

Gerrymandering in Municipal Demarcation Processes in South Africa: Selected Cases of the Collins Chabane and JB Marks Local Municipalities

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Abstract

This article focuses on political processes, specifically redistricting, which is the political process of redrawing electoral boundaries within which people contest local government elections. It has, however, become common practice for the political party in power to review electoral boundaries in its favour, a practice known as gerrymandering. In South Africa, municipal boundary review, which takes place every five years to either determine new boundaries or re-determine existing boundaries for the purposes of municipal elections, has always given rise to objections. The reasons for such objections range from the lack of public participation in the demarcation process to public perceptions of the value of belonging to one municipality as opposed to another, tribalism, and service delivery concerns. The main findings emanating from the scrutiny of literature on municipal boundary determination protests and the two municipal case studies in South Africa revealed elements of gerrymandering motivated by the political aspirations of those in power.

Keywords: redistricting; gerrymandering; municipal boundary determination/re-determination; local government; South Africa; Municipal Demarcation Board

Introduction

The determination and re-determination of municipal boundaries in post-apartheid South Africa have always been marred by objections repeatedly from the affected communities and, at times, from the opposition political parties and civil organisations. Most of these demonstrations in areas such as Hartebeespoort (Matemba 2000, 4); Khutsong, Moutse, and Matatiele (Mavungu 2012, 60–61); and Zamdela (Mokgosi 2013) turned into violence. Reasons for such objections range from the lack of public participation in the demarcation process (Matemba 2000, 4; Nxumalo 2013, 25; Shale 2005, 9) to public perceptions of the value of belonging to one municipality as opposed to another, tribalism and service delivery concerns (Mdumela 2016, 65–68; Mokgosi 2013). In the same way, some community members opposed the boundary changes that went ahead just before the 2016 local government elections to establish the Collins Chabane and the JB Marks local municipalities (Magubane 2015; McGluwa 2015; Mukwevho 2016; Tiva 2017).

Consequently, various objections towards changes in municipal boundaries elaborated above call for further research into gerrymandering, i.e., the manipulation of municipal boundaries. The purpose of this article is to ascertain whether there were elements of gerrymandering in the establishment of the two case studies. This article begins with the conceptualisation of the concepts of redistricting and gerrymandering in local government, focusing squarely on the experiences within the United States of America (USA). It then offers insight into the legislative framework within which the current local government demarcation system in South Africa is located. This is followed by a presentation and discussion of the empirical findings from the two case studies. The article ends with concluding remarks, recommendations for policy review, and practical interventions.

Conceptualising “Redistricting” as Important Political Process

Redistricting relates to the political process of redrawing district boundaries within which people contest elections (Napier 2007, 180). This process ensures equal populations among districts for the attainment of equal representation. Of great concern is the common practice among political parties in power of gerrymandering, or redrawing boundaries in their favour. Gerrymanders are essentially constituencies whose boundaries have been manipulated in order to favour one party against another and to guarantee the re-election of office-holders (Ratto Trabucco 2019, 1100). The redrawing of electoral districts in Massachusetts by Governor Elbridge Gerry before the 1812 elections with the intention of foiling his opponent, James Madison, led observers to compare the shape of one of the districts to that of a salamander. Combining the surname Gerry with the word “salamander” led to the new district being referred to as a “gerrymander” (Citizens Research Council of Michigan [CRCM] 2011, 23; Politics and Policy n.d.).

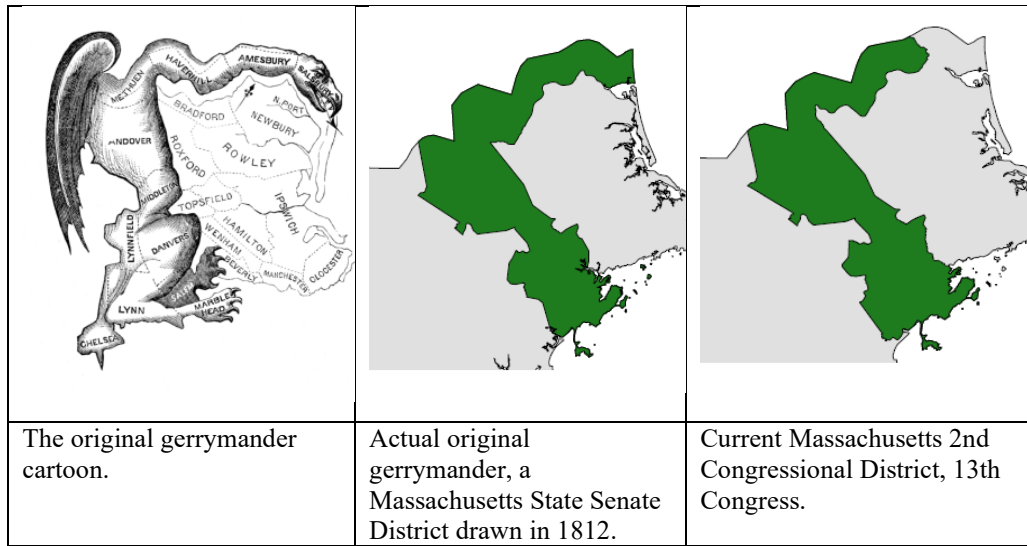


Figure 1: The original gerrymander

Source: Ansolabehere and Palmer (2015, 9)

While the first cartoon on the left shows the infamous gerrymander cartoon, the second figure depicts the actual original Massachusetts Senate District. The third figure displays the district as it was in 2015. The only difference between the original gerrymander and the 2015 figure is the town of Salisbury, the head of the gerrymander. In all fairness, history has it that the abovementioned instance was not really the first, as several congressional and state legislative districts were in some way gerrymandered during colonial times (Ansolabehere and Palmer 2015, 8–9). Nevertheless, the 1812 gerrymander offers a useful and interpretable standard across some set of compactness measures by which researchers assess changes in geographic gerrymandering over time. This means that any district worse than the original gerrymander in terms of the resultant shape may be considered gerrymandered (Ansolabehere and Palmer 2015, 9–10; CRCM 2011, 23).

