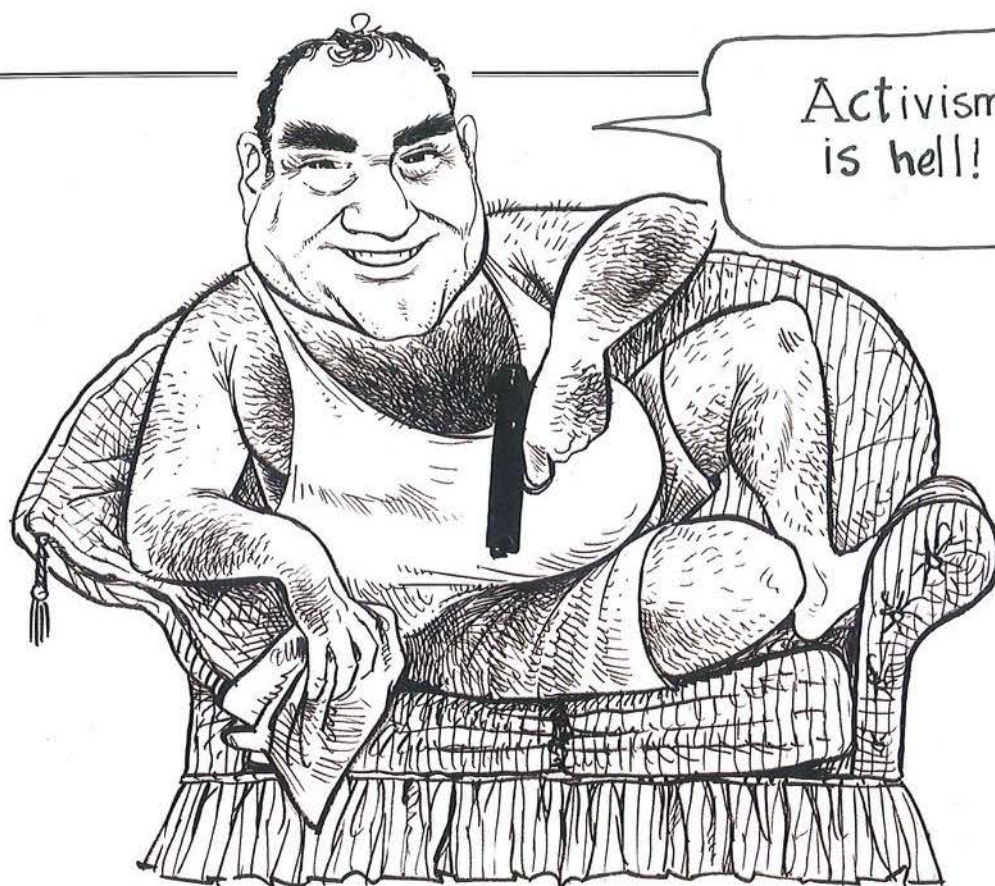


news you're not supposed to know

noseweek

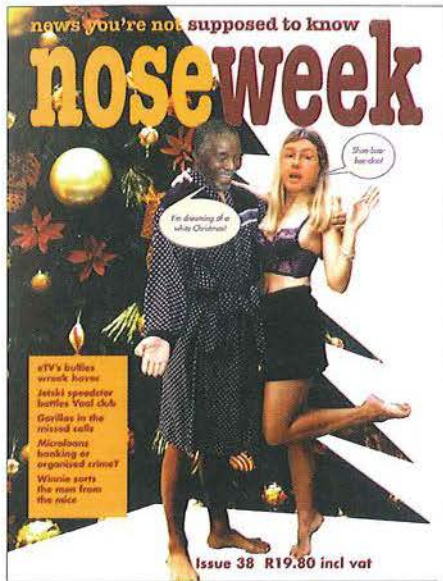


SA Jews for Palestine group photo

From left to right: R Kasrils (Chairman), R Kasrils (Secretary), R Kasrils (Treasurer), R Kasrils (Publicity)

- **Smash-'n-grab banking at Investec**
- **eTV soapie contd.**
- **Pityana's fat bum in the butter**
- **Abe Swersky: lawyer and thief**

May/June 2002 **Issue 39** R19.80 incl vat



KORTBROEK & COCKBURN

Great legs on Kortbroek (nose38 cover)! No wonder Mbeki is chasing after him. I'm less enthusiastic about the column by Alexander Cockburn. I've listened to and read his reports and have yet to find him saying anything positive about America, even post September 11. All he offers is justification for the atrocities and little condemnation of the perpetrators thereof. His pomposity is enough to bring on a bilious attack.

ALF WELGEMOED, Pietermaritzburg

eTV PRICKS

Congratulations on the excellent piece on Kanthan Pillay and Quraysh "Bazooka" Patel. Has he [Pillay] actually tried to lay a charge of *criminal* defamation against you??? What clowns!

PAUL KIRK, kirks@mweb.co.za

Yes, Pillay has laid charges with the police against us for allegedly defaming him in nose38. He told the investigating officer he was particularly aggrieved by our having described him as "serial philanderer". We were quoting his own web site! - Ed.

When Quentin Green [current CEO at TV Africa] resigned from eTV, three top sales people followed him. Now acting CEO Marcel Golding is phoning around for a new marketing director. So eTV has lurched from one crisis to another since its launch [see noses 29 and 38].

Golding grew up as a confrontationist with the power of the union movement behind him. But those tactics don't work in advertising and media, something his partner Quraysh Patel should also learn. No medium *deserves* advertising support! It has to earn it. A good media planner can do a superb job without using eTV at all. You cannot run a media company that's losing millions with cowboy tactics. If eTV doesn't watch out, it will go down the tubes faster than Golding can say Union Power. JOHN FARQUHAR, editor, Advantage



Kanthan Pillay



Marcel Golding

We act for Midi TV (Pty) Ltd, which broadcasts as eTV, and Mr Golding [chairman and acting CEO], Mr Patel [director], Mr Pillay [head of corporate affairs] and Miss Keene-Young [deputy channel director] in their personal capacities ("our clients").

Your article headed "Backstage with the Pricks and Big Dicks at eTV" (nose38) is defamatory of our clients in numerous respects.

We realise that in view of the content and style of noseweek and the manner in which it has dealt with previous claims, it is not customary for noseweek to either retract and/or apologise for defamatory matter contained in its articles. For this reason, it

is not our intention to canvass each aspect in which the article is defamatory. Our client will do so should you indicate willingness to provide our client with a retraction and/or apology. This letter is written to give you notice that any future publication of the defamatory information contained in the article will merely aggravate the defamation. Our client intends instituting proceedings against both noseweek and Mr Welz in his personal capacity as a result of the publication of the article.

DAN ROSENGARTEN

Rosin Wright Rosengarten, Johannesburg
You deduce - incorrectly - that it's "not customary" for us to retract or apologise for incorrect and defamatory reports. On the contrary, we regularly publish letters critical of our reports, corrections where appropriate, and, yes, even apologies. See, for example, in nose38 the letters from Kader Asmal and Marina Bang, and in nose36 the article on the Post Office's reaction to one of our stories.

We therefore look forward to receiving a detailed account of where our article was factually incorrect and/or unjustified in its comment or conclusions, so that we may consider publishing a correction and/or apology.

Insofar as paragraph 4 of your letter might be intended to intimidate us from reporting further on developments at eTV, you will no doubt not be surprised that it has not succeeded. See page 12. - Ed.

RAND WATER'S PERSPECTIVE

Your report on the High Court ruling against Rand Water's control of boating on the Vaal [Free at last! (nose38)] needs to be put into perspective. Rand Water has been issuing boat permits at a fee since 1987. The aim was to promote user safety, by controlling the number of craft on the Vaal, and to limit water pollution. As there is no legislation governing boating on inland waters, Rand Water took it upon itself to operate the permit system, which was never intended to make money.

In December 2000 Markinor conducted a survey for Rand Water on the public's view of our role in controlling the recreational use of the Vaal Barrage area. Boat clubs on the Barrage and 800 members of the public were interviewed. The results were clear -

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QUASIMOTO



The Hatchback
of Notre Dame

people want the water to be patrolled and expect Rand Water to do it. Furthermore, they are prepared to pay for the service. As a result of the recent court ruling, Rand Water has terminated the issuing of permits for boating on the Vaal River Barrage reservoir.

Although no regulations can be enforced, there is still a need for information, first aid, advice and recovery of damaged craft. Rand Water will therefore continue to patrol the reservoir in the public interest, and is consulting with government departments over safety on the Vaal.
FRANÇOIS VAN WYK,
Head, Catchment Management, Rand Water

UNIBANK

Thank you for your honest reporting [in nose38] on my court battle against Unibank/Unifer (since suspended on the JSE)! I still wonder how ABSA could allow a bank built over 11 years by one man – Gerrit van der Merwe – to be destroyed in six months.
RONEL VAN DER MERWE, Johannesburg

THE UNICITY'S FEEDING GROUNDS

Having destroyed accountability and transparency, the new Cape Unicity can charge what it likes for its services. And Unicity officials and politicians can exploit the feeding grounds with cosy deals that are legally acceptable. Expect big breaks for relatives and friends – at great cost to the taxpayer. The arms deal is symptomatic of what the new SA offers. Chucking out systems developed over centuries – such as accountability on rates, the basis of English government – comes at great cost to SA's credibility.
ROBIN BOSOMWORTH, Newlands

AIDS DRUGS FOR AFRICA?

The pharmaceutical shape-shifters have again shown their masterly ability to manipulate the global psyche. We now actually believe they're motivated by concern for the world's "good health". Fortunately, you cannot fool all of the people all of the time. Aids drugs for Africa? Watch out, Africa!
STEVE RANSOM, steve1@onetel.net.uk
www.whatareweswallowing.com

SAAMBOU, FEDSURE, INVES... ER...

My take on the Saambou fiasco: In SA it's done like this: crisis → outcry → commission = no publicity = selectively tell the public what we want to tell them = cover-up. My equation is BIG business + government = screw the sheople.
LEO HIRSCHOECKER, Edenvale
See page 6 – Ed.

