



Miṭodzi ya Zwifho zwa Vhongwaniwapo:

VHAVENDA BIOCULTURAL COMMUNITY PROTOCOL





Miṭodzi ya Zwifho zwa Vhongwaniwapo

(Tears of the Indigenous Peoples' Zwifho):

VHAVENḐA BIOCULTURAL COMMUNITY PROTOCOL

Luvhola (Vhakwevho)

Mbwenda (Vhaṭavhatsindi vha Hamagoro)

Mulambwane (Makwinḑa a Mulambwane)

Phiphiḑi (Vhadau vha Haramunangi)

Songozwi ḑa Vhadzanani

Tshidzivhe (Makwinḑa a Thathe)

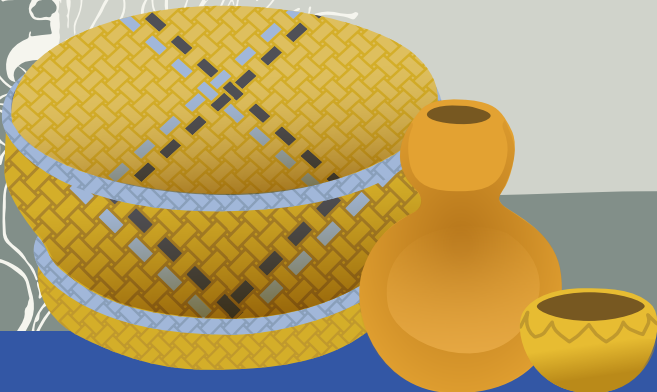
Tshiluvhi (Vhadau vha Tshiluvhi)

Tshiṭungulu (Vhadau)

Tshivhazwaulu (Makwinḑa)

Vhuṭanḑa (Ndou dza Vharundwa)

Vuu ḑa Vho Tshitavhe (Nḑou dza Vhaubo)



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Acknowledgements

This Biocultural Community Protocol (BCP) represents the collective voice of eleven (11) Vhavenda communities: *Luvhola*, *Mbwenda (Hamagoro)*, *Mulambwane*, *Phiphiḽi (Haramunangi)*, *Songozwi ḽa Vhadzanani*, *Tshidzivhe (Thathe)*, *Tshiluvhi*, *Tshiḽungulu*, *Tshivhazwaulu*, *Vhuḽanda* and *Vuu ḽa Vho Tshitavhe*.

We are indebted to our partners, Natural Justice, Earthlife Africa and Deirdre Solani-Prins, for their invaluable support and guidance in completing the BCP. Words cannot adequately express our profound gratitude.

We are deeply grateful to the 11 royal families and their communities for granting us permission, support and co-operation. Their culture, traditions, customs, natural resources and ways of life of their *Zwifho* are at the heart of this protocol.

A special thank you goes to *Dzomo ḽa Mupo* and its CEO, Makhadzi Vho Makaulule Mphaḽheleni, for her unwavering support and fighting spirit to protect our only natural inheritance – our environment. The environment, our *Mupo*, is entrusted to us by our forebears, who preserved it for our sustenance, and we are tasked to preserve it for future generations.

We would also like thank Mr Magoro Sigwavhulimu and Mr Mudau Ntshengedzeni Edward who supported and visited some of the 11 clans to assist them in writing their own Community Protocols.

Lastly, we want to thank Mudau Ntshengedzeni Edward for his dedication in compiling this Biocultural Community Protocol from 11 individual protocols by the communities for their *Zwifho*, and guidance during the finalisation of this BCP.

We are grateful to the following funders who contributed to the development of our BCP: The Ministry of Foreign Affairs of the Netherlands as part of the African Activists for Climate Justice project, the Canada Fund for Local Initiatives (CFLI) and Heinrich Böll Stiftung Cape Town.

Photography: Natural Justice, Makhadzi Mphaḽheleni Makaulule and Mavu Vho Nḽevuu of the Vuu ḽa Vho Tshitavhe community, Matodzi Magoro.

Translation: Mudau Ntshengedzeni Edward

Design: Jaywalk Design

Published: 2025 – version 1

Citation: Dzomo ḽa Mupo, *Miḽodzi ya Zwifho zwa Vhongwaniwapo - Vhavenda Biocultural Community Protocol* (Thohoyandou, 2025).

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The Connection between Zwifho and Land

Whether stated explicitly or implicitly, the protection of *Zwifho* lies at the heart of the land which has been taken away from its rightful owners. It signifies the destabilisation of our way of life, as we have been deprived of our land intangible and tangible livelihoods from farming systems of indigenous agriculture, livestock, heritage, and the natural resources bestowed upon us by *Ri sa mu di* (the One we do not know) at the creation of the universe and humanity.

Throughout history, conflicts have arisen over land and territorial control due to the vital resources that it provides, its role in sustaining human life, and the wealth that it brings. The issue of land ownership is complex and deeply emotional, particularly to our communities who have been forcibly removed from their ancestral lands. This should be approached carefully and sensitively. Failure to do so may lead to unnecessary conflict and suffering, as history has shown.

To us, land is more than just a place. It is a living territory, from mountains to valleys, defined by the climate that provides an abundant home to many species. It provides a habitat to all forms of life, from an ant to the largest animals, from soil to mountains, from grass to baobab trees. This is how we define land. For us, land is not a residential or farming area. To us, land is *shango*.

It is imperative that we seek a solution to the land question that is just and equitable to restore our dignity and prevent chaos.

Zwifho

(singular *Tshifho*)

Sacred natural sites found within Indigenous forests, lakes, ponds, waterfalls and caves. They form the spiritual and cultural heartbeat of each *lushaka*, binding our ancestors, royal families, and communities to the land with an umbilical cord. *Zwifho* are not man-made; they are believed to have been created by *Nwali*. They are places where *thevhula* is performed.



Abbreviations

BCP	Biocultural Community Protocol
CBD	Convention on Biological Diversity
EIA	Environmental Impact Assessment
FPIC	Free, Prior and Informed Consent
ICH	Intangible Cultural Heritage
IKS	Indigenous Knowledge Systems
IKS Act	Protection, Promotion, Development, and Management of Indigenous Knowledge Systems Act
IPLAA	Intellectual Property Laws Amendment Act
NEMA	National Environmental Management Act
NEMBA	National Environmental Management: Biodiversity Act
NGO	Non-governmental Organisation
NHRA	National Heritage Resources Act
NP	Nagoya Protocol
RCMA	Recognition of Customary Marriages Act
SANBI	South African National Biodiversity Institute
TKLB	Traditional and Khoi-San Leadership Bill
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples



Glossary of Words and Concepts

Bando: Rainfall ritual performed by elders and *thungamamu* (pre-pubescent girls, ritually pure due to absence of sexual activity) at *dzivhaḷavhadzimu* (ancestral lake) to invoke rain through *u ila* (observance of taboos).

Bepha: An event accompanying traditional dances

Davha: Communal work party organised to hoe fields or perform tasks, hosted by an individual seeking community labour.

Dzivhaḷavhadzimu: Sacred Lake where ancestral spirits (*vhadzimu*) dwell; site for rituals like *bando* and *u phasa*.

Dzunde (plural *Madzunde*): King or traditional leader's communal field worked by the community; produce is used for feasts and feeding the poor.

Khavho: Small spherical calabash with a long tapering neck, used by *Makhadzi* to pour water during *u phasa* (ancestral prayers).

Khoro: Traditional court.

Khosi (plural *Mahosi*) / **Khosikadzi (female): Supreme traditional ruler of a Venda kingdom or *lushaka*. Subordinate leaders are *Vhamusanda*.**

Lushaka (plural *Dzitshaka*): Community or nation; denotes collective identity tied to land, customs, and ancestry (formally referred to as a "clan/ tribe").

Lusese (plural *Misese*): Family or community lineage (e.g. '*lusese lwa ngwaniwapo*').

Makhadzi (plural *Vhomakhadzi*): Makhadzi is a sacred and spiritual role of a woman.

Makhotsimunene (plural *Makhotsimunene*): Younger brothers of the traditional leader; may act as regents or advisors.

Masimu (singular *Tsimu*): Farmlands cultivated by the community.

Matangwa: Festival of the reed-flute ensemble accompanied by drums.

Mpambo: Drinkable liquid made of finger millet (*mufhoho*), used in rituals.

Mupo: All-natural creation (land, water, sacred sites) not made by humans; sustains life and harmony. Includes *Zwifho* (sacred sites) and *vhadzimu* (ancestors) as part of ecological-spiritual balance.

Mufhoho: Finger millet; sole grain for sacrificial beer (*mpambo*) and rituals.

Musanda (plural *Misanda*): Sovereign traditional leader's kraal (palace or royal home); also refers to subordinate traditional leaders under a *Khosi*.

Musevhetho: Initiation school for girls and boys.

Muṭani (plural **Miṭani**): Enclosed yard in front of a hut.

Mutupo (plural **Mitupo**): Totemic lineage or family identity representing ancestral connection, spiritual heritage and community affiliation. It is usually associated with specific animal, plant or natural element, which serves as a symbolic guardian or marker of identity.

Muvhundu (plural **Mivhundu**): Area controlled by a headman, consisting of sub-areas.

Nando: Iron smelting furnace.

Ne: The prefix *Ne-* denotes that the people are, as a collective, the owners of the land. Thus, the *Nevu* are the owners of the land called *Vuu la Vho Tshitavhe*. The same applies to the people of Luvhola – *Neluvhola*, Tshidzivhe – *Netshidzivhe*, Tshiṭungulu – *Netshiṭungulu*, and Vhuṭanda – *Nevhuṭanda*. These prefixes denote ownership or custodianship or ancestral authority. ‘*Ne*’ prefix is a linguistic marker that signifies a person who holds ancestral or spiritual responsibility over a particular object, place or practice.

Ntangiwakugala: “The first one to be there”; original inhabitants of a place.

Nwali / Ri sa mu ḡi: Creator of the universe; synonymous with *Ri sa mu ḡi* (“The one we do not know”); the Creator of the whole.

Ngwaniwapo (plural **Vhongwaniwapo**): Indigenous founder or original occupant of a place.

Shango: territory

Shedo (plural **Zwishedo**): Undergarment for females.

Shondo: Place where iron implements are forged.

Thavha: Traditional leader (king or *musanda*); also means “mountain,” symbolising authority.

Thevhula: Annual ancestral rites performed by the king/leader around September, marking the Tshivenḡa new year.

Thovhela: Honourific for a king (“His Majesty”).

Thungamamu: Girl who has just reached puberty; participates in *bando* due to ritual purity.

Tshalo (plural **Zwalo**): Grave.

Tshidzatshapo (plural **Zwidzazwapo**): Grave of a *ngwaniwapo* (indigenous ancestor).





Tshifhe: Male family priest officiating sacrificial rites.

Tshisima (plural Zwisima): Spring or well; origin of water.

Tshisike (plural Zwisike): Descendant of the earliest settlers in an area.

Tshisiku (plural Zwisiku): Grain pit for prolonged storage.

Tshiṭambo: Initiation school for adult boys.

Tshiṭanga (plural Zwiṭanga): Hut where cooking takes place.

Tshivhambo (plural Zwivhambo): Rondavel at the royal kraal for girls' initiation or council meetings; has two doorways (one for the leader, one for the public).

U luma: Prayer before eating the first fruit.¹

U phasa: Prayer ritual where water is squirted from the mouth or poured from a *khavho* to communicate with ancestors.²

U umba: Indigenous knowledge of rainmaking and crop protection (e.g. deterring birds/animals).

Vhadzimu (singular Mudzimu): Ancestral spirits inhabiting *dzivhaḷavhadzimu* or *Zwifho*; mediators between the living and *Ŋwali*.

Vhamusanda: Subordinate traditional leader governing under a *Khosi*.

Vhangona: Indigenous people of Venda.

Vhafuwi: Title for a *Khosi* denoting deep wisdom.

Vhavenḁa: Title for royal *makhotsimunene* (younger brothers of a late leader).

Vhavenḁa (singular Muvenḁa): members of the Venda ethnic group found in the northeast of Limpopo in the former Venda homeland. In this BCP Vhavenḁa is used in reference to *vhongwaniwapo* (Indigenous people) who also refer to themselves as *vhotshidzatshapo*.

Vhusha: Initiation school for pubescent girls.

Zwifho (singular Tshifho): are sacred natural sites found within Indigenous forests, lakes, ponds, waterfalls and caves. They form the spiritual and cultural heartbeat of each *lushaka*, binding our ancestors, royal families, and communities to the land with an umbilical cord. *Zwifho* are not man-made; they are believed to have been created by *Ŋwali*. They are places where *thevhula*³ is performed.

Zwindeulu: Burial place of a traditional leader.

1 See Annexure B 'Community-Based Inventory of Intangible Cultural Heritage of Zwifho' Table 2 (Knowledge and practices which relate to nature) 2.2 ('Marula').

2 See Annexure B 'Community-Based Inventory of Intangible Cultural Heritage of Zwifho' Table 4 gov (Traditional Craftmanship) 4.3. ('Thevhula').

3 See Annexure B 'Community-Based Inventory of Intangible Cultural Heritage of Zwifho' Table 3 (Social Practices, Rites, Rituals and Festivals) 3.7 ('Khavho').



Introduction

We, the Vhavenda people, also known as the *Vhongwaniwapo*, are spread across most parts of the Venda region which today forms part of the Vhembe District Municipality. We have lived in this region since time immemorial or primordial time. Our land is rich in its abundance of natural resources⁴, expansive terrains, wild and domesticated animals, natural water sources, fertile soil and dense vegetation. Trees and plants provide herbs for medicinal purposes and spices for flavouring of food. This forms the backbone of our sustenance and economic development. We have a profound spiritual connection with the forests, water, animals and soil, as they are integral to our very existence.

Zwifho connects us with our ancestral spirits and creates an interdependence between the environment and its

people. The environment provides us with what we need for survival, while we protect and preserve it in return.

Before the brutal colonial disruption of our lives through violence, land dispossession and apartheid laws we were tellurians and pastoralists and sustained our livestock. We moved freely within our territorial borders, gathering firewood, timber and vegetables and hunting game in the mountains and fields. We understood the importance of preserving the environment and natural resources for use by us and for generations to come, striking a proper balance between the natural resources, our livelihoods and economic development. Knowledge of preserving *Mupo* was transferred from generation to generation over a long period of time by way of observing elder members of the communities.

Mupo

“*Mupo*” means ‘All of Creation’, including the cosmos’, all things of natural origin, in the Venda language. This name has deep significance in Tshivenda, evoking the memory of the core responsibility of each generation to safeguard *Zwifho* for the next generation. ‘*Dzomo la Mupo*’, the vocal and committed group of community members, translates to be the ‘voice of *Mupo*’. *Mupo* is all the non man-made things that we naturally created, it is something beautiful that brings harmony.

– *Vhamusanda Nevhutanda and Vho-Mphatheleni*

4 See Annexure A ‘Biodiversity Register’.



However, modernisation and industrialisation continue a pattern of disruption, rooted in colonisation, where land and resource exploitation neglect the interests of nature and the people, for profit. Today we have witnessed this legacy through the destruction of our inherited intangible cultural heritage for financial and personal gains by individuals and corporate businesses. In pursuit of these gains, not only has the natural environment been destroyed, but so too our sacred *Zwifho* and the graves of our forebears. The streams that were once perennial are now dry. The wild animals that once roamed the natural environment have either been killed for game meat, enclosed in zoos, or forced to flee. This has harmed our

wellbeing and that of our children. Today, for children to see a mere hare, they must visit a zoo or game park, pay a fee and spend money on transport and food.

Climate change has further exacerbated these challenges, negatively impacting both us and our environment. Climate change affects the environment in various ways. We experience rising temperatures, droughts and floods that spread diseases and cause death, and damage the ecosystems and the little infrastructure which we have. This disrupts our lives negatively as it affects our access to water, transportation, and electricity, and it disrupts our agricultural activities.



Lake Fundudzi is a *Zwifho* of the Vhavenḑa people

Biocultural Community Protocols

Biocultural Community Protocols (BCPs) are community-defined frameworks that articulate values, procedures and priorities of the community. They outline rights and responsibilities under customary, national and international law for engaging with external actors like governments, companies, researchers and organisations. BCPs serve as a tool for communities to proactively address or reactively respond to threats and opportunities related to land and resource development, conservation, research, and legal and policy frameworks.⁵

BCPs set out terms and conditions made by Indigenous communities for interactions with external stakeholders such as governments, companies,

researchers, and non-profit sectors, ensuring that engagements respect cultural values, norms and laws.

BCPs are developed through participatory decision-making processes. Each BCP is, therefore, unique in reflecting the distinct biocultural relationship of a community with its environment. Despite their uniqueness, BCPs share common elements and overarching principles.

Communities should be encouraged and empowered to develop their own BCPs to affirm their customary values, rights and governance associated with their biocultural heritage. The process itself is empowering, assisting communities to assert their rights.

Each BCP is, therefore, unique in reflecting the distinct biocultural relationship of a community with its environment.

⁵ Natural Justice, *A Brief Introduction to Biocultural Community Protocols* (2013) <https://naturaljustice.org/wp-content/uploads/2013/08/Brief-intro-BCP.pdf> Accessed on 12 March 2025.





Our BCP for Safeguarding Zwifho of Eleven *Dzitshaka* of Vhavenḁa

This BCP seeks to encourage reflection on our spirituality, culture, traditions, customs, Indigenous knowledge systems, protocols and history – which have been disrupted and which we now seek to restore. Through this BCP, we reaffirm our formal guidelines for granting access and permission to our *Zwifho*, natural resources⁶ and Indigenous knowledge systems, ensuring that all access aligns with our values and prevents unregulated use.

The traditional communities of Luvhola, Mbwenda (Hamagoro), Mulambwane, Phiphiḁi (Haramunangi), Songozwi ḁa Vhadzanani, Tshidzivhe, Tshiluvhi, Tshiḁungulu, Tshivhazwaulu, Vhuḁaḁa and Vuu ḁa Vho Tshitavhe, led by their respective royal families, initiated the process to document their *Zwifho*, Indigenous knowledge systems, crafts, beliefs, culture, traditions, customs and natural resources. This BCP outlines how each community sustainably manages its natural resources, ensuring their preservation for future generations. It

also emphasises our interdependent relationship with the environment, maintaining a balance that is essential for survival.

We define *Zwifho* as sacred natural sites found within indigenous forests, lakes, ponds, waterfalls and caves. They form the spiritual and cultural heartbeat of each *lushaka*, binding our ancestors, royal families, and communities to the land with an umbilical cord. Our *Zwifho* are not man-made; they are believed to have been created by *Nwali*. Custodianship of these sacred natural sites is held by the royal family on behalf of the community, maintaining a deep spiritual connection that links past, present, and future generations.

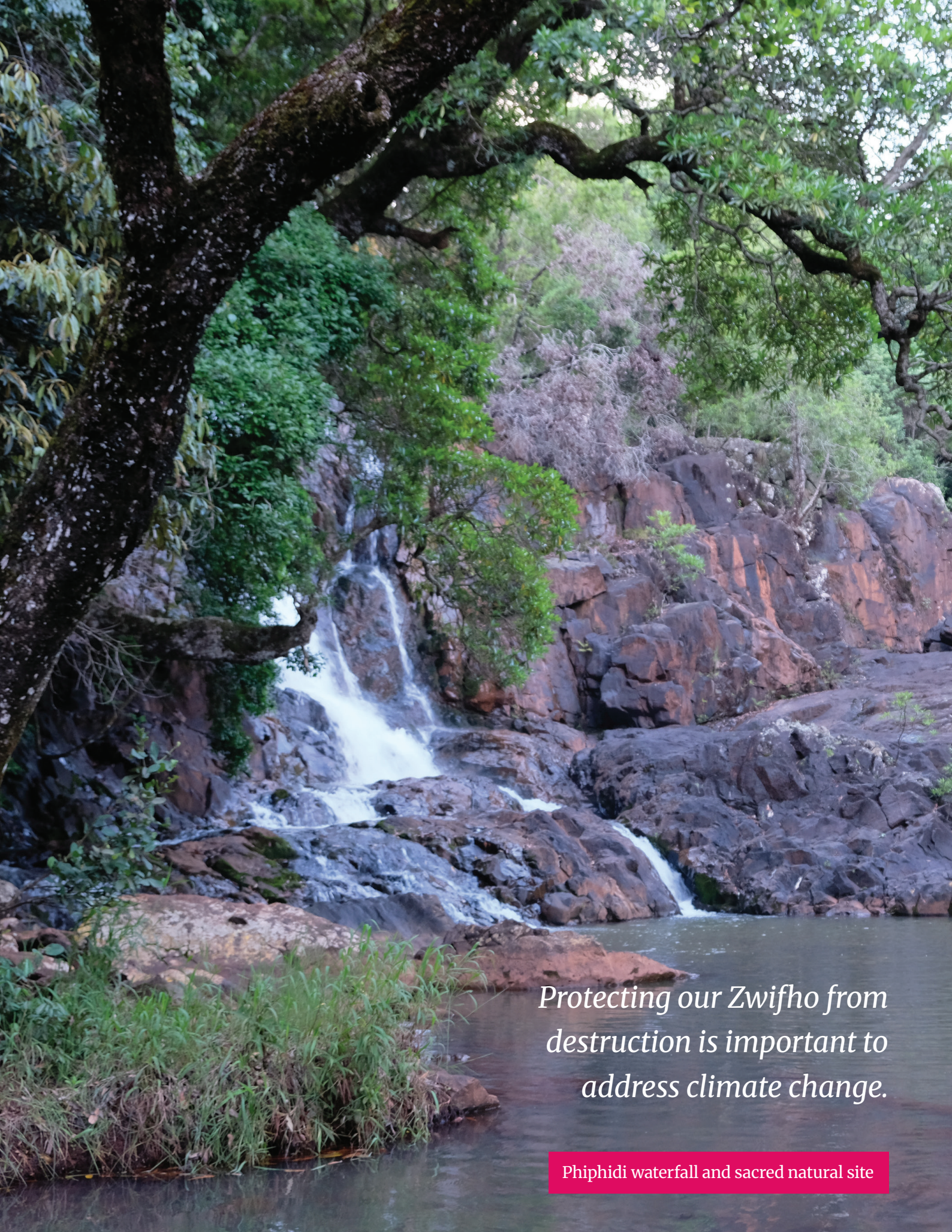
According to tradition, *Zwifho* are not open to everyone due to their sacred nature. They are only open to specific individuals who are permitted entry, as our belief is that those who enter unlawfully may not return alive or may mysteriously disappear.

Lushaka

(plural: *Dzitshaka*)

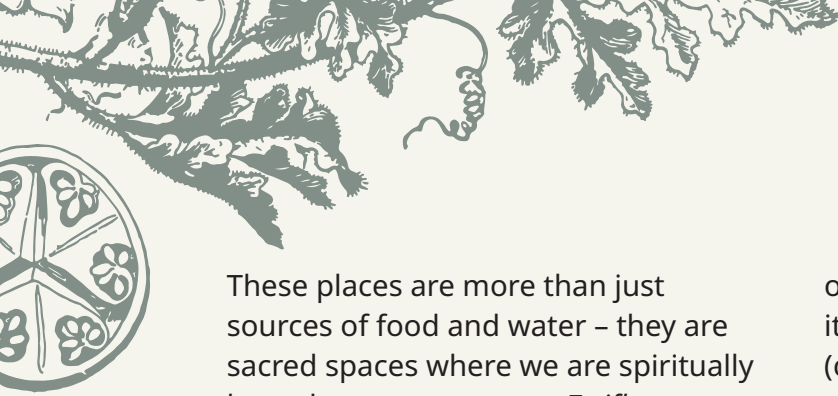
Community or nation; denotes collective identity tied to land, customs, and ancestry (formally referred to as a “clan/ tribe”).

⁶ See Annexure A ‘Biodiversity Register’



*Protecting our Zwifho from
destruction is important to
address climate change.*

Phiphidi waterfall and sacred natural site



These places are more than just sources of food and water – they are sacred spaces where we are spiritually bound to our ancestors. *Zwifho* connect the sun, moon, and earth, ensuring spiritual, ecological, and social harmony between people and the universe. The lands surrounding *Zwifho* are known for yielding abundant harvests, reflecting their significance in sustaining life.

Zwifho are geographically defined natural sacred sites protected by customary laws and our laws of origin, that prohibit the harvesting or gathering of natural resources, such as wild fruits or firewood, within their vicinity. As traditionally protected sites, *Zwifho* fall under the jurisdiction of the traditional leader or king, with leadership provided by the anointed *Makhadzi* or *Tshifhe* of the royal family, who perform sacraments on behalf of the entire community. Knowledge of *Zwifho*, and protocols regarding use and access to *Zwifho*, are passed down orally from generation to generation, never taught in formal settings but observed and learned through the actions of elders.

At *Zwifho*, we perform rituals such as *u phasa* (the ceremonial squirting

of water from the mouth or pouring it from a calabash)⁷ and *u rerela* (ceremonial communication with our ancestors). These rituals are led by the anointed *Makhadzi* who is assigned with speaking to the ancestors. During the rituals, the *Makhadzi* uses items such as *u shela fola fhasi* (snuff), *vhulungu ha maqi* (beads), *mpambo* (sorghum beer), *tshirongana* (copper bangle), *dzembe* (hoe) and *pfumo* (spear), and young girls of royal blood would be wearing *mareḽo* during the ceremonies.