In reality, there appears to be no singular measure to prove that a district has been gerrymandered, nor to estimate the extent of gerrymandering. Characteristics such as irregular district shape, political boundary breaks and skewed election results are merely helpful indicators. It is, however, necessary to be cautious when using these indicators as a basis for an accusation of gerrymandering; just because the district has odd boundaries does not necessarily mean that gerrymandering has taken place. Natural features such as mountains and rivers are irregular in shape, as are the boundaries of cities that follow them. Some states require that district boundaries follow geographic boundaries, an impartial redistricting requirement that states can apply because they do not set the location of natural features. Requiring district boundaries to align with geographic boundaries results in districts that consist of communities that live near, in,

or on a common natural feature, and share a common interest (CRCM 2011, 15, 19, 24; Lawrence 2016, 125).

Literature Review: How Does Gerrymandering Happen?

While the original gerrymander was part of a redistricting plan seeking to acquire as many seats as possible for a political party, a variety of other gerrymandering tactics such as packing, cracking, tacking and eliminating are utilised to either protect incumbents or advance the interests of particular racial groups.

Packing seeks to either advance or hinder the interests of a particular ethnic/racial group or class. Practically, the approach involves designing districting plans that dilute the voting strength of minorities by dividing their population to ensure that they are perpetually outnumbered in most or all districts. To that end, same-race voters could be packed into a small number of districts (Brunell 2006, 82; Lawrence 2016, 126). In some cases, packing is done to obtain representation for a community of common interest. A redistricting plan preserves communities of interest by placing individuals who share cultural, economic, ethnic, political, religious, or social ties within close proximity to one another. Some suggest that to preserve communities of interest is to preserve census tracts, which generally have populations that share meaningful characteristics. Others suggest that communities should be allowed to identify themselves (Cooper 2010; CRCM 2011, 23).

Cracking involves spreading voters belonging to one racial group over many districts where they become minorities unable to influence elections. The party in control of redistricting can weaken the opposition party by cracking opposition voters among numerous safe districts where the opposition is in the minority. The goal of the gerrymandering party is to protect the incumbent legislatures by diluting the strength of the opposition, thereby ensuring that their own candidates win comfortably. This approach aims to create safe seats for long-serving incumbents. Supporters of this approach argue that it preserves the power and influence of incumbents who possess political experience and knowledge of the law-making process, instead of handing power over to newly elected novices (CRCM 2011, 23; Iyer and Reddy 2013, 2; Lawrence 2016, 126; Maryland Redistricting Reform Commission [MRRC] 2015, 19; Mackenzie 2010).

The political party in charge of redrawing boundaries can also *hijack* the opposition incumbent candidates by separating them from their constituents and creating a district in which the candidates have no name recognition. If representatives are required to be residents of their districts, redistricting may also involve hijacking a district from an incumbent by redrawing the boundary to exclude his or her home, thereby kidnapping him or her into a district where he or she will surely lose the election. In this way, competitors are eliminated as district boundaries are shifted to move the incumbent's rival to another district (Brunell 2006, 82; CRCM 2011, 23; Mackenzie 2010).

Gerrymandering seems to be a common practice in the USA, and it would seem that the geographic integrity of congressional districts has worsened since the original gerrymander.

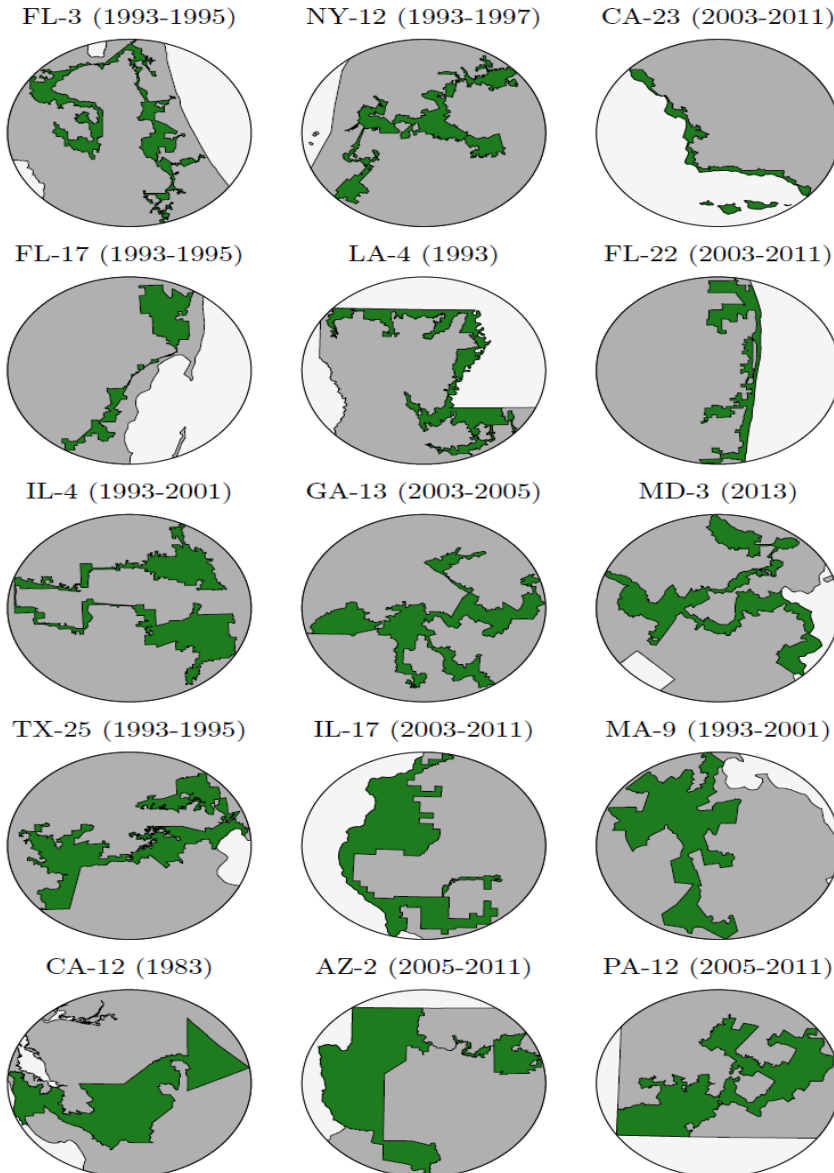


Figure 2: Examples of highly gerrymandered districts in the USA

Source: Ansolabehere and Palmer (2015, 18)

Figure 2 shows some of the USA's most recently gerrymandered districts. It includes some well-known examples of gerrymandering, such as the Illinois 4th earmuffs and the Maryland 3rd pinwheel, as well as some lesser-recognised gerrymanders, such as the Massachusetts 9th district.