ASTOUNDED BY NOSEWEEK

I'm astounded by reports in noseweek on the actions of some businessmen and officials. The only hope for SA's future is to give all citizens access to this information, so that offenders are dealt with. It concerns me that your organisation could be threatened by those you expose and I pray for your safety.
JUSTIN MINNAAR, Johannesburg

A MAIL JOKE (WITH DISCLAIMER FROM APPLETON)

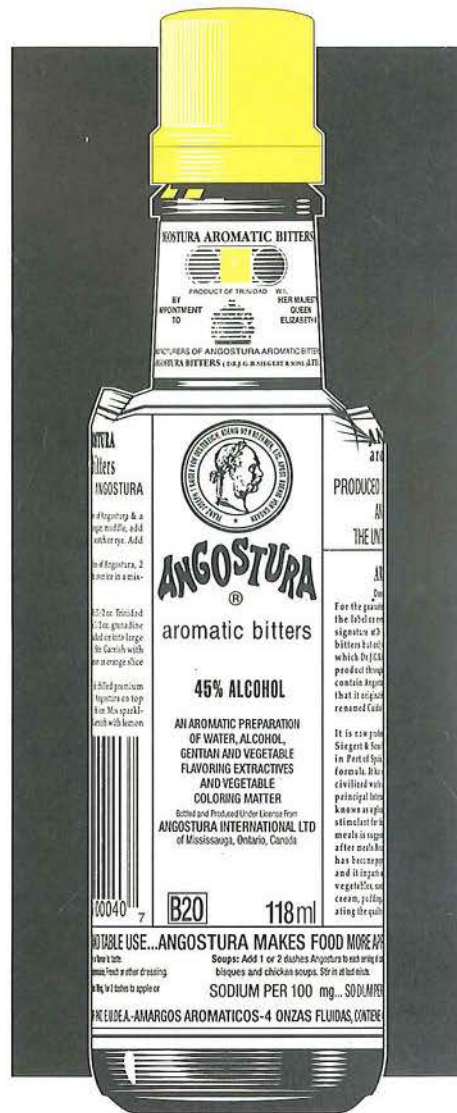
Can you bare it, ladies? An email joke at your expense...
Yesterday, scientists for the USDA announced the results of a recent analysis that revealed the presence of female hormones in beer.
To test the theory that beer makes men turn into women, 100 men were fed eight pints of beer each. All gained weight, talked excessively without making sense, became overly emotional, couldn't drive, failed to think rationally, argued over nothing, and refused to apologize when wrong. No further testing is planned.
ANOTHER GENIUS at Appleton, Cape Town P.S. Unless specifically stated, Appleton Limited gives no warranty, expressed or implied, as to the accuracy, timeliness, completeness, or fitness for any purpose of any information contained in this e-mail.

NOSEPOME

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dear reader

For those of you who wonder what on earth we've been up to – believe us, the past four months have been no holiday! Our long absence was most unwelcome, the result of the unexpected collapse of our development financier midway through our otherwise most successful development programme. (You'll recall that we produced more issues last year than ever before and that our sales figures grew from under 8 000 to nearly 14 000 per issue.) To the many who phoned to say they missed us: Thank you. To the few who phoned to complain and demand their money back: Sorry.

We're back and running, aiming for monthly publication and a circulation of 17 000 by the end of the year. New writers are in the pipeline. You'll meet them in the months to come.

ETHICS ISN'T KING

We need to do something about the lack of corporate ethics in SA. Abuses of power are stifling enterprise. Just look at past stories in noseweek: from David Hersch and the dishonest schemings of ABSA, to Geo Louw and Wilson Muvhalawa screwed by SA Breweries, to – in this issue – Justin Lewis's near-fatal encounter with jiggy-pokery at Investec.

Our major corporate institutions often show an ingrained cynicism – and a conviction that they will never be held accountable; that they can “slam the till drawer shut” on their victims and then litigate their way clear. These traits took hold so long ago that they now look quite “normal”.

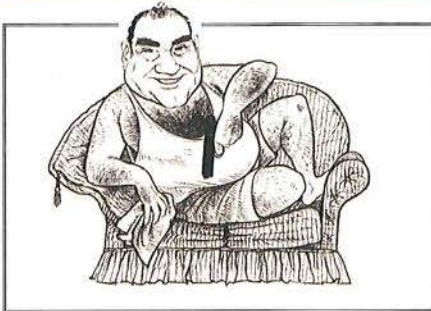
Let's not kid ourselves. Sweet-sounding ethical “guidelines” (“Judge” Mervyn King does have an ear for dulcet tones) are not going to deal with the problem. The abusers just love these words!

The approach so far – read The Second King Report – cannot be serious. Nothing illustrates that better than the business history of Mr King himself. Watch this space.

Finally, to my friend Abe who always thought we'd never get to mention him: Hullo Abe!

The Editor

contents



COVER JOKE

The Honourable Mr Ronnie Kasrils, Minister of Water Affairs and Forestry, has become an enthusiastic and controversial supporter of the Palestinian cause.



SMASH-'N-GRAB AT INVESTEC/PAGE 6

Investec has somehow managed to cultivate the image of being less dodgy than the run-of-the-mill South African financial institution. But – as our story about Justin Lewis and his encounter with the reality at Investec shows – the bank was ready to cook the books to engineer the liquidation of his company.

ABE SWERSKY ... THE FALL/PAGE 10

If you've got a divorce problem – and money – go to Abe Swersky. That's been the line for fifty years. Many were surprised when Abe saw fit to do a shady deal with Jurgen Harksen. At least one divorcée, however, was not among them. Abe had already stolen her multi-million-rand divorce settlement.

WHY PEOPLE AT E DON'T FEEL FREE/PAGE 12

How long will funder Hosken continue to tolerate the fiasco at eTV? In the past two years there have been no less than 19 cases brought against management at the TV station. Quality is down – way down – and the station is losing money fast. And it's all to do with the confrontational and unsophisticated management so much on display after the insightful look at eTV in our last issue.



THE DISPOSABLE PEOPLE/PAGE 14

Bushmen lived a virtually unchanged hunter-gatherer lifestyle in the Central Kalahari Game Reserve for almost 30 000 years. Botswana government policy has always been to let them be. But diamonds are big business in Botswana, and now that De Beers has been sniffing around, the Botswana government thinks it's a good idea to forcibly remove the Bushmen from the Reserve (for their own good of course).

IF THE UNISA CAP FITS.../PAGE 18

Barney Pityana has landed with his broad backside in the butter at Unisa. The farcical process by which he was “elected” vice-chancellor was par for the course for the opportunistic and unprincipled Pityana. He may at least have had the grace to guffaw as he was capped, but really, for the proud institution of Unisa, it's no laughing matter.



SURVIVAL WEST-COAST STYLE/PAGE 24

Survive, squabble, get inspired, go home, bath.

THE STORY OF FADIME SAHINDAL/PAGE 23

Anna Eriksson writes about a horrifying incident that illustrates the difficulty in integrating Muslim and European values, a topical issue worldwide.

SENTIMENTAL JOURNEYS BY HAROLD STRACHAN/PAGE 26

INVESTIGATIVE REPORTING AT ITS FINEST

Like certain distinguished colleagues in the press, Tip-offs Anonymous is in the business of exposing the truth about fraud and unethical behaviour in private and public institutions. And reporting on it, meticulously and accurately, to limit its effects and prevent its repetition.

"Tip-offs Anonymous, Southern Africa's leading independent hotline service provider, is designed to help your stakeholders report workplace dishonesty, and remain totally anonymous. Tip-offs Anonymous serves as a valuable practical deterrent within your organisation."

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or visit our website at www.tip-offs.com



**Deloitte
& Touche**

Smash-'n-grab banking *with Investec*

So you think Investec Bank is one of the few remaining kosher operations in SA banking, where a culture of smash and grab has otherwise come to prevail? Think again.

Investec does, of course, do everything possible to create that impression. So, when in 1998 various senior staff members of Investec's R1-billion Cape Property Finance division were suspended, fired or took sudden "early retirement", every effort was made to cover it all up. But behind the scenes, allegations of fraud and summonses were flying. To sort out the mess, Investec unleashed Lenny "the Liquidator" Katz from their more-than-close attorneys Sonnenbergs Hoffman & Galombik. Lenny set about liquidating the division's clients, in bulk!

Apparently only noseweek found that odd – if not just a little bit shady. We still don't know if the idea was to generate some fees for friends at Sonnenberg or keep the bank's insurers happy – or both. Whatever. It appeared for a while that Investec had solved their problem quickly and quietly, and the bank's public image remained untarnished. That, it seems, was most undeserved.

One of the bank's clients at the time of the crisis was Midtown Building Systems cc, developer of a hotel and apartment complex at the mouth of the Keurbooms River just outside forever fashionable Plettenberg Bay. Midtown was owned by Justin Lewis, an entrepreneurial Villiersdorp fruit farmer and family man, with a degree in agriculture from Stellenbosch.

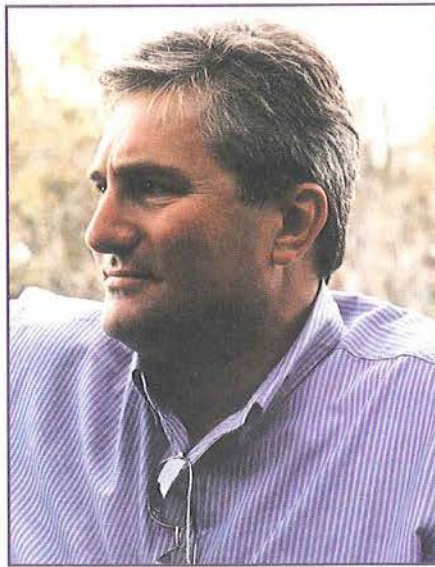
The Keurbooms mouth is the ideal spot for a resort: with the lagoon to the front, the beach a 100-yard stroll away, and across the bay a spectacular view

all the way to the Beacon Isle Hotel. It's far enough from Plett to be relaxed and tranquil, but close enough catch the buzz if you choose.

Lewis was ambitious. Not only was his complex of 76 two- and three-bedroom apartments effectively to be the largest hotel (managed by Protea) on the Garden Route; his own profit in the development was to take the form of 30 apartments that Midtown would retain for an international vacation club that he was setting up with a group of European hotels. Empires are built on such beginnings.

Lewis decided to approach Investec to finance his project. In May 1997, letters of grant detailing the precise terms of two Investec loans to Midtown were signed by Lewis and by Laetitia Peyper, then head of Investec's Cape Property Finance division.

Justin Lewis



In terms of the agreements the development would be carried out in two separate phases: Phase One had to be completed and fully paid for before Investec would advance the second loan for Phase Two.

The letter of grant for Phase Two states as much in its first clause: "It is a condition of this loan that before any monies are released from this loan, that the loan account pertaining to letter of grant CT DB 664/97 dated 9 May 1997 [the loan for Phase One] be repaid in full."

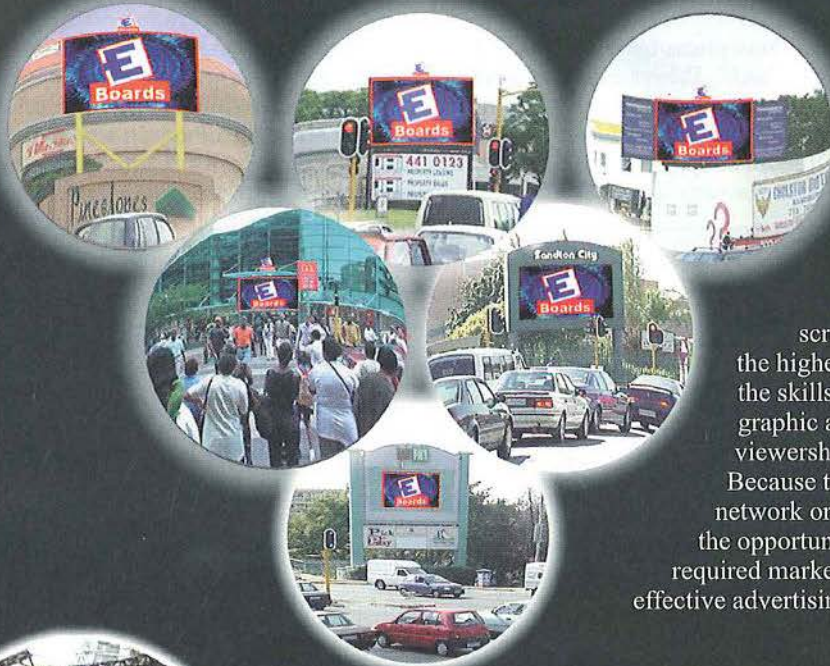
The agreements also stipulated that R19m-worth of apartments had to be sold off-plan (prior to construction commencing), and that these sales had to be approved by Investec's lawyers. A fixed-price contract was concluded with the builders – Group 5 – for each phase.