Protecting our *Zwifho* from destruction is important to address climate change. Indigenous forests within *Zwifho* are critical in the ecological calendar, and any harm to these sacred sites threatens biodiversity, the land, and the well-being of our people. The destruction of *Zwifho* leads to the collapse of livelihoods, as these sites are integral to sustaining the well-being of our community and biodiversity.

Through this BCP, we reaffirm our commitment to safeguarding our *Zwifho*, ensuring that they continue to sustain our communities, preserve our heritage, and strengthen our connection to the land.

Makhadzi

(plural: *Vhomakhadzi*)

Makhadzi is a sacred and spiritual role of a woman.

⁷ See Annexure B 'Community-Based Inventory of Intangible Cultural Heritage of *Zwifho*' Table 4 (Traditional Craftmanship) 4.3 ('Khavho').



Developing our Biocultural Community Protocol

Dzomo la Mupo and Earthlife Africa conducted an ecological mapping process in 2020 with several communities. This laid the groundwork for us to document our relationship between the Vhavenḁa and *Mupo*.

Later in 2021, Natural Justice introduced BCPs as a legal empowerment tool to representatives of the communities. Dzomo la Mupo facilitated the process by obtaining written consent from traditional authorities and knowledge holders of *Zwifho*. Youth from the community were selected as writers for the BCP. They worked closely with knowledge holders from each community and received training in documenting intangible cultural heritage and other relevant information for the BCP. An expert in intangible cultural heritage

documentation supported the writers and provided guidance throughout the documentation of the BCP.

Several community workshops were held in Thohoyandou from 2022 to 2024. During these workshops, information was gathered and validated by representatives from the 11 communities. A draft protocol was created by each community. A researcher from the community facilitated the compiling of this BCP based on the individual 11 protocols. A final verification workshop was conducted in Thohoyandou, attended by writers, knowledge holders, committee members, traditional leaders, and the researcher.

Throughout the BCP process, we ensured that Vhavenḁa culture, traditions, and values were always respected and adhered to.

The first Eco-mapping exercise that Natural Justice attended with Dzomo La Mupo and Earthlife Africa, October 2021





Our Vision Statements

Luvhola (Vhakwevho)

We, the Luvhola people, envision a community where biocultural diversity is valued, respected, and protected. We want to see the integration of Indigenous intangible cultural heritage and traditional knowledge with scientific research and innovation.

By upholding our Biocultural Community Protocol and returning to the order of *Zwifho*, we seek to create a real Indigenous *musanda*, one that fosters regenerative sustainable projects and intergenerational learning. Through this, we will ensure the preservation of biodiversity, cultural identity, and the well-being of future generations.

Mbwenda (Hamagoro)

We, the Mbwenda (Hamagoro) people, strive to reclaim and live on our ancestral land as we did before our forced removal, with full recognition of our rights, protection of our *Zwifho*, preservation of our Indigenous knowledge systems and way of life in harmony with nature.

We seek unrestricted and meaningful access to our *Zwifho* and natural resources to perform ancestral ceremonies, uphold our culture, traditions, and customs, and educate our youth – empowering them to embrace and express their identity.

Our vision is to sustain our livelihoods through the natural resources surrounding our *Zwifho*. We want to create community-led initiatives that will create job opportunities through tourism and other sustainable projects that honour our heritage, while protecting our land and culture for future generations.

Mulambwane

We, the Mulambwane *lushaka*, seek to reclaim, restore, and preserve our living heritage and cultural identity, deeply rooted in our Indigenous forests and sacred natural sites. Within these lands lie *Zwifho zwa Mulambwane*, *zwidza* (our ancestral graves), *marubi* (our ancient homestead ruins), and *mashubi* (forsaken cultivated lands), which hold the wisdom of our ancestors.

Our vision is to protect these sacred lands, uphold our ancestral values and traditions, and for future generations to inherit the knowledge, respect, and connection to our land that has sustained us.

Phiphidi (Haramunangi)

We, the Ramunangi *lushaka*, seek full recognition of ourselves the *lusese lwa ngwaniwapo Haramunangi* (the Indigenous *lushaka* of *Haramunangi*) and as rightful custodians of the *Zwifho zwa guvhukuvhu la Nwadzongolo*. Our vision is to restore and uphold our traditional customs and sacred practices surrounding our *Zwifho*, bringing harmony among all inhabitants of Phiphidi.

We are committed to protecting our land, securing our ancestral rights, and ensuring that our traditional knowledge systems are passed down to future generations. Through regulated access to our sacred natural sites and natural resources, we want to create opportunities that benefit our community while maintaining the integrity of our cultural and ecological heritage.

Songozwi la Vhadzanani

We are committed to preserving and passing on our traditional, cultural, and indigenous knowledge to future generations. Our vision is to ensure that these teachings are integrated into the lives of the Vhadzanani people, both young and old.

We want to be recognised owners of our ancestral land and *Zwifho*, to perform our ancestral rituals as our forebears did. We seek to guide future generations in the correct practices for these rituals and ensure our *Zwifho zwa Songozwi* receive the recognition and respect they deserve from all of humanity.

Tshidzivhe (Thathe)

Our vision is to raise awareness of our *Zwifho*, its profound meaning, and its significance to our community, extending this understanding locally and globally.

We seek to protect and preserve the ancestral function of *Zwifho zwa Thathe*, following the legacy of our *vhadzimu* (ancestors' spirits) for the benefit of current and future generations. We want the required *thevhula*⁸ and *u phasa* (our ancient ancestral rituals and practices) to be upheld by us, the custodians, the *Netshidzivhe* community.

We aim to safeguard our *Zwifho* from destruction, protecting the ecosystems of Tshidzivhe, and shielding them from threats such as tourism and mining that affect our ancestors.

⁸ See Annexure B 'Community-Based Inventory of Intangible Cultural Heritage of Zwifho' Table 3 (Social Practices, Rites, Rituals and Festivals) 3.7 ('Vhula').



Tshiluvhi

We, the Tshiluvhi people, want our *Zwifho*, our heritage, our culture, and our environment to be protected. Our aim is to have strong and positive relationships among our community members and all stakeholders.

Our vision is to rebuild our traditional royal kraal to what it was before the forced removals, ensuring free access to our *Zwifho*. We seek to protect our sacred sites from vandalism and external threats.

Tshiṭungulu

We, the Tshiṭungulu royal family, see a future which is rooted in the strength of the community. We want to build a community deeply immersed in our cultural heritage, traditions, customs, and the Indigenous knowledge systems passed down by our forebears. Our vision is to build a leadership that is responsive, empathetic, and attentive to the needs of the community, especially the vulnerable.

We are committed to securing and restoring our *Zwifho*, preserving our environment, and ensuring harmony between our community and nature. We envision a community where there are shared values, tradition is balanced with progress, and where we care for both the well-being of our people and the environment for generations to come.

Tshivhazwaulu

We, the Tshivhazwaulu royal family, have a vision of building a diverse community that lives in harmony with *Mupo*.

We are committed to protecting our *Zwifho*, upholding our culture, traditions, and customs, and continuing the traditional knowledge systems passed down to us by our forebears. We strive to restore our *Zwifho* to its original state, ensuring that our heritage and values are preserved for future generations.

Vhuṭanda

We, the Vhuṭanda *lushaka*, want to protect and preserve our *Zwifho* in its most natural way. We want to maintain control over our *Zwifho*, protecting our sacred sites from external influence.

Our vision is to return to our land to protect our environment. We aim to have minimal impact on the environment to ensure that it is protected and preserved for our future generations.



Vuu la Vho Tshitavhe

We, the Vuu *lushaka*, are committed to restoring our *Zwifho zwa Vuu*. We seek to ensure a way of life in harmony with nature, practising our culture, traditions, knowledge systems, and customs as we did before we were dispossessed.

Our vision is for every individual in the community to be empowered to reach their full potential. We seek to restore the kingdom of Vuu to its former glory by revitalizing the *ḡando* (smelting furnace), an important economic and cultural symbol of our past.





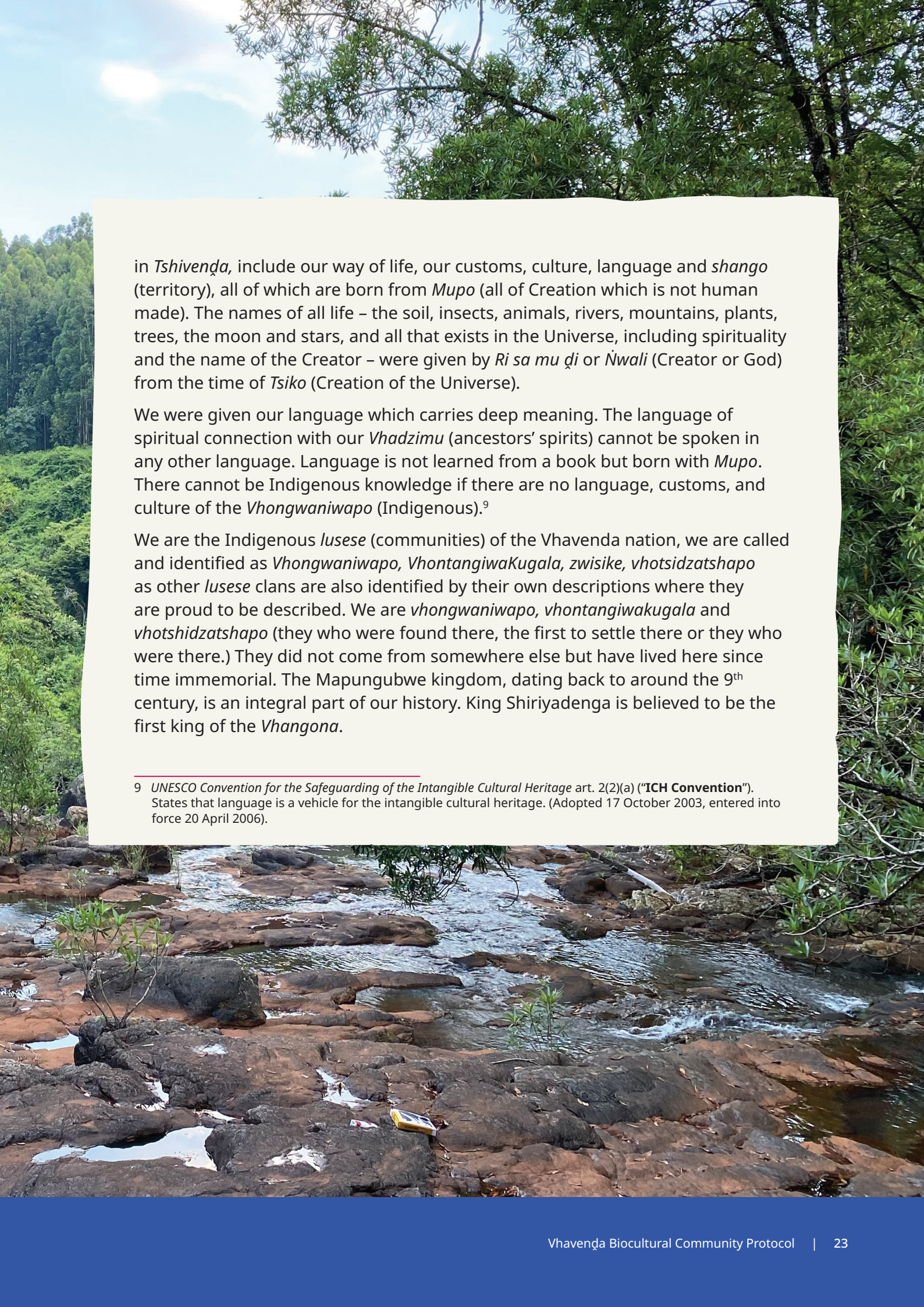
Who We Are

Our History and Identity as Vhavenda

We, the Vhavenda people, have existed since *Tsiko* (Creation of the Universe), with *Tshivenda* (Venda language) given to us by *Ri sa mu di* or *Nwali* (the Creator or God). Our language and governance systems existed before pen, paper and writing were discovered. We have spoken Tshivenda since our existence, long before it was written down between the 1600s and 1800s. When the Masingo, Vhalemba communities and other non-*Vhongwaniwapo* (non-indigenous) communities arrived here, they found the Vhavenda here, as well as the homesteads and *mashubi* (ruins) of the Venda people. Historical records acknowledge that our oral tradition is older than the written tradition and must be respected as such.

We are a diverse people, composed of many *Vhongwaniwapo* people, all speaking *Tshivenda*, though with different dialects and synonyms.

Our language carries the knowledge of our ancestors, and the knowledge of healing passed through generations. Our Indigenous knowledge systems, rooted

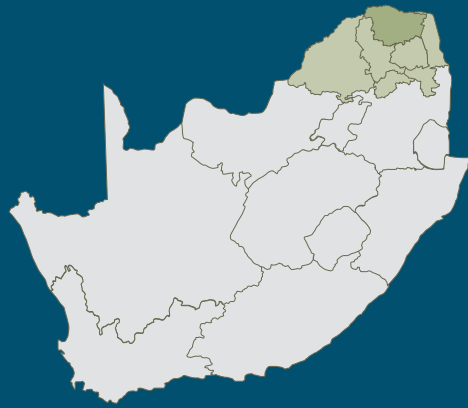


in *Tshivenda*, include our way of life, our customs, culture, language and *shango* (territory), all of which are born from *Mupo* (all of Creation which is not human made). The names of all life – the soil, insects, animals, rivers, mountains, plants, trees, the moon and stars, and all that exists in the Universe, including spirituality and the name of the Creator – were given by *Ri sa mu di* or *Nwali* (Creator or God) from the time of *Tsiko* (Creation of the Universe).

We were given our language which carries deep meaning. The language of spiritual connection with our *Vhadzimu* (ancestors' spirits) cannot be spoken in any other language. Language is not learned from a book but born with *Mupo*. There cannot be Indigenous knowledge if there are no language, customs, and culture of the *Vhongwaniwapo* (Indigenous).⁹

We are the Indigenous *lusese* (communities) of the Vhavenda nation, we are called and identified as *Vhongwaniwapo*, *VhontangiwaKugala*, *zwisike*, *vhotsidzatshapo* as other *lusese* clans are also identified by their own descriptions where they are proud to be described. We are *vhongwaniwapo*, *vhontangiwakugala* and *vhotshidzatshapo* (they who were found there, the first to settle there or they who were there.) They did not come from somewhere else but have lived here since time immemorial. The Mapungubwe kingdom, dating back to around the 9th century, is an integral part of our history. King Shiriadenga is believed to be the first king of the *Vhangona*.

⁹ UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage art. 2(2)(a) ("**ICH Convention**"). States that language is a vehicle for the intangible cultural heritage. (Adopted 17 October 2003, entered into force 20 April 2006).



ZWIFHO MAP OF 11 COMMUNITIES







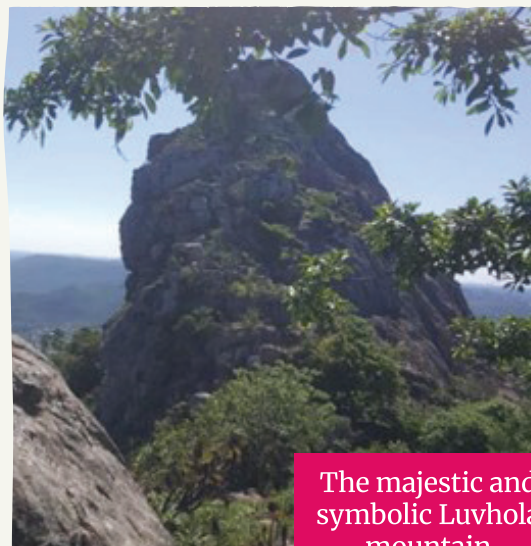
History and Description of Each Community and their Territory

Each Custodian *lushaka* is organised slightly differently, but the principles are the same for all who are the *Vhongwaniwapo* (Indigenous). We are spiritual Custodians of *Zwifho*.

Luvhola

History of Luvhola

The *Vhakwevho* of Luvhola originated (*u tumbuka*) and have lived on this land since time immemorial. We are among the *vhongwaniwapo*, *ntangiwakugala*, *vhabikwanaive*, *zwisikezwalino* who have lived on the land for generations as the Indigenous people, naming the rivers, trees, mountains, and rocks. The mountain known as Luvhola was named by the community's founding leader, *Neluvhola*. The prefix "*N*" signifies his ownership and custodianship of Luvhola. *Neluvhola* named the mountain after himself, affirming his legacy as first leader.



The majestic and symbolic Luvhola mountain

The known founding fathers of the land of Luvhola, in order of succession includes: *Vho Neluvhola* (Luvholela), *Vho Thathanamisevhe Neluvhola*, *Silae*, *Mamidza Neluvhola*, *Ramboho Neluvhola*, *Khangale Neluvhola*, *Nyamande Neluvhola* and *Silivhindi Neluvhola*. *Silivhindi* was the last ruler of Luvhola (*Vhakwevho*) who ruled until 1932, when our people were forcibly removed from the land of our ancestors. Afterwards, *Mamidza Neluvhola wa vhuvhili* (*Mamidza* the second) assumed leadership until about 1963. The current leader, *Mavu*, has led the Luvhola (*Vhakwevho*) community since 2009 and was coronated in 2017.

We, the people of Luvhola (*Vhakwevho*), are the rightful custodians of the *Zwifho* of Luvhola (*Vhakwevho*). No one else may worship, enter or perform any celebrations or rituals within our *Zwifho*.

Territorial areas of Luvhola

The boundaries of Luvhola (Vhakwevho) are defined by several rivers that separate it from neighbouring areas: On the north the Luvuvhu river marks the boundary between Luvhola (Vhakwevho) and Luonde. On the east the Muumbedzi (Mambedi) and Nwanaanatshila rivers form the boundary between Luvhola (Vhakwevho) and Mashau. On the south, the Tavha river (Klein Letaba) separates Luvhola (Vhakwevho) from Mashamba and Muhohodi. On the West, the Mununzwi river serves as the boundary between Luvhola (Vhakwevho) and Vari. The Muhohodi river flows into the Luvuvhu river, while the Mununzwi river pours into the Muhohodi river.

Mbwenda (Hamagoro)

History of Mbwenda (Hamagoro)

The Mbwenda/Hamagoro people have occupied the territory of Hamagoro since time immemorial, specifically the area around Mbwenda/Magoro Hill and the surrounding Tavha (Letaba) valley. The first recorded presence of the community is as far back as the 1600s.

The founding fathers and *Mavu* of the Magoro community include: Tshiungulela, Fhaheani, Magoro, Raluombe, Manzinzini, Mudubu, Sirembe Phillip, Muthombeni Eric and the current *Mavu* is Namadzavho Amos.

Historically, the people of Mbwenda/Hamagoro were pastoralists, skilled in cattle, sheep and goat herding, relying on the area's natural resources. We occupied and cultivated the arable land, and guided by our ancestral knowledge, established a vast bank of medicinal plants.¹⁰ This knowledge was important during times of conflict, used for protection and warding off enemies. This earned Vhafhuwi Magoro the reputation as the well-known war-doctor of the north. This traditional knowledge has been preserved and passed down through generations, with the traditional leader, *Makhadzi*, elders, and traditional healers serving as custodians.

Our *lushaka* is also known for its craftsmanship. We developed iron smelting (*nando*) and implements (*shondo*) of great value to us, such as hoes, spearheads, and ornaments. We are skilled in crafting various tools and household items, including wooden spoons, maize and millet grinders and clay pots.¹¹

However, we are disconnected from *Zwifho zwa Hamagoro* and are impacted by conscious intrusions by people through tourism, non-indigenous rituals, unwanted recreational activities and human-induced environmental degradation. This causes distress and trauma impresses itself on the Magoro people currently and through intergenerational trauma. It is embedded in living memory and experience.

¹⁰ See Annexure A 'Biodiversity Register' Table 2 (Plants that produce medicine).

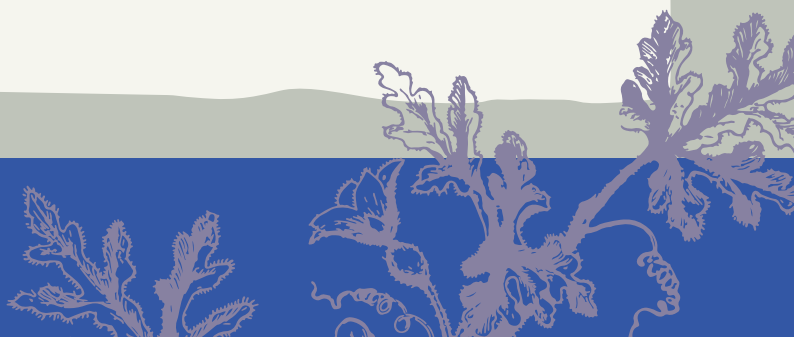
¹¹ See Annexure B 'Community-Based Inventory of Intangible Cultural Heritage of Zwifho' Table 4: (Traditional Craftsmanship).

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Map showing the territorial borders of Mbwenda Hamagoro

History of Mulambwane

The Mulambwane people are one of the *vhontangiwakugala*, *vhongwaniwapo*, *zwisike*, *vhotshidzatshapo* (Indigenous people) of the former Venda homeland. We inherited the land from our forebears, and we have lived here for generations. However, through government policies we were forcibly removed from the land of our birth, and our land was given to white farmers. Some of our land has since been returned to us through land restitution. Our forced removal disrupted our way of life and the deep connection that we have to our ancestral land. Some of our *Zwifho* and ancestral graves remain on the land that has not been returned to us.



Territorial areas of Mulambwane

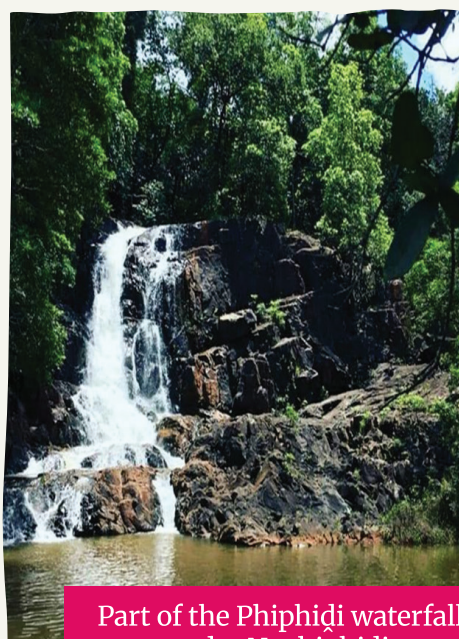
Historically, the Mulambwane people occupied an extensive territory before we were forced to leave the area. On the east, our neighbours are the people of Musekwa and N̄ekuvule (Ha Mudimeli), with the N1 national road serving as our border. On the south, the Dzwaini (Zoutpansberg) mountain forms the boundary with the communities of Songozwi ʼa Vhadzanani and Ramalamula. In the west, our neighbours are the people of Tshivhula, ʼishivha and Maphari, with the Muengedzi river as the natural boundary. On the northern end of our land, we share the Tombo ʼa Tshirundu border with the community of Letlalo.

Phiphiḁi (Haramunangi)

History of Phiphiḁi (Haramunangi)

The Ramunangi people are the *vhongwaniwapo*, *vhontangiwakugala*, *zwisikezwapo* and *zwidzazwapo* of *Phiphiḁi Haramunangi*. They have inhabited this territory since time immemorial, having been entrusted by *Ri sa mu ḁi* with the custodianship of our *Zwifho*, the *Phiphiḁi* waterfall and the majestic forest that abound our land. Our *Zwifho* is under threat as it is being disrupted by outsiders.

The founding fathers of the *Ramunangi* community include: Mavu Vho N̄elufule Ramunangi N̄ephiphiḁi, Mavu Vho N̄ethononda Ramunangi N̄ephiphiḁi, and the current Mavu is Nyambeni William Ramunangi N̄ephiphiḁi.



Part of the Phiphiḁi waterfall under N̄ephiphiḁi.

Territorial areas of Phiphiḁi (Haramunangi)

Phiphiḁi (Haramunangi) is blessed with fertile soil, ideal for agriculture, and is home to the Phiphiḁi waterfall, a scenic and sacred landmark that also attracts tourists.¹²

The land borders on the east with Ngovhela, Ha Maḁamalala and Ngwenani. The Tshikali river serves as a natural boundary between Phiphiḁi and Ha Maḁamalala. On the southeast, the Tshikali river also marks the border between Phiphiḁi and Maungani. On the south and southwest, the Duthuni people are neighbours, while on the west, Vonḁo borders Phiphiḁi. The neighbouring communities of Lunungwi and Maranzhe lie to the north.

¹² See Annexure A 'Biodiversity Register' Table 8: (Sacred natural sites), and Annexure B 'Community-Based Inventory of Intangible Cultural Heritage of Zwifho' Table 2 (Knowledge and practices which relate to nature) 2.4 ('Phiphiḁi falls').

