

**THE RAMUNANGI**

**CLAIM OF RIGHTS**  
to the  
**SACRED SITES**

of

**PHIPHIDI WATERFALL**

**(LANWADZONGOLO and**  
**GUVHUKUVHU)**

# THE RAMUNANGI

## CLAIM OF RIGHTS TO THE SACRED SITES OF PHIPHIDI WATERFALL: LANWADZONGOLO and GUVHUKUVHU

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# **THE RAMUNANGI CLAN OF PHIPHIDI**

## **CLAIM OF RIGHTS TO PHIPHIDI SACRED SITE**

### **EXECUTIVE SUMMARY**

**This document describes the cultural rights of the Ramunangi, a Venda clan originating from the area of Phiphidi, in the Vhembe district near the town of Thohoyandou. The Ramunangi are the ancient custodians of the Venda sacred site known as Phiphidi, (locally known more commonly as Lanwadzongolo and Guvhukuvhu) and have been so since time immemorial. However, despite South Africa's commitment to Culture and Heritage rights as enshrined in the Constitution, as well as the provisions of the South African Heritage Resources Act of 1999, the Ramunangi have been consistently ignored, and their sacred sites have been desecrated to a critical degree.**

**The text provides an explanation of the cultural/spiritual/environmental importance of sacred sites, as amplified by international conventions, in order to motivate the request herein for urgent remedial action. Some background is then provided of the history of the vhaVenda people, with an emphasis on their proud maintenance of culture and tradition. The Ramunangi clan's loss of access to Phiphidi following the advent of Apartheid, as well as their vain attempts to prevent such loss, is then described, (with fuller details contained in the annexed statements) leading to a description of the current twin crises that now threaten the sacred sites and prompts this intervention. These crises consist firstly of the road traversing Lanwadzongolo, and secondly of the proposed development of the Phiphidi waterfall or Guvhukuvhu sacred site.**

**The document ends with the Ramunangi's plea, which is for an urgent stop to all development, for their unequivocal recognition as traditional custodians of their sacred sites, and for the engagement of government in establishing restorative and remedial measures. In short, their plea is for restoration of the integrity and sanctity of LanwaDzongolo and Guvhukuvhu.**

## 1. Introduction to the Ramunangi Claim of Rights

The Ramunangi are a vhaVenda clan, who live near the Phiphidi waterfall, some ten kilometres from Thohoyandou in Limpopo province. The Ramunangi are chiefly known amongst the vhaVenda as the traditional custodians of the sacred sites at Phiphidi, which are known in the vernacular as LanwaDzongolo and Guvhukuvhu. A map showing the position of Phiphidi is provided on the back cover of this document.

This plea for assistance is drawn up by the Ramunangi clan, with additional support from environmental organisations, in order to draw urgent attention to the current plight of their sacred sites, and in order to enable the relevant government stakeholders, which include heritage, environment and economic planning sectors to take the appropriate corrective action.

Annexed to this document as **annexure 1** are three detailed affidavits by Ramunangi elders, which describe the case and concerns of the Ramunangi in detail. In brief summary their testimony is as follows:

1.1 Tshavhungwe Nemarudei, an octogenarian and ‘makazi’ or custodian elder of the sacred site, describes in detail how she has practiced the ancient rituals at LanwaDzongolo and Guvhukuvhu all her life. She provides certain information that is generally deemed to be confidential, relating to some of the practices and beliefs that are associated with the sacred place, which is the epicentre of the clan’s cultural and spiritual lives. She expresses her deep horror, humiliation and sadness at the desecration that has taken place. Photograph 2.1 shows her pointing at the site where Lanwadzongolo rock used to be before the mining destroyed the entire site.

1.2 Phaniel Ramunangi, the elected clan chairperson since 2001 explains how the Ramunangi first lost their rights of access to the sacred sites since the times of the Apartheid government, and how they held the belief that with freedom in the country their rights to Phiphidi would be restored. He details the increasingly desperate actions he and his clan have taken in the past eight years to draw the attention of the chief and the authorities to the desecration, concluding by making the important points that:

- The local headman and council have persistently failed to acknowledge the Ramunangi rights to the site
- The Ramunangi have never been acknowledged or consulted with regard to any of the two developments that now threaten the sacred sites, and
- The Ramunangi cannot and will no longer countenance the prospect of development or tourism activities in or around the site.