To ensure that the redistricting process occurs in a way that minimises bias, drawing the boundaries of electoral districts needs to be the responsibility of an independent, non-partisan and objective redistricting commission, as this task is too important to be left to incumbents. Undeniably, a transparent redistricting process, one which offers opportunities for public engagement while also minimising political control, could go a long way towards deterring gerrymandering, in that way upholding the integrity of the political system (CRCM 2011, iv; Iyer and Reddy 2013, 2; Lawrence 2016, 132).

To curb gerrymandering even further, some political scientists have developed sophisticated computer programs able to create electoral districts objectively. One is the shortest split line algorithm, which uses a computer to divide a state into the appropriate number of evenly populated districts using the shortest possible straight lines (Politics and Policy, n.d.). Another example is a program that places voters in districts such that the average distance from a voter's residence to the centre of his or her district is as short as possible. Since algorithmic solutions have no notion of communities of interest, they are criticised for splitting a single city into multiple districts or lumping together communities with very different interests (Politics and Policy, n.d.; Preston 2021, 662).

Local Government Demarcation Legislative Framework in South Africa

The establishment of a non-racial democratic local government system in South Africa required both the drafting of extensive legislation and the repealing or amendment of prior legislation governing the demarcation of boundaries, the establishment of structures and systems, as well as financial management. Principal among a handful of legislative prescripts meant to achieve those goals is the Constitution of the Republic of South Africa (1996), and also the Local Government: Municipal Demarcation Act 27 (Republic of South Africa 1998). The constitutional objectives of local government listed in section 152 of the Constitution are the most imperative elements that the Municipal Demarcation Board (MDB) should consider when determining municipal boundaries, namely the provision of democratic and accountable government, the sustainable provision of services, the promotion of social and economic development, the promotion of a safe and healthy environment, and encouragement of the involvement of communities and community organisations in the matters of local government.

Cameron (2006, 84) describes the Local Government: Municipal Demarcation Act as an important piece of legislation that dismantled the former racially segregated local government system and facilitated transformed local government structures in South Africa. The main objective of the Demarcation Act is to establish criteria and procedures for the determination of municipal boundaries and other related matters by an

independent authority with its own powers and functions. That independent authority, the MDB, came into existence in February 1999. Its term of office is five years, after which the Board is reconstituted. The Board consists of no fewer than seven and no more than 10 members holding qualifications or experience in local government. According to Section 24 of the Demarcation Act, when the MDB considers determining or re-determining a municipal boundary, its objective must be to establish an area that will:

- a) Enable the municipality for that area to fulfil its constitutional obligations.
- b) Enable effective local governance.
- c) Enable integrated development.
- d) Have as inclusive as possible a tax base of users of municipal services.

In order for the MDB to demarcate an area that will enable the municipality to fulfil its constitutional obligations, section 25 of the Demarcation Act further requires careful consideration of the following factors:

- a) The interdependence of people, communities and economics as indicated by existing and expected patterns of human settlement and migration, employment, commuting and dominant transport movements, spending, the use of amenities, recreational facilities and infrastructure, and commercial and industrial linkages.
- b) The need for cohesive, integrated and unfragmented areas, including metropolitan areas.
- c) The financial viability and administrative capacity of the municipality to perform municipal functions efficiently and effectively.
- d) The need to share and redistribute financial and administrative resources.
- e) Provincial and municipal boundaries.
- f) Areas of traditional rural communities.
- g) Existing and proposed functional boundaries, including magisterial districts, health, transport, police and census enumerator boundaries.
- h) Existing and expected land use, and social, economic and transport planning.
- i) The need for coordinated municipal, provincial and national programmes and services, including the need for the administration of justice and health care.
- j) Topographical, environmental and physical characteristics of the area.
- k) The administrative consequences of its boundary demarcation on municipal creditworthiness, existing municipalities, their council members and staff, and any other relevant matter.
- l) The need to rationalise the total number of municipalities within different categories, and of different types, to achieve the objectives of effective and sustainable service delivery, financial viability and macro-economic stability.

Re-determination of municipal boundaries ranges from minor technical alignments of the boundaries between municipalities to major changes such as amalgamating a number of municipalities. Type A adjustment involves small-scale boundary

adjustments with a minor impact on the geographical area, a negligible or no impact on the number of voters, and no impact on the capacity of the affected municipalities. Type B concerns medium-scale boundary re-determinations that may affect a sizeable geographical area, as well as the number of voters in one or all of the municipalities concerned. Type C, or large-scale municipal boundary re-determinations, affect the geographic landscape, the number of voters, as well as the capacities of affected municipalities. Adjacent municipalities are either merged or split in order to create new municipal areas. Also included are declarations of big cities into new metropolitan municipalities with or without boundary changes (MDB 2014, 18–19).

In terms of the municipal demarcation policy direction that the country has taken since 1994, table 1 below depicts an amalgamation trend through the merging of small local municipalities. There were 830 transitional local authorities in 1995, and this number has been reduced enormously over the years.

Table 1: Democratic local government structures in South Africa

Types of local government structures	1995	2000	2006	2011	2016
Transitional Metro Council	6				
Transitional Metro Sub Structure	24				
Transitional Local Council	494				
Districts	52				
Local Council	58				
Representative Council	196				
Category A: Metropolitan Municipalities		6	6	8	8
Category B: Local Municipalities		232	231	226	215
Category C: District Municipalities		46	44	44	44
Total	830	284	283	278	267

Source: Netswera (2019, 10)

Despite the general trend towards the creation of larger municipalities over the last two decades in South Africa, there have been many instances of poor administrative and financial management (Local Government Sector Education and Training Authority [LGSETA] 2020, 45). The dysfunctional state of municipalities has been lamented by a recent government assessment that categorises the country's municipalities into four main categories, namely high-risk, medium-risk, low-risk and stable. Utilising these categories alongside indicators such as political leadership, the state of their governance, their financial management and the level of service delivery, it was found that 64 municipalities (24%) were considered high-risk and dysfunctional. A further 26 municipalities were placed under provincial intervention due to failure to fulfil their executive obligation. Whereas the majority, 111 municipalities (43%), were considered medium-risk, only 16 municipalities (5%) were considered stable (Parliamentary

Monitoring Group [PMG], 2021). Other official reports, such as the Auditor General of South Africa (AGSA) have expressed concern that after all the years of reporting local government's shortcomings and making recommendations, municipalities have still not mastered the basics of financial reporting, with only 28% that were able to submit quality financial statements for auditing purposes (AGSA 2021, 8).