Songozwi la Vhadzanani

History of Songozwi la Vhadzanani

The Vhadzanani people are one of the *vhontangiwakugala*, *vhongwaniwapo*, *zwiseke*, *vhotshidzatshapo* (Indigenous people) of what is today known as Venḑa. The name “Dzanani” is derived from our community’s name, Mudzanani, and it refers to the original area where the Vhadzanani lived.

We once governed three main regions: Dzanani la Fhasi (Lower Dzanani), today known as Tzaneen and the surrounding areas; Dzanani la Vhukati (Middle Dzanani), known as Muungaḑi and now called western Venḑa or Dzanani 2, which includes Ha Kutama and Ha Sinthumule; Dzanani la Nṱha (Dzanani la Songozwi) which includes the current Louis Trichardt (Makhado town), and the Songozwi la Vhadzanani mountain.

We were the rulers of these three areas, led by paramount leaders. Each region had subordinate traditional leaders *vhomusanda* (formally referred to as ‘chiefs’), headmen and headwomen, as well as petty headmen and headwomen who ruled their respective areas or villages under the guidance of paramount leaders.

Our founding fathers and rulers of Songozwi la Vhadzanani are: Mavu Vho Nṱesongozwi Mudzanani, Mavu Vho Rakhuli Nṱesongozwi Mudzanani, Mavu Vho Muengedzi Nṱesongozwi Mudzanani, Mavu Vho Nngwedzeni Nṱesongozwi Mudzanani, Mavu Vho Muengedzi Mainganye Nṱesongozwi Mudzanani, Mavu Vho Nzhavhane Nṱesongozwi Mudzanani, Mavu Vho Muvhango Jack Nṱesongozwi Mudzanani, Mavu Vho Makhado Nngwedzeni Frans Mudzanani, and Mavu Vho Nthambeleni Leonard Nṱesongozwi Mudzanani.

Vhadzanani vha Songozwi, along with other communities residing in Dzanani, are collectively called the *Vhailafuri*. Our spoken language is Tshiilafuri, one of several



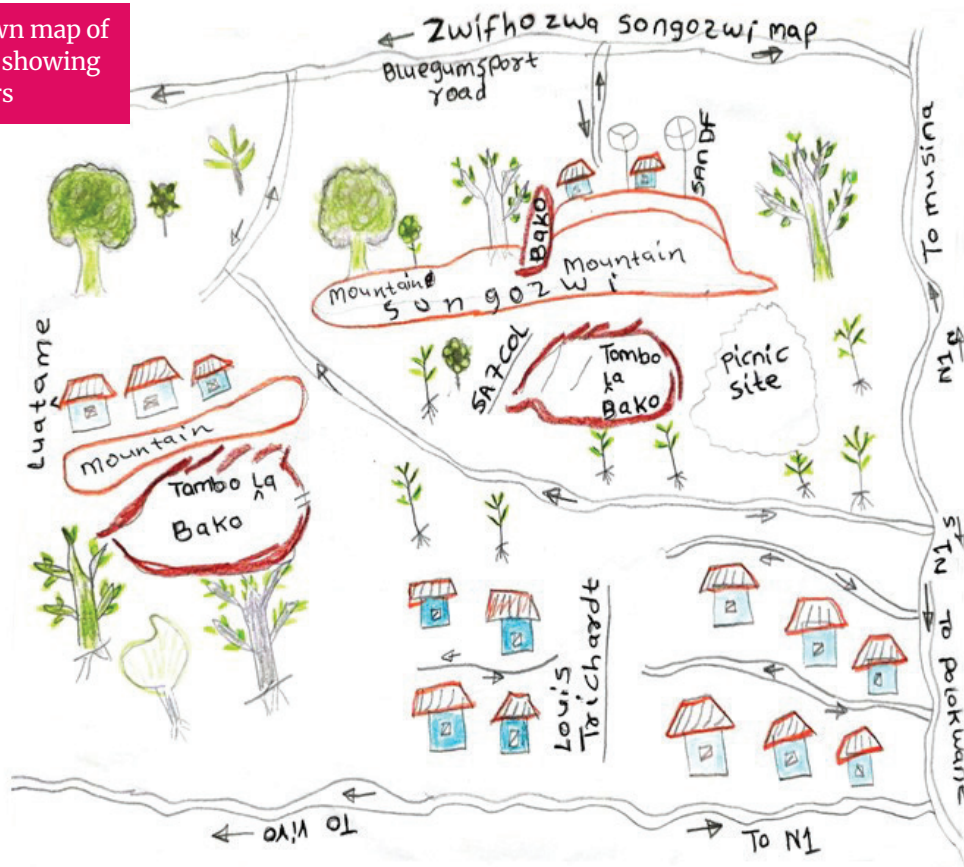
The majestic Songozwi la Vhadzanani mountain

dialects of Tshivenda, alongside Tshiphani, Tshironga, Tshimbedzi, and Tshilembetu/ Tshinia. The name *Vhailafuri* refers to those who do not eat any of their planted vegetables before the necessary thanksgiving rituals are performed.

Our ancestral land, Songozwi-Dzanani is very important to us and to our customs. We consider this area as forming part of our ancestral home, where our ancestors practiced their culture, faith, language and traditions. All historic sources indicate our early occupation and ownership of Songozwi-Dzanani. This area provided to us housing, agricultural needs, and most importantly our *Zwifho* is situated here. *Zwifho zwa Songozwi* are allocated to the Vhadzanani clan by the creator, and it is only the Vhadzanani clan that can perform rituals in *Zwifho zwa Songozwi*.

Vhadzanani vha Songozwi is also known for their majestic and large mountain, Songozwi la Vhadzanani, located near Louis Trichardt along the N1 road. This beautiful, round mountain with a flat top is sacred to the Vhadzanani. We honour and praise with the words: "Songozwi thavha ya Dzanani, Songozwi thavha khulu ya Vhadzanani, translated as *"Songozwi the mountain of Dzanani, Songozwi the great mountain of the Vhadzanani"*.

Hand drawn map of Songozwi showing the borders



Territorial areas of Songozwi Ja Vhadzanani

Songozwi Ja Vhadzanani is neighbouring Phawe on the east, with the Litshovu/ Litshovhu river as its border. On the southwest, the neighbour of Songozwi Ja Vhadzanani is Muungaḍi (now known as the Kutama-Sinthumule area), separated by the Tavha/Sand River. On the northwest, Songozwi Ja Vhadzanani is bordered by the Sand River creating a boundary with the people of Hatshivhula. To the north, Songozwi Ja Vhadzanani is neighbour to Tshinane and Halishivha, with the communities separated by the Songozwi Ja Vhadzanani range of mountains at the Maneledzi tunnel along the R523 road. Finally, to the south, it borders Luvhola, marked by the Muhohoḍi (Doorn) river.

Tshidzivhe (Thathe)

History of Tshidzivhe (Thathe)

The Tshidzivhe people are the *vhongwaniwapo*, *vhontangiwakugala*, *zwiseke*, *tshidzatshapo* (Indigenous people) of Tshidzivhe. They know no other home but Tshidzivhe.

Among its traditional leaders are: Mavu Vho Pimani Netshidzivhe, Mavu Vho Sithula Netshidzivhe, Mavu Vho Tshivhani Netshidzivhe, Mavu Vho Mandela Netshidzivhe, and Mavu Vho Mazikule Netshidzivhe, the current traditional leader.

Communal map of Tshidzivhe (Thathe)



Territorial areas of Tshidzivhe

Tshidzivhe is a vast land rich with dense natural vegetation, bordering several communities. To the east, it neighbours Makwarani and Mukumbani, separated by the Tshirovha river. The southern boundary is shared with Murangoni and Vonḑo la Thavha, also separated by the Tshirovha river. To the west, Tshidzivhe borders Fondwe, with the boundary marked by *tshisima tsha mulambo wa Nzhelele* (where the Nzhelele river starts), and the Ditimbu river. To the northwest, it neighbours Luṭanze, Tshiheni and Tshiavha, with the Mutale River as the border. To the north, Tshidzivhe shares borders with the Tshilungwi community, marked by the Mudungwi and Mangundu rivers.

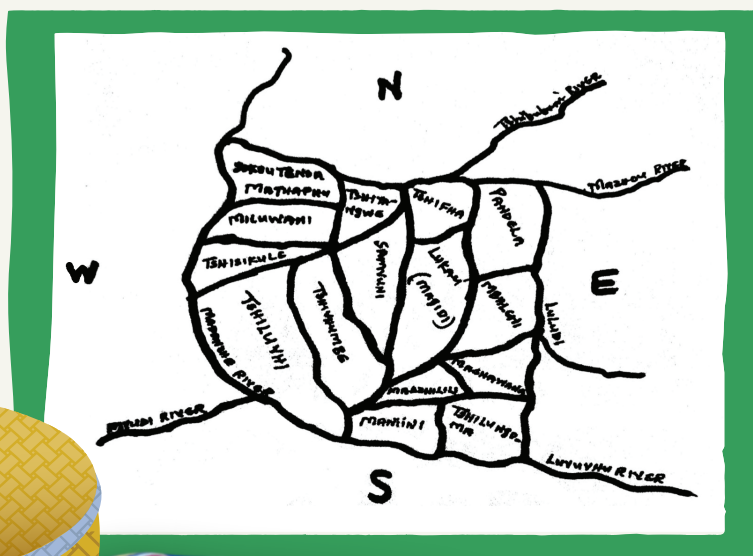
Tshiluvhi

History of Tshiluvhi

Tshiluvhi, known today as Thohoyandou, was first discovered by Mavu Vho Nedzamba Mudau Netshiluvhi in the late 1400s. At the time of its discovery, the area was uninhabited and abundant with wildlife. Mavu Vho Nedzamba named the area Tshiluvhi, derived from the Venda word *Luvha*, meaning to pay homage or respect

The Tshiluvhi community is the *vhongwaniwapo*, *vhontangiwakugala*, *zwisike*, *tshidzatshapo* of Tshiluvhi. In approximately 1964, the people of Tshiluvhi, along with the Tshiluvhi Traditional Leadership (Netshiluvhi), were forcefully removed from Tshiluvhi.

The founding father of the Tshiluvhi community was Khosi Nedzamba Mudau Netshiluvhi. Notable traditional leaders include: Mavu Khosi Vho Raswiswi Netshiluvhi, Mavu Khosi Vho Mutovholwa Netshiluvhi, Mavu Khosi Vho Khorommbi Netshiluvhi, the father of the present leader, Mavu Khosi Vho Lavhelesani Khorommbi Netshiluvhi.



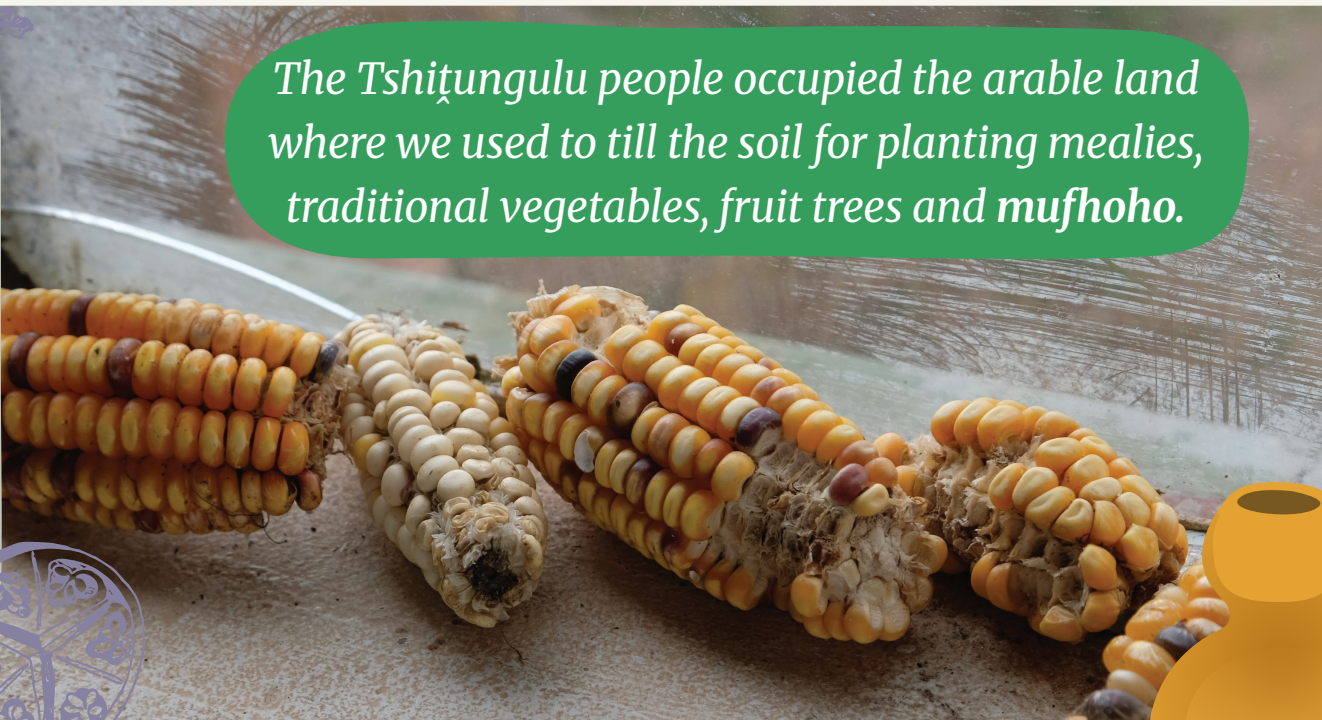

Territorial areas of Tshiluvhi

Tshiluvhi borders Marude and Tshitotsheni to the west, with two smaller rivers, called the Tshitongodzivha and Madanzhe rivers, forming the boundary. These rivers flow into the Mvuḍi river. Marude is the present-day location of the University of Venda and Marude secondary school, formerly known as Vendaland College of Education. To the south, Tshiluvhi neighbours Dididi, with the Luvuvhu river as the border. To the southwest it borders Muledane, separated by the Mvuḍi river. To the north, Tshiluvhi shares a border with Ralushai marked by Tshifha, a natural dam located at Makwarela, where the former Police Training College was. To the east, it neighbours Mabunda, with the Lukunde valley and Dzhidzhe river serving as the boundary between the Tshiulungoma and Mphego villages. The Dzhidzhe river flows into the Luvuvhu river.

Tshitungulu History of Tshitungulu

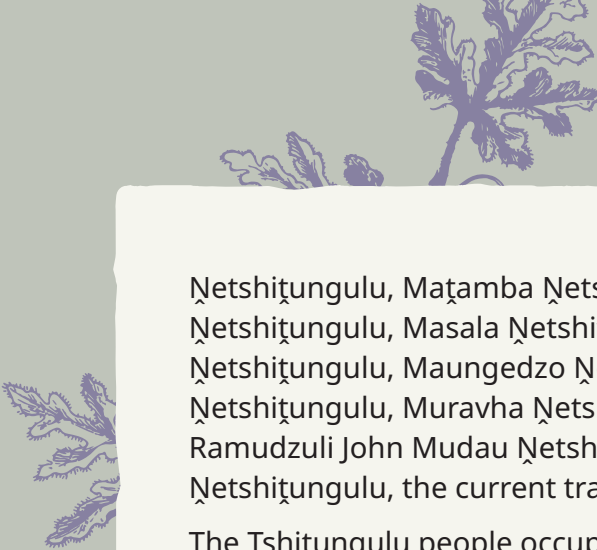
The Tshitungulu people are Indigenous to Tshitungulu; we have no other place of origin and did not migrate from anywhere else. We are the *vhongwaniwapo*, *vhontangiwakugala*, *zwisikezwaḽino* and *vhotshidzatshapo* of the region, deeply connected to the land since ancient times. The area is named after us, reflecting our identity and heritage.

The founding fathers of Tshitungulu include: Mukandangalwo lufu lwa mulenzheni Ntshitungulu, Thangayafola Ntshitungulu, Nwathaula Ntshitungulu, Gushungu



The Tshitungulu people occupied the arable land where we used to till the soil for planting mealies, traditional vegetables, fruit trees and mufhoho.





Netshitungulu, Maṭamba Netshitungulu, Luvhengo Netshitungulu, Bamuza Netshitungulu, Masala Netshitungulu, Luvhimbi Netshitungulu, Mainganye Netshitungulu, Maungedzo Netshitungulu, Nethaula Netshitungulu, Raluṭhaga Netshitungulu, Muravha Netshitungulu, Maṭodzi Frans Netshitungulu, Tshoṭeli Ramudzuli John Mudau Netshitungulu and Mmbulaheni Philemoni Mudau Netshitungulu, the current traditional leader.

The Tshitungulu people occupied the arable land where we used to till the soil for planting mealies, traditional vegetables, fruit trees and *mufhoho* (finger millet) which was used to prepare *mpambo* (sacrificial beer) for thevhula (*u tevhula*) ceremony.¹³

We were pastoralists, living from the natural resources, guided by our Indigenous knowledge systems acquired through observations, oral history, and practices. Through our knowledge we could live sustainably with the environment, stewarding our land and natural resources.

We are direct descendants of the Indigenous people of Tshitungulu and represent our ancestors who were displaced and dispossessed of their land and possessions. The name, *Netshitungulu* means “owner of Tshitungulu,” reflecting our collective ownership of the land. The people of Tshitungulu are what is called *vhongwaniwapo* - we name our lands according to the rulers of such lands. Historical attempts to rename the area to New England or Levubu sought to distort our heritage, but the people of Tshitungulu remained steadfast in preserving our identity. The region, now known as Levubu, derives its name from the Luvuvhu river, which was mispronounced by white farmers, and it therefore became Levubu. In the past, the people of Tshitungulu were chased away by Joao Albasini who killed our traditional leader, Raluthaga Netshitungulu, the royal family traditional healer and many others, and installed Rasikhuthuma as the new ruler of Tshitungulu. Thereafter, the land of Tshitungulu was referred to as New England. The naming of Tshitungulu to different names became a tool to distort and destroy the history of the people of Tshitungulu and so the lives of the *Netshitungulu*.

Territorial areas of Tshitungulu

Tshitungulu is a vast area located in the Limpopo province under the Makhado Local Municipality. To the east, it stretches as far as Tshino near Vuwani, whereas to the south and southwest it neighbours the lands of present day Masia and Mashau respectively. To the west, it borders with the land of the Tshidzivhani, while to the north it ends at the land of the people of Tshakhuma.

¹³ See Annexure B ‘Community-Based Inventory of Intangible Cultural Heritage of Zwifho’ Table 4: (Traditional Craftsmanship) 4.5. (‘Ngoṭa’)

Tshivhazwaulu

History of Tshivhazwaulu


Makwinda a ha Ntshivhazwaulu (the Kwindā community of Tshivhazwaulu), are the only owners of Tshivhazwaulu. The Tshivhazwaulu community originated at Tshivhazwaulu village from time immemorial – they are the Indigenous people of Tshivhazwaulu, the *ngwaniwapo*, *ntangiwakugala*, *tshidzatshapo* and *zwiseke*. The people of Tshivhazwaulu have no other home than the territory of Tshivhazwaulu.

In 1968, white settlers arrived and displaced the Indigenous inhabitants, claiming the land as their own and renaming it Ha Mangilasi. However, the names of the mountains, rivers, hills and our *Zwifho* were left unchanged.

Notable leaders of Tshivhazwaulu include: Mavu Vho Pfimbiḡa Ntshivhazwaulu, Mavu Vho Ntshavheni Ntshivhazwaulu, Mavu Vho Tshivhandekano Ntshivhazwaulu, Mavu Vho Khangadela Ntshivhazwaulu, Mavu Vho Phandelani Ntshivhazwaulu, Mavu Vho Nkhumeleni Ntshivhazwaulu and the current traditional leader, Mavu Vho Phundulu Khorommbi Thomas Ntshivhazwaulu.

The territorial areas of Tshivhazwaulu

Tshivhazwaulu is named after the *vhongwaniwapo*, *zwiseke vho Ntshivhazwaulu* royal family. On the western side of its borders are the Tshitwani and Tshitungulu villages. The boundary is the Lutanandwa river. On the northern side is the *Tshuvhale*, known as *Lwamondo*, by the Dzondo river. On the eastern side is Mashawana. On the southern side is Vuu, Manavhela and Tshitungulwane.



The territorial area of Tshivhazwaulu

Vhuṭanda

History of Vhuṭanda

The Vhuṭanda people are indigenous to Vhuṭanda, known as *vhongwaniwapo*, *zwiseke*, *vhontangiwakugala*, *vhotshidzatshapo*, *vho tumbukaho na shango la Vhuṭanda*.

The traditional leaders of Vhuṭanda include: Mavu Vhoṭovhowani N̄evhuṭanda, Mavu Vho Muniyadziwa N̄evhuṭanda, Mavu Vho L̄alumbe N̄evhuṭanda, Mavu Vho Mutangwa N̄evhuṭanda and the present leader, Mavu Vho Nketheni Phineas N̄evhuṭanda.

Territorial areas of Vhuṭanda

Vhuṭanda is named after the founding community, *Vhuṭanda*. To the east, it borders the lands of Vondo and Murangoni separated by the Mutshundudi river. The northern boundary is defined by a stream called Gumbudzhi. To the south, Vhuṭanda borders the Lwandana river, which serves as a boundary Mapate, Tshivhale and Tshisahulu. To the west, Vhuṭanda neighbours Matondoni, historically under the rule of Mavu Vho Sengani, with the Muthumuṁwe river serving as a boundary between the two areas.

Vuu la Vho Tshitavhe

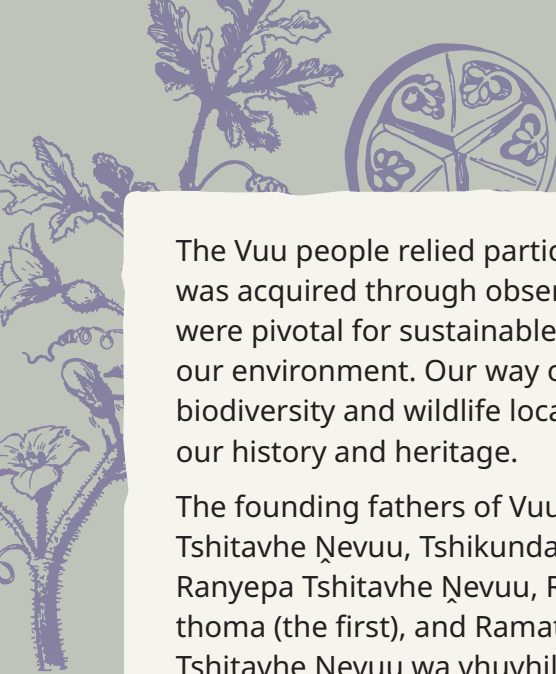
History of Vuu la Vho Tshitavhe

The people of Vuu la Vho Tshitavhe are the Indigenous people of the land, known as the *vhongwaniwapo*, *vhontangiwakugala*, *zwiseke* and *vhotshidzatshapo*, living there since time immemorial. We did not migrate from anywhere else and therefore our deep connection with *Vuu* is reflected in its name.

The name *Vuu* is further entrenched in the sound of the smelting furnace which we used to make *malembe* (ploughing hoes), *tsanga* (axes), *mapfumo/vhura* (spears) and *tsimbi dza u bwa*. The name, *N̄evuu*, means the “owner of Vuu”, aligning with our tradition of naming lands after the family name of the traditional leader of that land. The prefix *N̄e-* denotes that the people are, as a collective, the owners of the land. Thus, the *N̄evuus* are the owners of the land called *Vuu la Vho Tshitavhe*.

We occupied the arable land where we used to till the soil for planting mealies, traditional vegetables, fruit trees, and finger millet (*mufhoho*), which was specifically planted as an ingredient for sacrificial beer and used during thevhula (*u tevhula*) time.¹⁴ We were also pastoralists. We maintained a smelting furnace (*n̄ando*) for economic exchange or bartering. We were regarded as experts and other kingdoms came to barter with us and learn our knowledge.

¹⁴ See Annexure B ‘Community-Based Inventory of Intangible Cultural Heritage of Zwifho’ Table 3: (Social Practices, rites, rituals and festivals) 3.7. (‘u tevhula’)



The Vuu people relied particularly on their indigenous knowledge systems which was acquired through observation, oral history, beliefs and practices. These systems were pivotal for sustainable living and ensured the responsible management of our environment. Our way of life and identification was strongly connected to the biodiversity and wildlife located in and around Vuu, symbolising an indispensable part of our history and heritage.

The founding fathers of Vuu are: Tshitavhe N̄evuu, Dululi Tshitavhe N̄evuu, Makovhafola Tshitavhe N̄evuu, Tshikundamalema Tshitavhe N̄evuu, Rasiemule Tshitavhe N̄evuu, Ranyepa Tshitavhe N̄evuu, Ranngu Tshitavhe N̄evuu, Maṭamela Tshitavhe N̄evuu wa u thoma (the first), and Ramathithi Tshitavhe N̄evuu, with the current king being Maṭamela Tshitavhe N̄evuu wa vhuvhili (the second).