1.3. Johannes Ramunangi, one of the senior clan traditional leaders, describes the importance and significance of the sacred site, as well as of the rituals that need to be performed every year. He emphasises the importance of the sacred site as being a repository of the true law and lore of the land, making the point that if the rituals are not properly carried out, the power of the site to ensure the well-being of both the community at large as well as the environment is diminished. He confirms that there should be no development whatsoever at the sacred site.

The following section describes the significance of the age-old anchors of human and natural significance, known as sacred sites. The international and domestic legal framework, as well as the deeper meaning and importance of sacred sites to society at large, are described in some detail, providing the backdrop to the Ramunangi demand for assistance to prevent further desecration, and to protect their rights. Some details of recent IUCN decisions and publications are provided in **annexures 3 to 5** attached.

In brief, recent UNESCO guidelines for the protection of sacred sites provide that nations should:

1. Recognise sacred natural sites already located in protected areas
2. Integrate sacred natural sites located in protected areas in planning processes
3. Promote stakeholder consent, participation, inclusion and collaboration
4. Encourage improved knowledge and understanding of sacred sites
5. Protect sacred sites whilst providing appropriate management and access
6. Respect the rights of sacred natural site custodians within an appropriate framework of national policy.<sup>1</sup>

Thereafter in the document a very brief history of the vhaVenda peoples is provided, with an emphasis on the deeply held culture and tradition that resonates in and binds this small nation. The conclusion that the sacred sites provide the anchors for their entire culture and cosmology is self-evident, and does not need to be explicitly made.

The progressive loss of access suffered by the Ramunangi, as well as their attempt to raise concerns and enlist assistance from their headman, the traditional authorities, as well as the government, is recounted. In summary, their voices were not heard, and they did not know how to bring their plight to the attention of the government or the world.

Finally the twin crises that have damaged the sacred sites, namely the new road, and the tourism development, are described in section 6. Photographs of the road, the tourism development, and of elders in the clan are provided in **annexure 2** in order to convey a visual impression of the harsh reality.

The conclusion of this document contains a brief a summary and an urgent appeal for assistance to restore the damage that has been committed, and to prevent all further development or desecration of this sacred site.

## **2. The universality of sacred sites**

Throughout history, sacred sites have existed in all cultures and all parts of the world. They have always been founded upon a core set of natural features, such as mountains, caves, rock outcrops, springs etc. In all cultures, sacred places are seen as crossing-over points, sited between the mundane and the spirit world: entry points into another consciousness. Not simply seen as just another place in the landscape, sacred sites carry a whole set of rules and regulations regarding people's behaviour, and imply a set of beliefs connected with the non-material world, often in relation to

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<sup>1</sup> International Union for the Conservation of Nature (IUCN) 2008 Guidelines for protected area managers, Best Practice Protected Area Guideline Series no 16  
[www.iucn.org/themes/wcpa/pubs/guidelines.htm](http://www.iucn.org/themes/wcpa/pubs/guidelines.htm)

the spirits of the ancestors and a belief in gods or spirits. Although sacred sites are commonly centred on natural landscape features, they are often embellished with man-made artefacts and culturally distinct or specific symbols, and so represent a fusion between the natural world and human modification.<sup>2</sup>

### **Experience of the sacred has an objective basis**

This fusion leads to a special tangible and palpable quality when experiencing sacred places, as reported in accounts spanning hundreds of years and many cultures. Terms like ‘wonder’ and ‘awe’ are often used to express their essential mystery and powerful effect on our consciousness, thus making sacred sites unique places in the landscape. Many cultures describe sacred places as carrying a characteristic and significant form of power which has wide or specific influence that can potentially be positive or negative. In recent years, there has been an increasing body of objective scientific evidence from psychological and consciousness studies demonstrating that sacred sites intrinsically carry a form of field effect which can be influenced and enhanced by ritual, ceremony and conscious intent so as to extend for miles beyond the site itself. So the concept and experience of the sacred is not simply a by-product of human imagination and belief but has a more objective basis.

### **Their role as Earth’s “Immune System” and where the voice of Nature is Heard**

In October 2008 at the IUCN World Conservation Congress in Barcelona, a motion on the recognition and conservation of sacred natural sites in protected areas was unanimously passed by country and NGO delegates. The motion refers to sacred natural sites in all categories of protected areas, but also calls on “Government Agencies, Non-Governmental Organizations and Conservation Agencies to work with and support local traditional and indigenous communities and custodians to directly confront threats affecting sacred natural sites by improving the management of sacred natural sites, and by adopting laws and policies – with the full and effective participation and consent of communities or organizations concerned – that protect the biological and cultural integrity of sacred natural sites”. (see Annexure G).