Loan One was for R14m, from which Investec was to pay Group 5 the contract price of R11m plus interest estimated at R1.3m (because the construction company would only be paid on full completion of the phase). Another R1.7m of the loan was to cover costs such as architect's and legal fees, giving a total of R14m. The R19m from sales was to be applied first to the loan from Investec, and only what was left was to be used to pay the balance Lewis still owed on the Midtown land. Again the letter of grant is very specific: any amounts above the R14m owed to Investec were "payable only out of proceeds of sales", in other words not by incurring further debt with Investec.

Loan Two was much simpler. Only a single, R7.5m payment was authorised: to Group 5 for the completion of Phase Two.

You can't say
bankrupt
without saying *bank.*

E-Boards... see the bigger picture



E-Boards, through its quality product and dedication to service, has become the leader in outdoor electronic screen advertising. The electronic screen medium is one that combines the benefits of the old fashioned static billboard with the advantages of modern technology. The E-Boards screens are positioned so as to ensure the highest profile broadcast displays, while the skills of the E-Boards copy-writing and graphic art teams guarantee a captive viewership.

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The captive audience includes a diverse range of age groups as well as a combination of LSM 8,9 and 10 consumers most of whom spend between 25 and 50 minutes in the food court.

While enjoying their meals, customers are entertained by programming including sport, news, music and various satellite channels.

Opportunities for advertising range from TV style adverts to sponsorship of particular channels and broadcasts.

To ensure a high profile image for your product or service talk to E-Boards today and let your customers see the bigger picture

For further information regarding these or any other aspects of the E-Boards Company please feel free to contact us on the listed numbers.

Yours on an electronic screen
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Managing Director - E-Boards (Pty) Ltd.

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All income from deposits, sales and rent was to go directly to Investec. All payments due on the project – including payments of Investec's fees – were to be disbursed by Investec on Midtown's behalf. Lewis naturally expected that Investec, as responsible bankers, would make the payments in terms of the carefully negotiated agreements.

Construction of the development began in mid-1997, and was completed on schedule a year later. Soon thereafter Lewis was introduced to Robert Gottlieb, the new head of the Investec Property Finance department. Laetitia Peyper, he was told, had "moved on". Lewis was aware that Midtown had not been receiving monthly statements from Investec, but Gottlieb told him that the bank had taken its profit-share on Phase One – expressed as share of "net profit" in the agreements – confirmation, surely, that all was well financially.

However, between August 1998 and early the following year, Gottlieb became increasingly insistent that there were serious financial problems at Midtown. Lewis was very doubtful. There had been R19.6m in sales vs R14m in authorised borrowings on Phase One. So how could there be a problem? What did complicate matters somewhat was that there had been a delay in the transfer of some of the sold apartments. This meant that the payments were taking longer than expected. Lewis was embarrassed by the delays at the time and did not feel in a position to argue with Investec while they were still outstanding.

However, in May 1999, a few months after the final transfers had gone through, Lewis received two letters of demand from Gottlieb claiming that Midtown was in arrears on both Loans One and Two, and that the company owed Investec a total of R12m (including the R7.5m advanced for Loan Two) – payable immediately.

Lewis was shocked and confused. He had been certain he owed only the R7.5m plus interest on Loan Two. After all, in terms of the agreements Loan One had to have been settled before Loan Two could have been incurred.

What was going on? He wanted the bank to explain. Gottlieb simply insisted that Midtown owed the sums he claimed, but was curiously uncooper-

ative when Lewis asked for access to the financial records for Midtown.

For example, in June Lewis sent a fax to Gottlieb asking for the detailed accounts. In response he received a communication which started with what Investec claimed was the "opening balance" on Loan One, in May, of R4.4m and went on to list a few subsequent interest charges. Clearly what Lewis was asking for was an explanation of that R4.4m opening balance! When Lewis pointed this out, Gottlieb became increasingly hostile, he says.

At the end of July it became clear that Investec had a couple of pretty devious plans up their sleeve [see next edition]. When Lewis arrived at Investec's Cape Town offices to discuss the situation he found that Gottlieb had already prepared the lengthy documents necessary for the provisional



liquidation of Midtown. Also present was a man introduced to Lewis as Lenny Katz – yes, "The Liquidator" himself – from Sonnenbergs, who urged him to sign the liquidation documents.

Lewis refused. The discussions carried on over a few days, during which time, Lewis says, Gottlieb became aggressive and insulting. (Gottlieb denies this). Eventually, still without a clear picture of the financial situation, Lewis agreed to sign the forms consenting to the liquidation – partly because Gottlieb had offered to limit his personal suretyship, partly because Gottlieb explained, Lewis says, that he would be able to buy the assets out of liquidation [see next edition]. Mostly it was because he was simply exhausted by the endless battle with Investec.

Robert Walters of St George's Trustees, a firm with which Sonnenbergs

has long and close ties, was appointed liquidator. Shortly before Midtown was finally liquidated in November 1999, Lewis desperately wrote to Gottlieb (with a copy to Walters) disputing the bank's claim against his company. Lewis' letter is short on detail but conveys one simple point very well: Loan One was for R14m. R19.6m had been received in sales proceeds. Therefore, if the account had been properly managed, there was no possibility that Investec could have a legitimate claim in terms of Loan One.

Lewis got no reply either from Gottlieb or Walters, and the liquidation order was made final on Nov 25, 1999.

Investec was still legally obliged to prove its claim against Midtown before a meeting of creditors held before a magistrate, all the more so – one would think – because the bank and the liq-

uidator knew that Lewis was disputing the claim. However, when the meeting took place at the Stellenbosch magistrate's courts on December 22, no one other than Lewis and magistrate Danie van Niekerk showed up. The only account provided was a brief outline in liquidator Walters' report, which was useless to Lewis.

Magistrate van Niekerk scheduled another creditors' meeting for May the following year. Once again no one other than he and a forlorn Lewis appeared. But by then the issue was in any case moot. Lewis brought with him to the meeting copies of advertisements for apartments at the development that the new owner had placed in the newspapers. "I found it strange," he says, "that the same apartments that Gottlieb told me six months earlier were hardly worth R50 000, were now being advertised for sale at R500 000".

His dreams for Midtown smashed, Lewis headed back to Villiersdorp to recuperate. He felt that he had let the apartment owners down, and was aware of various unpleasant rumours about his role in Midtown's demise. So shaken had he been by the ordeal that he signed up for some inspirational seminars run by American-based guru Deepak Chopra.

Whether thanks to the break or to Deepak, Lewis had made enough of a recovery to be in a fighting frame of mind in Dec 2000, when Investec brought an application for his personal sequestration on the basis of sureties he had issued for Midtown.

Previously Lewis had been rather naïve in his approach to legal representation. Now he assembled a no-shit legal team: advocates Alasdair Sholto-Douglas and Roelof van Riet S.C.

On their advice Lewis decided to oppose the application, whereupon he became entitled to demand "discovery" of Investec's detailed accounts for Midtown – the same accounts he had unsuccessfully asked for so many times previously.

A mere formality, one would have thought. After all, banking is supposedly the very model of probity and thorough record keeping.

Yet even now the bank seemed strangely reluctant. A month later, Lewis's attorney Okkie Kruger was compelled to write to Sonnenbergs threatening a high court injunction unless Investec provided the full accounts for Midtown's financial affairs.

Eventually, in May, Investec supplied Lewis's attorney with the Midtown accounts. Gottlieb would later argue – extraordinarily for a banker – that the accounts had been supplied "without prejudice", and that Lewis was therefore not entitled to use them as evidence in court. We have sympathy for Mr Gottlieb. Maybe he should have had a fire in the records room. What Lewis discovered in the Midtown accounts was quite astonishing.

Gottlieb's letter of demand for Loan One claimed that it was in arrears by R1.3m and that a total of R4.4m was still owed to the bank. Lewis thought that the investment had made a profit and that the assets bonded to secure the loan should have been released by Investec and been available to secure further borrowing if necessary. (He had

in fact arranged for a R7m ABSA facility against those assets to be made available as soon as the bond was cancelled.) So Lewis knew that if Loan One had been repaid then Midtown would have been in the clear.

The accounts showed that, shortly before Gottlieb had sent out the letters of demand, Investec had made a secret, unauthorised transfer of R1.3m from the account for the loan on Phase Two to that for the loan on Phase One (which otherwise would have had no outstanding balance). In fact, Lewis says, in all the time he was battling to understand the account balances, Gottlieb had somehow neglected to mention this rather salient point. This was quite apart from the fact that the transferred amount was an overcharge of interest on Loan Two! The accounts further confirmed to Lewis that Investec



**Lewis calculates
that just the interest
bill is overstated by
some R2m.**

tec had made payments to other Midtown creditors totaling R2.5m – payments which, in terms of their agreement, could only have been made once they were themselves owed nothing.

There was also a charge to the account for Loan One of R600 000, supposedly for Investec's share of "net profit" on Phase One, plus a charge for a further "profit share" of R400 000 –

on Phase Two! This certainly seems a bit rich in view of the bank's later argument that, far from making a profit, the company was hopelessly in the red.

In court Adv van Riet pointed out that while the agreements specified that Group 5 was to be paid R11m for completion of Phase One, plus a budgeted R1.3m in interest, making a total of R12.3m, the accounts show payments of R15.2m to Group 5 on Phase One. Group 5 told Lewis that the interest had in fact been only R800 000; so that should make a total payment of only R11.8m on Phase One. Where did the extra R3.4m go to – and why? Lewis doesn't know. We asked the fearless Gottlieb, but the only response was from Investec's lawyer Brian Biebuyck (of Sonnenbergs) who told us that the answer to that question, and the whole matter, was *sub judice*. Aha.

In addition, Lewis's legal team argued in court, there are various charges to Midtown that are not supported by any form of authorisation or record whatsoever. And of course interest has been charged on all these debits to the account (including the "profit share"). Lewis calculates that just the interest bill is overstated by some R2 million.

On the basis of Investec's accounts for Midtown, Lewis argued in court that neither of Midtown's facilities had been in arrears when Gottlieb issued his letters of demand and that the bank had conducted the Midtown account in contravention of the agreements that governed them and in such a way as to endanger Midtown. Obviously, Lewis argued, the bank was not entitled to enforce securities for a company whose liquidation had been caused by the bank's own negligence and misconduct.

After what judge BR Griesel described as "skilful argument by Lewis's counsel," he ruled in October last year that Lewis's defence was both reasonable and made in good faith, and that this was sufficient for him to deny Investec's application. The bank would have to issue summons and prove its claims in court.

It was now abundantly clear to Lewis that Investec had done the dirty on him. But he still couldn't figure out: Why? *n*

To be continued.

Abe Swersky

the fall

Abe Swersky is South Africa's most famous/notorious divorce lawyer and a millionaire racehorse owner. *Style* magazine featured him as such – and they ought to know.