Regardless, government initiatives and programmes focusing on advancing service delivery and institutional support to the system of local government are continuously implemented. At the moment, the government is embarking on a District Development Model (DDM) to improve collaborative planning among the three spheres of government. The model envisages a "One District, One Plan and One Budget" for each of the 44 districts and eight metropolitan municipalities across the country to enable the government to track implementation more closely and pinpoint with greater precision the level of intervention needed to make local government more effective and responsive (Department of Cooperative Governance 2020, 33).

Research Findings

Gerrymandering in Municipal Demarcation Processes in Collins Chabane and JB Marks Local Municipalities

The municipal demarcation process leading up to the 2016 local government elections was not without its challenges. For the first time since the establishment of the MDB in 1999, in 2015, the minister in charge of the Department of Cooperative Governance invoked section 22(2) of the Demarcation Act in order to request that the MDB re-open the determination of outer boundaries of specific municipalities. It is interesting that the request was made some two years after the finalisation of the municipal boundary review for the 2016 elections. Moreover, municipal financial viability and functionality were key drivers of the minister's request and a significant departure from the usual criteria for local government demarcations. These two key drivers do not feature among either the criteria for or the objectives of demarcation, despite the fairly close correlation between financial non-viability and the inability of municipalities to provide services. The distinction between criteria, objectives and other factors is, therefore, vital, and failure to distinguish between these concepts may lead to future repercussions (Khumalo and Ncube 2016, 1; Mzakwe 2016, 1–2).

Collins Chabane Local Municipality Establishment

The case of the Collins Chabane Local Municipality is a complex one. Limpopo Province is unique among the nine provinces in South Africa in that it is made up of Venda, Pedi and Tsonga tribal groups that lived in separate homelands during the apartheid era. The MDB took a decision to merge two rural areas, namely Malamulele (a portion of the Thulamela local municipality where Tsonga people predominate) and Vuwani (a portion of the Makhado local municipality where Venda people predominate) to form a new local municipality, the Collins Chabane Local Municipality (Department of Cooperative Governance 2015, 25).

Collins Chabane Local Municipality is some 191 km north of the Limpopo provincial capital, Polokwane. The municipal land area is 5003 km² in extent, with a population of approximately 347 974. In addition to the two main towns of Malamulele and Vuwani, the municipal area comprises 173 villages and three informal settlements. In terms of the racial composition of the population, in 2017, the majority of residents were Africans (347 109), followed by Indians or Asians (301), Coloureds (294), and Whites (271) (Collins Chabane Local Municipality 2017, 19, 28).

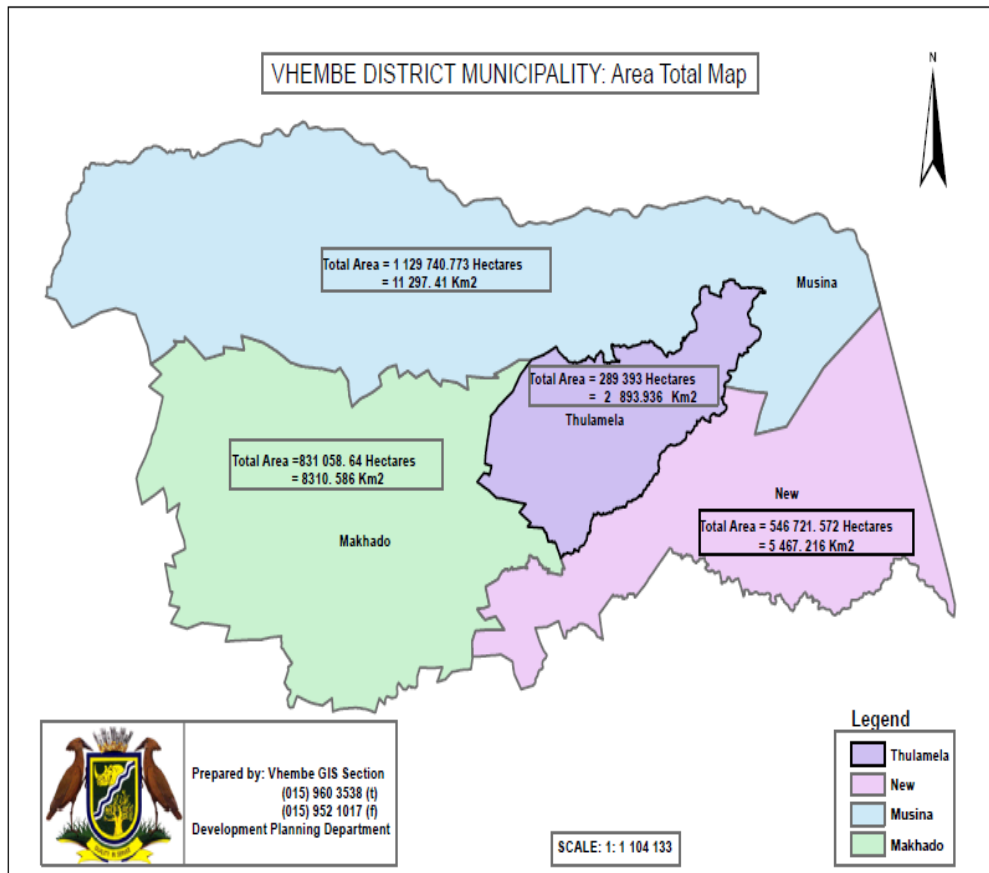


Figure 3: Map 1: Vhembe District Municipality

Source: Collins Chabane Local Municipality (2017, 20)

Collins Chabane, together with Thulamela, Musina and Makhado local municipalities, falls under Vhembe District (map 1). Looking into the shape of Collins Chabane's map (new), it is unlike the infamous original Massachusetts gerrymander senate district, nor the Illinois earmuffs and the Maryland pinwheel. It more closely resembles either a guitar or a gun of some sort. A large part of the municipality on the right-hand side of

the map is a national park, and Vuwani villages are on the far-left-hand side of the map. In the middle are the villages that made up Malamulele.