The territorial areas of Vuu la Vho Tshitavhe

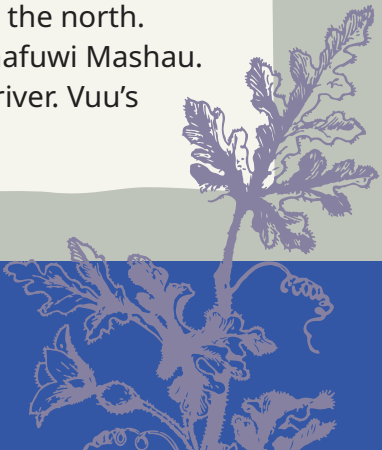
Vuu is a vast and wide land belonging to *lushaka* lwa Vuu. It is located today in the Limpopo province under the Collins Chabane Local Municipality. The eastern border is marked by the Mahebe river, originating from Mount Mavhidzhane and flowing north into the Luvuvhu river. Our eastern neighbours include Mavhulani, Tshilindi and Tshimbupfe.

Due to the 1968/69 relocations, Tshivenda and Xitsonga speaking communities, like Mavhulani, Tshilindi, Manavhela and Tshitungulwane, were moved further inside Vuu. Tshilindi (which is now called Hasani Dakari) and Mudavhula (formerly Mavhulani) are now placed at Muvhenzhe which is a mountain found in Vuu. Due to apartheid policies, the borders of Vuu were resized and reduced to a small patch inside the area now known as Schynshoogte 29 LT farm.

To the southeast, Vuu borders the land of the N̄engwekhulu, with Sanzhe river as the boundary. The Sanzhe river originates from the Mavhidzhane mountain and flows between the Mavhidzhane and N̄ngwekhulu mountains, into the Murogolwe river. The Murogolwe river flows behind an area called *Gondo na Bada* (to the south thereof) and flows to the east, parallel to the D4 road, towards Vuwani and turns to the southeast of Furi. Furi (today called Masia Tshikwarani) is the southwestern neighbour of Vuu.

The land of the Furi was under the leadership of Vhafhuwi N̄efuri, a female traditional leader. Vhafhuwi Vho N̄efuri's palace was at a hill called Furi, which is where the present Vhafuwi Vho Masia's palace is. To the south, Vuu shares the border with the land of Phadiṁwe, which today is called Majosi and Sinthumule. Slightly to the north of Furi is the hill called Mandoro which hosts the sacred place of the Furi people. The Murogolwe river is the border between the former land of the Furis Vuu, to the southeast of Vuu.

Not far away from the *Gondo na Bada*, a river named Tshinwaphala feeds into the Luvuvhu river. The Tshinwaphala river is the border from the mid-west to the north. The river borders Vuu with an area called Tshitemba which falls under Vhafuwi Mashau. To the north, the border is the Luvuvhu river, which is joined by Mahebe river. Vuu's neighbouring village to the north is Tshivhazwaulu.



A photograph of two women in traditional attire performing a dance. The woman in the foreground is wearing a yellow dress with blue and white patterns and a red skirt with blue and white stripes. She is holding a large, shallow, woven basket and is smiling. The woman behind her is wearing a red dress with blue and white stripes. They are in a room with a yellow curtain in the background. A man in a blue and white checkered shirt is partially visible on the left. A blue and white striped cloth is on the floor in the foreground.

Women had a very important role in preserving and passing down cultural traditions through singing, dancing, oral poetry, storytelling, and overseeing female initiation ceremonies.



Our Way of Life

The ways of life among the eleven *dzitshaka* are, for the most part, similar, with only slight differences between them. Before the arrival of foreign governments and kingdoms that disrupted our lives, the eleven *dzitshaka* lived in harmony, both among themselves and with their neighbouring kingdoms. We shared various responsibilities that sustained our communities, including herding livestock, hunting, crafting, preparing fields for ploughing, sowing and harvesting crops.

Traditionally, women were primarily responsible for caring for children, gathering firewood, and preparing meals. They also had a very important role in preserving and passing down cultural traditions through singing, dancing, oral poetry, storytelling, and overseeing female initiation ceremonies. Children and young people contributed by gathering firewood, tending to livestock, drawing water from wells, and running errands for elders.

Life was communal, and the concept of parenthood extended beyond biological ties. Any adult could correct a misbehaving child in the community, even if that child was not their own. The child's biological parents would


not object. The belief that “united we stand and divided we fall” was central to our way of life. As we say, “one tree is easily blown away by the wind while a tree amongst other trees is not easily blown away”. Misdeeds, such as theft, were seen not only as an offence against an individual but as a wrongdoing against the entire community. Solidarity was deeply ingrained in the social fabric.

In times of hardship, such as during a bereavement, the community would come together to support the affected family. Neighbours would bring firewood and maize meal to prepare food for mourners who travelled from afar, while elders provided guidance and emotional support to ease the burden of the bereaved family.

This deep sense of community also extended to raising children, as raising a child was a collective responsibility. Our unity amongst us as communities was reinforced by our shared language, Tshivenda. In the past, intermarriage with outsiders, particularly those speaking Xitsonga or Sepedi was rare, though this has changed in recent times. These practices continue today, with slight changes that have occurred over time.

dzitshaka

Plural of *lukshaka*. Community or nation; denotes collective identity tied to land, customs, and ancestry (formally referred to as a “clan/ tribe”).



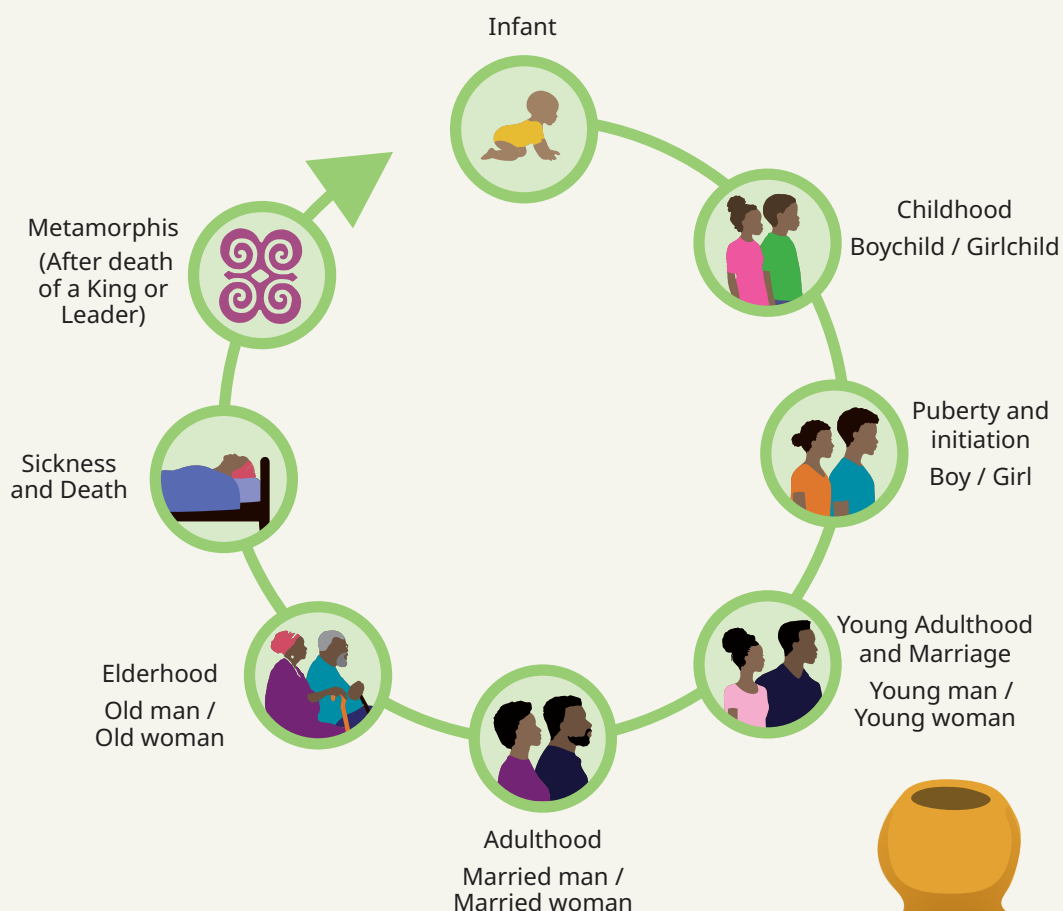
Customary and Traditional Practices

Our ancestors performed customary and traditional practices, rituals and rites that shaped our way of life.¹⁵

Zwifho (sacred natural sites) belong to the royal family, and it is here where ceremonies and spiritual rites are performed. *Zwifho ndi fhethu hu khethwa ha vhadzimu ho tumbukaho na lushaka*, meaning these are sacred places of the ancestors, granted to

the community at its establishment. *Zwifho*, created by the *Ri sa mu qi* (the Creator) at the beginning of the universe, remain central to our identity.

We have rituals that are performed from the birth of a community member to their death and beyond as illustrated in the diagram. We describe these rituals in detail in Annexure C.¹⁶



¹⁵ See Annexure C 'Timeline of Rituals and Rites'.

¹⁶ See Annexure C 'Timeline of Rituals and Rites'.



Other Customary and Traditional practices that we perform include:

Religious Practices (u tevhula/u phasa):

Annual ceremonies held in September by the *Makhadzi*, marking the beginning of the Tshivenda year. These rituals are performed alongside *u luma* (eating the first fruits) ritual.

Cultural Celebrations:

- *Matangwa* or *tshikona* and *malende* (reed flute ensemble) is performed at the royal house.¹⁷ *Tshikona* is sung when a new king or traditional leader is being installed or coronated and when a king or traditional leader is being buried. *Malende* is danced at the royal house or at other families' homes where traditional beer had been brewed in times of celebration.
- *Murula/Mukumbi* festival is celebrated in the villages of 11 communities after the kings and subordinate traditional leaders have participated in *mukumbi* (marula traditional beer ritual).
- *Bepha* is an event that accompanies all traditional dances.

Health and Healing:

Traditional healers, including herbalists and spiritual leaders, provide medicine and healing, with each royal family having a designated traditional doctor who attends only to the needs of that royal house.

Bando/Drought Rain Ritual:

Elders, accompanied by unmarried girls, perform a ritual at a secluded site, invoking rain on the same day.

Tshisiku and dūlu:

Tshisiku is an underground grain pit used to preserve maize for times of war and drought, while *Dulu* is a seasonal storage facility for post-harvest food.

Singing, playing drums, and craftsmanship:

Our people are blessed with artisans and musicians, who are gifted in singing, playing drums, crafting of artefacts such as *mifaro* (wooden-lidded basket), *ngoma* (drum), *lugube* (musical bow), *tshidudu* (small clay pot), *zwitemba* (calabash), *thovho* (grass mat), *khavho* (small spherical calabash), *mvuvhelo* (water or beer clay pot), *thonga* (walking stick), *vhulungu* (beads), *lufo* (wooden spoon), *ndilo* (wooden plate), *lufheṭo* (porridge stirrer), *mbila* (xylophone), and *vhukunda* (arm rings/bangles). Elderly men and women are mostly responsible for making of crafts, ensuring that they are interwoven into the Vhavenda culture, customs and traditions. They are an indispensable part of the Vhavenda ways of life.

¹⁷ See Annexure B 'Community-Based Inventory of Intangible Cultural Heritage of Zwifho' Table 2 (Knowledge and practices which relate to nature) 2.4. ('Phiphidi'), Table Table 4 (Craftmanship) 4.3. ('Khavho'), and Table 4 (Craftmanship)





These customary and traditional institutions and practices are essential for the well-being of the *lushaka* - preserving knowledge and fostering unity. Our communities' strength lies in its collective way of life, where there is no place for individualism. Everyone works together to sustain the *lushaka* and honour their kings and traditional leaders.

However, the forced removal of our forefathers disrupted this way of life. Sacred *Zwifho* and these invaluable traditions and institutions have been interrupted , leaving our communities scattered across the Vhembe District, disconnected from our spiritual and ancestral roots and unable to carry out the practices that we once did. We endeavour to restore these institutions for the benefit of our people and the country as well. When people are practising their culture, they are bound to respect others.



Our relationship to our resources and traditional knowledge

As eleven *dzitshaka*, we pride ourselves in our abundant *Zwifho* and natural resources¹⁸, which are rooted in our spiritual, cultural and environmental heritage. We have an abundance of water resources that flow from wells, and fountains and perennial rivers spring from these sources. We have a spiritual connection to water,¹⁹ as more than half of a human body is comprised of water, making it essential to our existence. The natural vegetation around us provides us with food, fruits, medicinal plants, timber, shelter and shade, supporting our ways of life and our economic activities through time.

We have wild animals that are essential to our lives. We derive meat, horns and leather from them, and we understand that carnivores and herbivores play a significant role in balancing our ecosystem. We have grazing fields for livestock and ploughed fields for subsistence and commercial farming. We were able to till, plant and harvest *mufhoho* (finger miller) which we use to make *mpambo* used during *thevhula* and *u phasa*.

The relationship we have with our natural resources is one of mutual respect. They sustain our livelihoods, and in turn, we look after them by preserving and protecting them. We use them in a

way that we do not exhaust them but allow them to be replenished. There are some animal body parts, despite being edible, that we do not consume, as they belong to our *mutupo* (totem).

We have sacred protocols for fetching water from some of our water sources, like wells and fountains. No one is allowed to cut or root out the reeds growing at the wells or fountains and if we find snakes at the well or fountain, we do not kill them. We use a calabash to fetch water, never cups, glasses or any other container, and we kneel as we draw water from the well or fountain as a sign of respect. It is elderly women, and not women or girls, who clean the well or fountains. Should a woman or girl who is sexually active clean the well or fountain, it dries up. Similarly, if a snake that lives in the well or fountain is killed, the well or fountain dries up.

We rely particularly on our Indigenous knowledge systems we have acquired through observations, oral history, beliefs and practices. They guide us in advancing sustainability and ensuring that we exercise responsible oversight of cultural, traditions, customs and natural resources. We look after our livestock. Our way of life and identification is strongly connected to the biodiversity²⁰ and wildlife²¹ located in and around us.

¹⁸ See Annexure A 'Biodiversity Register'.

¹⁹ See Annexure B 'Community-Based Inventory of Intangible Cultural Heritage of Zwifho' Table 3 (Performing Arts) 5.1. ('Tshikona').

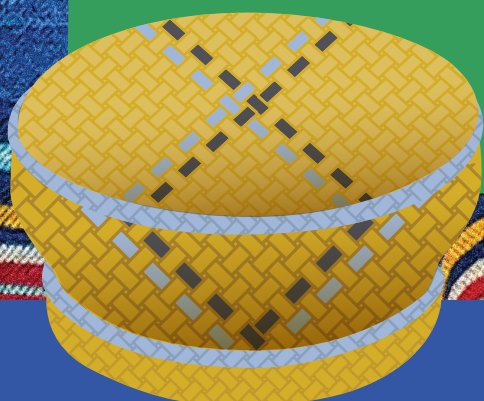
²⁰ See Annexure A 'Biodiversity Register'.

²¹ See Annexure A 'Biodiversity Register'.





The natural vegetation around us provides us with food, fruits, medicinal plants, timber, shelter and shade, supporting our ways of life and our economic activities through time.



Our Zwifho

“Zwifho ndi fhethu hukhethwa ha vhadzimu ho tumbukaho na lushaka”

Zwifho are sacred places of the ancestors which were given to the nation when it was established. The area occupied by the Vhavenda was, and still is, arable land that is suitable for commercial and subsistence farming. Before most of the natural vegetation was destroyed in favour of commercial farming and residential and commercial development, it was a picturesque garden, a “garden of Eden”.


Apart from the area being arable and beautiful, in most kingdoms of the

11 communities, there exists Zwifho, to which we have a deep spiritual meaning, and which binds our royal families and our land with an umbilical cord. Zwifho are named after the lushaka, the name of the land and the people to whom they belong. The description of Zwifho encompasses all the communities, and the rituals performed there cut across all communities.

Traditionally, Zwifho are not open to the public. It is believed that if an outsider goes there, they may not come back alive, or they would disappear without any trace.



Phiphidi waterfall – a site of a Zwifho that has been made into a tourist attraction. Strict customs mean that no one should enter the waterfall area without the permission of the Makhadzi



For those with royal blood who wish to visit *Zwifho*, they require a *Makhadzi* to perform a ritual and inform the ancestors about the visits. The *Makhadzi* pleads with the ancestors to allow the person to visit the area without any calamity befalling them.

To us, this place is not only a source of food and water, but most significantly, it is a revered holy of holies to which we are spiritually bound because it is a gift from our gods. *Zwifho* connect the sun, the moon and the earth and they hold the harmony of the universe. They hold the spiritual, ecological and social connection between us and the universe. *Zwifho* are, therefore, the keepers of the royal family and the lushaka. *Zwifho* protect the natural ecosystems in our territories and contributes to the abundance of food during harvesting seasons.

Zwifho are protected by customary laws, as no one is permitted to harvest anything or collect wild fruits or firewood within their vicinity. *Zwifho*, as a traditionally protected site, fall within the jurisdiction of the traditional leader who are led by the *Makhadzi* of the royal family who perform sacraments on behalf of the entire lushaka.

U phasa

Prayer ritual where water is squirted from the mouth or poured from a *khavho* to communicate with ancestors.

Protocols and knowledge in respect of *Zwifho* are passed from generation to generation and never taught in a formal meeting, they are gained through observing when elders perform and act.

Protecting *Zwifho* from any form of damage is a way of creating climate resilience. When one understands the role of indigenous forests, rain and the ecological calendar, one can see that the climate is intertwined and interconnected with *Zwifho*. The destruction of *Zwifho* and the forests within the vicinity thereof cause a collapse of livelihoods because the *Zwifho* are vital in sustaining the well-being of the people, the territory, and the biodiversity which abounds within them.²²

Zwifho are where we perform rituals like *u phasa* and *u rerela* (to pray). These rituals are a ceremonious and formal way of communicating with our ancestors. When things are not going well within the royal family or the nation under the royal family, the performance of these rituals ensures that things become well again. *Vhomakhadzi* are assigned the responsibility of talking to the ancestors.

²² See Annexure B 'Community-Based Inventory of Intangible Cultural Heritage of *Zwifho*' Table (Knowledge and practices relating to nature).

Indispensable things left behind connected to the Zwifho

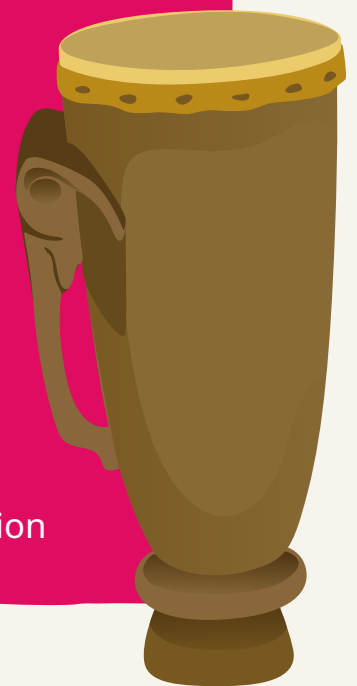
Our people have, upon being forcefully removed from their lands, left behind indispensable and valuable things which constitute our daily lives and without which our lives and wellbeing cannot be normal and complete. Those things form part of our spiritual life without which calamity befalls us, and success may be hindered as we are literally divorced from our ancestors who are the source of our lives. Although only the physical being was


forcefully removed, the lives of those removed were completely destroyed, as their livelihood was left behind. This is irreparable.

Being removed from our land created generational trauma. Our forebears died with that pain; we are living with that trauma; and generations to come will still live with the same trauma if nothing tangible is done and done immediately.

Below are some of the valuable things they left behind during the forced removals.

- *Zwifho*, which are the heartbeat and the centre of our lives
- *Zwiṭaka/zwalo* (Burial sites)
- *Zwisima* (Fountains or wells and rivers) that are of spiritual value to us
- Zwifuwo (Livestock)
- Human life lost because of criminal activities
- Mountains
- *Madzunde* (ploughing fields belonging to the royal family) and *masimu* (farmlands)
- Trees and plants which provided us with medication



A low-angle photograph of a large, moss-covered tree trunk in a dense forest. The tree trunk is thick and covered in bright green moss, with several branches extending upwards and outwards. The background is filled with a dense canopy of green leaves and branches, creating a lush, natural setting. A green text box is overlaid in the upper right corner of the image.


The lives of those removed were completely destroyed, as their livelihood was left behind.



Challenges we are facing

Destruction of *Zwifho* for Economic Development and Modernisation

The majority of our *Zwifho* are facing extinction through destruction in the name of economic development and supposed job creation. People who are obsessed with making money at all costs for their own personal benefit, have disguised the ruination of our *Zwifho* in the name of development and improvement of people's lives.



An example is the deliberate destruction of the *Zwifho zwa Haramunangi* to create a public entertainment centre by the then Venda Development Council. It was during 2010 that plans were approved by government for the further development of a public tourism resort, including several lodges. This was despite the many discussions between government, the Traditional Authority and the *Vhadau vha Haramunangi* which recognised that the *Zwifho zwa Guvhukuvhu la Nwadzongolo* must not be used for these purposes.

Land encroachment through industries, mines, tourism ventures and other

developments poses a threat to our survival, and it disconnects us from our ancestral spirits, as graves and *Zwifho* will be destroyed in preparation for either mining or commercial farming.

An example is the Musina Makhado Special Economic Zone (MMSEZ)²³ - notwithstanding the fact that it is camouflaged with good intentions in respect to 'economic growth, development and job creation in Limpopo through industrialisation, facilitating increased trade and investment, supporting the development of sustainable enterprises and ensuring infrastructure development'.²⁴ All of this will come at great expense to us, resulting in the destruction of natural forests, medicinal trees and plants, removing the graves of our ancestors and exhausting our water sources. The destruction of natural forests adversely affects our environment and contributes to climate change.

²³ Musina Makhado Special Economic Zone, (MMSEZ, 2025) <<https://mmsez.co.za>> Accessed 1 October 2025.

²⁴ Makhado Musina Special Economic Zone website accessed at <https://mmsez.co.za/> on 15 April 2025.

Restricted Access to Zwifho

We continue to face challenges in accessing our sacred sites, such as our respective *Zwifho*, which are central to our cultural and spiritual identity. These sites are not just physical spaces, they are the foundation of our connection to our ancestors, our traditions and way of life.

We are forced to request permission to access these lands, which can be denied or delayed without any reason provided. This denial often comes from white farmers who acquired the land through the historical dispossession and forced removal of our people. Other kingdoms also occupy parts of our ancestral lands, disregarding the sanctity of our *Zwifho* and further restricting our access.

This deprivation of access is a violation

of our Constitutional rights. **Section 15(1) of the Constitution**²⁵ guarantees us the freedom of religion, belief and opinion, yet we are being denied the right to practise our spiritual rituals in the sacred spaces where they have been performed for generations. These rituals must be performed at specific sites to maintain their meaning and power. By restricting our access, the farmers, government departments and other kingdoms disregard our heritage and undermine one of the rights within our democracy, the right to freely practice our religion and maintain our cultural identity.²⁶

We demand free access so that we can freely communicate with our ancestors whenever time dictates as such and not be controlled by other entities.



An elder standing in front of the heavy security measures by local commercial farmers that have cut him off from accessing his Zwifho, the Tshitungulu Zwifho .

²⁵ Constitution of the Republic of South Africa of 1996.

²⁶ *The Sustaining The Wild Coast NPC and Others v Minister of Mineral Resources and Energy and Others* (3491/2021) [2021] ZAECHC 118; [2022] 1 All SA 796 (ECG); 2022 (2) SA 585 (ECG) (28 December 2021); and the *Gongqose and Others v Minister of Agriculture, Forestry and Others* [2018] ZACC 21; 2018 (6) SA 19 (CC); 2018 (11) BCLR 1343 (CC) cases support our struggle in that the Supreme Court of Appeal (SCA) in this case affirmed the rights of the Dwesa-Cwebe community to access and use natural resources based on their customary rights and indigenous knowledge systems. The SCA further noted that such knowledge systems were inherently sustainable and that the relationship between local communities and their environment is sacred.

Our Land Rights and Customary Uses of the Land

Our short-term challenge is that the land planning and demarcations that are taking place currently, as well as historically during the colonial period, greatly restricts our access to important resources necessary for our survival and the practice of our customs, culture and heritage.

Medium-term challenges come from state actors, such as the police and the municipal council, who do not recognise and respect our customary practices and religious rights. There is no current recognition of our customary claims to rights to land which we consider our ancestral lands. Being denied access to these lands restricts our ability to transfer aspects of our cultural practices and heritage to the younger generation. Elements of our ancestral way of life is therefore

not being developed to continue our customs. The knowledge which was supposed to be nurtured for the future is being eroded away as most elderly people are passing away before they can pass their knowledge on.

For example, *Hamagoro Dzivhaḷavhadzimu* (God's pool) has dried up as the last elder with the knowledge to sustain it has also passed on. This pool was an important *Zwifho* and used during the rain ritual.

The loss of our lands, resources and the inability to perform certain rituals has negatively impacted our people. In the past, we would be able to harvest herbs and roots to treat ailments and perform rituals to honour our ancestors. However, because we are no longer able to do this, our people have been unwell.