Abe Swersky is also a perjurer and a thief. *Style* didn't tell you that?

Sure. That's why most of us were so surprised to learn that dear old Abe had been one of that awful German con man, Jurgen Harksen's latest victims – for a couple of hundred thousands, *nogal*.

We got to know about that only because Abe squealed to the cops when he didn't get the US\$9.6 (R100m) return on his R600 000 investment, that Jurgen had so generously promised.

Of course it was a nasty disappointment that Jurgen had forged the dollar cheque, but if it wasn't forged – as Abe assumed – if it represented real money, it could only have been "hot" or illegal funds! Why else would anyone want to give you such a vast sum in dollars for such a small amount in rands? And we all know about Mr Harksen's reputation and where he got his money!

Anyway, there was at least one divorcée – and we suspect there might be more like her – who was not the least bit surprised to hear of Abe's dealings with one of the world's most successful con men. Abe helped defraud her of her divorce settlement worth R6.5 million – and made off with most of it himself. Then he declared – under oath, on several occasions in court – that he knew nothing that might assist her in recovering her money. His last words on the

matter to the divorcée, Maria Van Waasbergen – who has since lost the remainder of her savings on an investment in Saambou: Sue me!

Maria van Waasbergen, daughter of an upper-class Dutch family, became the third wife of millionaire Dutch businessman Jan Walter de Witte in 1984. At the time, they lived in the Dutch countryside in a sumptuous mansion which Jan Walter liked to call Hollywood.

Wife number two had just gone off with a 4-million-guilder (nearly R16.5 million today) settlement. ("She knew enough about his past to make him pay," Maria observes dryly.)

What was De Witte's past? In a nut-

shell: he was born to Dutch parents in Indonesia in 1931. He would later be most proud of the survival skills he acquired as a young teenager in a Japanese concentration camp there. As a young man he first found his niche as a trader in the depths of Angola. Then it was back to Jakarta, where he made his millions brokering major deals for Dutch companies with the Indonesian government. He is said to have been called "Mr Five Percent" by some.

After some years enjoying *The Life* in Holland, Maria and Jan Walter decided to look for somewhere to live that was warmer than Holland but cooler than Indonesia. They found Cape Town just the ticket.

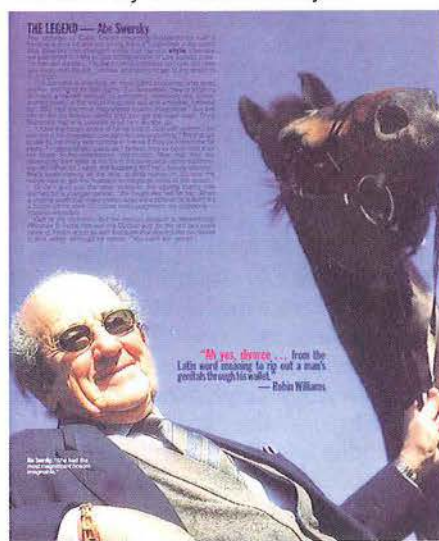
In 1987 the De Wittes bought Constantia Heights (and Mount Constantia next door), with a view over the vineyards to False Bay, and embarked on an R11m renovation of the property. (The Askins were doing much the same two doors away at Steenhuis at the same time. Those were the days!)

Then, after years of back trouble, in 1992 Maria had major spinal surgery. Since Constantia Heights had a warmed indoor pool, it was recommended that she call in a professional hydrotherapist.

A comely young therapist, 20 years her junior, called regularly to give Maria therapy sessions in the pool and, soon enough, to give Jan Walter sessions of his own elsewhere.

Maria and Jan Walter's divorce went to court in March 1994. Jan Walter was represented by Abe Swersky.

Abe Swersky as featured in *Style*.



In quick succession: Jan de Witte agreed to give Maria a house and car worth R1m; he would return all her antique furniture to her, and pay the one million guilders he still owed her for her original home in Holland.

Then Shirley Irene Webster Smith, the therapist, moved into Constantia Heights to become Mrs De Witte IV.

Maria took up temporary residence in their garden cottage. (De Witte said he needed time to raise the cash needed for her settlement.)

He agreed to register a first bond over Constantia Heights in Maria's favour to secure the total debt and, in the meantime, to pay her R10 000 per month in alimony.

Years passed, the properties weren't sold and Maria wasn't paid. Eventually she moved out and raised a bond herself to buy a more modest house. De Witte undertook to take care of the bond payments – and didn't. Maria had to go to court again to force him to return her furniture.

Meanwhile the people at Swersky and Co (or, as Abe himself describes one of them, "the particular girl who worked for me at the time, who happened to be a Notary Public") and their client Mr De Witte were busy-busy. They created companies, they created a trust – and, in no time at all, Jan de Witte owned nothing at all – certainly nothing with which he might pay Maria what he owed her.

(Jan and his new Missus lived on at Constantia Heights, with the same antique furniture and the same Jaguar but, as Abe explains it, now they were doing so to preserve these valuable assets for the beneficiaries of the trust, De Witte's beloved grandchildren. (Abe and Jan were the trust's only trustees.)

Maria did, at least, still have her first bond over Constantia Heights. In Nov 1996 she was back at court to demand her long-outstanding due.

Now De Witte's team had a new deal to offer her: a small down payment in cash and then, to speed up raising the balance, would she mind if they cancelled the bond on Constantia Heights and substituted a bond, for the same value, on Mount Constantia? It would make things so-o-o much simpler.

Negotiations went on into 1997. Maria's counsel, Alan Potash, had serious reservations about the new deal, but days before the final agreement was to have been hammered out, Alan ran the Two Oceans marathon and died of a heart attack.

In July the deal went ahead and the new bond was registered.

A bond is a bond is a bond, right?

Wrong. But *that* Maria would discover only much later. Another year passed, and still no payment.

In July 1998, Abe bought all the grandchildren's trust's company assets, worth R22 million – for just R2. So much for the beloved grandchildren.



Maria van Waasbergen

PHOTO BY WIVENNE VERMAAK

Ah, Abe says now, but you don't know what liabilities he had let himself in for! Thereby hangs a tale, but more of that anon. At the time, nobody but Abe and Jan were any the wiser.

Back to Maria's bond. There was a very clever, hidden twist to the swop: Constantia Heights belonged to De Witte personally. He could legally bond his property to secure his own debt. Mount Constantia, on the other hand, belonged to a company (soon to be 90% share holder: A Swersky). A company cannot encumber its assets to no advantage to itself. Such a bond is invalid and unenforceable. Abe – a smart lawyer – knew that and, indeed, recorded in a memo on 5 January 1999 that he "suspected" as much.

Six months later, he nevertheless wrote to assure Maria: "You will be paid." No mention of his "suspicion".

And when, in November last year, Maria applied to court to have her ex-

husband declared bankrupt, so that a trustee could be appointed to investigate his affairs, Abe blithely assured the high court – under oath again – that Maria had security for her claim against his client (in the form of the new bond) and therefore didn't need to sequester him. He clean forgot to tell the court that he suspected she had no security at all.

Judge Josman was suspicious about the whole business anyway. He suggested to Abe that he and his client settle up with Maria within 24 hours, or he would confirm the sequestration.

They didn't take the hint and the judge did as he promised. Forensic accountant Eileen Fey, the bane of Jurgen Harksen's crooked career, was appointed trustee.

Earlier this year (at a formal inquiry convened by Ms Fey), when Abe was referred to that letter he wrote to Maria assuring her that she would be paid, he happily declared – once again under oath: "Don't take it seriously."

He admitted that he had acquired the company that owned Mount Constantia – and that he personally stood to benefit by as much as R3.8m – at Maria's expense – if the bond was invalid, "as he suspected".

On January 24 this year, at the same inquiry, Abe was prompted to repeat – still under oath – what he had earlier also sworn to in the high court: that "to the best of his knowledge and belief" De Witte does not own any assets.

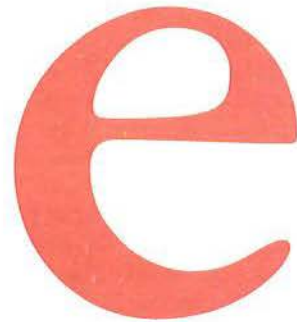
He also declared that – "as far as he was aware", naturally – the insolvent had no claims against anybody. [*Least of all against A Swersky! – Ed.*]

Finally, Abe insisted – with no reservation this time – that he had no information which would assist the estate in setting aside any disposition of its assets which it might have made to "a third party". [*Subtext: to a third party such as himself. – Ed.*]

The great Swersky had finally met his match – a country attorney called Dieter Keulenkampff. Conducting the interrogation on behalf of the trustee and Mrs Van Waasbergen, he undid Abe like an onion, skin by skin, until there was nothing left.

Next issue: *From Bad to Worse. n*

Why people at don't feel free



Kanthan "Porno" Pillay, head of corporate affairs at eTV, has had the bare-faced cheek to lay criminal charges against noseweek for criticising him in nose38. And Pillay, acting CEO Marcel Golding, channel director Quraysh Patel and deputy channel director Bronwyn Keene-Young are threatening civil action against us (see page 2, letters). Which all seems odd, since we've now learned that the Commission for Conciliation, Mediation and Arbitration has handled no less than 19 cases brought against the station since May 2000. Pillay is particularly aggrieved, he told the police, by our having described him as "a serial philanderer". (We were quoting his own web site.) As for Mr Golding, *Advantage* editor John Farquhar has weighed in against him for his "cowboy tactics" at eTV while the station is losing millions. Meanwhile, another unfortunate eTV staffer has bitten the dust for holding the sensitive Ms Keene-Young in "too little esteem".

Were eTV channel director Quraysh Patel to announce, "Feel free to question me!" his staff would more than likely interpret it as the opening move in a bulk firing strategy.

Of the 19 eTV disputes handled by the Council for Conciliation, Mediation and Arbitration, a whopping 15 involve allegations of unfair dismissal.

The atmosphere at eTV's Longkloof Studios in Cape Town, and at its Johannesburg offices, is more akin, staff say, to a slave galley than to a place in which to "feel free"!

At the time of eTV's launch in October '98, committed news staff worked seven days a week, without overtime pay, for the cause. The newsroom was characterised by robust debate, and

executives professed to enjoy working with Marcel Golding, deputy chairman and "acting" CEO.

So what went wrong? If you believe eTV staff, past and present, the climate at the channel changed soon after Patel became director late in 2000. With Patel came fear and paranoia, screaming fits, suspensions, disciplinary hearings and firings.

Rob Brown, former executive producer at eTV, holds the distinction of having been fired seven times by Patel in the space of a year. That Brown survived despite so many dismissals is attributable to his knack for ignoring Patel's outbursts, and to the intervention of head of news Jimi Matthews. Brown, tired of being fired, left at the

end of 2001 to join TV Africa. But by then Matthews had clearly intervened once too often for his own good. For several months Matthews was head of news in name only, spending his working week under "office arrest", barred from interacting with his news staff. While the post-news credits still listed Matthews as head of news, staff ignored at their peril the instructions of his de-facto replacement, Kanthan Pillay, who now wears the varied hats of head of corporate-affairs, IT director and "executive producer" of news. Matthews finally left at the end of March to become head of TV news at the SABC.