JB Marks Local Municipality Merger

The JB Marks Local Municipality came into being following the amalgamation of the erstwhile municipalities of Tlokwe (population 162 762) and Ventersdorp (population 56 702) (JB Marks Local Municipality 2017a, i). Black Africans make up the majority of the population, followed by Whites, Coloureds and Indians. Tlokwe comprises urban areas such as Ikageng Township and its extensions, Potchefstroom town, Promosa, agricultural holdings such as Rooipoortjie, Venterskroon and Buffelshoek, and rural hinterlands. Ventersdorp consists of a vast rural and commercial farming area as well as the urban areas of Ventersdorp, Tshing and Toevlug, along with six other villages. Potchefstroom is 145 km south-west of OR Tambo International Airport, and the town has its own airfield, which was formerly a military air base. Another big role player in the provision of services in Potchefstroom is North-West University (JB Marks Local Municipality 2017a, 1, 43, 46).

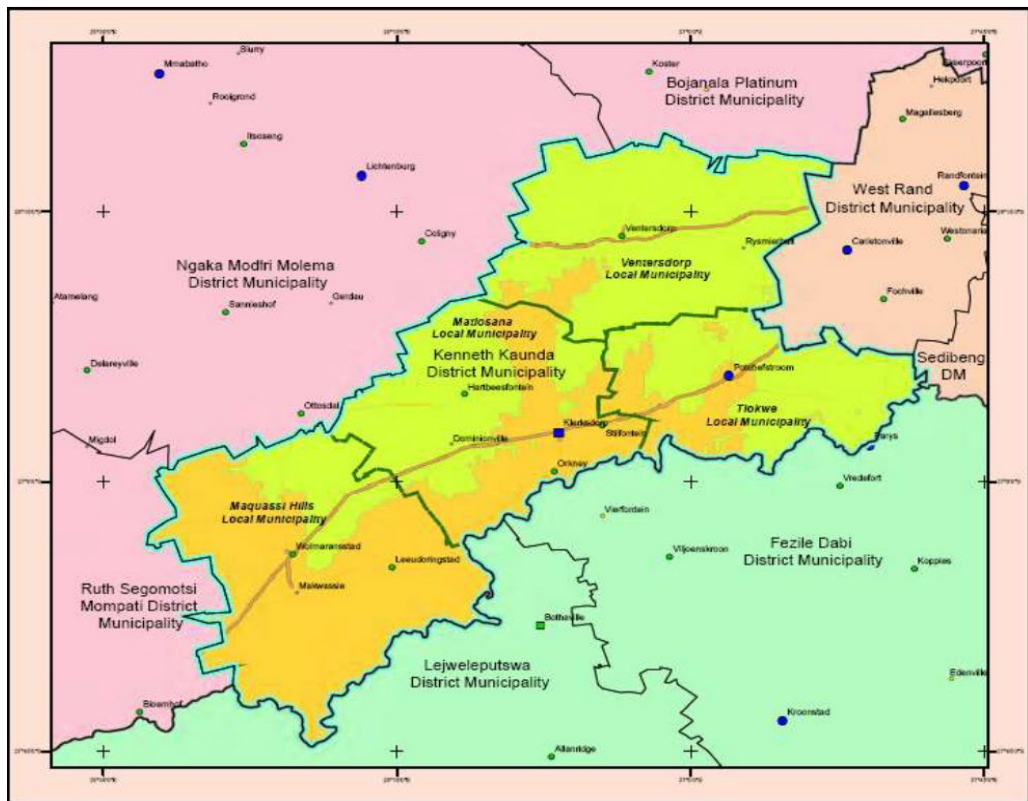


Figure 4: Map 2: Dr Kenneth Kaunda District Municipality

Source: Dr Kenneth Kaunda District Municipality (2017, 27)

JB Marks Local Municipality is one of the three local municipalities situated within the Dr Kenneth Kaunda District in the North West Province. With reference to gerrymandering, one gains the impression that the boundaries of the municipality were overextended to include Potchefstroom. The largest portion of the district's population resides within the City of Matlosana (59%), followed by JB Marks Local Municipality (30%) and Maquassi Hills Local Municipality at 11% (Dr Kenneth Kaunda District Municipality 2017, 27).

Households' Perception of Gerrymandering in the Two Case Studies

A survey of the participative population consisted of 200 households, covering 17 villages and townships (table 2). Household representatives were systematically and randomly selected, beginning from a random starting point and then proceeding with the selection of every 10th household. There was an even spread in the number of participants from the Collins Chabane Local Municipality, with an average of five participants per village taking part in the study. Higher concentrations of participants from the JB Marks Local Municipality came from the three townships of Ikageng, Tshing and Promosa.

Table 2: Household participation rate per local municipality

		RURAL N (%)	TOWNSHIP N (%)	INFORMAL N (%)	TOTAL N (%) TOTAL
Collins Chabane	Hamasia	10 (100)	-	-	10 (5)
	Ramukhuba	10 (100)	-	-	10 (5)
	Tshino	10 (100)	-	-	10 (5)
	Hamashau Mukhoro	11 (100)	-	-	11 (5.5)
	Hamashau Misevhe B	9 (100)	-	-	9 (4.5)
	Basani	10 (100)	-	-	10 (5)
	Xigalo	10 (100)	-	-	10 (5)
	Hatshikonelo	15 (100)	-	-	15 (7.5)
	Malamulele	-	10 (100)	-	10 (5)
	Mukhoni	5 (100)	-	-	5 (2.5)
JB Marks	Tshing	-	15 (71.4)	6 (28.6)	21 (10.5)
	Toevlug	-	6 (60)	4 (40)	10 (5)
	Boikhutso	8 (100)	-	-	8 (4)
	Ikageng	-	27 (84.4)	5 (15.6)	32 (16)
	Tsetse	6 (100)	-	-	6 (3)
	Promosa	-	14 (100)	-	14 (7)
	Sonderwater	-	3 (33.3)	6 (66.7)	9 (4.5)
TOTAL		104 (52)	75 (37.5)	21 (10.5)	200 (100)

Source: Netswera (2019, 131)

Affected communities have objected strenuously to municipal boundary re-determinations, yet surveys are hardly ever conducted to establish public opinion in this regard. The study reported on in this article sought to generate a better understanding of the reasons why communities express their dissatisfaction with such decisions.