Loss of our way of life

Throughout the period of forced removals and the intrusion into our lands, we have lost our ways of life. This includes the loss of elements of our knowledge systems, culture, traditions and customs which have resulted in a loss of identity and the loss of our connectedness to the very land we once inhabited, but also the land we now inhabit.

We appreciate that life is dynamic, and we must keep up with modern trends and changes. We acknowledge that this has led to our children drifting from our ways of life and, in turn, adopting foreign ways which conflict with our own.

The ways in which knowledge about culture, traditions, and customs are imparted to younger generations has been badly impacted, and as time goes on, we are witnessing a detachment from things that keep and sustain us as a people. Younger generations have

adopted other religions at the expense of our own traditional spirituality and belief systems. People nowadays perceive the performing of *thevhula* and/or *u phasa* as worshipping evil spirits; and have distanced themselves from such traditions.

Additionally, schooling and television have a negative impact on language and culture, because language is a vehicle through which culture is transmitted through generations in the form of oral literature. In the past, grandmothers would sit around the fire in the evenings with their grandchildren to tell folktales and riddles which were mediums of transmitting culture, history, norms of society, teaching and preserving the language and wisdom. At school, children are being taught in English. Thus, they adopt a foreign culture whilst losing touch with our language and culture.



A **bulldozer** busy destroying natural vegetation in *Phiphindi*, in the name of economic development and job creation.

Source: *Ramunangi* Community Protocol.



Proposed Solutions

Access and Land

We require full and free access to our *Zwifho*, ancestral lands and natural resources so that we can practice our ancestral way of life, freely communicate with our ancestors and sustain our livelihoods. This would be a step in providing us with the necessary recognition of our customary rights to the land and allow us to transfer knowledge and practices to future generations.

Education

It is a necessity for education centres to be developed which enable our future generations to learn in their mother tongue and continue our cultural and spiritual way of life. A school already exists to make *mifaro*, *tsele*, and other architectural items which preserve our cultural heritage; however, additional centres would assist in combating the modernisation experienced within our communities.

Economic development

Economic development should be centred on our right to self-determination. As communities, we have a right to decide for ourselves how our ancestral lands should be developed for economic gain. For example, many of our communities practice agro-ecology and make architectural items. We foresee the sale of our farming produce and architectural items as a means of generating an income and reviving our local economy.

When government or private companies want to develop the land where our *Zwifho* are located, we must first be consulted in order to provide Free, Prior and Informed Consent, and to determine how our *Zwifho* will be protected.







Vhavenda Indigenous laws of origin for Governing Zwifho

The Venda *laws of origin* are the principles which are common to all the *Zwifho* in Venda. They have been given and practised since *Tsiko* (Creation of the Universe) and are transferred from generation to generation by the ancestors of the *Vhongwaniwapo* who are the Custodian Communities of *Zwifho* zwa Venda.

The custodians of *Zwifho* are not chosen by human beings or government, but only by *Ri sa mu qi* or *Nwali* (Creator or God). There is no person or government law, including the leader of a *lushaka*, and the nation, that has the right to change the laws that govern the *Zwifho*.

Each custodian *lushaka* was given the responsibility for protecting a *Tshifho*. If we as the custodians of the *lushaka* do not respect the *Zwifho*, or disregard our *Vhadzimu* (ancestors' spirits), or do not follow the *Vhavenda laws of origin*, then the *Vhadzimu* will show their discontent through disconnectedness which lead to natural disasters, illness and misfortune for the community. This happens because of the

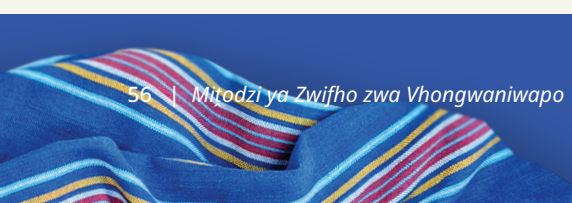
imbalances created by breaking the ancestral laws.

'Vhadzimu vha a ri furaleta arali ra litsha u tevhula na u phasa kana ra shandukisa mafhungo a zwifho' - the ancestors forsake us if we do not do the expected rituals and do activities that change the customs of *Zwifho*.

According to the *Tshivenda* (Vhavenda ways of living) of the *Vhongwaniwapo*, women are highly respected in spirituality. In every community, there are women who are chosen by the *Vhadzimu* to be *Vhomakhadzi* (women responsible for spiritual connection and for ancestral rituals), who carry the ancestral knowledge. Only those who are initiated into the ancestral law can perform this role. The *Vhomakhadzi* are the mediators in spirituality between the community and *Ri sa mu qi* or *Nwali*. Their role is to read the law of *mupo*. The *Vhomakhadzi* are the guardians of the *Zwifho*. They transmit and translate the Venda *laws of origin* into our customary practices. The community and wider community must respect

Vhadzimu

Plural of *Mudzimu*. Ancestral spirits inhabiting *dzivha* (Vhadzimu or *Zwifho*; mediators between the living and *Nwali*).



these laws and the ancestral customs.

Each *Tshifho* has a different significance and plays a different role in the network for maintaining the health and viability of the ecosystem as a whole. All *Zwifho* are home to and part of, like critical organs within, ecosystems such as indigenous forests, springs, wetlands, rivers, waterfalls and other sources of water, mountains and caves. We, the Custodians, work together to maintain the flow of energy and the vitality of our system or network of the *Zwifho*. If one is damaged, or the required ritual is not carried out as it should be, it will affect all the other *Zwifho*, our *shango* (territory) as well as our communities.

Human interference, structures, electricity, digging, machines and their noise, all disturb *Vhadzimu*, the forests, plants and animals and the whole ecosystem of the territory.

We, the custodians of *Zwifho*, earn our knowledge through practice and training over a lifetime. Potent knowledge needs to be guarded, just as *Zwifho* do, because knowledge has power. If this power is abused or misused, it can cause harm.

Our Indigenous knowledge systems have stringent protocols where knowledge is earned through practice; and the more knowledge one

develops, the greater the restrictions and responsibilities. Unlike the western tradition, our knowledge is not widely shared as information. Therefore, no-one else can research, document or publish anything about our *Zwifho* or our sacred knowledge. We, the custodians, are the only ones who can do that.

As the custodians of Vhavenda cultural heritage, we assert our exclusive authority over the research, documentation and dissemination of knowledge pertaining to our *Zwifho* and other sacred traditions. This responsibility is reserved solely for the designated custodians, ensuring the protection, authenticity and proper transmission of our sacred heritage.

Each generation has an obligation to safeguard this accumulated knowledge and the *shango* of the *lushaka* for the next generation. This is a fundamental right and responsibility of one generation to the next. Thus no one in the community has the right to control, commercialise, sell, destroy or monopolise any aspect of the *shango* or related knowledge and traditional practices. These rights are inalienable, meaning that they cannot be taken away from those who hold them, because they have been established by birthright.

‘Vhadzimu vha a ri fura lela arali ra litsha u tevhula na u phasa kana ra shandukisa mafhungo a zwifho’

– the ancestors forsake us if we do not do the expected rituals and do activities that change the customs of *Zwifho*.



The Vhavenda Order and Systems of Governance

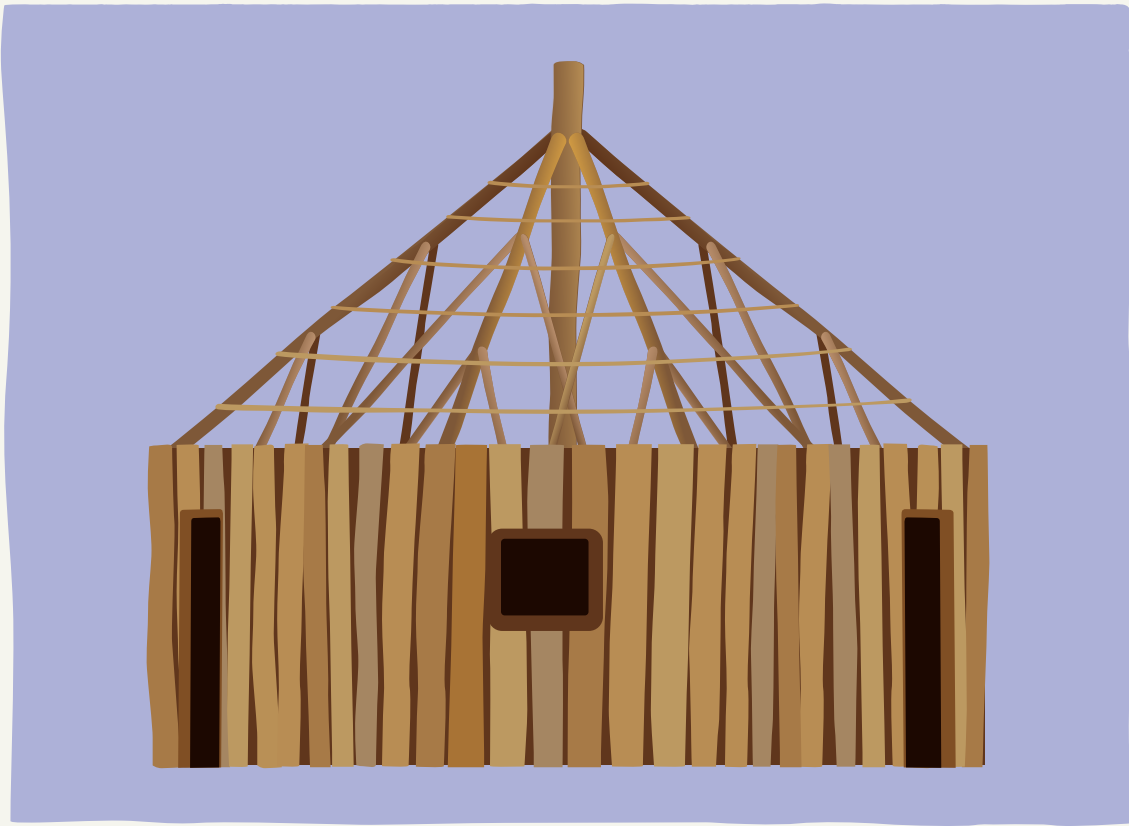
We as the Venda people believe in the Supreme Being called *Nwali*/ *Raluvhimba*/ *Khuzwane*.

The Vhavenda order is as follows:



- *Nwali*, The Creator - the creator of all things
- *Vhadzimu*, Ancestors - spiritual beings. When our people die they become ancestors and they mediate between the living and their Creator. They present themselves to the living as sacred animals, for example, baboon, snake, elephant, leopard, lion, monkey, crocodile. The king is accompanied by the anointed *Makhadzi* when he goes to the *Zwifho*. The king and the anointed *Makhadzi* are ones who handover the sacrifice to the ancestors.
- *Tshifhe*, The king and the anointed *Makhadzi*.





The *Vhongwaniwapo lushaka* governance structure is well represented by a symbolic structure called a *Tshivhambo*²⁷ (Tshivenda traditional hut with two entrances) whose rooftop is made up of a *Mutumeri* (trinity). At the top of the *Mutumeri* is *Vhafuwi*, whereas at its base is *Ndumi* on the left and *Khadzi* on the right.

The support structure of the *Mutumeri* is called a *Thanga* (roof – unthatched roof of the hut). The main four poles forming part of the roof represent the four directions (east, south, west and north) and are the pillars that balance the roof for its stability and are directly nailed on the *Mutumeri*. These four poles are symbolic representations of the royal family members who are *Vhavenda*, *Makhadzi mufara thungu*, *Vhomakhadzi*, and *Tshifhe*, all are from the royal houses. The other poles forming the rest of the roof represent other *Vhavenda*, *Vhokhotsimunene*, *Vhomakhadzi*. All parts of the roof, from the roof top down to the poles, form the inner circle called the royal council. The pillar poles forming part of the wall of *Tshivhambo* are the headmen, whereas the rest of the poles are representations of the subjects of the kingdom.

²⁷ See Annexure B 'Community-Based Inventory of Intangible Cultural Heritage of Zwifho' Table 3: (Social Practices, rites, rituals and festivals).

The Vhavenḑa nation

The name Venḑa is derived from the prefix *ve* which is from the word *vele* (seed of the maize) and the prefix *nḑa* which is from the word *nḑala*.

We categorise our people according to their clan names or totem groups:

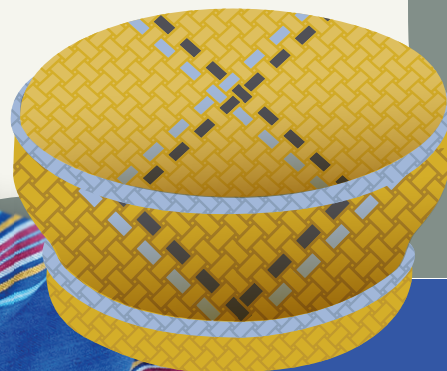
- | | |
|--|---|
| a) Nḑou (Dzinḑou) | h) Kwinḑa (khwandḑa / mulenzhe ya nḑou) |
| b) Mudau (Dzindau) | i) Mbedzi (Ngweḑa) |
| c) Mukwevho (Dzinguluvhe) | j) Munyai (Pfheḑe) |
| d) Muleya (Dzinḑou) | k) Mudzanani |
| e) Mutwanamba (Dzinḑou) | l) Muluvhu (Nḑou) |
| f) Mulambwane () | m) Na vhañwevho |
| g) Khomola Muḑarini (nari / kholomo ya ḑaka) | |

The Vhavenḑa (*Vhongwaniwapo*) are also categorised by their mountains even though we share the same clan name or totem group:

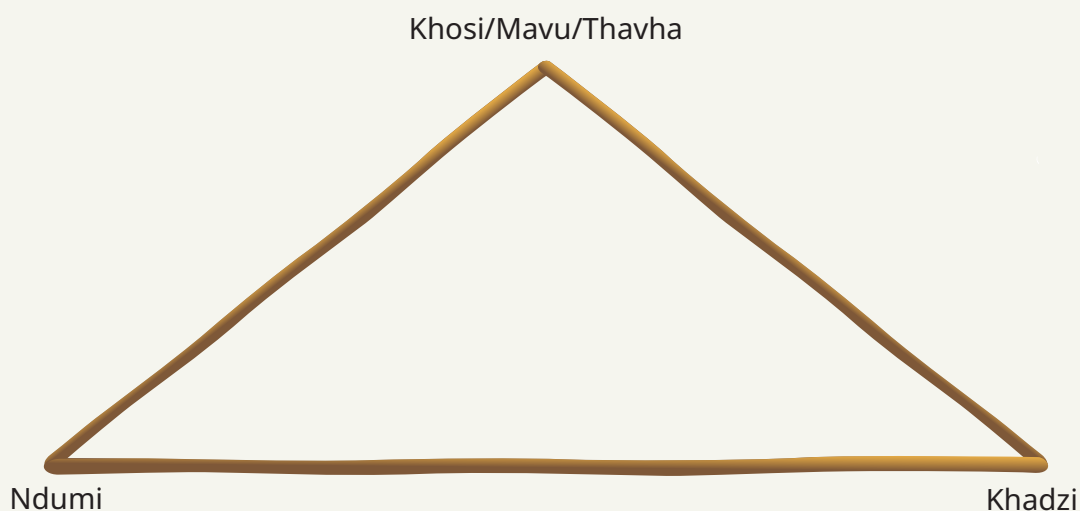
- a) The *Dzinḑou* – of Vhaubo vha Vuu, of Vharundwa, of Vhuṭandḑa, of the Kwokwane mountain, of the Musina mountain, and others
- b) The *Vhadau* - of Tshiheni, of Tshiluvhi, of Tshiṭungulu, and others
- c) The *Vhakwevho* – of Luvhola, of Luonde, of Lwandḑali, of Vhulaudzi, and others)
- d) The *Makwinḑa* – of Tshivhazwaulu, of Tshidzivhe, of Tshivhale, and others
- e) The *Vhambedzi* – of Haluvhimbi, of Tshilavulu tshi si na vhute, of Madzivhañombe, and others
- f) The *Vhanyai* – of Ngovhela, and others)

Vhavenḑa (singular Muvenḑa)

Members of the Venda ethnic group found in the northeast of Limpopo in the former Venda homeland. In this BCP Vhavenḑa is used in reference to *vhongwaniwapo* (Indigenous people) who also refer to themselves as *vhotshidzatshapo*



Traditional Leadership hierarchy



At the top of the hierarchy is *Thovhele/Mavu/Khosikhulu/Thavhakhulu*. All things grow and live in him/her, they die and are buried in him/her.

The second structure is *Vhafuwi/Khosi/Thavha/Mavu*. *Vhafuwi* loves all things that are alive and non-living, for example, people and rocks, good and bad, for example, bad people and good people, things that bite and those that do not bite. Then there is *Musanda/Gota* who governs the territorial area, and finally, *Mukoma* (owner of a thing) manages the affairs of the village.

We explain the role of Traditional leaders and community leaders in more detail in Annexure D.²⁸

The family of the *vhongwaniwapo*, normally, has a both grandma and grandfather, mother and father, daughter(s) and son(s). They reside in a small village with few families. Small villages when combined constitute a village. More than two villages constitute a country or a territory under a chief. The country has boundaries which are made of mountains, rivers and water courses or *dongas*.

²⁸ See Annexure D 'Respective Roles of Traditional Leaders and Community Members'.

The Role of our Traditional Courts

The Constitution²⁹ makes provision for the establishment and recognition of the role and status of the traditional authority in line with customary law and subject to the Constitution itself. The Constitution further empowers the traditional authority to observe a system of customary law.³⁰

The Vhavenḁa traditional court is called *khoro*.³¹ Traditional courts are there to attend to disputes relating to customary law, and matters are dealt with using local and living customary law. The traditional leader and his council, which is comprised of *magota* (headmen) and, in some instances, the general *lushaka*, decide cases which are brought before the traditional

court by disputing parties using customary law and custom. Penalties imposed by the traditional court must be in line and compatible with the Constitution. Additionally, sentences may be appealed or reviewed if a person concerned wants to exercise their right as enshrined in the Bill of Rights.³²

In terms of our tradition, on Sundays the community gathers at the royal kraal in a designated area called *khoro* to discuss matters pertaining to the community. Announcements on new developments within the community are also made so that the people are kept abreast of events that are happening in their community.

On Sundays the community gathers at the royal kraal in a designated area called khoro to discuss matters pertaining to the community.

29 Constitution of the Republic of South Africa of 1996.

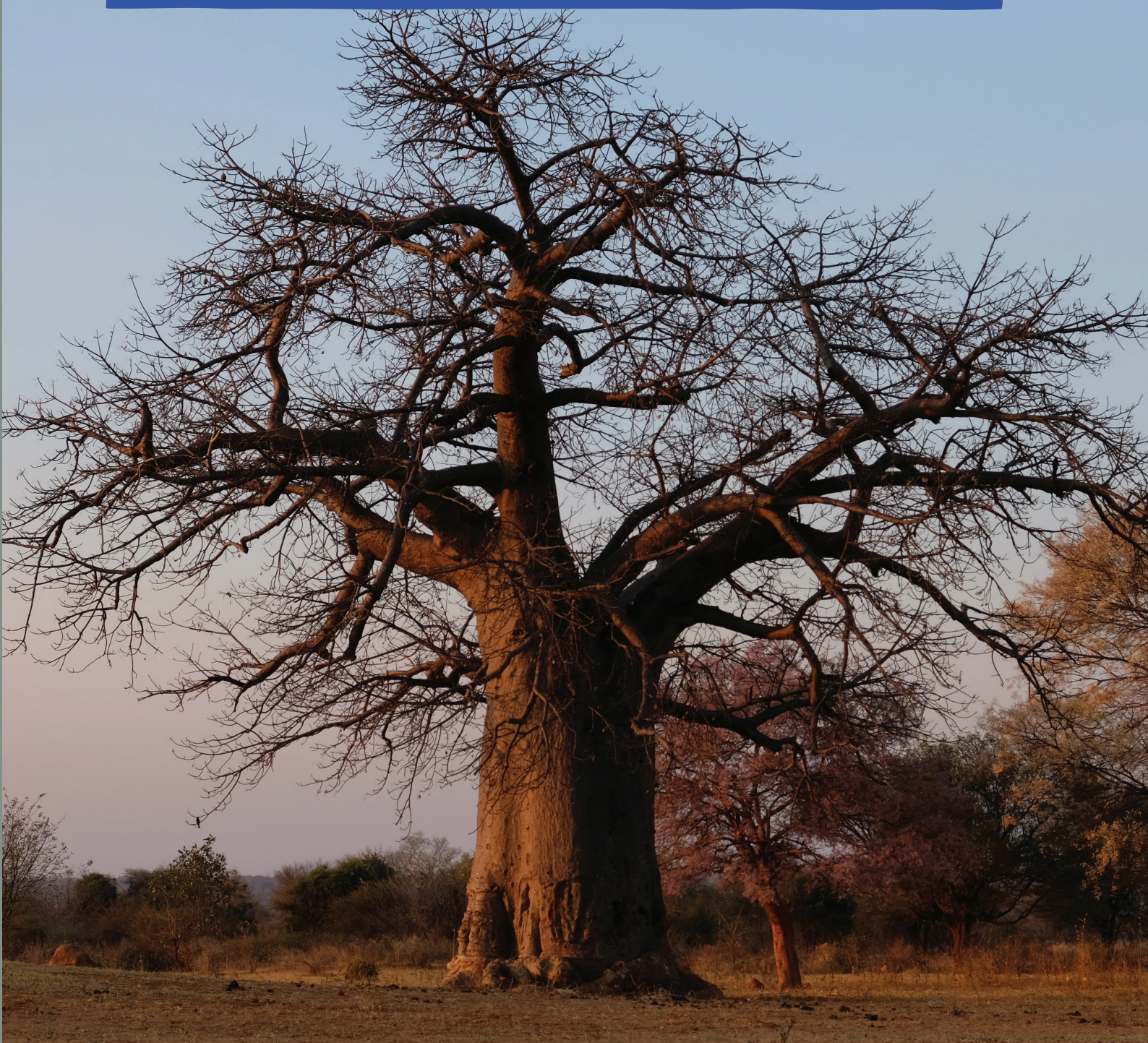
30 Constitution sec 211(1). Provides for the recognition of "the institution, status and role of traditional leadership, according to customary law [...] subject to the Constitution." Subsection (2) further stipulates that "a traditional authority that observes a system of customary law may function subject to any applicable legislation and customs, which includes amendments to, or repeal of, that legislation or those customs."

31 The Traditional Courts Bill defines a 'traditional court' as: "[...], [...] a court established as part of the traditional justice system, which— (a) functions in terms of customary law and custom; and (b) is presided over by a king, queen, senior traditional leader, headman, headwoman or a member of a royal family who has been designated as a presiding officer of a traditional court by the Minister in terms of section 4, and which includes a forum of community elders who meet to resolve any dispute which has arisen." Furthermore, section 7 states that "traditional courts are distinct from courts referred to in section 166 of the Constitution, and operate in accordance with a system of customary law and custom that seeks to— (a) prevent conflict; (b) maintain harmony; and (c) resolve disputes where they have occurred, in a manner that promotes restorative justice and reconciliation and in accordance with the norms and standards reflected in the Constitution."

32 Above (n5 at sec 7).

Governance Structures of *Dzitshaka*

Small villages fall under the leadership of the petty headman. Villages are governed by headman. The country or territory is governed by the king. More than two countries or territories that are governed by their kings can fall under *khosikhulu*. It is said that long time ago *Venḑa* was under the rule of *Thovhele*.





Luvhola

Thavhakhulu, is Mailausumbwa Vho Luvholela N̄eluvhola Mukwevho, the *Khadzi* is Vho Joyce Magomboni Maluleke (N̄eluvhola Mukwevho), and the *Ndumi* is Vho Maligana N̄eluvhola Mukwevho.

Vhavenda who is Vho Calvin N̄eluvhola and *Vhomakhadzi* Vho Alidzuli Muavha form part of the governance structure of the Luvhola royal family. *Makhadzi mufara thungu* who is Vho Mufandilani N̄eluvhola Mukwevho, Tshifhe *Vhavenda* Vho Thathana N̄eluvhola Mukwevho. The Luvhola royal council is also part of the Luvhola governance structure.

We have a traditional court that meets when necessary to discuss issues pertaining to land claims. Decision making lies with *Thavhakhulu* as the final arbiter after thorough consultations with the *Ndumi* and *Khadzi* on matters brought to the attention of the *Mutumeri* (trinity) by the royal council or the traditional court.

Mbwenda (Hamagoro)

Thovhela oversees overall management of the affairs of the whole *lushaka*. He is responsible for advocating for the rights of the *Mbwenda* (Hamagoro) community at national, provincial and local levels. Each *Musanda* is responsible for village management and oversight of the village.

In each village there are two to six *Magota* (Village Head/*Magota/Vhakoma*) who are responsible for wards and are guided by elders and women when overseeing traditional matters.