During preparatory meetings organized by the IUCN Task Force on Cultural and Spiritual Values of Protected Areas (CSVPA)<sup>3</sup>, it was agreed that Sacred Sites are like acupuncture points around the planet, where the custodians trained to protect these sites, identify a concentration of energy in the ecosystem. These are manifest as places of high biodiversity or areas which play a vital role in maintaining the health of the ecosystem, such as water catchment areas, rivers, forests, lakes, animal breeding grounds. Indigenous people have developed an acute level of eco-literacy over generations of living in a range of ecosystems. They all have special custodians of these sites, who are able to interpret the law which governs these sites and the wider ecosystem. The communities have followed these laws, which are embedded in their traditional customs and practices. By protecting these sites of special cultural, spiritual and ecological significance, they have been able to maintain the health of their ecosystem, which has sustained their livelihoods over millennia. Indigenous people from around the world consider sacred sites to be places where the voice of

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<sup>2</sup> Extract from Sacred Sites: An Overview. By Anthony Thorley and Celia Gunn. 2008. [www.gaiafoundation.org](http://www.gaiafoundation.org).

<sup>3</sup> The CSVPA, a Task Force of the IUCN World Commission on Protected Areas, seeks to identify, define, and provide guidelines for managing the cultural and spiritual dimensions of protected areas hosted a dialogue between custodians of sacred sites at IUCN 2008.

Nature can be heard by those who are literate, and where spirits and ancestors reside. Human activity therefore has to be limited and highly respectful of the law of these places. Some see them as places where “the Earth rests”, and where humans can go for counsel when they have a problem or a request.

To indigenous people, such as the Ramunangi, sacred sites are like the churches or mosques of other religions.. They are places where they commune with the spiritual world.

**The multiple function of sacred sites** has now been recognized by IUCN and other bodies. These sites are increasingly being understood as focal points for maintaining conditions conducive to rainfall. Many indigenous communities, and the vhaVenda in particular, have complex customs to invoke rainfall. It is clearly understood by them, that when the law is broken, and these critical sites are disturbed, rainfall patterns are affected. Scientists in the Intergovernmental Panel on Climate Change (IPCC) have now recognised that forest destruction releases carbon and disturbs the hydrological cycle, in which vegetation cover plays a vital role. It is for this reason that traditional practise across the world forbid cutting of trees, except under very controlled conditions, supervised by the custodians of the land. The role of sacred sites in mitigation and adaptation to climate change and in maintaining ecosystem resilience, underlies their significance not only to local communities, but also globally. Tampering with sacred sites is therefore increasingly understood as especially irresponsible at a time when the Earth’s biosphere and climatic patterns are so destabilized and vulnerable. Sacred sites provide the fundamental framework that supports the energetic, biological and hydrological immune systems of the Earth. This is why indigenous peoples insist that these last vestiges of pristine nature must not be violated.

### **South African compliance**

South Africa is a signatory to the UNESCO World Heritage Convention of 1972, which constituted the foundation of the subsequent body of international conventions, all of which require member states to enact domestic laws in compliance. South Africa passed the South African Heritage Resources Agency Act of 1999, (NHRA) which provides inter alia for management of heritage resources, including intangible cultural heritage (ICH) at national, provincial and local levels. The Act defines ICH as “ places or objects to which oral traditions are attached or which are associated with living heritage”, including “a place or object which is culturally significant or has other special value because of its strong or special association with a particular community... for social, cultural or spiritual reasons”<sup>4</sup>. SAHRA’s mandate is to identify and oversee both sites and objects associated with oral tradition or living heritage, and it has a ‘living heritage unit’ responsible for this task<sup>5</sup>. Other departments, such as Environment, Arts and Culture, Tourism and Water, have cross-cutting jurisdictions which may affect the integrity of sacred sites.

### **3. The vhaVenda <sup>6</sup>**

<sup>4</sup> Section 3 South African Heritage Resources Act 25 of 1999

<sup>5</sup> “Safeguarding of Intangible Cultural Heritage in South Africa”. Country report by K Sofeleng, SAHRA, 21 January 2008

<sup>6</sup> The background information for this section on Venda history is extracted from a range of public web sites and official tourism brochures which are not mentioned in detail.

