offices and jobs were on the line. Besides, for the ANC political elite based in Maluti areas, the move to KZN would mean severance of long cultivated political ties with ANC and government structures in EC. These networks are crucial to local politicians’ upward political mobility and the success of neopatrimonial deals. It is also believed that preservation of strategic personal interests has determined the pro-EC stance of most traditional authorities, who see the status quo as serving their self-interest and their positions in CONTRALESA (Congress of Traditional Leaders in South Africa). “Most traditional chiefs do not want to be part of KZN as they are benefiting from the system. Some of these chiefs have positions in EC. So they have their hands tied” said the pro-KZN Chief Jeremiah Moshoeshe (interview, Ongeluksnek farms [Matatiele], Nov. 8, 2009).

As with the cases of Bushbuckridge and Khutsong, then, the Matatiele provincial boundary dispute has reflected not only residents’ quest for socioeconomic development and respect for the democratic process, but also elite strategic battles. Unlike the two other case studies, however, the Matatiele border conflict involves significant local opposition. This comes from traditional chiefs and their EC supporters who tend to portray inclusion in KZN as the sacrifice of their ancestral land and the first step toward subjugation to the Zulu King, who is regarded as the highest traditional leader in KZN and as such attracts deference from all other traditional leaders and subjects. This minority group’s mobilization of notions of ethnicity, culture, and native land appeals to residents’ ethnonationalist sentiments and led one councilor to vow that there would be armed resistance and bloodshed if Matatiele/Maluti were moved to KZN (interview with

anonymous ANC councilor, Matatiele, Nov. 10, 2009). These interpretations have been rejected by the majority of residents, but here the will of the majority has been resisted by an alliance of ANC national leadership, local councilors, and traditional authorities.

Conclusion: Frontiers of Prosperity and Power

This article aims to contribute to our understanding of postapartheid South Africa by highlighting the fact that arguably noble and transformative objectives, such as promotion of spatial rationalization, territorial integration, and effective service delivery undertaken by a government highly regarded as legitimate, can encounter grassroots resistance from the ruling party's most loyal constituencies. The three case studies discussed here show how transforming apartheid geographies has proven to be a contested process despite the broad consensus on the necessity of such territorial reforms. In contrast to early postapartheid provincial boundary disputes and contestations over the boundaries of metropolitan areas, which involved a wide variety of constituencies, these late territorial disputes have affected mainly black and poor communities, traditionally loyal to the ruling ANC and located in the frontier zones between the former Bantustans and the white South Africa. Each case study has some unique features. For instance, Khutsong's recourse to violence has had long-term consequences for the local community. The Matatiele case involves the hegemony of a minority group comprising local ANC councilors, traditional authorities, and their followers. Nevertheless, all three display many similar dynamics in regard to local aspirations for socioeconomic development and demands that the precepts of democratic governance be honored. They also highlight the continuing significance of subnational borders despite the unitary nature of the state and the influence of globalization.

In African countries such as Congo, Kenya, and Zambia, the demarcation of internal boundaries has been used as an instrument for power conquest or preservation by the ruling party and regional or local elite. In these countries political representation at the national level is constituency based, and changes in the configuration of provincial or constituency boundaries are therefore likely to affect the political fortunes of political parties, provinces, and individual politicians. In this context, these agencies are likely to dominate the process, and territorial reforms and contestations tend to be elitist and driven from the top. And when communities and social formations get involved, they are usually recruited to serve politicians' interests of self-preservation or power conquest. Social identities such as language, culture, history, ethnicity, and religion also get manipulated to highlight differences or commonalities in an effort to support a specific territorial configuration in accordance with protagonists' political agenda. The South African experience, by contrast, is unique in many ways. Here territorial reforms inspired by the need to undo the fragmented geographies of apartheid generally enjoy broad societal support even if disputes—as the three

case studies illustrate—may arise in regard to the choices of provinces. In addition, since the South African electoral system is based on proportional representation, and also because the ANC has unchallenged dominance, political representation in the national assembly is not shaped by the configuration of internal boundaries. ANC political domination at the national level can neither be strengthened nor undermined by changes in the configuration of provincial boundaries. However, the situation is different at provincial and local levels, where provincial or municipal boundaries may be used as a tool in the competition for local and provincial political power. In postapartheid South Africa, provincial boundary disputes have been broad based, community driven, and devoid of a particularistic identity. These struggles have attracted a diverse constituency and have justified communities' preferences predominantly on economic, political, and emotional grounds.