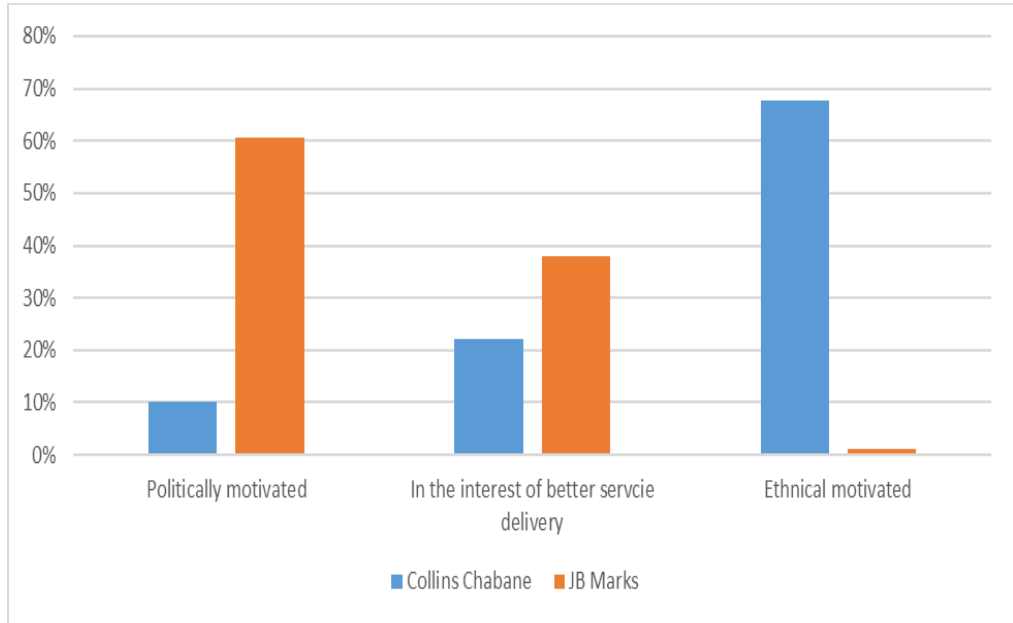


Figure 5: Reasons for the decision of the MDB to alter boundaries

Source: Netswera (2019, 158)

When asked what they thought the reasons were behind municipal boundary alterations in their areas, 60% of JB Marks Local Municipality and only 10% of Collins Chabane Local Municipality residents viewed the decision as being politically motivated. Of the participants from Collins Chabane Local Municipality, 21% believed the changes to be in the interest of better service delivery, while this view was held by 38% of the participants from JB Marks Local Municipality. The participants from Collins Chabane Local Municipality considered ethnic reasons to be the most important factor behind boundary changes, with more than 68% of the participants holding this view.

The establishment of Collins Chabane Local Municipality sparked violent protests by Vuwani community members, who did not want to be part of the Tsonga-dominated municipality. In 2016, demonstrations degenerated into damage of public property, especially public schools. Vuwani community members were unhappy with the fact that they were being forced to be part of a new municipality with Tsonga people, who did not want to be part of the Venda-controlled Thulamela (Mukwevho 2016; Rasila and Musitha 2017, 4).

Tsonga people residing in Malamulele, in fact, began demanding a municipality separate from Thulamela from the time of its establishment in 2000. However, a feasibility study in 2013 revealed that the area did not meet the criteria for existence as a stand-alone municipality (MDB 2015a, 9, 13). Fuelling the demand was the claim that the municipality was channelling services to areas in which Venda people predominated (especially Thohoyandou, where the municipal council sits) to the detriment of the Malamulele community. These perceptions emerged in the research carried out in the Malamulele area (Mdumela 2016, 65–66, 68; Ntombana and Khowa 2020, 12). Thus, the merger of Vuwani and Malamulele to form a new entity is viewed as a political move rather than a genuine means of finally granting Malamulele their wish so that they will continue voting for the ruling party, the African National Congress (ANC). Vuwani community members, including their traditional leaders, do not recognise the new municipality and have demanded that only the Vhembe District Municipality be allowed to deliver services in the area until they are again incorporated into the Makhado Local Municipality, under which they previously fell (Tau 2020). Former president Jacob Zuma received particular blame for imposing undue influence on the MDB. He had suggested at the funeral service of the late Cabinet Minister, Collins Chabane, who was from Malamulele, that the area should have its own municipality. Subsequently, Malamulele indeed got its own municipality, unsurprisingly named after the late Minister (Rasila and Musitha 2017, 4).

Objection to the JB Marks Local Municipality merger was widespread across political parties, civil society and communities at large. Ventersdorp residents, on the one hand, feared losing jobs and business opportunities under the new administration, with its headquarters in Tlokwe. On the other hand, residents of Tlokwe felt that they would be disadvantaged when it came to the provision of municipal services. They described Ventersdorp as poor and rural, with little to offer (Africa News Agency 2015; McGluwa 2015).

The official opposition party in South Africa, the Democratic Alliance (DA), was of the view that the merger was intended to prevent it from gaining a majority in Tlokwe as a standalone entity in the 2016 municipal elections. Back in 2013, Tlokwe experienced some serious political and administration problems that resulted in municipal governance being passed from the majority party, the ANC, to the DA. The ANC had won Tlokwe in the 2011 municipal election, but the DA-led coalition of opposition parties took charge after some ANC councillors participated in voting out their own mayor through a motion of no confidence. The DA fought the merger in court, but failed. In an urgent court application, the DA alleged that the MDB was biased and was being used by the ANC to target municipalities falling under the DA's control and those that the party was likely to control in the near future (MDB 2015b, 2). The merger enabled the ANC to take control of Tlokwe with 34 of JB Marks's 67 available seats, leaving the DA with 22 seats, while the rest of the seats went to smaller parties (JB Marks Local Municipality 2017a, 28; *The Citizen* 2015).