Mulambwane

In the past, *Mavu*, *Magota* and the traditional court were actively involved in the running of community affairs at *Mulambwane*. *Mavu* should take the position as the head of the community and the custodian of their culture, traditions and customs, however due to displacement and limited land restitution these practices have changed over time. Assisting *Mavu* are the *Magota*, *Vhomakhadzi*, *vhakalaha* (elderly men) and *vhakegulu* (elderly women). The Mulambwane Community Women's Organisation play a supporting role.

Phiphiḽi (Haramunangi)

The Ramunangi community governance structure operates in accordance with ancestral customs, as follows: the *Makhadzi*, *Vhavenda*, *Makhotsimunene*, the Ramunangi burial society, the families of the Ramunangi community and the





Vhakololo (members of the *Vhongwaniwapo* (indigenous) community).

The *Vhomakadzi* are part of the inner circle in all social and religious matters regarding the *Zwifho*, the annual rituals and *thevhula* and *u phasa* at *Vhadzimuni* (ancestral places), and all matters regarding the Ramunangi community practices, including initiation schools, and general health and well-being of the communities. Due to the disorder to the *Zwifho*, we have established the Ramunangi Royal Council.

The Ramunangi Royal Council is the body recognised and entrusted by the Ramunangi community to lead the governance and protection of *Zwifho*. The royal council derives its authority from the ancestral *Venḁa laws of origin* and is responsible for bringing back the ancestral order to *Zwifho zwa Guvhukuvhu ḽa Ṓwadzongolo*, and to ensure the respect, continuity and implementation of the ancestral customs. The royal council follows the footprints and legacy of the *Vhadzimu* of the *Vhadau vha Haramunangi*, for present and future generations.

It is the Ramunangi Royal Council, not any other authorities, who are responsible for the governance and protection of the *Zwifho zwa Guvhukuvhu ḽa Ṓwadzongolo*. Government and other authorities are required to recognise this. The Ramunangi community and the Ramunangi Royal Council should be fully consulted in all matters relating to the *Zwifho zwa Guvhukuvhu ḽa Ṓwadzongolo*.

The Royal Council has the following duties:

- To support the *Vhomakhadzi* in the execution of their royal duties and responsibilities, and the Ramunangi community to ensure that the required practices for maintaining the governance and protection of the *Zwifho* are carried out by the community.
- To listen to and communicate any concerns or issues that may arise in relation to or affect the *Zwifho*.
- To participate in *Dzomo ḽa Mupo* (organisation of Custodian Communities of *Zwifho* ziwa *Venḁa* (Sacred Natural Sites of *Venḁa*) in order to build and maintain relationships with local, national and international allies who support the original function of *Zwifho*.
- To deal with any internal or external challenges or developments which threaten the mutual wellbeing of *Zwifho*, and the Ramunangi community.
- To make decisions about anything concerning *Zwifho zwa Guvhukuvhu ḽa Ṓwadzongolo* which may affect the future of the Ramunangi community.
- To hold proper consultation processes to ensure the full involvement of the community in all matters regarding *Zwifho*. This includes free, prior and informed consent or rejection, particularly in Environmental Impact Assessments, of any existing or proposed development which may directly or indirectly affect the biodiversity, ecosystems, culture and spirituality in the *Zwifho*.





Songozwi la Vhadzanani

The Songozwi la Vhadzanani's system of governance is comprised of a hierarchy. *Mavu* is the head of the Songozwi la Vhadzanani community and is the general overseer of the community in its entirety. He is the custodian of our culture, traditions and customs. He has the final say in all matters pertaining to the community under his watch through consultation and with advice given by his wise counsellors, as well as *Misanda* working under him. He is also responsible for advancing the rights of his community at all spheres of government, either in person or through his delegates. He regularly has meetings and briefing sessions from his traditional cabinet and the Songozwi la Vhadzanani Royal Council.

The Songozwi la Vhadzanani Royal Council is the second tier of authority just after *Mavu*. It is responsible for almost all community affairs, with the secretary and the chairperson at the heart of everything happening in collaboration with *Mavu*, *Vhavenḁa* and *Makhotsimunene* (uncles). The Royal Council advises and takes instructions from *Mavu*. *Mavu* and *Makhotsimunene* are ex-officio members of the Royal Council, although without portfolios.

Headmen (*Magota* or *Vhakoma*) are responsible for the village management and oversight of their respective villages within the kingdom of *Songozwi*. They too are the custodians of our culture and traditions. They brief *Mavu* of happenings within their areas.

The traditional court sits on Sunday mornings. Senior members of the community will gather at the Royal Family's house under a tree and discuss matters concerning the community; and at times have a trial on complaints laid against some members of the community who have wronged or offended others. *Mavu* acts as a judge and orders punishments of fines and lashes on those who have wronged, offended or violated the law. A fine could be something like a goat, a cow or even money.



Tshidzivhe (Thathe)

The Ntshidzivhe *lushaka* structure, which operates in accordance with ancestral customs, is as follows: the *Khosi* of Tshidzivhe, the *Vhomakhadzi*, the *Vhavenḁa*, the *Makhotsimunene*, the Ntshidzivhe Royal Council, and the *Vhakololo* (members of the *Vhongwaniwapo* custodian community).

The *Khosi* of Tshidzivhe is leader of the Ntshidzivhe *lushaka* and the wider community within the *shango la Tshidzivhe* (Tshidzivhe territory). The *Vhavenḁa* advise the *Khosi*.

The Ntshidzivhe Royal Council is the body recognised and entrusted by the Ntshidzivhe community, to lead the governance and protection of *Zwifho zwa Thathe*. The Ntshidzivhe Royal Council derives its authority from the ancestral *Venḁa laws of origin*, and is responsible for bringing back the ancestral order to *Zwifho zwa Thathe*, ensuring the respect, continuity and implementation of the ancestral customs.

There is a traditional court that is responsible for conducting trials against those who commit crimes within the communities of *Thathe*.





Tshiluvhi

The Royal Council is a council which is made up of royal members of Tshiluvhi. It ensures that royal issues are thoroughly ventilated. The Royal Council oversees the proper administration of Tshiluvhi.

The traditional court is made up of community elders who conduct trials against persons who are alleged to have committed any form of crimes, and if found guilty, a penalty is imposed on them.

The traditional council is made up of leaders of villages which constitute the Tshiluvhi community who meet regularly to discuss issues which affect the community.

Tshiṭungulu

Since we were dispossessed of our land, our governance structures have eroded. We endeavour to restore them once we get our land back so that our lives can return to normal. However, such structures would be comprised of the following hierarchy. We currently have *Mavu* and the Tshiṭungulu Royal Council, who are active and are making decisions on behalf of the community.

Mavu Mr Mbulaheni Philemon Mudau Ntshiṭungulu, who is assisted by *Khadzi* Mrs Avhatakali Elina Mundalamo and *Ndumi* Mr Ntshengedzeni Edward Mudau Ntshiṭungulu, is the head of the Ntshiṭungulu community and he oversees and manages all affairs of the entire community and is further responsible for advocating for the rights of the community at national, provincial and local levels of government. He is the custodian of our culture and traditions.

Headmen (*Magota* or *Vhakoma*) are responsible for the village management and oversight of their respective villages within the kingdom of Tshiṭungulu. They too are the custodians of our culture and traditions.

The Tshiṭungulu Royal Council is responsible for almost all community affairs, with the secretary and the chairperson at the heart of everything happening in collaboration with *Mavu* and *Vhakoma* (*Mavu's* mother). The Royal Council advises and takes instructions from *Mavu*. *Mavu* and *Vhakoma* are ex-officio members of the Royal Council, although without portfolios.

The traditional court consisting of senior members of the community would gather on Sunday mornings at the Royal Family's house under a tree and discuss matters concerning the community; and at times have a trial on complaints laid against some members of the community who have wronged or offended others. *Mavu* acts as a judge and order punishments of fines and lashes on those who have wronged or offended. A fine could be a goat, a cow or money.





Tshivhazwaulu

The traditional leader of the Tshivhazwaulu community is the one who generally governs the whole community. He delegates some of the responsibilities to the headmen of *mivhundu* (areas) which fall under his jurisdiction.

The original names of *mivhundu* are: –

- a) Pfimbiḡa under headman Ntshavheni;
- b) Lwae under headman Maemu;
- c) Tshavumba under headman Ramuvhundu;
- d) Phambani under headman Manyanya; and
- e) Thondoni under Mavu Vho Khorommbi.

There is a Tshivhazwaulu Royal Council also actively involved in the day-to-day running of the affairs of the community, working under and closely with *Mavu*. There is a *khoro* (traditional court) comprised of every elderly member of the community. They usually have their meetings on Sunday mornings at the Royal Kraal.

The community meeting takes place as a space for governance, which consists of the royal members of the Tshivhazwaulu community, together with competent people. They hold meetings concerning governance issues four times a year after being invited verbally by the secretary of the Royal Council or *Mavu* himself.

Vhuṭaṅḡa

The *Vhuṭaṅḡa* community is led by *Mavu* who works closely with *Vhavenda*, *Vhomakhadzi*, *makhotsimunene*, as well as with the *Nevhuṭaṅḡa* Royal Council. Decisions are made by all these people, with *Mavu* having the final say, though he will consult extensively on issues pertaining to the community.

There is a traditional court which sits almost every Sunday to discuss matters pertaining to the community, and to hear complaints laid against those who have offended others. Any member of the community is encouraged to attend these meetings and contribute to the discussions. Those who are found guilty of committing crimes will have penalties depending on the extent of the offense committed.

Vuu Ḳa Vho Tshitavhe

Mavu (*Vhafuwi/Thavha*) is the head of the community of Vuu. He oversees management of the entire community's affairs and is responsible for advocating for the rights of the community at national, provincial and local levels of government. *Mavu* is the custodian of our culture, traditions and customs.

Headmen (*Magota* or *Vhakoma*) are responsible for the village management and oversight of their respective villages within the kingdom of Vuu. They are the custodians of our culture, traditions and customs.



As an Indigenous community deeply connected to our territory and environment, we assert our clear and inherent rights under national, regional, and international laws to protect all aspects of our ways of life.



Our Human Rights

The Constitution³³ grants all people in the country the rights contained in the Bill of Rights,³⁴ as well as recognises rights afforded through customary law and international law – unless they are inconsistent with the Constitution. It is the duty of the State to respect, protect, promote and fulfil these rights.³⁵

As an Indigenous community deeply connected to our territory and environment, we assert our clear and inherent rights under national, regional, and international laws to protect all aspects of our ways of life. Through the development of our BCP, we aim to preserve our environmental and cultural rights and to safeguard our *Zwifho* and *Mupo*. These rights encompass, but are not limited to, the protection of the rights set out below.

We call on the State and all others to respect our rights as Indigenous people and equal citizens of South Africa.

Several international and regional legal instruments³⁶ protect and promote the rights of the Vhavenda as *vhongwaniwapo*, *ntangiwakugala*, *vhabikwanaive*, and *zwisekezwajino* (Indigenous people)³⁷ within the territory of the eleven that came together to create this BCP. These legal instruments affirm our rights to fully enjoy and exercise our human rights and fundamental freedoms.

As with all groups in South Africa, the Vhavenda are equal before the law, regardless of ethnicity, culture, language, or any other distinction. We have equal access to the rights afforded under the law.³⁸ These rights include the ability to practise our culture, ensuring that our way of life and *Zwifho* are respected, protected, and free from any form of discrimination.³⁹

33 Constitution chap 2.

34 Constitution sec 7(1).

35 Constitution sec 7(2).

36 United Nations Declaration on the Rights of Indigenous Peoples (“**UNDRIP**”) (while not binding, South Africa was one of the 144 countries that voted in favour of the Declaration when it was adopted by the United Nations General Assembly on 13 September 2007); Convention on the Elimination of All Forms of Discrimination against Women (“**CEDAW**”) signed by South Africa on 29 January 1993 and ratified on 15 December 1995; International Convention on the Elimination of all forms of Racial Discrimination (“**ICERD**”) signed by South Africa on 3 October 1994 and ratified on 10 December 1998; African Charter on Human and People’s Rights signed by South Africa on 9 June 1986 and ratified on 6 June 1996.

37 While there is no universal accepted definition for ‘Indigenous Peoples’, the UNDRIP suggests the following criteria which may include: i. *Historical continuity with pre-invasion and/or pre-colonial societies that developed on their territories*; ii. *Distinctiveness*; iii. *Non-dominance*; and iv. *A determination to preserve, develop and transmit to future generations their ancestral territories and identity as peoples in accordance with their own cultural patterns, social institutions and legal system*.

38 See Constitution sec 9; and the African Charter on Human and People’s Rights art 3, signed by South Africa on 9 June 1986 and ratified on 6 June 1996.

39 Constitution sec 31.

We have a rich body of Indigenous knowledge systems and customary laws that govern many aspects of our lives, including land rights, marriage, inheritance, conflict resolution, and the sustainable use of natural resources. Central to these practices is our profound connection to the

environment, including *Zwifho*, as well as the animals and plants that have been preserved through generations using traditional knowledge. Our right to continue these customary practices and adhere to our customary laws is recognised and protected by the Constitution.⁴⁰

Central to these practices is our profound connection to the environment, including Zwifho, as well as the animals and plants that have been preserved through generations using traditional knowledge.

40 Constitution sec 211 - 212.

People hold up their signs with messages to the governments at the UNFCCC COP26 calling for the respect and protection on their land



Our Right to Self-determination

Our **right of self-determination** reflects the legal right of people to determine their own destiny by freely pursuing their economic, social and cultural development.⁴¹ As a community, we have the right to determine how we will grow, ensuring that our development be in line with our cultural practices and way of life, and that these practices are respected.

The principle of self-determination also requires that the South African government, through the Constitution and other legal frameworks, protect and uphold the rights and interests of minority groups, including communities such as the *Vhavenda*.⁴²

The right to our way of life, and to not be forced to adopt the way of life of any other group or modern society, is further emphasised in the **United Nations Declaration on the Rights of Indigenous Peoples** (UNDRIP).⁴³ The UNDRIP states that Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture, and that the State bears the responsibility of implementing mechanisms which prevent this.⁴⁴ It further states that Indigenous peoples have the right to belong to an Indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned.⁴⁵

Free, Prior and Informed consent

As an Indigenous community, we have the right to give or withhold consent for projects that impact us or our territories. Even after consent has been given, we retain the right to withdraw it at any stage. Free, Prior, and Informed Consent (FPIC) empowers us, as Indigenous peoples, to negotiate the conditions under which a project is designed, implemented, monitored, and evaluated, ensuring that our rights, interests, and way of life are fully respected throughout the process.⁴⁶ The consultation carried out to obtain FPIC must be done through our own representative structures.⁴⁷

The recognition of FPIC in South Africa has been affirmed in various judicial decisions.⁴⁸

41 *International Covenant on Civil and Political Rights* ("ICCPR") signed by South Africa on 3 October 1994 and ratified on 10 December 1998, and the United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP") adopted by South Africa in 2016.

42 *Constitution* sec 23.

43 See (Above n 6).

44 *United Nations Declaration on the Rights of Indigenous Peoples* ("UNDRIP") art 9. Adopted by South Africa in 2016.

45 UNDRIP art 8(1) and (2).

46 Food and Agriculture Organization of the United Nations, *Indigenous Peoples: Free, Prior Informed Consent* (FAO)) <https://www.fao.org/indigenous-peoples/pillars-of-work/free-prior-and-informed-consent/en> <https://www.fao.org/indigenous-peoples/pillars-of-work/free--prior-and-informed-consent/en> accessed on 14 March 2025.

47 UNDRIP art 32(2).

48 *Baleni and Others v. Minister of Mineral Resources and Others* (73768/2016) [2018] ZAGPPHC 829, 2019 (2) SA 453 (GP) and *Maledu and Others v. Itereleng Bakgatla Mineral Resources (Pty) Limited and Another* (CCT265/17) [2018] ZACC 41; 2019 (1) BCLR 53 (CC).

Our Right to a Healthy Environment and Bio-cultural Rights

As an Indigenous community, our way of life is deeply rooted in connection to the environment and our relationships with one another. Our rights are related to our knowledge, innovations, values, beliefs, and practices, natural resources, lands and waters, traditional occupations, customary laws, and systems of governance form the foundation of our culture, language, identity, and way of life. These are our bio-cultural rights.

The health of our environment is intrinsically linked to our individual well-being and the collective well-being of our community. The South African Constitution recognises our right to an environment that is not harmful to our health and well-being.⁴⁹ This right includes the obligation to prevent pollution and ecological degradation, while promoting conservation.⁵⁰ The United Nations Human Rights Council further acknowledges that our right to a clean, healthy and sustainable environment is a fundamental human right.⁵¹

Sustainable Development

Protecting our environment for both present and future generations is of paramount importance to us. When economic and social development occurs, it must be done in line with ecologically sustainable practices and the responsible use of our natural resources.⁵² Sustainable development requires that development aligns with the preservation of a healthy environment, including safeguarding of natural resources that are integral to our traditional way of life.

In 2021, the Makhanda High Court issued an interdict halting Shell from conducting offshore seismic tests, ruling that the actions violated the cultural rights of affected communities. In its decision, the Court emphasised that “...in terms of the Constitution, those practices and beliefs must be respected and where conduct offends those practices and beliefs and impacts negatively on the environment, the court has a duty to step in and protect those who are offended and the environment.”⁵³

49 Constitution sec 24.

50 Above.

51 United Nations General Assembly Resolution 76/300, *The Human Right to a Clean, Healthy and Sustainable Environment* (28 July 2022) UN Doc A/RES/76/300. <https://www.digitallibrary.un.org/record/3982508?ln=en&v=pdf> accessed 14 March 2025.

52 Above n23.

53 *Sustaining the Wild Coast NPC and Others v Minister of Mineral Resources and Energy and Others* (3491/2021) [2022] ZAECKMHC 55; 2022 (6) SA 589 (ECMk) para 113.





Intangible Cultural and Heritage Rights

The legal framework for protecting intangible cultural heritage, traditional rights, Indigenous knowledge systems and environmental rights is multifaceted and draws from various sources of law.⁵⁴

The **National Heritage Resources Act** (NHRA)⁵⁵ and the **National Environmental Management Act** (NEMA)⁵⁶ are central to this framework as they both encompass provisions for the protection of our heritage “all intangible aspects of inherited culture, including cultural tradition, oral history, performance, ritual, popular memory, skills and techniques, Indigenous knowledge systems and the holistic approach to nature, society and social relationships.” This ensures that the cultural practices and knowledge systems of our community are preserved and respected as part of our heritage.

The **Protection, Promotion, Development, and Management of Indigenous Knowledge Systems Act** (IKS Act)⁵⁷ provides specific protections for Indigenous knowledge, ensuring that communities retain control over

their intellectual property and cultural heritage such as *Zwifho*.⁵⁸ The IKS Act establishes ways for the recording, registration and commercialisation of Indigenous knowledge. This includes recognising Indigenous knowledge as prior art under intellectual property laws.⁵⁹

The **Intellectual Property Laws Amendment Act** (IPLAA)⁶⁰ further integrates traditional knowledge and cultural expressions into the intellectual property regime in South Africa.⁶¹ It allows for the recognition of Indigenous knowledge as a form of intellectual property, extending the application of the **Copy Rights Act**⁶² provisions to traditional works.⁶³ For example, traditional medicines, oral traditions and artistic expressions.

The environmental principle of sustainable development and environmental justice found in NEMA means that economic and environmental decisions must consider the cultural and traditional rights of our people. The Makhanda High Court judgement⁶⁴ against Shell, discussed above, is an example of how

54 South Africa ratified the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, with ratification effective from 24 April 2025. Through its ratification of the UNESCO Convention South Africa commit to uphold and implement the principles and obligations of the 2003 Convention.

55 *National Heritage Resources Act 25 of 1999* (“NHRA”).

56 *National Environmental Management Act 107 of 1998*.

57 *Protection, Promotion, Development, and Management of Indigenous Knowledge Systems Act 6 of 2019* (“IKS Act”).

58 IKS Act sec 3.

59 Above.

60 *Intellectual Property Laws Amendment Act 28 of 2013* (“IPLAA”).

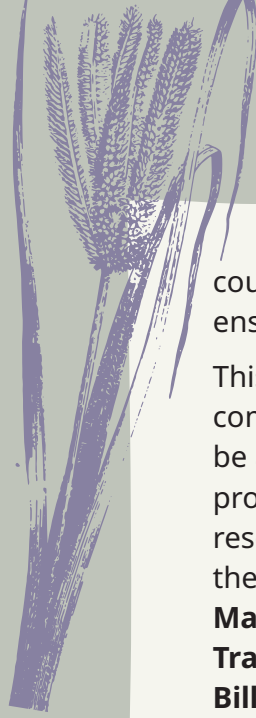
61 Above (n35 at sec 2).

62 *Copyrights Act 98 of 1978*.

63 Above (n35 at sec28A).

64 Above n27.





courts can enforce these protections to ensure that our rights are protected.

This means that Indigenous communities such as Vhavenḡa should be actively involved in decision-making processes that affect our community resources and heritage. For example, the **Recognition of Customary Marriages Act** (RCMA) and the **Traditional and Khoi-San Leadership Bill** (TKLB).

The legal framework to protect our intangible heritage, traditional rights, IKS and environmental rights is dynamic. It should further integrate and acknowledge all elements of the environment. The impact on our heritage resources must be carefully considered and respected in all

development processes.

We also draw on these principles as reflected in international instruments such as the UNDRIP⁶⁵ which affirms our rights to maintain, control, protect and develop our cultural heritage, traditional knowledge and practices. It also emphasises the importance of free, prior and informed consent in decisions affecting our lands and resources.⁶⁶

The **Convention on Biological Diversity** (CBD)⁶⁷ recognises the role of Indigenous knowledge systems in biodiversity conservation and sustainable development. Under the CBD, the **Nagoya Protocol**⁶⁸ also protects access to genetic resources and for fair sharing of benefits from using our Indigenous knowledge systems.

65 Above n18.

66 Above.

67 *Convention on Biological Diversity* adopted 5 June 1992, entered into force 29 December 1993) 1760 UNTS 79 ("CBD").

68 *Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity* ("Nagoya Protocol") (adopted 29 October 2010, entered into force 12 October 2014) [2011] UNTS I-30619.



Protecting our Zwifho

Our *Zwifho* forms the foundation of our community fabric and are essential for the preservation of our intangible culture and heritage. Any damage to our *Zwifho* or limitations on our access to perform rituals at these sacred sites directly affects our well-being and, by extension, our environmental rights.

Resolution 372 on the **Protection of Sacred Natural Sites and Territories**⁶⁹ recognises that sacred natural sites are among the oldest forms of cultural conservation, often harbouring rich biodiversity. It calls on states to protect these sites, along with their customary governance systems.

Similarly, UNDRIP emphasises the

importance of access to cultural sites, as well as the use of cultural objects and resources in the practice of our culture, and the intellectual property attached to them. When access to these sites or cultural objects is denied, the state has a responsibility to engage with us in consultation and ensure that this issue is addressed.⁷⁰

The state's responsibility extends not only to the protection of our tangible cultural heritage but also to safeguarding the intangible practices that define our way of life and are central to our identity as the Vhavenda people. Any measures taken should be implemented in consultation with us, to ensure that they respect our traditions and way of life.

69 Resolution 372: *Protection of Sacred Natural Sites and Territories* (adopted at the IUCN World Conservation Congress, Jeju, Republic of Korea, 6-15 September 2012).

70 UNDRIP art 12.



Safeguarding our Traditional Knowledge

To fully realise our right to self-determination, we must be able to practise our way of life, including our culture. Central to this is the protection of the traditional knowledge that is deeply embedded in our practices. This knowledge must be passed down to our young people, ensuring its preservation for future generations.

Where our traditional knowledge of natural resources, and the innovations connected to it, are utilised, it must be done in accordance with the **National Environmental Management: Biodiversity Act**. The Act ensures fair and equitable sharing of benefits arising from utilisation of such knowledge, innovations and practices.⁷¹ This is in line with South Africa's international obligations.⁷²

As interest in our traditional knowledge and ways of life grows, so too does the risk to our cultural and intellectual heritage and impact on the environment. This growing attention poses potential threats to our community, as the misuse of our knowledge can lead to negative impacts on our culture and identity.

⁷¹ *National Environmental Management: Biodiversity Act* 10 of 2004 ("**NEMBA**") was enacted to give effect to the *Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity* ("**Nagoya Protocol**"), signed by South Africa on 11 May 2011 and ratified on 10 January 2013.

⁷² CBD art 8(j).

⁷³ *Constitution* sec 25(7).

⁷⁴ UNDRIP art 25 and 26.

⁷⁵ UNDRIP art 29.

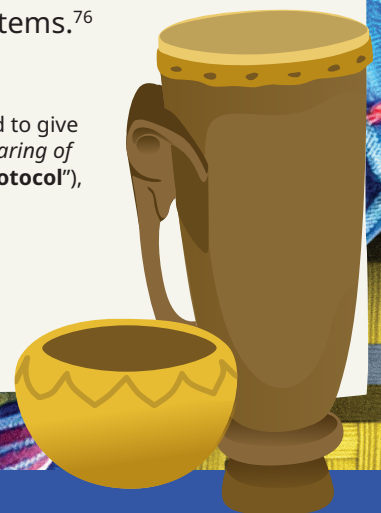
⁷⁶ UNDRIP art 26.