Pillay and Patel go back a long way. They were childhood friends. Defy Pil-

Will eTV make it past the World Cup knockout stages?

Trouble looms for eTV's screening of this year's soccer World Cup as the independent channel struggles to find the R100m-plus it rashly offered for exclusive TV rights in South Africa.

eTV paid this sum for the rights to screen the soccer showpiece taking place in Japan and Korea, on the assumption that it could sell sponsorship of the screenings to major advertisers.

But Korea is eight hours ahead of SA. The awkward local times for screening matches live are not attractive to the big-spending advertisers.

And, it seems, potential sponsors

seem to be reacting negatively to eTV management's blundering, autocratic style. So far, none has signed up.

"With hubris dominating management decisions, eTV will continue to move from one crisis to another," said well-known advertising industry commentator John Farquhar recently.

The channel was recently negotiating sponsorship with CellC, but sources close to eTV question whether CellC has this kind of money. Besides, it's very late in the day!

eTV's coverage of the World Cup was set to be the station event of 2002. Failure to cash in on the deal

would be a serious setback for the channel, riddled with debt and struggling to reach advertising targets. The station's union funders will evidently have to bite the bullet themselves, in the hope that the event will at least push up viewership figures.

At the time of going to press the channel had not yet booked the satellite feed from Korea. The feed to South Africa and other Southern Hemisphere countries goes via London – and will cost eTV another R18m.

In desperation, eTV has flogged the local satellite TV rights to its formerly shunned competitor, Supersport.

lay and you take on "Bazooka" Patel.

A former senior employee described Quraysh Patel as "having complete favourites one day then screaming at them the next".

"He's a man with a Napoleon complex," said another.

The latest to fall to eTV's state-of-emergency style staff "policy" is senior manager Nicky Diamond, who was with eTV since before the channel went on air. Diamond was dismissed – wait for it! – for failing to show due

deference to deputy channel director Bronwyn Keene-Young [*who, readers of nose38 will recall, is "close" to Golding and partial to Patel*].

And now former eTV board member Hussein Dudhia, one of the "dirty dozen" who helped found eTV, has paid the price for representing Diamond at her disciplinary hearing: He has been sidelined from internal sales manager at eTV's Sandton office to a lesser job at Morning Edition.

And so the list of staff casualties at

eTV continues to grow. To mention a few: Former Current Affairs head Eddie Mbalo, currently CEO at the National Film Foundation, was fired in May 2000 after he complained of racism at eTV to the Independent Broadcast Authority and the Human Rights Commission. Quentin Green, formerly CEO at the SABC, quit eTV after a spell at the independent channel and is currently CEO at TV Africa. Edward Griffiths and Sharlene Venter, both former heads of sport at SABC, left eTV in quick succession. Assignments editor Barbara Boswell and morning anchor Mandlakazi Mpahlwa received their dismissals under the 2001 Christmas tree.

Employees decline to talk on their landlines for fear that management scabs are listening in. They quake at the prospect of the inevitable cell-phone audit-cum-witchhunt when next eTV is subjected to critical press.

Reports of staff paid by management to spy on colleagues do the rounds.

The latest development is that Joe Thloloe has been promoted to head of news. "But Kanthan Pillay still comes into the newsroom to bark every now and then," said a source. "Crucial day-to-day management is missing. People with too little TV experience have taken over."

Experts say eTV programming is stagnating, a dangerous trend for a new channel.

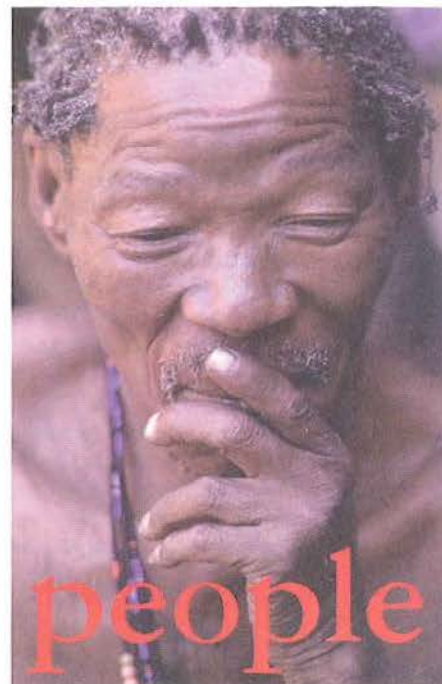
When, we wonder, are eTV funders Hosken Consolidated going to accept that it's time to step in? *n*



The recent forced removal of Bushmen from the Central Kalahari Game Reserve follows a series of equally contentious removals in 1997. The Bushmen claim the area is their ancestral land. The Botswana government claims the removals are aimed at providing education and health services (which is suspect), and to protect the Reserve's wildlife (which is patently untrue), reports ADAM WELZ.

That De Beers and other mining interests have been prospecting in the Reserve over the same period may have everything – or nothing – to do with the removals.

Judge for yourself.



The disposable

This a story about diamonds, racism, broken promises and the progressive destruction of one of Africa's great ecosystems. Ultimately it's the story of the end of the ancient way of life of a people with many names – Bushmen, San, Basarwa are amongst the more common – who have lived on this continent for tens of thousands of years.

Botswana's independence in 1966 was preceded by long consultations with those inhabitants considered important by the British. The Batswana were well represented, as were the small white and tiny Asian communities. No one thought to consult the Bushmen, although in 1958 an anthropologist by the name of George Silberbauer had been commissioned to find out how many there were and where they lived.

Silberbauer found that most Bushmen lived in extreme poverty, many working in near-slavery for white or Batswana cattle ranchers.

But some still lived a hunter-gatherer lifestyle, virtually unchanged for 30 000 years, in the remote central regions of the country.

Silberbauer came to like the Bushmen, which prompted him to persuade the colonial government to declare the Central Kalahari Game Reserve. An area of over 50 000 square kilometres,

“that part of the Ghanzi District which lies to the east of the meridian of longitude which passes through the hills known as Great Tsau”, was duly set aside by High Commissioner's Notice No. 33 of 1961.

Silberbauer's later report noted that the Reserve was “the home of between three and five thousand Bushmen who have expressed the wish to ... follow their present life [as] hunter-foodgatherers, without interference or encroachment by other people. They have asked only that they be provided with drinking-water” [*Emphasis added*]. He added that “the retention of Bushmen in the Reserve would appear to be a reversal of the policy of economic advancement advocated for the rest of the Bushmen of Bechuanaland [*today Botswana*]. The resolution of this paradox is that it is not intended to preserve the Bushmen of the Reserve as museum curiosities or primitive primitives, but to allow them the right of choice of the life they wish to follow.” Bushmen who had left the Reserve should also be allowed to return, he said.

Although no specific land rights were conferred on the Bushmen, Government Notice No. 38 decrees that “no person other than a Bushman indigenous to the Central Kalahari

shall enter the said Reserve without having first obtained a permit.” Further evidence that Botswana's founding fathers intended the Bushmen to be left in peace is found in the country's constitution, which allows for “restrictions on the entry into or residence within defined areas of Botswana of persons who are not Bushmen to the extent that such restrictions are reasonably required for the protection or well being of Bushmen”.

In the year following independence diamonds were discovered in Botswana. A 50/50 joint venture between De Beers and the Botswana Government, Debswana, was incorporated in 1969. Diamond mining soon surpassed cattle ranching in revenues. Today Botswana is the world's largest producer of gem diamonds. The stones are responsible for 80% of its foreign exchange earnings and almost 50% of its GDP. The country is one of the most prosperous on the continent.

De Beers' and the Botswana Government's interests have become almost inseparable.

Debswana mines the vast majority of Botswana's diamonds, and controls the selling of all of them. The Permanent Secretary of Minerals, Energy and Water Affairs, Akolang Tombale, serves on the De Beers board in Lon-

don, as does Serwalo Tumelo, the Permanent Secretary of Finance and Development Planning. Of De Beers' shares, 15% are owned by Debswana. Louis Nchindo, managing director of Debswana, is an executive member of the De Beers board and also heads up Botswana's stock exchange. *[More about him anon.]*

In 1981, Canadian mining company Falconbridge discovered diamond-bearing kimberlite at Gope in the Reserve. In no time De Beers talked them into a 50/50 joint venture, the Gope Exploration Company, to further explore the find. Prospecting was completed in April 1996.

During the 1980s, government encouraged Bushmen to settle at certain points in the Reserve, particularly at Xade near the western boundary, which was provided with a borehole. Tiny nomadic bands joined together in villages and started keeping horses, donkeys and goats, although much of their traditional hunter-gatherer lifestyle was maintained.

In 1985 the Department of National Parks and Wildlife commissioned a working group to resolve the purported conflict between wildlife conservation and the increasingly sedentary life of the Bushmen within the Reserve. It proposed de-proclaiming two-thirds of the Reserve and proclaiming most of the remainder a

Wildlife Management Area with fewer restrictions on hunting and settlement, but nonetheless protecting the central Kalahari ecosystem. Instead the government issued a circular early in 1986 stating that the Reserve's status would remain unchanged, but that henceforth Bushmen would be "encouraged" to leave. "Pressured" is the more appropriate word for what followed: all development assistance was frozen; boreholes at settlements like Xade were poorly maintained; Bushman hunters were increasingly harassed (and ultimately, by the late 1990s, arrested, detained and tortured) by game wardens. Cash and other incentives were offered to those who left.

In 1988 The Kalahari Conservation Society, a World Wildlife Fund affiliate, published a tourism planning report for the Reserve. It claimed drastic declines of key wildlife species (e.g., 99% for wildebeest, 86% for hartebeest), allegedly due to "hunting by locals". The report pushed wildlife tourism as the primary function of the Reserve and downplayed the continued presence of Bushmen. (The consultant who wrote it was specifically briefed not to talk to anyone living inside the Reserve's borders.)

For an inkling of the strategy and probable agenda behind this report, see our earlier reports on the WWF, in

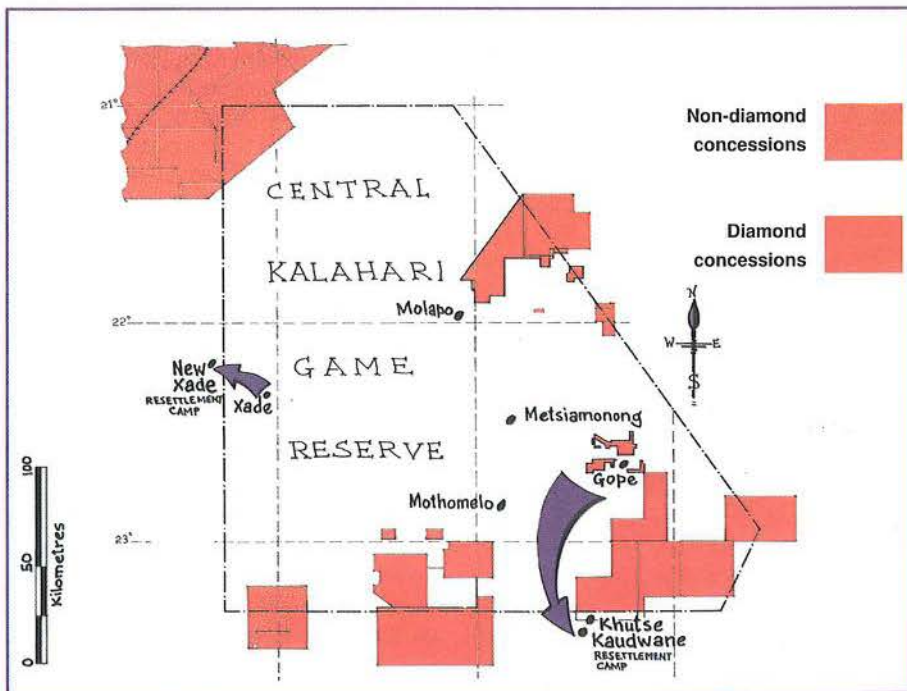
particular in nose27, which records the dubious conservation past of Louis Nchindo, not only MD of Debswana but also a founder member of the Kalahari Conservation Society.