The tribes of South Africa are comprised of no less than nine linguistic groups, and the vhaVenda are generally accepted as being the last of the black peoples to cross the Limpopo river into present day South Africa. During the mid 18<sup>th</sup> century, people belonging to the Karanga-Lodzwi clan in present-day Zimbabwe migrated south, and after travelling up the valley of the Nzhelele river, they stumbled upon the beautiful and fertile lands in the foot of the Soutpansberg Mountain Range in the Limpopo Province. The word Venda means “pleasant land”. The Venda history is complex, and closely related to the fortunes and achievements of successive chiefs or “captain’s” houses. The legendary ancestor, after whom the current town was named, was Thoho-ya-Ndou (Head of the Elephant) who lived at the kraal called Dzata.

The origins of the Venda nations are complex, and it is not necessary for this document to delve deeper into some of the debates that currently rage. Importantly to the Ramunangi, there is significant support for the contention that they were the earlier ‘aboriginal’ settlers of the area who had already established themselves in the foothills of the Soutpansberg mountains, and were subjugated by the waves of invading Karanga-Lodwi peoples. These earlier peoples are today referred to as the Vhangona, who (according to historians such as E.F.N Mudau) were the originators of the name ‘vhaVenda’<sup>7</sup>. These historians claim the origins of these earlier inhabitants from as early as the 16<sup>th</sup> century, and claim support for the assertion that these peoples first named the mountains, the rivers, the plants and animals, and significantly, the sacred sites. These authorities assert that “a small group of vhaVenda had already established themselves and no one knew the place and time of their origin.”<sup>8</sup> The Vhangona is today an important Venda cultural movement, which recognises fifteen original or aboriginal clans of the vhaVenda, including, importantly, the Mudau/Ramunangi clan.

During the Apartheid era a homeland was set aside for the vhaVenda people in 1979, which covered 6500 square kilometres, with its capital at Thohoyandou. With democratisation, the area returned again to form part of the Republic of South Africa. The Venda society today maintains a vibrant traditional base, and in the words of numerous tourism brochures, is “steeped in the spirit world”, with considerable power being placed in the “Kgosi” who lives at the royal capital, ‘Mukumbani’. Chiefs and headmen report to the Kgosi under the traditional leadership regime, wielding considerable practical decision-making powers over many aspects of ordinary peoples’ lives. The traditional society that lives alongside the modern is regarded as strong, reflected in the many customs, traditions and beliefs that govern day to day social intercourse. The very old and the very young are held in high esteem, and women display visible respect when in the company of male elders of their clan. Women are in turn held in high regard by the men. The initiation schools that guide girls through the three different stages of growing up are still an important part of Venda institutional life, whilst initiation for boys is now limited to two stages, namely the ‘dombani’ and the ‘murundu’ schools, which provide a rite of passage for all young Venda men.

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<sup>8</sup> Moller-Malan, “Die Donker Soutpansberg@ Historia, Vol 2, no 3. February 1957, at p 220. also in Lestrade, “Africa” vol 3, van Warmelo Contributions, it is written that “the Thovela clan (Vhasenzi) adopted the name vhaVenda at Nzhelele” at p i.



#### 4. The vhaVenda Culture, Tradition and Phiphidi

Traditional vhaVenda people believe that spirits inhabit the water, air and mountains, and that these places are sacred.

This belief system is evident in the way sacred sites like Lake Fundudzi are revered as the place where the white python spirit of fertility resides. Like the spirits of other vhaVenda sacred sites, this spirit is venerated with an annual offering of traditional beer and millet. Traditional vhaVenda believe that this spirit has the power to grant or withhold rain. In former times offerings to the python spirit were carried into the lake by a maiden who would pour the beer into the water. The nature of the coming season was then determined by whether the beer and water mixed or not. At times the offering was not accepted by the spirit and other rituals would have to be performed to placate the spirits and ancestors. This annual offering ceremony is an integral part of the spiritual life of traditional vhaVenda people, and is still observed at many of the sacred sites in the Venda area.

Other sacred sites are the Thathe Vondo Forest which is believed to be inhabited by a white spirit lion and Lwamondo Hill, which has been home to a troupe of sacred baboons since time immemorial.