Restoration and Protection of our Lands

Our communities have a long history of land dispossession and forced removals through colonialism and apartheid. As a people, we desire to return to the land of our ancestors; to have uninhibited access to *Zwifho*.

It is the responsibility of the State to facilitate our return to the lands of our ancestors, the lands we traditionally owned and lived on.⁷³ It is our right to maintain and strengthen our distinctive spiritual relationship with our traditionally owned lands, territories, waters and resources, and to maintain these for future generations.⁷⁴ The State should also ensure the protection of our territories while we are not present on the land⁷⁵ and any activities on these lands should not be permitted without our free, prior and informed consent.

The same goes for the lands we are currently located on due to past racially discriminatory laws. It is our right to own, use and develop these lands, and to have the State protect these lands in accordance with our customs, traditions and land tenure systems.⁷⁶





Our Collective Vision

Our collective vision is that government heeds our prayer for our *Zwifho* to be restored to what they were and that they be respected by both government and the private sector. We want government and the private sector to see us as their partners with a positive contribution to the development of the country and her economy, and that we are capable of restoring discipline to young and old. Our way of life breeds a holistic person who is embedded or rooted in culture, traditions and customs – such a person is well-mannered and respects the law and authority above him.

When government and/or the private sector has a project intended for development, we ask to be brought along to the table, that our views be sought and respected, and free, prior

and informed consent be obtained from us.

We seek for the natural environment and its natural resources⁷⁷ to be respected and be preserved for use by generations to come. We seek that our traditional knowledge systems be seen as a positive contributor to the furtherance of government and private sector's objectives and not be undermined or viewed as backward or inelegant.

We aspire to a life where we all live harmoniously with each other, deriving benefit from a blend of both old and new ways of life; appreciating each other's diversity. We are of the view that once our traditional land rights are endorsed or upheld, our traditional knowledge systems, culture, traditions and customs, as well as our identity, will be safeguarded.

We aspire to a life where we all live harmoniously with each other, deriving benefit from a blend of both old and new ways of life; appreciating each other's diversity.

77 See Annexure A 'Biodiversity Register'.

Conclusion

Given the profound harm on our lives and environment through the forced displacement from our lands and ways of life, we call on the government and all relevant stakeholders to restore what was taken from us. We urge all to support our efforts to reclaim our *Zwifho* and our lands, as we are their rightful custodians, entrusted with their care by *Nwali* (the Creator).

We seek full recognition of, and unrestricted access to our *Zwifho*, lands, territorial areas, and natural resources; along with the legal and customary rights that rightfully belong to us. We are tied to *Zwifho*, the land and its resources with an umbilical cord of spirituality, culture, traditions, customs and history.

We insist that the government and private sector engage with us before undertaking any projects on our lands, and to respect our views in respect of any projects. We are not opposed to development, but we will not accept, under any circumstances, any development that comes at the cost of our environment, *Zwifho*, our ancestral graves, water sources, wildlife, grazing fields and the natural vegetation.

We call on government to formalise, through legislation, the recognition, safeguarding and preservation of our lands. We will fiercely resist any form of encroachment into our territorial without our free, prior and informed consent.

See: [Annexures A-D](#)



Zwifho BCP



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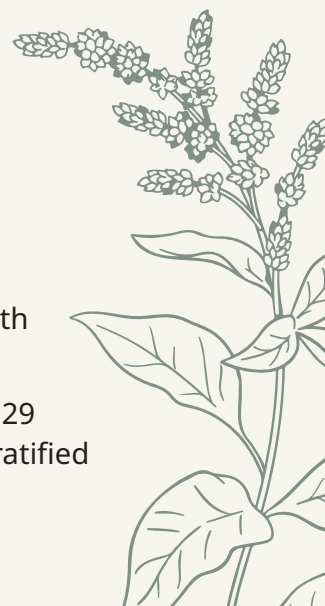
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Annexures

Annexure A: Biodiversity Register

This Biodiversity Register highlights the natural resources most valued by the 11 Vhavenda communities. It was prepared to provide comprehensive information on the natural resources, their medicinal or any other use and any other traditional knowledge and practices associated with them. This should be read with the Intangible Cultural Heritage inventory (Annexure B).

While not exhaustive, this list reflects the species, ecosystems and traditional knowledge prioritised by BCP *dzitshaka* participants. The resources are organised below according to their purpose or function, showcasing their cultural, ecological and livelihood significance:

Table 1: Food-Producing & Fruit-Bearing Trees and plants

Food-producing & fruit-bearing trees and plants					
Tshivenda Name	Botanical Name	English Name	Food/Fruits Produced	Seasonal Availability	Ecological Role
Mupani	<i>Colophospermum mopane</i>	Mopane tree	Mashonzha (Mopane worms), seed pods	Nov–Mar (rains)	Keystone species; hosts mopane worms
Muṭanzwa	<i>Ximenia americana</i>	Wild sour plum	Tart plums (fresh/dried), seed oil	Dec–Apr	Drought-resistant; birds disperse seeds
Munje	<i>Berchemia discolor</i>	Bird plum	Sweet fruit (jam), leaves fodder	Feb–May	Elephants and antelope rely on fruit; stabilizes soils
Muvhuyu	<i>Adansonia digitata</i>	Baobab	Mbuyu (vitamin C pulp), seed oil	Apr–Sep (dry season)	Pollinated by bats; hollow trunks store water
Mufula	<i>Sclerocarya birrea</i>	Marula	Mafula fruit (beer), nuts (oil)	Jan–Mar	Elephants spread seeds; more than 30 insect species depend on it
Muzwili	<i>Vangueria infausta</i>	Wild medlar	Sweet fruit (fresh/dried)	Mar–Jun	Monkeys/birds disperse seeds; medicinal roots
Muhuyu	<i>Ficus sur</i>	Wild fig	Mahuyu (sweet figs), latex (gum)	Year-round (peak Nov–Feb)	Sacred; fig wasps pollinate
Muramba	<i>Strychnos spinosa</i>	Monkey orange	Sour-sweet fruit (juice)	Dec–May	Thorny—protects seedlings; baboons eat fruit
Murungulu	<i>Carissa edulis</i>	Num-num	Tart berries (jam), medicinal roots	Oct–Feb	Hedge plant; flowers attract pollinators
Musuma	<i>Diospyros mespiliformis</i>	Jackalberry	Tsuma (date-like fruit)	May–Sep	Timber tree; fruit loved by jackals/humans
Mudoro	<i>Opuntia ficus-indica</i>	Prickly pear	Maḍoro (cactus fruit), pads edible	Summer	Invasive control needed; birds nest in spines

Table 2: Plants that produce medicine

Plants that produce medicine			
Tshivenda Name	Botanical Name	English Name	Ecological Role
Tshikhopho	<i>Aloe marlothii</i>	Mountain aloe	Drought-resistant; sunbirds pollinate
Mutambanamme	<i>Maerua angolensis</i>	Bead-bean tree	Nitrogen-fixer; hosts butterflies
Mulumanamana	<i>Elaeodendron transvaalensis</i>	Bushveld saffron	Fruit feeds frugivores; slow growing
Mususu	<i>Terminalia sericea</i>	Silver cluster-leaf	Pioneer species; stabilizes soils
Musese	<i>Peltophorum africanum</i>	Weeping wattle	Bee magnet; provides shade
Mutanzwa	<i>Ximenia americana</i>	Wild sour plum	Bird-dispersed; drought-tolerant
Mututulwa	<i>Solanum aculeastrum</i>	Goat bitter-apple	Goats avoid it; invasive control
Mutondo	<i>Pterocarpus angolensis</i>	African teak	Bat-pollinated; timber source
Muembe	<i>Annona senegalensis</i>	Wild custard-apple	Elephant-dispersed; moth host
Mueneene	<i>Anthocleista grandiflora</i>	Forest fever tree	Wetland indicator; bat-pollinated
Mugwavha	<i>Psidium guajava</i>	Guava	Bird-dispersed; invasive potential
Muhuyu	<i>Ficus sur</i>	Wild fig	Sacred; pollinated by fig wasps
Murungulu	<i>Carissa edulis</i>	Num-num	Hedge plant; pollinator-friendly
Muserenga	<i>Melia azedarach</i>	China berry	Birds spread seeds; invasive
Muaṭaha	<i>Pterocarpus rotundifolius</i>	Round-leaved bloodwood	Fire-resistant; medicinal sap
Muvhale	<i>Erythrina lysistemon</i>	Coral tree	Nectar-rich; attracts sunbirds

Table 3: Trees that provide shelter and shade

Trees that provide shelter & shade			
Tshivenda Name	Botanical Name	English Name	Ecological Role
Mutshato	<i>Xanthocercis zambesiaca</i>	Nyala tree	Shade for wildlife; nitrogen-fixer
Mulunzwu	<i>Schotia brachypetala</i>	African walnut	Nectar-rich (bees/birds depend)
Munji	<i>Lannea discolor</i>	Live-long	Drought-resistant; bird's nest
Muvhuyu	<i>Adansonia digitata</i>	Baobab	Keystone species; bats pollinate
Mutswiriri	<i>Bauhinia galpinii</i>	Pride of De Kaap	Erosion control; butterfly host

Table 4: Trees used for firewood

Trees used for firewood			
Tshivenda Name	Botanical Name	English Common Name	Firewood & Other Uses
Mufula (Thebvu)	<i>Sclerocarya birrea</i>	Marula	Good firewood; also used for carving, fruit, and traditional beer.
Mupani	<i>Colophospermum mopane</i>	Mopane / Turpentine tree	Excellent firewood (hard, slow-burning, high heat). Also used for charcoal.
Mutokota	<i>Afzelia quanzensis</i>	Lucky bean tree / Pod mahogany	Durable wood, good for firewood and furniture.
Muvhula	<i>Parinari curatellifolia</i>	Mobola-plum	Hardwood, decent firewood; fruit is edible.
Mutwari	<i>Olea europaea</i>	Wild olive	Good firewood (dense and slow burning).
Musinde	<i>Dalbergia nitidula</i>	Glossy flat bean	Moderate firewood; also used for tool handles.
Mususu	<i>Terminalia sericea</i>	Silver terminalia	Good firewood; leaves used in traditional medicine.





Table 5: Trees that provide raw material

Trees that provide raw material			
Tshivenda Name	Botanical Name	English Name	Ecological Role
Mulakholomo	<i>Markhamia zanzibarica</i>	Bell-bean tree	Timber source; bird nesting sites
Mukangala	<i>Strychnos decussata</i>	Cape teak	Hardwood; soil stabiliser
Mukukuna	<i>Grewia hexamita</i>	Giant raisin	Fiber for crafts; frugivore food
Mupani	<i>Colophospermum mopane</i>	Mopane tree	Termite-resistant wood; ecosystem engineer
Mutanzwa	<i>Ximenia americana</i>	Wild sour plum	Seed oil source; drought-tolerant
Musimbiri	<i>Androstachys johnsonii</i>	Lebombo-ironwood	Durable timber; fire-adapted
Mutwari	<i>Olea europaea</i>	Wild olive	Carving wood; erosion control

Table 6: Animals and birds

Animals and Birds				
Tshivenda Name	Scientific Name	English Name	Ecological Role	Threat Status
Ntsa	<i>Pelea capreolus</i>	Grey Rhebok	Maintains grasslands	Least Concern (stable)
Maivha	<i>Treron calvus</i>	African Green Pigeon	Seed disperser	Least Concern (widespread)
Mbila	<i>Procavia capensis</i>	Rock Hyrax	Rock ecosystem engineer	Least Concern (abundant)
Nguluvhedaka	<i>Potamochoerus larvatus</i>	Bush Pig	Soil turnover	Least Concern (but hunted)
Thagalu	<i>Orycteropus afer</i>	Aardvark	Termite control	Near Threatened (habitat loss)
Nngwe	<i>Acinonyx jubatus</i>	Cheetah	Controls herbivores	Vulnerable (human-wildlife conflict)
Tholo	<i>Tragelaphus strepsiceros</i>	Greater Kudu	Key prey species	Least Concern (protected areas)
Nungu	<i>Atelerix frontalis</i>	Hedgehog	Insect control	Least Concern (but pesticides)
Tshibode	<i>Stigmochelys pardalis</i>	Leopard Tortoise	Seed disperser	Near Threatened (pet trade)
Pfene	<i>Papio ursinus</i>	Chacma Baboon	Seed disperser	Least Concern (crop raiding)
Thoho	<i>Chlorocebus pygerythrus</i>	Vervet Monkey	Seed disperser	Least Concern (adaptable)
Sekwa	<i>Anas undulata</i>	Yellow-billed Duck	Wetland health indicator	Least Concern (stable)
Mbudzi	<i>Capra hircus</i>	Goat	Overgrazing risk	Domesticated (not assessed)
Kholomo	<i>Bos taurus</i>	Cattle	Manure enriches soils	Domesticated (not assessed)
Mmbwa	<i>Canis familiaris</i>	Dog	Human companion	Domesticated (not assessed)
Tshimange	<i>Felis catus</i>	Cat	Rodent control	Domesticated (not assessed)
Khuhu	<i>Gallus gallus</i>	Chicken	Insect control	Domesticated (not assessed)
Nngu	<i>Ovis aries</i>	Sheep	Wool production	Domesticated (not assessed)
Muvhuda	<i>Lepus victorinae</i>	Savanna Hare	Prey species	Least Concern (hunting pressure)

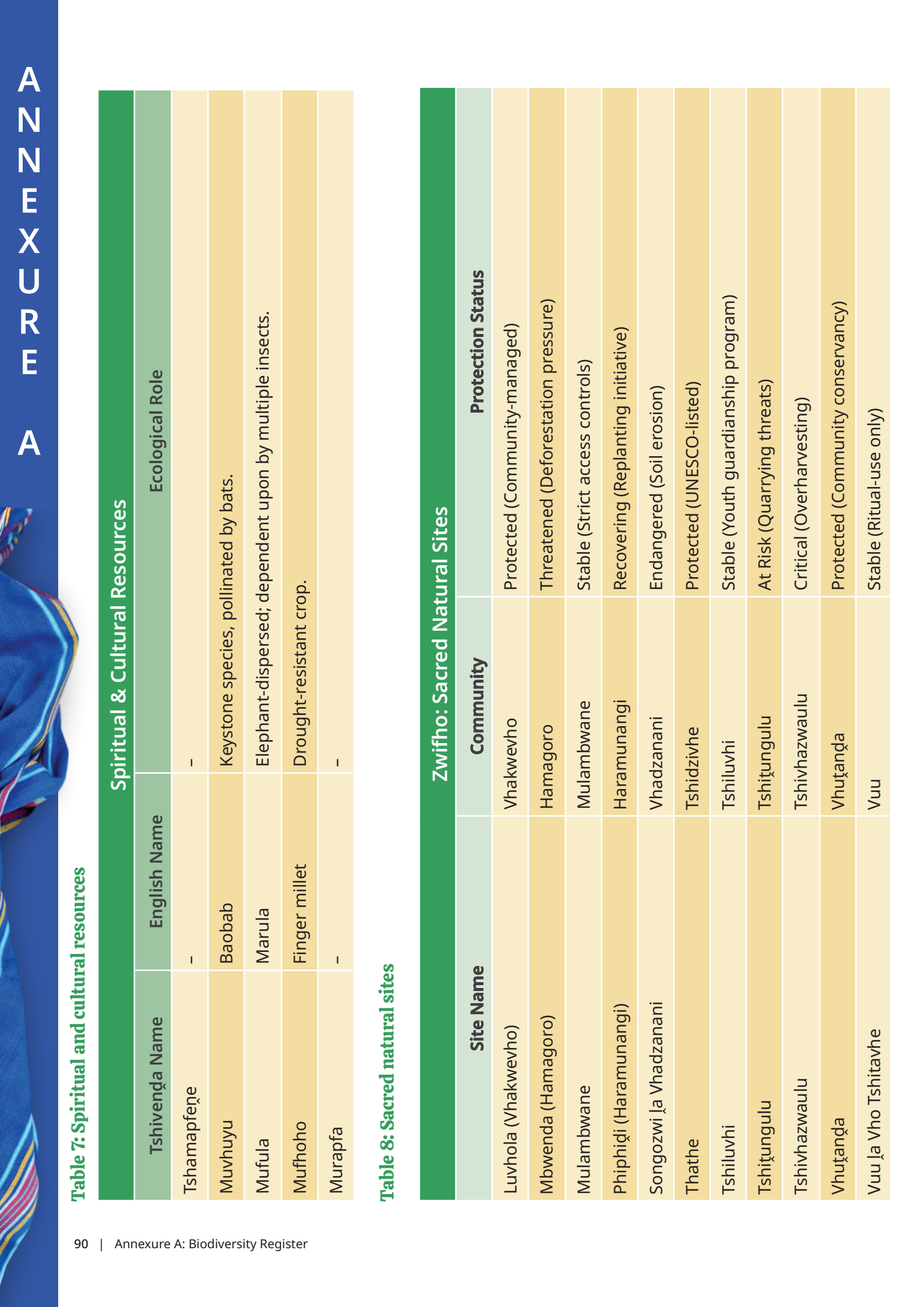


Table 7: Spiritual and cultural resources

Spiritual & Cultural Resources		
Tshivenda Name	English Name	Ecological Role
Tshamapfene	-	-
Muvhuyu	Baobab	Keystone species, pollinated by bats.
Mufula	Marula	Elephant-dispersed; dependent upon by multiple insects.
Mufhoho	Finger millet	Drought-resistant crop.
Murapfa	-	-

Table 8: Sacred natural sites

Zwifho: Sacred Natural Sites		
Site Name	Community	Protection Status
Luvhola (Vhakwevho)	Vhakwevho	Protected (Community-managed)
Mbwenda (Hamagoro)	Hamagoro	Threatened (Deforestation pressure)
Mulambwane	Mulambwane	Stable (Strict access controls)
Phiphiqi (Haramunangi)	Haramunangi	Recovering (Replanting initiative)
Songozwi ʼa Vhadzanani	Vhadzanani	Endangered (Soil erosion)
Thathe	Tshidzivhe	Protected (UNESCO-listed)
Tshiluvhi	Tshiluvhi	Stable (Youth guardianship program)
Tshiṭungulu	Tshiṭungulu	At Risk (Quarrying threats)
Tshivhazwaulu	Tshivhazwaulu	Critical (Overharvesting)
Vhuṭaṇḁa	Vhuṭaṇḁa	Protected (Community conservancy)
Vuu ʼa Vho Tshitavhe	Vuu	Stable (Ritual-use only)

Table 9: Sacred water resources

Zwiko zwa maḡi (Sacred Water Sources)	
Sacred Water Source	Ecological Status
Tshiṭungulu - <i>Maongelele Fountain</i>	Stable
Tshivhazwaulu - <i>Dandavhale Fountain</i>	Threatened
Vuu ḵa Vho Tshitavhe - <i>Nzwelule Fountain</i>	Protected
Mulambwane - <i>Iḡanamaḡi Fountain</i>	Recovering
Tshiluvhi - <i>Mazhou Fountain</i>	Endangered
Songozwi ḵa Vhadzanani - <i>Sinugane & Ḳitshovhu</i>	Critical
Mbwenda (Hamagoro) - <i>Dzivhaḵavhadzimu Fountain</i>	Stable
Tshidzivhe (Thathe) - <i>Mutale & Tshirovha</i>	Protected

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Annexure B: Community Based Inventory of Intangible Cultural Heritage of Zwifho

This inventory serves as a tool to systematically collect, preserve, and document the vast Indigenous knowledge and information surrounding the intangible cultural heritage connected to our *Zwifho*. While the domains within this heritage are deeply interwoven, examining each element individually allows us to gain a fuller understanding of the intricate relationships among nature, people, and culture. Through this approach, we see how *Zwifho* help us understand the relationship between the environment and our cultural practices.

Categories of Intangible Cultural Heritage (ICH)

A domain is a category or grouping of living heritage based on how it is understood, used, displayed, represented by the community that considers it as a part of their identity. The 2003 UNESCO **Convention for the Safeguarding of Intangible Cultural Heritage**¹ identifies five key domains of living heritage.

1. **Performing Arts:** This includes dances, songs, music, dramas or theatre that form part of cultural expressions, such as those performed at the *Zwifho*.
2. **Knowledge and practices** related to nature and ways of being in the world. It includes Indigenous knowledge systems, ways of being in the world, and practices such as rituals performed at *Zwifho* and the making of traditional medicine.
3. **Social practices, festivals, rites and rituals:** Includes community traditions performed at *Zwifho*, initiation ceremonies, and rites of passage like death and marriage.
4. **Craftsmanship:** Includes the making of cultural objects, such as drum-making and pottery, from clay collection to shaping, drying, and firing, along with their various uses at *Zwifho*.
5. **Oral Traditions and expressions:** Includes oral storytelling and poetry about *Zwifho*, and knowledge systems such as reading the cosmos.

Criteria for documenting Intangible Cultural Heritage

Each domain is further categorised by the criteria below. These criteria ensure that each element is accurately recorded, respected, and preserved for future generations while recognising the cultural significance and the people who uphold it.

- i. **Element:** A specific example of a living heritage practice, knowledge, expression, or craft making technique
- ii. **Description.** A brief explanation of the element, the intangible cultural heritage, and its significance to the community who identifies it as a part of their identity.
- iii. **Photograph/multi-media:** Documentation through photographic or video capturing where appropriate to ensure that cultural protocols regarding when and how documentation occurs are respected.
- iv. **Community Concerned:** The specific community that values and upholds this form of living heritage as a part of their identity.
- v. **Location:** The physical place where the community resides and where the living heritage element is practiced. This may include sacred sites such as *Zwifho*.
- vi. **Custodian/Knowledge bearer:** The individual or group responsible for safeguarding and transmitting the living heritage element. These may be elders, *Makhadzi*, traditional leaders, or healers who possess deep knowledge and ensure that it is passed on to the next generation of custodians or knowledge bearers.
- vii. **Risks & Threats:** Risks are internal factors within a community which may harm or hinder the transmission or sharing of the living heritage and on-going practice. Threats external factors to the community that negatively impacts the on-going practice of living heritage.

¹ UNESCO, *Convention for the Safeguarding of the Intangible Cultural Heritage* (adopted 17 October 2003, entered into force 20 April 2006) 2368 UNTS 3. South Africa ratified the UNESCO Convention with the ratification effective from 24 April 2025.

Inventory of Intangible Cultural Heritage of Zwifho


Table 1: Oral traditions and expressions

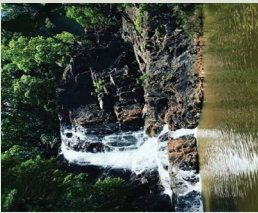
Domain	Name of the element	Description	Photo/ Multi-media	Community concerned	Location	Custodian/ Knowledge bearer	Risks & Threats
1.1. Oral traditions and expressions	<i>Mahaya ashu ro vha ro dzula</i>	<p>Song/lamentation about how we were removed from the place where we lived and the disruption that the forced removals caused. We were so happy in our place until they separated us.</p> <p>It originated from the initiation school where the youth were taught struggling songs.</p>	None	All 11 communities	<p>At the royal kraal during <i>davha</i> or family gatherings with traditional brewed beer.</p> <p><i>Davha</i> is a work party held by someone who wants to have their lands hoed or other work done. There will be eating, drinking traditional beer and also singing.</p>	Everyone - young and old	<p>Initiation school is no longer practiced as such.</p> <p>Risk of being lost as the songs are not sung as before.</p>
1.2. Oral traditions and expressions	<i>Thonga ya mukegulu</i> Elderly woman's walking stick	<p>This is a story about several events, telling of an elderly woman who helps a mother and child get fruit from a tree. The elderly woman sees the mother and child and lends them her walking stick to take the fruit from the tree. Half of the fruit goes to the child and the other half to the older woman. Then, the elderly woman sees another child crying and gives the fruit to the crying.</p> <p>This story shows the care of elders for the young ones.</p>	None	All 11 communities	<p>At each home, either <i>tshiitangani</i> (in the hut where cooking takes place) or <i>mutani</i> (at the enclosed yard in front of the hut), while seated around the fire.</p>	Elders, mostly grandmothers	<p>Kids are now influenced by western media.</p> <p>People no longer sit around the fire in the early hours of the evening and instead watch television.</p> <p>Tradition is seldom practiced.</p>



1.3. Oral traditions and expressions	<i>Ranḍevhe tshi dzhena mulindini</i> story	Story about a hare that goes into a hole and steals a bead. The hare (or rabbit) symbolises a thief. The moral lesson of the story is that foreign influence has disrupted our way of life.	None	All 11 communities	At each home, either <i>tshiṭangani</i> (in the hut where cooking takes place) or <i>muṭani</i> (at the enclosed yard in front of the hut), while seated around the fire.	Elders, mostly grandmothers	Children are now influenced by western media. People no longer sit around the fire in the early hours of the evening and instead watch television. Tradition is seldom practiced.
1.4. Oral traditions and expressions	<i>Mueni</i> song	A teaching song about hospitality, where children are taught to feed visitors even when elders are not present. The song taught by elders are mostly sung by children. When a visitor arrives, even when elders are not around, the visitor must be fed and not starve. The child will say "I gave the visitor food" and the parents will say "from where." The child will say "I reached out on the roof" and the parents will say "where is my food," and child will say "your food is higher."		All 11 communities	At each home, either <i>tshiṭangani</i> (in the hut where cooking takes place) or <i>muṭani</i> (at the enclosed yard in front of the hut), while seated around the fire.	Elders, mostly grandmothers	Children are now influenced by western media. People no longer sit around the fire in the early hours of the evening and instead watch television. Tradition is seldom practiced.