Game numbers did indeed fall drastically in the 1980s, but this had little to do with hunting and much to do with fencing. Since the 1950s fences designed to prevent transmission of diseases from wild animals to cattle have been erected all over Botswana. The central Kalahari used to hold vast herds of game, which trekked out of the area during dry periods – to the Boteti River in the north-east, to Lake Ngami in the north-west, and even southwards to the Orange and Limpopo rivers. The fences have progressively cut off these dry-season migration routes. One of the early fences, the Kuke fence (erected in 1954), caused the extinction of zebra in the Reserve. When the great drought of the 1980s struck, many animals moving out of the Reserve died on fences, trying to reach water. In 1983 fifty-two thousand wildebeest and hartebeest were lost in a single die-off.

Some estimates place the death toll during the 1980s at half a million animals. Bushmen hunters could not possibly have been responsible for this carnage. (In fact, after the drought, from the late 1980s to mid 1990s, animal numbers rose dramatically while Bushmen hunters were still active.)

The fences are still going up, even though cattle ranching now accounts for only a minute portion of Botswana's GDP. It's ironic that the negative prospects for Botswana's wildlife due to cattle farming coincide with rapid growth of its wildlife tourism sector, potentially a far bigger earner. Since the 1970s the otherwise unsustainable beef industry has been fuelled by large subsidies from the European Union. It comes as no surprise that the main beneficiaries are the local business elite and members of parliament, not the small farmers who need subsidies most. Due to overgrazing, many of Botswana's rangelands are now in irreversible decline.

Bushmen and their supporters started organising themselves in the late 1980's. In 1992, First People of the Kalahari was formed, specifically to address the land issue in the Reserve. They were led by the charismatic John





By the late
nineties
Bushmen
were being
arrested,
detained and
tortured.

Hardbattle, a half-white, half-Bushman who managed to raise the profile of the issue worldwide before he died in 1996. Among First People's supporters were Survival, a British-based advocacy group, and IWGIA, a Danish state-funded group. Ditshwanelo, a Botswana human rights organisation, also spoke out on their behalf.

In early 1997 the Gope Exploration Company conducted a pre-feasibility study into the Gope mine to assess its potential profitability given the results of the extensive earlier prospecting work. In March, the then Vice-President (now President) of Botswana Festus Mogae opined that "the partnership between De Beers and Botswana has been likened to a marriage.

"I sometimes wonder whether a better analogy might not be that of Siamese Twins."

In May and June of 1997 Ganzi District Council workers entered the Reserve. Most of the Reserve's inhabitants were loaded onto trucks with their belongings and dumped in new resettlement camps, called New Xade and Kauduane, outside the Reserve.

Although the government claimed that the move had been voluntary, Ditshwanelo found proof of widespread intimidation and disinformation on the part of the District Council.

Many resettled Bushmen simply walked back into the Reserve. One can hardly blame them; the towns are miserable, with widespread alcoholism and high levels of TB. Hunter-gatherer skills are dying out. With little opportunity for self-sufficiency, people have come to depend on welfare hand-outs. Bushman culture is not evolving or integrating with the mainstream Batswana, it is simply disintegrating.

In September of 1997 a full-scale feasibility study was launched into the Gope mine. This took 13 months. An environmental impact assessment was commissioned for the proposed mine, and the mine and its infrastructure were planned. According to mining analysts the Gope Exploration Company has spent US\$80 million assessing the viability of mining at the site and De Beers has come to the conclusion that, under certain conditions, a mine could be profitable, although not in the same league as its mega-mines at Orapa and Jwaneng.

In 1999 the Gope Exploration Company applied for and was granted a Retention Licence over the Gope area. Such a licence is granted to a mine owner who has established that the deposit cannot be profitably mined *at the time of application*. It allows the owner to retain his rights for a further three to six years – on the assumption, obviously, that mining could become viable within that period.

In August 2000 Bushman groups started negotiating with the Botswana Department of Wildlife and National Parks to allow them to stay in the Reserve. A thorough study was done to establish which areas had been used historically for hunting and *veldkros* gathering, and the Department agreed that under its new "Third Draft Management Plan" the Bushmen within the Reserve would be allowed to use their traditional food sources, acquiring rights to hunt and gather plant food in 47% of the Reserve area in a sustainable manner. The Department would acknowledge their historical presence in the region, draw them into eco-tourism ventures and provide basic infrastructure.

Despite nearly 850 Bushmen from the Reserve having moved out (mostly in 1997), about 750 "bittereinders" remained in it by mid-2001, when the Third Draft Management Plan was submitted to the President's office for approval. At the same time, however, the Ganzi District Council voted to stop the weekly supplies of water to the Bushmen in the Reserve (which it had maintained until then) by January 2002. This would force the remaining people to leave. The move was supported by a junior minister in the national Department of Local Government, Lands and Housing, even

though her senior, Margaret Nasha [see box on page 17] had for years opposed the "forced" removal of people from the area, preferring them to be "encouraged" to leave.

Just then Survival, the British advocacy group, started a campaign with weekly demonstrations outside the Botswana embassy in London. The international media were bombarded with horrific accounts of Bushmen who had been tortured by park rangers and were now to be forced from their ancestral lands by a racist government. (In August 2000 conservation officials tortured 12 Bushmen for six days, tying men to trees which were then set on fire, and kicking and beating them for allegedly hunting illegally. One of the victims, Mathambo Sesana, later died.)

While the allegations were substantially true, Survival's timing could not have been worse. If there's one thing President Mogae doesn't like, it is appearing to bow to international criticism. A year later he still hasn't signed the new Management Plan into law.

Meanwhile the District Council (now supported wholeheartedly by Margaret Nasha) has followed through on its threats: since January this year, water is no longer being trucked into the Reserve. Senior district officials and police are moving through the Reserve draining and in some cases dismantling water tanks. People, with their possessions, are being loaded onto cattle trucks, driven away from their homes and dumped in New Xade and Kaudwane. About 50 Bushmen, mostly strong adult men, have remained in various settlements in the Reserve without water. Police and district officials are preventing anyone from entering the Reserve to supply them with food and water. In Mothomelo, the adult population of about 75 people managed to physically stop policemen dismantling their borehole pump (the only one left in the Reserve) for the first two weeks of February. Then all but 18 were loaded onto trucks. Without enough men to resist, the pump was taken apart.

Lawyers acting for the Bushmen hurriedly filed papers at court to halt the removals, and the case was provisionally set down to be heard on March 13. The Botswanan Attorney-General was to have delivered his opposing papers to the Bushmen's lawyers,

Chennels Albertyn – well known for their expertise in land and human rights cases – by February 26. Both dates came and went. The Attorney-General says he doesn't consider the case urgent.

Raising the issue in the British parliament for the third time this year, Labour MP Candy Atherton described Botswana's actions as "a form of ethnic cleansing". Under-Secretary of State Hilary Benn assured her that the UK Foreign Office had made representations to the Botswana government "about the need to maintain water supplies for those San remaining in the reserve..."

Said Survival's director Stephen Corry: "More and more British MPs are becoming interested in the scandal. Botswana's oppression of the Bushmen is rapidly losing it friends around the world."

In late April, when the case finally came before court, instead of answering the charges, lawyers for the Botswana government raised more than 30 technical objections to the pleadings. The judge threw out the Bushman case on the first, patently absurd point (see our web site for details), without giving a ruling on the remaining 30-odd points. The Bushmen are taking the court's ruling on appeal but, at this rate, faced with a judge apparently sympathetic to the government's interests, even if they succeed, they could spend many years – and millions – going back and forth to the appeal court just on the remaining technical points. If and when the judge chooses to deal with them.

[It appears to us that he is determined to avoid having to adjudicate on the actual merits of the Bushmen's claimed right to occupy the Central Kalahari Game Reserve. And as determined to earn a reputation for the Botswana courts for dishing out Mugabe-style "justice". – Ed.]

The government says it is acting to preserve wildlife, but in the coming year it will expand its deadly network of fences to sustain an environmentally hostile – and uneconomic – beef industry. It says it isn't racist, but uses patronising and insulting language when talking about the Bushmen. It blames foreign NGOs for trying to keep them in the Reserve in a "primitive" state, ignoring the fact that many

Bushmen themselves want to stay in the Reserve.

So much for the Botswana authorities. What of their "Siamese twin", De Beers? De Beers and others have in recent years obtained numerous prospecting licenses in the Central Kalahari Game Reserve. (Most were granted in the late 1990s.) If they're successful in their search for diamonds, large areas would be affected by mining. (See map on page 15.)

We asked the company whether it approved of the Botswana government's policy of removing Bushmen from the Kalahari Reserve. It chose not to answer the question. Why, we wondered? Perhaps the diamond giant and the Botswanan government are afraid that if any rights in favour of the Bushmen were to be legally acknowledged, the Bushmen might use them as leverage to claim a share of mining profits – or to stop mining in the Reserve altogether. (Recent high-profile agreements around the world, for example in Canada, where De Beers' partner Falconbridge is based, have given indigenous people rights in land they previously occupied.)

Instead, a De Beers spokesperson told us: "The fate of the Basarwa people is not tied to diamonds."

"The Botswana government has assured us that its relocation programme is in no way related to any possible diamond mining or mineral exploration in the area."



nose27 records the dubious past of Louis Nchindo, MD of Debswana and founder member of the Kalahari Conservation Society.

In view of the Botswana Government's lack of credibility on the subject, we can only hope that De Beers will stop avoiding its moral responsibility and use its undoubtedly considerable influence on the Botswana Government to stop the removals.