One of the smaller political parties, the Congress of the People (COPE), described the merger as a “wrong decision that would be socially, administratively, politically and financially detrimental to Tlokwe residents.” The party described Ventersdorp as corrupt and mismanaged, and feared that the amalgamation would only drain Tlokwe’s financial and human resources. The tax collection rate in Ventersdorp and Tlokwe local municipalities before the merger was 35% and 92%, respectively (JB Marks Local Municipality 2017b, 190; *Mafikeng Mail* n.d.). The JB Marks case fits what Municipal IQ describes as a merger of a delinquent municipality with a vibrant one with a decent tax base. A merger of this type does not strike the balance of financial viability, but rather adds a new layer of responsibility to the more successful municipality for delivering services. In the absence of long-term grant transfers, this type of merger results in further marginalisation and neglect of already poor rural communities (Municipal IQ 2009, 1).

These research findings confirm perceptions of gerrymandering, which have serious implications for the credibility of the MDB, whose responsibility it is to define boundaries for effective local government without political interference. A question posed to the participants regarding their preference for either the new or the old municipality yielded the following responses:

Table 3: Participants’ current preference for either the new or the old municipality

	Preference for either the new or the old municipality		Total N (%)	Pearson X ²
	Old municipality N (%)	New municipality N (%)		
Collins Chabane	65 65.0%	35 35.0%	100 100.0%	.036
JB Marks	62 71.3%	25 28.7%	87 100.0%	
Total	127 67.9%	60 32.1%	187 100.0%	

Source: Netswera (2019, 163)

Boundary re-determination had very little support in both case studies. Two-thirds (67%) of all the participants preferred their old municipalities to the newly established ones. Nicolson (2017) contends that the rejection emanates in part from fear of the unknown and concern about contests for government positions, loss of ethnic dominance and poor service delivery. Once more, political interference and very little community support for boundary review in both cases confirmed that gerrymandering is indeed practised in South Africa. This has serious implications for the credibility of the MDB, whose responsibility it is to independently define boundaries for effective local government. The MDB was established in terms of the Constitution (Republic of

South Africa 1996) as an independent entity, and it is, therefore, required to be transparent in making decisions.

Conclusion and Recommendations

In this article, gerrymandering was considered with a view to ascertaining how it features in the South African local political landscape, if indeed it does so at all. While the practice of gerrymandering is documented in detail in the USA, the research reported on in this article revealed evidence of gerrymandering in both the cases investigated. When asked in the survey what they considered to be the reasons behind municipal boundary re-determination in their areas, the majority of the participants viewed the decision as being politically and ethnically motivated. Due to the fact that there was very little community support for boundary changes in both case studies, it seems as if these municipal demarcation intentions were merely party-political election engineering. As an entity established by the Constitution to be independent of political manoeuvrings, the MDB is required to be transparent regarding how it reaches its boundary demarcation decisions. A transparent demarcation process, which offers opportunities for public engagement while also minimising political control, could go a long way towards deterring gerrymandering perceptions.

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References

- Africa News Agency. 2015. “Ventersdorp/Potch Merger is not Welcome: Residents.” <http://www.enca.com/south-africa/ventersdorppotch-merger-not-welcome-%E2%80%93-residents>.
- Ansolabehere, S., and M. Palmer. 2015. “A Two Hundred-year Statistical History of the Gerrymander.” Presentation at the Congress and History Conference, Vanderbilt University, May 22–23.
- Auditor General South Africa (AGSA). 2021. *Consolidated General Report on the Local Government Audit Outcomes MFMA 2019–20*.
- Brunell, T. L. 2006. “Rethinking Redistricting: How Drawing Uncompetitive Districts Eliminates Gerrymanders, Enhances Representation and Improves Attitudes toward Congress.” *Political Science and Politics* 39 (1): 77–85. <https://doi.org/10.1017/S1049096506060173>.

- Cameron, R. 2006. "Local Government Boundary Reorganisation." In *Democracy and Delivery: Urban Policy in South Africa*, edited by U. Pillay, R. Tomlinson, and J. du Toit. Cape Town: HSRC.
- Collins Chabane Local Municipality. 2017. *LIM345 Local Municipality 2017/18–2022 adopted IDP*.
- Cooper, M. 2010. 5 "Ways to Tilt an Election."
<http://graphics8.nytimes.com/packages/pdf/weekinreview/20100925-redistricting-graphic.pdf?mcubz=1>.
- Citizens Research Council of Michigan (CRCM). 2011. *Congressional and Legislative Redistricting Reform*. Report 370.
- Department of Co-operative Governance. 2015. *Annual Report for the 2014/15 Financial Year*.
- Department of Cooperative Governance. 2020. *Annual Report for the 2019/20 Financial Year*.
- Dr Kenneth Kaunda District Municipality. 2017. *Final Integrated Development Plan 2017/18–2021/22*.
- Iyer, L., and M. Reddy. 2013. "Redrawing the Lines: Did Political Incumbents Influence Electoral Redistricting in the World's Largest Democracy?" Working Paper 14.
- JB Marks Local Municipality. 2017a. *Integrated Development Plan, 2017–2022*.
- JB Marks Local Municipality. 2017b. *2016/2017 Unaudited Draft Annual Report*.
- Khumalo, B., and M. Ncube. 2016. "Financial and Functional Viability and Sustainability of Municipalities: Beyond the Demarcation Instrument." Paper presented to the MDB Conference on Demarcation and Spatial Transformation, 23–24 June.
- Lawrence, C. N. 2016. "Geography of Representation: Gerrymandering, Representation and Turnout." In *Why don't Americans Vote? Causes and Consequences*, edited by B. A. King and K. Hale. 2016. California: ABC-CLIO.
- Local Government Sector Education and Training Authority (LGSETA). 2020. "Research on Exploring Factors Affecting Governance in Local Government Institutions."
- Mackenzie, J. 2010. *Gerrymandering and Legislator Efficiency*. Newark: College of Agricultural Sciences, University of Delaware.
- Mafikeng Mail*. n.d. "Cope Decries Amalgamation of Ventersdorp, Tlokwe Municipalities."
<https://www.northwestnewspapers.co.za/mafikengmail/community/blogs/letters/98-cope-decries-ama>.