1.5. Oral traditions and expressions	<p>Marriage rites</p> <p>Also categorised under social practices, rites and rituals.</p>	<p>Rituals involving the introduction of the bride and groom to their ancestors, naming of the bride, and the role of the elderly woman in the family.</p> <p>When a man and woman marry, the two families will introduce the bride and the groom to their ancestors. The bride, upon arriving at her husband's home, is given an elderly woman within the family who will serve as her mother. The bride will consult this elderly woman whenever she has challenges.</p> <p>They will then give her a <i>Tshivenda</i> marriage name. Naming takes place during the marriage rites process.</p>	<p>In the past this was not recorded. Today, photos and videos are held within the community. However, some families have photos while others may not have.</p>	<p>Historically, all 11 communities.</p> <p>Present day, marriage rites are only performed in certain villages at their <i>musanda</i>.</p>	<p>All 11 communities in the past at the groom's home.</p>	<p>The aunt (<i>Makhadzi</i>) or eldest sister of the groom will perform the naming ritual.</p> <p>Senior elderly men also hold knowledge, but do not have the right to perform it.</p>	<p>Risk of schooling, work, western culture.</p> <p>In the past, the entire marriage ceremony took place over months, but now it takes place over a weekend.</p> <p>Knowledge not being transferred to younger generations because they are not interested.</p>
1.6. Oral traditions and expressions	<p><i>Matakadza mbilu ndi n'wana</i> song</p> <p>Also categorised under social practices, rites and rituals.</p>	<p>A song about the blessing and hope of a child.</p> <p>When a husband and wife do not have a child, the husband's mother will put a doll at the end of the bed or carry the doll on her back and sing this song.</p>	<p>Recordings are available</p>	<p>All 11 communities</p>	<p>All 11 communities at the groom's home and at social gatherings</p>	<p>In-laws of the married women who hold the knowledge</p>	<p>Mother-in-laws have become sensitive to her son's wife's feelings.</p>
1.7. Oral traditions and expressions	<p><i>N'wana a si wanga</i> song</p> <p>'The child is not mine' song</p>	<p>A song expressing doubt about the child's father and mistrust towards your wife.</p>	<p>Recordings are available</p>	<p>All 11 communities</p>	<p>All 11 communities at the groom's home and social gatherings</p>	<p>All community members</p>	<p>Risk of being lost because they're not sung as often as before.</p>

Table 2: Knowledge and practices which relate to nature

Domain	Name of the element	Description	Photo/ Multimedia	Community concerned	Location	Custodian/ Knowledge bearer	Risks & Threats
2.1. Knowledge and practices which relate to nature	Taboos on access to <i>Zwifho</i>	Only members of the royal family may access <i>Zwifho</i> . No shoes, belts, phones, or cameras are allowed.	Photos are prohibited.	All 11 communities	Locations of <i>Zwifho</i> are not disclosed.	<i>Makhadzi</i>	Christianity has influenced our ways of life. Disruption of access to <i>Zwifho</i> due to encroachment and displacement.
2.2. Knowledge and practices which relate to nature	Marula	Ritual performed by the traditional leader to pick fruit, involving a snake bite that leaves a smell. When fruit are to be picked, the traditional leader must perform an <i>u luma</i> (prayer) before eating the first fruit) ritual for the ancestors. A large snake will bite the traditional leader and the smell of this will remain the whole day.		All 11 communities	At royal and individual families	Traditional leaders and elders	Industries do not observe the protocol for mass production, including cutting of fruit. This risks the traditional leader losing respect. The health of the traditional leader and the entire community will be affected.

2.3. Knowledge and practices which relate to nature	Thate forest	<p>Sacred natural forest with mysterious occurrences when its sacred rituals are not respected.</p> <p>Examples include, when a wire fence was constructed, every morning the wires would be rolled up in one place. When a white man was constructing a road, he wandered off and disappeared. Others have gotten lost around there, for weeks and months. Babies have been heard crying there but never seen. When Vali Moosa visited, 20 vehicles got stuck in the middle of the forest.</p>		Thate	Not disclosed	Traditional leader and <i>Makhadzi</i> (one anointed by the ancestors)	Everyone is always warned about the dangers of the forest.
2.4. Knowledge and practices which relate to nature	<i>Phiphiqi</i> falls	<p>Sacred natural site with stories of drownings, rituals, and warnings when its sacred rituals are not respected.</p> <p>Examples include: Traditional healers drowned during baptism. A group became stuck by the river; rituals freed them. Cattle trapped in the river were released after rituals. A soccer player ignored warnings, disappeared and later drowned while swimming.</p> <p>A judge however who did inspection in loco, respected community warnings to avoid the site during rituals.</p>		<i>Phiphiqi</i>	Not disclosed	<i>Makhadzi</i>	Risk of becoming a tourist attraction.

2.5. Knowledge and practices which relate to nature	<i>Vhuṭaṇḁa</i>	Sacred natural site with stories of lost items, wood turning into snakes, and rituals required to pass through. Examples include: (1) a man who lost his keys during a cultural funeral, but they were then found in his car afterward. (2) Dry wood taken home turned into snakes. (3) A bulldozer from the 1960s got stuck and remains there. (4) Two men got lost in the forest, only rituals helped find them. (5) To pass through, one needs to cut a piece of clothing.		<i>Vhuṭaṇḁa</i>	Not disclosed	Traditional leader, <i>Makhadzi</i> and elders from the royal family	
2.6. Knowledge and practices which relate to nature	<i>Muṭavhatsindi</i>	An endangered plant only found in Thengwe with medicinal properties. To gather the roots and bark of the plant, one must get permission from the traditional leader and follow sacred rituals.		Thengwe	Mafukani village	Traditional healers and helpers	Traditional protocols are not always followed when gathering the roots and bark. It is also being harvested for firewood. The tree is now regarded as endangered.
2.7. Knowledge and practices which relate to nature	<i>Mpesu (Securidaca longipedunculata)</i>	Plant with medicinal properties.		All 11 communities	Found in all 11 villages	Anyone can harvest it	No risk or threat


2.8. Knowledge and practices which relate to nature	<i>Muvhuyu</i> (Baobab tree)	<p>Used for healing. The fruit may only be collected when it falls, not picked.</p>		<p>Predominantly in the North-East. In villages like Zwigodini, Mamvuka, Muswodi, Hamananzhe, Masisi, Tshenzhelani and Tshamuṭavha villages just to mention a few.</p>		<p>Anyone can harvest it</p>	<p>MMSEZ development is a threat</p>
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Table 3: Social Practices, rites, rituals and festivals





Domain	Name of the element	Description	Photo/ Multimedia	Communi- nity con- cerned	Location	Custodian/ Knowledge bearer	Risks & Threats
3.1. Social Practices, rites, rituals and festivals	Rites of Passage <i>Vhusha</i> – Girls	Coming of age ceremony for girls. Girls are taught about womanhood. <i>O sema vhaqegulu</i> (when girls begin menstruation) it is said that 'she has scolded the elders'. During this period, she may not talk about it to anyone. She gets a new mother who will nurture her.	None, no photos are allowed to be taken	All 11 communities	<i>Tshivhamboni</i> (council hut) at the royal kraal	Elder women and mature girls	Not having access to the sacred sites has disrupted the ways in which rituals take place. Churches and Christianity have disrupted these practices.
3.2. Social Practices, rites, rituals and festivals	Rites of Passage <i>Vhuṭambo</i> - Boys	Coming of age ceremony for boys. When boys come of age, they are taught the way things are done, how to behave at funerals and how to treat the elders.	None, no photos are allowed to be taken	All 11 communities	In the bush/ mountain	Elder men and mature young men	Not having access to the sacred sites has disrupted the ways in which rituals take place. Churches and Christianity have disrupted these practices.
3.3. Social Practices, rites, rituals and festivals	<i>Domba</i> - initiation school	Rituals performed for girls to learn about womanhood and marriage. Boys do attend too.		All 11 communities	At the royal kraal	Elders	Christianity, modernity and awareness of human rights have impacted the practice.

Table 4: Traditional Craftsmanship

Domain	Name of the element	Description	Photo/Multimedia	Community concerned	Location	Custodian/ Knowledge bearer	Risks & Threats
Traditional Craftsmanship		Knowledge and practice of making ceremonial drums and pottery used at Zwifho					
4.1. Craftsmanship	<i>Mufaro</i>	Basket with a lid made from the muluwa tree (thick vine).		All 11 communities	Northern parts of Venda and in Zwifho.	Skill of crafting is down through generations.	Habitat loss, in some areas it is being cut down.
4.2. Craftsmanship	<i>Ndilo</i> (Round wooden platter)	Wooden plate for eating, made from the wood of a marula tree. The specific plates are used for ceremonies and the <i>Makhadzi</i> requires that her meals are served in this plate. It is also used to serve meal to the elderly men in a family, especially fathers.		All 11 communities	All 11 villages	Elderly men	Some regard this not as sacred, but demonic. People are not making it due to low profitability.
4.3. Craftsmanship	<i>Khavho</i> (Calabash)	Used at sacred sites for rituals by a senior aunt involving traditional beer or water drawn from the well. During a ritual water or traditional beer is placed in their mouths and spit out during meditation. Also used for ceremonies and as cups for drinking. Made from luranga and muphaha vegetables and they come in different shapes.		All 11 communities	All 11 villages	Elders will make them. Used by a senior aunt who inherited the role of performing rituals on behalf of the royal family.	Lack of rain prevents the vegetables from growing. People now prefer to use glasses instead. Climate change and soil degradation are threats. Overused for decorations.

4.4. Crafts- manship	<i>Ngoma/Muvhamban- goma</i> (Drum)	Drum used for spiritual purposes, made from specific trees and animal skins. When we hear the sound, we know that something is happening. When you want to invoke ancestral spirits, you will play this drum. The drum can only be made from certain trees. The skin used on the drum comes from a specific animal whose image is carved into the handle of the drum		All 11 communities	All 11 villages	Certain elders make the drum. Experts play the drum.	No risks or threats
4.5. Crafts- manship	<i>Ngoṭa</i>	Used during rituals for holding <i>mpambo</i> (a drink) made from <i>mufhoho</i> (<i>finger millet</i>). Used during rituals. <i>Ngoṭa</i> is made from <i>Iuranga</i> , a vegetable.		All 11 communities	All 11 communities	Senior aunt, who has inherited the role of performing rituals on behalf of the royal family. The rituals are performed at the royal kraal.	Lack of rain prevents the vegetables from growing. People prefer to use glasses instead.
4.6. Crafts- manship	<i>Thovho</i> (grass mat)	Made from Madzhesi grass, used for sleeping or as a sitting mat for women. Madzhesi grass can be found where there is an abundance of water and can be used to pull termites.		All 11 communities	11 villages	Elderly women who make them.	Veld fires, drought, and impacts on waterways are threats.

Table 5: Performance Arts and Ceremonies

Domain	Name of the element	Description	Photo/ Multimedia	Communi- ty con- cerned	Location	Custodian/ Knowledge bearer	Risks & Threats
Performing Arts	<i>Dances performed by men, and women during a rite of passage ceremony from girlhood to womanhood. Skits and plays about the Zwifho</i>						
5.1. Performing Arts	<i>Tshikona</i> (Performance of reed-flute ensemble)	<p>Ceremonial and spiritual dance performed by men, using flutes made from <i>musununu</i> reeds. Used for coronations, burials, and calling rain.</p> <p>The leader of <i>tshikona</i> is <i>malogwane</i>. During this dance, men and sometimes women beat the <i>ngoma</i> drum and use <i>khuratha</i> (kudu horns). The <i>tshikona</i> is used when coronating or burying the traditional leader. When the <i>tshikona</i> sounds, it informs of sensitive issues at the palace. For example, if there is a long period of drought, it will be danced to call the rain.</p> <p>Elderly women appreciate it performing women dance steps called <i>u tanga/tangela</i>. Women do not perform the men's dance steps (<i>a vha sheli mulenzhe</i>).</p> <p><i>Vhamusanda vha tshi zwa vha takuswa nga tshikona</i>, translating to, the traditional leader only does the steps for giving a talk, he does not dance. In the past, the ceremonies of <i>tshikona</i> were performed by the traditional healer.</p> <p>Food of <i>tshikona</i> is cooked by the dancers.</p>		11 communities	<p>The <i>musununu</i> tree from which the flutes are made is found in Tshaulu.</p> <p>Traditional leader's place, a special sacred ground.</p>	<i>Malogwane</i> (umpire) men of the community	<p>Commercialised and women are dancing to it. Taken as entertainment. Protocols are no longer being followed. Flutes are being replaced by the electric pipes. No longer engaging traditional leaders.</p> <p>Dancing attire and tradition are no longer valued.</p> <p>Alcohol is used in an abusive manner and is no longer used for traditional purposes.</p>
5.2. Performing Arts	<i>Mbila</i> (<i>Sansa</i> or <i>thumb piano</i>)	Musical instrument made from maze wood and iron rod, played by males for entertainment. It is often played by people who are lonely.		All 11 communities	11 villages	Crafters	People don't play it often

Annexure C: Timeline of Rituals and Rites

Table 1: Life Stages

Life Stages

- A. *Lushie/lutshetshe* (infant)
- B. *Nwana* (boy child) / *nwananyana* (girl child)
- C. *Zwipofu* = *mutukana* (boy) / *phalaphathwa* (girl – no breasts)
- D. *U tenga mufula* = *mutukana* (boy) / *thungamamu* (girl – breasts developing)
- E. *U luma luṭanga* (wet dreams) = *muṭhannga* / *u sema vhakegulu* (menstruation)⁶²⁴²⁹ *khomba*
- F. *U vhinga na u vhangiwa* = *muvhera* / *mubvana* (marriage age)
- G. *Khombe* (unmarried man) / *Mutshelukwa* (unmarried woman)
- H. *Muta* (family) *munna* (man) / *musadzi* (wife)
- I. *Vhaaluwa* (old age) = *mukalaha* (old man) / *mukegulu* (old woman)
- J. *U lwala na lufu* (sickness and death)
- K. *Munnawavhane na musadziwavhane* (the late) = *vhadzimu* (ancestors)
- L. *Mbingano na ṭhalano*
- M. *Vhadzimu*

Table 2: *Lushie* / *lutshetshe* (infant and early childhood)

At Childbirth

The *Makhadzi* and knowledgeable elderly women perform tasks during labour and birth.

Misho/Misho ya vhana (infant convulsions)

- Treatment varies by family: medicinal baths, breastfeeding, or *zwioro* (incense smoke for inhalation).
- **Timeframe:** 0–3 months.

U thusiwa, u newa dzina na u thoma u nusiwa tshiunza

- Doctoring an infant, naming, and initiating hand-fed porridge.

U newa dzina (Naming Ceremony)

- Name is given by a *Makhadzi*, *khotsimunene*, *makhulu* and infant's parents or any elder in the family
- *Dzina la u lilela* (a name «cried for») an ancestral name
- Community names: *Madzina a lushaka lwonolo* (names tied to events, e.g., *tshifularo*, *matodzi*, *tshililo*, *musiwalo*, *tshiwandalani*, *khrommbi*)

Nyimele dzinwe dza u newa madzina (Naming under other circumstances)

Table 3: Zwipofi (Childhood) 4 months to 8 years of age**Thondo for boys only**

- Gender-based orientation: teaching chores, greetings (*mikhwa na vhuḁifari*), and behaviour.
- Community identity: Children recite *mutupo na thavha* (totem and sacred mountain) when greeting elders.

Zwipofu (Pre-Puberty)

- Definition: Children innocent of sexual matters (pre-menstruation/wet dreams).
- Allowed activities:
 - Grow/harvest finger millet (*zwala na u kana mufhoho*).
 - Enter *Zwifho* (sacred spaces) for spiritual tasks.
 - Fetch cow dung (*girls only*: sexually active girls risk cows miscarrying (*u folodzha*)).
- Taboos: None for elderly or abstinent individuals.

Table 4: U tenga mufula / u luma luṭanga / u sema vhakegulu (Puberty and Initiation)**U sema vhakegulu (First Menstruation)**

- Girls attend *vhusha* (puberty rites).

U tenga mufula / u luma luṭanga

- Boys with wet dreams go to *tshiṭamboni* (male initiation school).

U imbelwa / Mavoḁa vha tou fhiswa / U ya thavhani (royal initiation school)

- Girls: *Vhusha* initiation prepares them for marriage.
- Royal girls: *Mavoḁa* undergo *u tou fhiswa*.
- Boys: Circumcision school or mountain rites.

Domba (Preliminary to Marriage)

- "Snake dance" group rites for marriageable girls, young women and men.

Table 5: U vthingiwa / khombe / mutshelukwa / muṭa / vhaaluwa (Adulthood and Marriage)**Mubvana** (Young Woman) & **Muvhera** (Young Man)

- Newly married couples receive advice from elders.
- **Duties:**
 - Husband cuts wood (*u rema basha*) for home structures.
 - Attend *domba* if missed pre-marriage.

Mutshelukwa (Unmarried Woman) & **Khombe** (Unmarried Man)

- *Mutshelukwa tshidzinza vhaṭhannga*: Elderly women comfort unmarried women.

Mufumakadzi na munna (Married Couple)

- **Royal men**: May become *tshipiḽa* (pillar of the royal family).
- **Roles**: Nurturing children, participating in traditional courts (*khoro ya shango*).

Vhaaluwa (Elders)

- Custodians of customs (*maṭanzu a tikaho maswa* – “pillars supporting youth”).

Table 6: Mbingano na ṭhalano (Marriage and Divorce)**Mamalo/Mbingano** (Marriage)

- **Bride price**: 8 cows (*kholomo dza malo*); 9th cow (*vhuṭahe*) for bride's mother.
- **Vhaṭanuni (Royal wives)**:
 - *Musadzi wa dzekiso* (candle wife) = *musadzi o malwaho nga kholomo dza khosi* (married by king's cows or cows that married Makhadzi)
 - *Musadzi wa tshiozwi* = *musadzi o maliwaho nga kholomo dza mme* (Wife married by cows which married the mother of the husband to be)
 - *Tshiala* given to senior wife for household authority
 - *Muvhuya nga dzanga* = *musadzi o malwaho nga kholomo dzo malaho makhadzi* (Wife married by cows which married Makhadzi)
 - *Lufarathonga* = *musadzi muṭuku o malwaho nga khosi yo no aluwa* (Young wife married by a king at his advanced age)

Ṭhalano/U ṭalana (Divorce)

- Process: Mediation before dissolution; bride price may be forfeited.

Table 7: U lwala na lufu (Illness and Death)**Vhulwadze kana u lwala** (Sickness)

- Treated by *maine* (traditional healers) at home or afar (*u pfuka milambo*).
- Bad omens: Unexpected injuries, insults, or dreams of red meat/faeces.

U vhulunga muthu (Burial)

- Belief: Life after death; ancestors return as spirits (*muya*) or flesh (*tshivhumbeo*).
- Rituals:
 - *Makhadzi* or *Tshifhe* leads funerals.
 - Sowing seeds on graves (*u țavha mbeu*) symbolizes rebirth.
 - Left hand for giving to ancestors (*vhamatongoni*).

Misho ya musu muthu o lovha (Post-Death Rites)

- Suicide: Rope cut over coffin to prevent further deaths (*u khaula lufu*).
- Royal burial: Conducted at night without drums; commoners excluded.

Table 8: Ancestors

- Names given when people (women) are married into the royal family: *Nyamukamađi* who becomes the mother of *Mukamađi*, *Nyasilae* who gives birth to *Silae*, *Nyamasindi* who gives birth to *Masindi*, *Nyatshiwela* who gives birth to *Tshiwela*
- Names given when people come from circumcision schools: *Rathiyaya*, *Razwimisani*, *Marandela*, *Phophi*, *Kutama*, *Tshidino*
- Royal names

Annexure D: Respective Roles of Traditional Leaders and Community Members

Female survivor refers to a woman whose husband died. When a woman is married, she is married to the family or community. The death of her husband does not divorce her from the family or community. Upon his death, the family have a meeting to discuss who takes over caring for the female survivor. In the case of a royal family, she will remain with the relevant house. When a female survivor is handed over to an elder or younger brother of the deceased, it is intended to protect the royal lineage and the estate. The process of handing over a female survivor to her next husband is done by the senior *Makhadzi* who will focus on the house of the deceased husband.

There is a man who is given to an elderly woman whose husband is deceased. To an elderly woman the man goes to her house and the children of the woman do not change their surname. A female survivor is given food or will have her field ploughed by the cows belonging to the family or those from the traditional leader's kraal. The traditional leader takes care of female survivors.

Ngonwa refers to an impotent man. A male infant will have (rites) (*misho*) performed on him to strengthen his body parts. They usually use breast milk from the mother of the infant.

Upon marrying, a wife is given an elderly woman who serves as her mother who would advise her on what needs to be done to determine if her husband is impotent or not. In Tshivenda culture, when a husband is unable to have children, it is traditionally acceptable for a close male relative to assist in continuing the family lineage, often without the matter being openly discussed.

Tshisiwana is an orphaned child/ a parentless child. Royal meaning refers to someone who is a subordinate traditional leader. The principle of ubuntu applies, it takes a community to raise a child. The child becomes the responsibility of the family and the community via the headman or *musanda*.

Fire - Fire is made at the royal kraal and all subjects come fetch it to make theirs at their respective homes as:

- a. part of intelligence (to see if there are intruders)
- b. the only fire visible is from the royal family. It is taboo for fire to be seen from elsewhere as that fire symbolises authority of the royal family over subjects.

Destitute person (*Mushai*) is a poor person. The traditional leader takes care of the destitute(s) within his or her area of jurisdiction. The food that is harvested from the royal field (*dzunde*), and every other food and drinks like traditional beer (*mahafhe*) and marula beer (*mukumbi*) are provided to such person(s) from the royal kraal (*musanda*). In a nutshell, whoever is lacking food and shelter will be provided for at the royal family hence the word *vhafuwi*.

Barren woman (*Muumba*) is a woman who cannot bear children. When elderly women notice that the recently married wife is unable to bear children, they take her to a traditional doctor to establish what the challenge is. They do what needs to be done. Another wife is married to her husband, or they return to her parents who will offer the younger sister to be married by her elder sister's husband. There are *vhomakhadzi* who can't be married because the ancestors do not allow as they want them to perform tasks for the ancestors.

Offender (*Muthu o pfukaho mulayo*) is someone who committed a crime. The victim reports the matter to a petty headman where the matter may be resolved. If unresolved the matter is taken to a headman where it would be discussed at the traditional court.

- a. A marriage between cousins – the son of the uncle marrying the daughter of his aunt (*Makhadzi*). There are rituals that are performed to legitimise the marriage.
- b. Divorce (*U talana ha munna na musadzi*) – The bride price is not returned except under exceptional circumstances.
- c. When a young man impregnates a young woman before marriage, he pays the damages for embarrassing the woman's family.
- b. Male genitals (*Thangu/tshitungulo* – it is able to sense if there is danger due to illness of the female and would not be erect. It is called *tshitungulo* (*male genital*) because it is used to procreate to keep the family lineage going.
- c. *U daha fola nga vhakegulu na vhakalaha* – A wise and symbolic way to detect any dysfunction or erection or feelings in boys whose ages ranges from (three) 3 to (ten) 10 years. If there is any dysfunctionality the elders recommend traditional medical remedies.

Secret initiation rites for females held prior to *domba* (*Tshikanda*) is a phase in a girl's growth between *vhusha* and *domba*. A considerable amount of time is spent practising instruction in rules of behaviour (*ndayo*) which are accompanied by music which is in a form of a dialogue.

Zwitungulo are royal antefacts or insignia. There are beads and *tsanga* (sort of a battle axe), spears (*mapfumo*), cloths with red and white colours (*malabi a muvhala mutswuku na mutshena*). *Zwitungulo* are used during the performance of ancestral rituals (*thevhula* and *muphaso*). Royal rod (*Tshifaro kana thonga ya vuhosi*) – is also part of *zwitungulo*.

Tshifaro is a royal language for the rod (*thonga*), staff (*lubaḁa*), spear (*pfumo*), gun (*tshigidi*), axe (*mbaḁo*).

Makhadzi takes on many roles, including:

- In the event of a death of a traditional leader;
- Dispute resolution relating to succession to traditional leadership thereof;
- As an advisor;
- As a regent;
- As a link between the living and the departed;
- As priestess (*Makhadzi mufara thungu* – the anointed *Makhadzi*);
- As a chooser of a bride;
- Naming a child and performing rituals (*u phasa*) for the child.