The subject of this document is the Phiphidi Waterfall, which is a sacred site under the custodianship of the Ramunangi people. The waterfall is believed to be home of the Lwidulwame water spirits who reside in both the waterfall and the pool. These spirits are believed to require beer and grain offering as they are not able to procure their own.

At Phiphidi falls these offerings are made on a sacred rock near the top of the falls, known as Lanwadzongolo, as well as below the waterfall known as Guvhukhuvu. It is believed to be essential to make these offerings in order to keep good relations with the spirits and ancestors.

The surrounds of the Phiphidi waterfall thus contain the twin sacred sites of the Ramunangi, namely the subject of this document. One tourism brochure recently included the following information about the Phiphidi falls.

“The Zwidutwane water spirits are believed to reside in both the falls and the pool. Although these water sprites can trap their own meat, they cannot grow grain under water, and beer and grain offerings are therefore left on a sacred stone near the top of the falls to foster good relations with the ancestral spirits. Visitors are urged never to touch or disturb these offerings, and to respect the beliefs of the local people”.<sup>9</sup>

The brochure concludes with the following statement.

“the surrounding forest is also deemed sacred, and no one dares to tread there for fear of awakening the ancestral spirits that guard the forests. Given that today the vhaVenda still uphold ancient customs, beliefs and worship, visitors

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<sup>9</sup> Limpopo tourism brochure, Vhembe region, at p 65

to the region are strongly urged to make use of tourist guides to avoid unintentionally offending them.”<sup>10</sup>

Nowhere is it stated which particular group of the vhaVenda carry out the rituals, or maintain the traditional practices.

Another brochure states that visitors are urged not to touch any offerings of millet or beer that are left on the sacred rock for the ancestor spirits,- (note that this sacred rock and the surrounding sacred forest has been completely destroyed by the road referred to in section 6 below-)

Each of the vhaVenda sacred sites, of which the above are only the most famous, have been protected since before recorded time by a particular clan or family, who alone carry the traditional secrets and folklore related to the continuation of ancient rituals and ceremonies. The Ramunangi clan is the acknowledged traditional custodian of the Phiphidi waterfall, comprised of the two sacred ritual sites known as Lanwadzongolo (the sacred rock above the waterfall) and Guvhukuvhu, (the pool below the waterfall) as is confirmed in the statements provided in **annexure 1.**

This special relationship between the Ramunangi clan and the Phiphidi waterfall sacred sites is acknowledged by all vhaVenda, and in particular those who live in the area nearby Phiphidi and Thohoyandou. They are indisputably, in the words of the UNESCO/ IUCN working guidelines for management of sacred natural sites referred to in the introduction above, the “traditional custodians” of Phiphidi.

## **5. Loss of Access to Phiphidi and attempts to raise concerns.**

As is described in the statements of the elders Tshavungwe (**annexure “1.1”**) and Johannes Ramunangi (**annexure “1.3”**) the Ramunangi clan experienced a progressive loss of access to and control over their sacred site with the commencement of and since the Apartheid years. Venda was controversially proclaimed an independent Bantustan state in 1979, and certain chiefs and headmen were installed with powerful political support from the Apartheid government. The voices of smaller clans such as the Ramunangi and the other Vhangona tribes were effectively silenced. The Venda Development Corporation (the VDC) decided with the support of the local headman Tshivase (father of the current government-appointed headman J Tshivase) to develop the Phiphidi waterfall for tourism. The Ramunangi clan describe their anguish at this development, which witnessed unheard of desecration taking place of their site, but in their own words they did not have a voice and were not consulted. Tourists were allowed to enter, to stroll around without prohibition, to picnic. It became a well known lover’s haunt. The Ramunangi describe that they went “underground” with the continuation of their rituals, performing them out of sight and knowledge, and despite lack of approval from authority. Whilst the official brochures of Phiphidi made mention of the sacred nature of the area, and whilst the sacred nature of the site formed the basis of the tourist attraction, no attempts were ever made to establish the precise nature of the sacred

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<sup>10</sup> Information on the “People of Limpopo” brochure obtained from the “Veza Visit and Explore South Africa Official CD-Rom series”

site, or to negotiate or discuss the type and nature of the tourism impacts envisaged by the development. No attempts to mitigate of the breach of the ancient prohibitions committed by the developments were ever made. Internal roads, pathways, toilet blocks and fences were thus built in the nineteen eighties with no regard for the sensitivities of the Ramunangi. The elders were agonised by developments, but felt powerless to intervene.