- Magubane, K. 2015. "Midvaal and Emfuleni Municipal Merger Set Aside for Now." <http://www.bdlive.co.za/national/politics/2015/09/23/midvaal-and-emfuleni-municipal-merger-set-aside-for-now>.
- Maryland Redistricting Reform Commission (MRRC) 2015. *Maryland Redistricting 2015 Report*. Annapolis: State of Maryland.
- Matemba, L. 2000. "Challenges Facing New Municipalities." Southern African Catholic Bishops' Conference Parliamentary Liaison Office Briefing Paper 36.
- Mavungu, M. E. 2012. "Ideological Clashes behind Provincial Boundary Disputes in Post-Apartheid South Africa." *South African Geographical Journal* 94 (1): 60–74. <https://doi.org/10.1080/03736245.2012.675734>.
- McGluwa, J. 2015. "Opposition for Tlokwe and Ventersdorp Merger is Widespread." <https://www.dampl.co.za/2015/10/opposition-for-tlokwe-and-ventersdorp-merger-is-widespread>.
- Mdumela, T. G. 2016. "What Tribal Affinities Have to Do with Local Government Service Delivery." Unpublished Master's Dissertation, University of Limpopo.
- Mokgosi, D. 2013. "Metsimaholo-Ngwathe Merger Off." <http://fstimes.co.za/?p=1307>.
- Mukwevho, N. 2016. "Tribal Tension between the Venda and Tsonga Groups Fuel Conflict in Vuwani." <http://www.sowetanlive.co.za/news/2016/05/09/tribal-tension-between-the-venda-and-tsonga-groups-fuel-conflict-in-vuwani>.
- Municipal Demarcation Board (MDB). 2014. *Municipal Demarcation Board Annual Report 2013/14: Celebrating 15 Years of Spatial Transformation*.
- Municipal Demarcation Board (MDB). 2015a. *Redetermination of the Boundary of the Thulamalela Local Municipality by Excluding Malamulele Area and Determining this Area as a Separate Category B Municipality within the Vhembe District Municipality*.
- Municipal Demarcation Board (MDB). 2015b. "Municipal Demarcation Board Responds to High Court Ruling in DA vs MDB Court Interdict." Press release, 6 November 2015.
- Municipal IQ. 2009. "The Intricacies of Re-demarcation." Briefing #161, 8 October 2009.
- Mzakwe, S. 2016. "The Legality of the 2015 Demarcation Proposals by the Minister of Cooperative Governance to the Municipal Demarcation Board." Master's Degree, University of the Western Cape.
- Napier, J. C. 2007. "Delimitation of Local Government Ward Boundaries in the Tshwane Municipal Area: The Challenge of Achieving Fair Political Representation." *Politeia* 26 (2): 179–191.

- Netswera, M. M. 2019. "The Effects of Municipal Demarcation on Service Delivery and Social Integration in Collins Chabane and JB Marks Local Municipalities." PhD thesis, University of South Africa.
- Nicolson, G. 2017. "Vuwani: After the Ashes, there's Hope." <https://www.dailymaverick.co.za/article/2017-05-05-vuwani-after-the-ashes-theres-hope/#.WrOq5mpuapo>.
- Ntombana, L., and T. Khowa. 2020. "Relationship between Municipal Performance (Service Delivery) and Communities' Rejection/Acceptance of Demarcations." *International NGO Journal* 15 (2): 7–15. <https://doi.org/10.5897/INGOJ2020.0349>.
- Nxumalo, C. 2013. "Municipal Boundary Demarcation in South Africa: Processes and Effects on Governance in Traditional Rural Areas." Unpublished Master's Dissertation, University of Cape Town.
- Parliamentary Monitoring Group (PMG). 2021. "State of Local Government." <https://pmg.org.za/blog/State%20of%20Local%20Government>.
- Politics and Policy. n.d. "Gerrymandering: Proving All Politics is Local." <http://politicsandpolicy.org/article/gerrymandering-proving-all-politics-local>.
- Preston, K. 2021. "Overcoming Gerrymandering: Analyzing Past Approaches and Looking to Automation to Overcome Bias and Cognitive Limitations in Florida." *Stetson Law Review* 50: 659–686.
- Ratto Trabucco, F. 2019. "Gerrymandering Hypothesis in the Italian Constituencies: The Case of Genoa's District." <https://doi.org/10.35295/osls.iisl/0000-0000-0000-1039>.
- Rasila, B. N., and M. E. Musitha. 2017. "Assessing Challenges to Ineffective Communication in Government Institutions: A Case Study of Vuwani Area, Limpopo, South Africa." *Africa's Public Service Delivery and Performance Review* 5 (1): 1–10. <https://doi.org/10.4102/apsdpr.v5i1.177>.
- Republic of South Africa. 1996. *Constitution of the Republic of South Africa 1996*. Pretoria: Government Printer.
- Republic of South Africa. 1998. *Local Government: Municipal Demarcation Act (Act 27 of 1998)*. Pretoria: Government Printer.
- Shale, V. 2005. "Demarcating Local Authorities' Boundaries for Good Governance versus the People-to-people Relations: The Case of Lesotho." *EISA Occasional Paper number 28* (January), 1–12.
- Tau, P. 2020. "Vuwani Divided over Boycott of Municipality as Lack of Services Becomes 'Unbearable'." <https://www.news24.com/citypress/news/vuwani-divided-over-boycott-of-municipality-20200314>.

The Citizen. 2015. "DA Opposes Merger of Tlokwe and Ventersdorp Municipalities."
<http://citizen.co.za/news/south-africa/446267/da-opposes-merger-of-tlokwe-and-ventersdorp-municipalities/>.

Tiva, W. 2017. "Shutdown of Services in Vuwani Called Off."
<http://www.sabc.co.za/news/a/ad6f73804ff91a7f9c53dd2890c6dd6e/ShutdownundefinedofundefinedservicesundefinedinundefinedVuwaniundefinedcalledundefinedoff-20170602>.