In addition, postapartheid provincial boundary disputes highlight the power and fragility of the requirement of public participation enshrined in the South African Constitution. This has broad significance for similar struggles on the African continent. In South Africa—unlike in many African countries, including Congo and Zambia—provinces possess individual territorial integrity. Any change to provincial boundaries or powers has to be approved by the affected provinces, and provincial legislatures are required by statute and custom to involve the public in their legislative processes. Both in the Merafong and Matatiele cases, the principle of public participation empowers communities to resist government policy and institute judicial intervention, even if the results of the public participation process are not legally binding on legislators. The mere existence of this requirement represents an advantage over countries such as Congo and Zambia, which lack such institutionalization of the voice of the public in crucial territorial reforms. The consequence is that the number of provinces and the configuration of their boundaries can be changed merely on the whim of political leaders or parties.

Nevertheless, in many ways the territorial disputes in South Africa, Kenya, Congo, and Zambia—as well as in many other African countries—share many commonalities. In all cases these disputes constitute the expression and the intersection of other underlying societal contests for political power and economic development. Black and poor communities in post-apartheid South Africa contest provincial boundaries as a way to access better public services and affirm their democratic rights. In Kenya, minority or disadvantaged communities claim separate constituencies in an effort to secure political visibility and assert socioeconomic rights. In Congo, politicians' rhetoric justifying support or opposition for the creation of new provinces is based on whether such new arrangements are likely to spark socioeconomic development and promote good governance and spatial justice (equity). In Zambia, similarly, public debate over changes of provincial or district boundaries features interested parties fighting over economic, developmental, and sometimes cultural consequences of boundaries.

In this way, contests over boundaries tend to reflect ongoing societal struggles over resource distribution, recognition of political rights, and spatial justice, and political elites mobilize these imaginary lines to agitate for the sake of their individual or partisan interests. Better understanding of the meanings of territory and the key drivers shaping these territorial conflicts, a goal to which this article contributes, will help us to effectively manage and prevent them.

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Notes

1. New provinces and provincial boundaries were created in South Africa as a result of the multiparty negotiation at CODESA. The country was divided into nine provinces, namely Gauteng, Free State, North West, Limpopo (formerly Northern Province), Mpumalanga, KwaZulu-Natal, Eastern Cape, Western Cape, and Northern Cape. For a detailed discussion of this process, see Muthien and Khosa (1997).
2. Another relevant case is that of Namibia (see Simon 1996).
3. Interpretation of the DRC recent regionalization processes is based on the following sources: Radio Okapi (2010, 2013); Ntambwe (2013); CongoForum (2007).
4. The general inductive approach is a mode of qualitative data analysis which is determined both by the research objectives and multiple readings and interpretations of the raw data. The researcher is led to develop categories from the raw data into a model or framework that captures key themes and processes. See Thomas (2006).
5. See, for instance, online debates on the websites of *Zambian Watchdog* (2012) and *Zambian Economist* (2012a, 2012b).
6. Extensive study of these dynamics is provided in Ritchken (1995).
7. Congress of South African Students (COSAS), "Submission by Congress of South African Students," to the Gauteng Provincial Legislature, November 25, 2005; "Merafong city submission: View of the community of Wedela," submission to the Gauteng Provincial Legislature, 2005; "Submission of the South African Democratic Teachers' Union (SADTU)," Carletonville branch, to Gauteng Legislature, 2009; Resident's submission to the Gauteng Legislature, 2009. These documents were obtained from the Gauteng Provincial Legislature.
8. "Merafong City submission: View of the community of Wedela," submission to the Gauteng Provincial Legislature, 2009.
9. This statement was recurrent in interviews with the spokesperson of the Merafong Demarcation Forum (MDF), Jomo Mogale (March 7, 2009); the secretary of MDF, Yvonne Ntshabele (March 1, 2009); and MDF organizer Gladys Matshoele (March 1, 2009).
10. This observation was captured during my attendance of the public hearing session in Carletonville (Feb. 25, 2009).
11. From 2005 to 2007, the conflict was most intense as a result of the marginalization of the SACP and COSATU voices within the alliance. SACP and COSATU members were among the most active in challenging the policy to move Merafong to Gauteng. After Thabo Mbeki was forced to resign in late 2007 as the country's president and Jacob Zuma emerged as the new president of the ANC at the 2007 Polokwane elective conference, the SACP and COSATU regained influence in the tripartite alliance and were instrumental in bringing about the reversal of the 2005 decision.

12. The public participation process undertaken by the KwaZulu Natal (KZN) legislature in October 2007 revealed that by far the majority of the oral and written submissions were in favor of KZN (see SAPA 2007). A poll organized by the Zuma government in late 2009 to determine local preferences also manifested a majority preference for KZN, but it has not been acted upon.
13. See also News24 (2005).