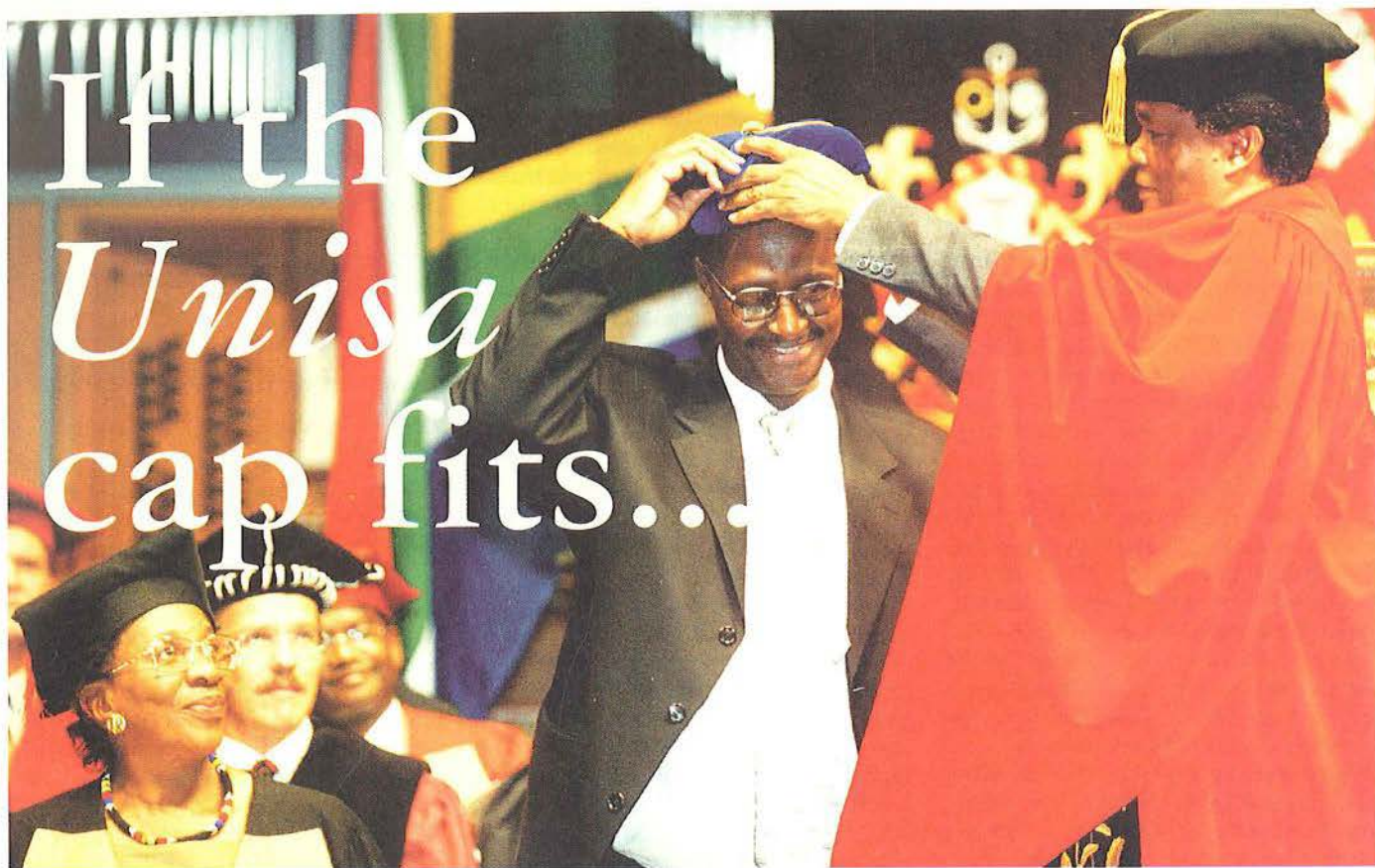
Failure to condemn them does nothing to dispel the suspicion of collusion with the government.

If the Bushmen are not returned to their land, De Beers diamonds, having once been smeared with the blood of the severed limbs of Sierra Leonean children, now risk being tainted with the stench of the death of one of the earth's oldest cultures. *n*

MARGARET NASHA, the Minister of Local Government, Lands and Housing, who has authorised the present removals, is herself a past Minister for Mineral Resources and Water Affairs. She is a keen supporter of the Botswana branch of the Bible Society. At the end of her term as Botswana's High Commissioner in London, De Beers gave her a crystal bowl "as a parting gift for someone with whom we had had an association".

As long ago as 1996 she told an international conference on housing in Istanbul that her government wished to "encourage this section of our population to move away from their nomadic life, in order for them to be provided with the basic necessities of life". She misrepresented advocates of the Bushmen's cause, professing to be "amazed" at international pressure "blatantly put to preserve the Basarwa as a tourist attraction and part of the fauna of the Kalahari". The suggestion that supporters of Bushmen see them as "fauna" is, to say the least, mischievous, and many Bushmen willingly take part in tourism ventures as the only way to earn an honest living in the government's dismal resettlement camps.

Ms Nasha clearly sees Bushmen in the same way that European colonists saw her ancestors. "We do not want to see pictures of semi-naked prehistoric people," she angrily told a press conference in February. Presumably this offends her in the same way as early missionaries were offended by traditional Tswana people. Today we know it for what it is: a racist view.



If the Unisa cap fits...

Pityana's record is bad news for Unisa. He puts opportunism before principle, has an overweening ego and little time for democracy (unless it serves his interests), and is soft on corruption and a lousy administrator.

Our Gauteng correspondent reports.

Barney Pityana landed with his fat bum in the butter – again – with his appointment at Unisa. In the process he demonstrated such a cavalier disregard for accepted procedure that if the implications for South Africa's world-renowned distance education university weren't so dire, the on-going shenanigans there would be rated high comedy.

Judging by his guffaw when that peculiar cushion was put on his head

earlier this year and he became Unisa's next vice-chancellor and principal, he, at least, thinks it's all a laugh.

The truth is that without the help of his pal McCaps Motimele, well-connected Thabo Mbeki man and thoroughly discredited chairman of the Unisa council, Pityana would not now be sitting on a package worth just under R1m a year – with a five-year contract tucked firmly into his already overstretched belt and the promise of a very lucrative payout should this contract be terminated.

The government's plans to merge Unisa, Vista University's Distance Education Centre and Technikon SA make it possible that, although he and Motimele are doing all they can to stall the process, Pityana's tenure will be short. Education Minister Kader Asmal told Pityana so face to face last year. Rather than commit to a new appointment just prior to the merger, Asmal suggested Unisa's council should extend the then acting vice-chancellor Professor Antony Melck's contract by one year. When Motimele rejected this, Asmal asked that no one

be appointed for longer than a year, so that the taxpayer wouldn't have to grant a multi-million-rand golden handshake in the event of a terminated contract. After an angry exchange of words with a council delegation led by Motimele, Asmal agreed to a two-and-a-half-year contract being offered. Motimele accepted this – then promptly signed a five-year contract with Pityana – with a very generous "golden handshake" clause. Why Motimele broke his agreement with Asmal, nobody's saying. [*What odds on a secret kick-back clause shadowing the golden handshake one? – Ed.*]

Pityana dismissed questions about why he signed such a contract in the teeth of Asmal's objections as "very stupid and irritating". In a gesture of extraordinary cynicism he graciously offered to step down – provided he was paid out.

Pityana's preferred word for his appointment is "election", but it was nothing of the kind. In the strongest expression of objection open to it,

continued on page 20

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Unisa's senate refused to "rank" either of the two short-listed candidates for the job. In terms of the Higher Education Act, the Motimele-chaired council was obliged to consult with senate before appointing Pityana. Senate said council had not done so, and passed three motions of censure and no-confidence in its choice of Pityana. According to traditional practice at Unisa and other universities, senate's view on the choice of a new vice-chancellor is decisive. And so it should be. Not only is senate the most representative body on campus, but whoever is chosen becomes senate chairman.

According to established precedent senate's decision is passed on to council for ratification, normally a formality. In the case of Pityana, council went its own way and expected senate to fall in line. Senate responded with a motion that it refused to be "co-opted".

The most glaring flaw in the selection process was its failure to make the short-listed candidates present themselves for inspection to the university assembly by giving a public address. University rules and advertisements for the post stipulate this clearly.

By circumventing this procedure, council chairman Motimele at the very least deprived staff and students of some high entertainment. The person Motimele originally wanted as principal was his friend, vice-principal Simon Maimela, a man he thought could be relied upon to do his bidding. But when Maimela appeared before the selection committee chaired by Motimele, he was so drunk (on medication, he later claimed) that the interview was a fiasco. Even Motimele, who had led Maimela to believe the job was his, found it impossible to press his claims after this. Pityana was the only other short-listed candidate.

Once appointed, Pityana moved onto campus with indecent haste. In early November he announced that he would only be taking up his new post on January 2 this year. But after a secret meeting with two top university administrators (both very close to Motimele), he dumped his chairmanship of the Human Rights Commission and rushed to Unisa. By November 27, without prior notice to acting principal Maimela, he had moved into the prin-



What makes Pityana's public savaging of Prof Fanie Olivier even more remarkable is that he's also an officiating Anglican priest.

incipal's office. There are several possible reasons for his sudden desire to take up office sooner rather than later. Maimela – enraged by Motimele's betrayal – had changed the locks on council's office doors to prevent members (specifically Motimele) using the offices to conduct private business. At the same time he ordered Motimele off the campus.

Pityana's first act as principal was to suspend Maimela and throw *him* off the campus. Maimela took the whole mess to court (where it still is), charging that Pityana's appointment as principal was invalid.

Apart from coming to Motimele's rescue, other reasons for Pityana's sprint to the vice-chancellor's office were almost certainly related to Asmal's acceleration of the merger process. Pityana's informants presumably impressed on him the importance of establishing a support base on campus as soon as possible to secure his position before it was pulled from under him. And, of course, if it came to a fight over Pityana's golden handshake it would be useful if he could show he had at least started the job.

Pityana's record is bad news for Unisa. He puts opportunism before principle, has an overweening ego and little time for democracy (unless it serves his interests), and is soft on corruption and a lousy administrator.

As head of the United Kingdom

region of the Black Consciousness Movement in the early 1980s, his attempts to ride roughshod over democratic procedure in order to further his career prospects precipitated a show-down after which Pityana resigned from the BCM in a huff and joined the ANC. Disappointed by his failure to bring anyone – other than his wife – with him, the ANC accorded him less status than he felt he deserved. As director in Geneva of the World Council of Churches programme to combat racism, Pityana used WCC funds to finance a book he co-authored. Ostensibly about racism, the book seemed more designed to improve his standing in the ANC by showing that the BCM had no future and its members should join the ANC. As chairman of the council of the University of Venda, Pityana steadfastly supported its corrupt principal, Gessler Nkondo, even after the Heath unit found he had used a university credit card – obtained under false pretences – to spend more than R200 000 without authorisation.

Instead of acting against Nkondo – an old BCM colleague – Pityana mounted a libellous attack on the whistleblower, Professor Fanie Olivier. In a full-page statement published in two national daily newspapers Pityana accused Olivier of behaving in an "unethical" "fraudulent" and "very devious" manner. The truth about Olivier, said Pityana, was that "he would be happy to live with an apartheid institution". He dismissed Olivier as someone who, "despite pretensions to the contrary", was "part of the apartheid order".

Although Professor Olivier's allegations, detailed in a letter to Pityana before going to Heath, were upheld by the Heath investigation, Pityana supported his summary dismissal. And he backed the renewal of Nkondo's contract for five years. Olivier took the matter to the High Court, where his dismissal was set aside. The university's appeal is still pending. Meanwhile, he has been without a salary for almost two and a half years.

Pityana introduced his press statement attacking Olivier by saying that he was a "human rights lawyer". This prompted the High Court judge to say he found it "hard to believe the person

continued on page 22

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who made that vicious and what seems to be a grossly defamatory public attack (on Olivier) is a lawyer, let alone a human rights lawyer”.

What makes Pityana's public savaging of Olivier even more remarkable is that Pityana is also an officiating Anglican priest.