The VDC was duly replaced in time by the Northern Province Development Corporation (NPDC), and then more recently by the Limpopo Development Agency, the institution currently responsible for the current tourism development on the site. As described in 5 below, the lack of official recognition and consultation continues to this day.

### **Attempts to raise concerns**

The Ramunangi describe themselves as a non-aggressive, peace-loving clan. This is a trait shared by the countless other indigenous peoples worldwide that have not had the means or capacity to prevent domination by more assertive cultures. They are regarded as part of the Mudau or 'lion' clan, one of the indigenous Venda tribes that make up the Vhangona cultural movement. The Ramunangi, or Mudau, trace their origins to the early middle ages, prior to the incursions of the Karanga-Lodzwi described in paragraph 1 above, and are widely known to be the indisputable custodians, (rather than the misnomer "owners") of Phiphidi. The clan, formerly based at Phiphidi, is now spread over a number of villages in the region, and a normal gathering brings together approximately two to three hundred individuals.

Phanuel Mudau was elected chairman of the clan in 2001, and has since then been at the forefront of attempts to negotiate with provincial and tribal authorities regarding the progressive exclusion of the Ramunangi from access to and control over their sacred site. His statement is appended to this document as annexure "B". He has pointed out on numerous occasions that their concerns are related purely to their desire to regain proper access to their sacred sites, and in order to protect it from development. His statement reflects his growing realisation that his headman J Tshivase is not prepared to formally acknowledge the cultural rights of the Ramunangi to Phiphidi, despite the fact that their ancient role and history has never been denied. Neither were the Limpopo tourism or heritage agencies willing to support the rights of the Ramunangi, in the face of the desire of the headman Tshivase to minimise their role and importance.

It should be noted that Phanuel Ramunangi's father is a member of the council of headman Tshivase, but is, in the words of his clan, powerless to raise his voice in the light of the headman's clear aversion to affirming the rights of the Ramunangi. In attempting to ascertain whether traditional custodians of other sacred sites were being similarly ignored by the powers that be, a meeting was called by the Ramunangi on the 9<sup>th</sup> August 2008 in order to gather some of these clans. Johannes Ramunangi's statement briefly describes this meeting, at which the gathered clans both affirmed the inalienable custodianship right of the Ramunangi to Phiphidi, and simultaneously pleaded for recognition of their own rights to their sacred sites. It was clear from this meeting that the legitimate cultural rights of many vhaVenda traditional custodians to their sacred sites, to their (in the words of the heritage Act) 'intangible cultural

heritage', are being similarly ignored by the powers that be. From this meeting, it was clear that the concerns of the Ramunangi are widely shared, and that if the situation is not rectified, they will have every right to take more assertive action.

Phanuel Madau as chairman of the clan makes it abundantly clear in his statement that the struggle and claim of his people is not to achieve political control over Phiphidi in order to secure tourism and other financial rights. This is primarily a spiritual and cultural matter for them. **The Ramunangi abhor the abuse of their sacred places in the name of tourism, are not interested in securing money from Phiphidi, and simply wish to be fully acknowledged as custodians and to stop all further development. They wish to be able to carry out their age-old spiritual rituals and ceremonies, and to be able to protect the sacred site, as traditional custodians on behalf of the entire vhaVenda nation.**

## **6. The Crisis: Two developments desecrating the sacred sites**

Two developments have desecrated and endangered Phiphidi, namely

- 6.1) the road from Phiphidi to Donald Fraser Hospital, and
- 6.2) the Phiphidi tourism development.

### ***6.1 The road from Phiphidi to Donald Fraser Hospital.***

This road, currently still under construction, has entirely destroyed the sacred rock of Lanwadzongolo, referred to above, and has irretrievably defaced the surrounding sacred forest. Photographs of the stone quarry that provided rock for the road, (and thus destroyed the sacred stone), of the road crossing the river, of the pollution of diesel and sand in the river, do scant justice to the harshness of the reality. This sacred site is lost, and it is difficult to imagine how it could ever be fully restored. As stated by the elder Tshavhungwe (**annexure "1.1"**) the elders have been beside themselves with worry about the developments, and have placed pressure on their young leaders to speak to the headman, or to the government, and to stop the devastation of their site. They have been concerned that the gods would punish them for the lack of respect, and many regard the current plagues of HIV/Aids and other sicknesses as being the direct result of insulting the ancestral spirits. The scale of the destruction, and the astonishing lack of consultation with the Ramunangi, is disturbing in view of the principles enshrined in our heritage laws, and in view of the commitment of our government to public participation and consultation. The helplessness of the Ramunangi in their subsequent struggle to obtain assistance from their headman and provincial government officials is a further indictment of the effectiveness of heritage protection policies in practice. The community has tried for two years to obtain a copy of the EIA report apparently obtained by the Limpopo Roads Agency, which was deemed "sensitive" by countless officials. An NGO was requested to assist, and an official attempted for three months to secure a copy of the report, as well as of the tourism development plan for Phiphidi referred to in b below. Finally they were obliged to resort to employing a lawyer to approach the Roads Agency. The Ramunangi finally in desperation sought urgent legal advice on their rights to interdict and stop both the further digging of stones on their sacred place, as well as the further destruction of their sacred site. **Of primary concern at the time of drafting this document is the fact that the mining of the quarry depicted in the**

**photographs on annexure “2.1”, which perpetrates a continued insult to and desecration of Lanwadzongolo, should be stopped, and proper rehabilitation should be guaranteed.**

## ***6.2 The Phiphidi Tourism Development***

As stated in the statement of Johannes Ramunangi, (**annexure “1.3”**)the Ramunangi first began to lose access to and control over Phiphidi after the proclamation of Venda in 1979. When the Venda Development Corporation began to plan a tourism development around the sacred site shortly thereafter, with the support of the local headman Tshivase, the Ramunangi felt intimidated and unable to assert their rights against the might of the Apartheid state. The tourism development was commenced, which involved the fencing of the site, the building of roads, public toilets, picnic sites and the like, many of which were in flagrant breach of the prohibitions, taboos and rules that had been observed since time immemorial. The elders were outraged by the fact that tourists are allowed to enter, and wander about in some of the most sacred places, playing radios loudly, leaving litter, and disturbing the spirits. They were however powerless to intervene, and bided their time. The photograph of the pile or refuse within the sacred site, on annexure “1.4”, is an example of why the elders have determined that there is no way that they can allow any form of human development or tourism within the boundaries of the sacred site.

With the demise of Apartheid and the advent of democracy, the Ramunangi felt encouraged to raise their concerns so that they could re-establish the close relationship and management of Phiphidi that they had previously enjoyed. Phaniel Ramunangi describes numerous meetings with headman Tshivase, as well as with provincial heritage and tourism authorities, who would all outwardly claim to acknowledge the Ramunangi rights, but would ignore them in practice. Plans for redevelopment of the Phiphidi waterfall are apparently at an advanced stage, but the Ramunangi have neither been consulted, nor have they even been provided a copy of the plans, despite repeated requests. Their perception is that whatever consultation takes place with government is always strictly authorised and controlled by headman J Tshivase, who is averse to acknowledging the traditional custodianship of the Ramunangi.

What the Ramunangi clan requires is firstly public acknowledgement of their role and status as traditional custodians of the Phiphidi sacred sites. It is important to emphasise that the clan has no demand for financial or other material inducements, however their demand for termination of all development is uncompromising.

**They desire, with the full support of government, a process aimed at restoring the full integrity of the sacred site, and at completely terminating the development that has happened for decades without their approval. .**

## **7. Conclusion**

**This document is an urgent plea for help to SAHRA, to the Minister of Arts and Culture, and to the Minister of Environment and Tourism, all of whom have cross-cutting responsibilities to sacred sites. Our request is that the powers that be, which in this case include the national, provincial and local government, the local headman and in particular SAHRA, should formally acknowledge the Ramunangi as traditional custodians of their sacred sites, and to act in such a way as to give effect to the clear demands expressed in 6 above.**

**Consultation with the Ramunangi must explicitly affirm recognition of the clan's traditional custodianship rights. The site must be closed to the public, in order for its integrity and value for the vhaVenda and the nation to be restored. It should also be understood that the Ramunangi clan is no longer prepared to remain silent or otherwise compromise on its duties to protect the sacred site. It is the Ramunangi's intention to make clear that if explicit recognition together with an undertaking to correct the two crises referred to above are not forthcoming, the clan will have no alternative but to seek urgent redress by more assertive means.**

**Tshililo Phaniel Ramunangi  
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