While he was chairman of the Human Rights Commission, Pityana's behaviour chased away a number of commissioners, including two of the most highly regarded human rights campaigners in the world, namely Helen Suzman and Dr Max Coleman.

A mild, gentle man, Coleman has never told anyone what really happened between him and Pityana to precipitate his sudden resignation. Whatever it was, he was shattered, according to colleagues. In his resignation letter he merely referred to Pityana's "poor communication" and "authoritative style of leadership".

Suzman resigned because she was sick and tired of accusations that she had "racist attitudes", and of hearing constant snide comments about her "being a white liberal".

One commissioner said the "pompous and pugnacious" Pityana ran the HRC "like a little homeland government". Another left because Pityana "protected incompetent staff" and "refused to challenge government on crucial (human rights) issues".

Pityana's willingness to forego a principled stand on human rights rather than annoy the government was vividly illustrated over the Aids issue. After the HRC had pledged that it would support the Treatment Action Campaign in court in its bid to force



Pityana insisted that Unisa purchase an official vice-chancellor's residence for him at a cost of R1.47 million.

the government to distribute Nevirapine, Pityana took a phone call from Thabo Mbeki's office. Soon afterwards the HRC announced that it would not be supporting TAC after all.

As HRC chairman Pityana, a master of tortuous verbosity, insisted on endless plenary sessions and meetings which dragged on all day, accomplishing little if anything. Decisions that were taken were seldom implemented.

While he traveled the world in business class making high-minded statements about democracy and human rights, the organisation he was being paid handsomely to lead aimed its guns at subliminal racism in the media, a cause that didn't do his cosy relationship with Mbeki any harm at all. Meanwhile the HRC paid scant attention to real human rights abuses

such as the plight of children in jail, the treatment of hospital patients, failure to pay pensions and disability grants, and sexual abuse at schools.

Public criticism of his performance didn't stop Pityana the priest and defender of the defenceless demanding a salary equivalent to that of a High Court judge. Mbeki apparently told him to be patient, he'd be looked after. He was, of course, and sucks to you, Kader Asmal.

Now Pityana and Motimele (who have gone on desperate, and costly, fund-raising jaunts to the United States and Britain) are presiding over what a number of respected academics believe is Unisa's slide into mediocrity and bankruptcy.

Although his term expired at the end of March, Motimele, after assuring everyone he would go, contrived to be re-appointed as chairman of council.

In the face of instructions from Asmal and recommendations from the auditor general, he continues to authorise large payments to members of council and the Students Representative Council who, not surprisingly, form his most influential support base.

Ignoring orthodox selection procedures, he has masterminded some shockingly inappropriate academic appointments, which are being challenged in court.

Pityana, who insisted that Unisa purchase an official vice-chancellor's residence for him at a cost of R1,47m (not counting apparently extensive renovations), has done nothing to stop Motimele pissing on every principle in the book in order to turn the university into his private fiefdom.

Given that he owes his job to Motimele, this is hardly surprising. *n*



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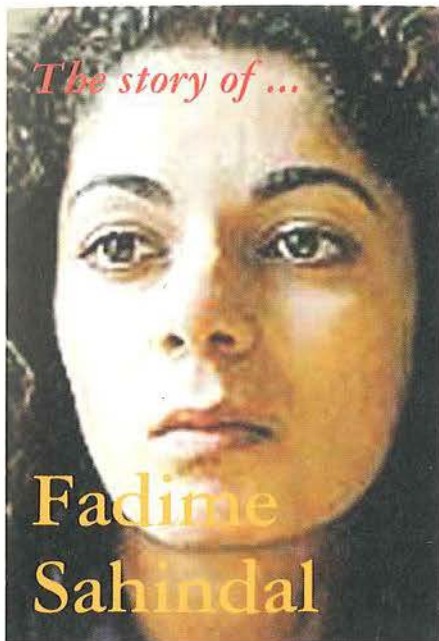
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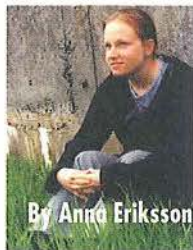
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Tolerance and open-mindedness are virtues for which Sweden is famous. Who would have thought they could be a problem?



In January a 26-year-old Kurdish woman, Fadime Sahindal, was killed in Uppsala by her own father. It wasn't an accident. He had openly been planning the murder for at least three years. Fadime was a celebrity victim. Thousands of women attended her funeral in Uppsala cathedral.

The murder had echoes of the South African di Blasi case, in which a Sicilian migrant hunted and killed his ex-wife and then pleaded that this was a Sicilian custom.

Since 1994 there have been 11 such "killings of honour" in Sweden alone: men have murdered female relatives for bringing "dishonour" on their families. The murderers were all immigrants from the Middle East. When women don't behave as they are supposed to according to the culture's values, murder is frequently seen as acceptable. In some cases the female victims had been incest or rape victims and were then murdered – because the woman was blamed for having "tempted" the perpetrator.

The Sahindal family emigrated from Turkey to Sweden 20 years ago, when

Fadime was not yet six. They are Muslim, and the unity of the family is culturally very important to them. But Fadime started school in Sweden and grew up like a Swede. She was popular, and her friends didn't seem to mind that her family were Muslim and spoke Kurdish. When she reached young adulthood she wanted to live her own life – with her Swedish boyfriend.

She was soon to realise she was living dangerously.

In 1998 Swedish television broadcast a documentary about Fadime and her life. Already then she had been threatened many times by her male relatives and was having to live anonymously in another town. Two years later her boyfriend was killed in



Fadime's killer: her father Rahmi.

a car accident. Still there was no forgiveness. Even when on trial because of their threats, Fadime's brothers continued to threaten her during the court lunch breaks. She was under constant police protection: The police made her carry a small personal radio alarm with which she could summon them wherever she was. In the end it didn't save her.

She was lured to what she thought was a secret visit to a beloved sister. Her father was waiting.

Fadime's father is probably sure that he did the right thing by killing his daughter, as she had brought "shame" on the family, especially on its male members, who are supposed to protect their women's virginity.

From such men comes the expression: "Women are like glass: if they get broken, there is no way to mend them." What of damaged men?

He'll probably get a life sentence – which is, in Sweden, at most 12 years. If he behaves well in prison, it could well be less.

● The Swedish government is now talking of introducing a kind of Swedish values "driver's-license" – a tolerance certificate – which prospective immigrants will have to earn before being allowed into the country. Yes, there are limits to tolerance, even in Sweden. *n*

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Survival

West-Coast style

A camera crew filming in a poor West Coast fishing settlement has given new meaning to reality television. To stimulate empathy with their surroundings, the crew of six – two women (both white) and four men (two black and two white) – was to build their own shack, survive for two weeks on R25 a day each and document themselves doing this for national television. Of course, inhabitants of Papendorp village at Ebenaeser don't have the luxury of R25 a day. Nor do they get building materials from a hardware store like the crew did. But other features of harsh SA reality did get a bit of play – good old racial stereotyping being one of them. Documentary director VIVIENNE VERMAAK reports.

The assignment seemed simple:

Go to the West Coast village of Papendorp and survive on just R25 per head per day. Build your own squatter shack. Bake your own bread. Make like a local – no car, no cellphone! – and document yourself doing it.

Papendorp nestles at the bountiful mouth of the Olifants River with vistas over the cold Atlantic Ocean. Life here ebbs and flows with the tides. If there's fish, you eat. If there isn't, you starve. If God isn't in the mood to provide, Auntie Elizabeth up the road might spare an *entjie* (single cigarette)

and a packet of yeast for bread. Baking bread is an event. Going to the shop is an excursion. To six rat-racers with existentialist issues, it was a potential slice of heaven: Had the Papendorpers forsaken life – or unwittingly found it, we asked.

Thus it was that a cameraman, a soundman, a TV journalist, a poet, a human-rights facilitator and a township entrepreneur descended on Papendorp, laughing a bit too loudly.

First came shelter and food: we built a shack with asbestos sheeting and materials bought from a local contrac-

tor. For food we hitchhiked 25km to a supermarket. It was against the rules to accept favours from locals, but we could barter. I bartered 10 cigarettes for the use of a pick and crowbar for a few hours to complete our house.

Even so, the ground was so hard it took three hours (a quarter of the construction time) just to dig holes for the corner posts. (It was then that I discovered how unpleasant and unproductive smokers can be if their cigarette stock is depleted.)

Between the hitchhiking and shopping and building, I hunted the locals,

'Thus far and no further'

Papendorp forms part of the Ebenaeser community, population 3 800. (Ebenaeser is a biblical name, meaning "thus far and no further".)

The 44-odd families living in Papendorp survive on government pensions, subsistence fishing, odd jobs and small stakes in farms. The folk of Papendorp are descended from

indigenous Khoi whom the government forcibly resettled in 1925 from fertile, arable land to a dry, infertile region. In 1996, the Regional Land Claims Commission accepted a claim from the Ebenaeser committee to 52 farms valued at R90m. Locals hope to run the farms, instead of accepting a cash payout.

seeking the best specimens, delighting at each find: prime examples of in-breeding, crusty drunken fishermen, the lovely old lady with millions of incredible wrinkles and the dominee with no front teeth.

We named our dwelling "As-best-as" and moved in at sunset. That night, we fed our aching bodies with fresh fish and homemade bread. To make coals to bake the bread, we gathered dry Karroo *bossies* for 25 minutes. Then the last rays of sun were gone and the mist rolled in, accompanied by a low murmuring: the first manifestations of racial and gender strife had arrived at our fireside to liven up the party. In response, we sucked too deeply on plastic cups filled with too much cheap local wine before struggling into our sleeping bags (where the mosquitos had anticipated our arrival).

It took four days for this group of hard-working, talented people to turn into a dirty bunch of lazy louts, with a mad Medusa and a bitch in tow. It took six adults two hours to make a cup of coffee in the morning: By the time we had gathered wood, collected water, lit the fire and waited for others to do the rest, half the morning had gone.

"Actually, we are living very well," announced Sydney Khumalo to his incredulous white colleagues. "With R25, we feed whole families in the township. Here we have close access to clean, running water. What makes it tougher here is the isolation."

For whatever reason, very little quality filming was done. Team members became obdurate or withdrawn. Astonishingly, no one breathed a word about the obvious tension in the group, choosing instead to sleep whenever an opportunity presented itself. I wasn't lazy, bitchy or sleepy – I just lost my

mind (and hairstyle) several times running up and down the main road, achieving nothing.

The experience confirmed our deepest prejudices about our fellow human beings – it's no use trying to be pc about it: whites are fake and stupid, blacks slack and chauvinist, men

Carel "Kanala" Fouché.



whining shits and women tougher than men. It was all hanging out by the fourth day.

Here's the scary bit. It happened to six people who were forewarned, and knew that they would be out of there in a fortnight. What of the millions for whom there is no escape from lack of food, housing and rest?

According to famed American psychiatrist Abraham Maslow, human beings will not be productive unless basic needs like food and shelter have been met. But people like Carel "Kanala" Fouché have somehow escaped this predicament.

"There are two kinds of people," the young Papendorp fisherman told me. "Those who say 'I wish I'd been on the river to fish last night', and those who say 'I was on the river last night, and I did everything right'."

Kanala (meaning "friend") hadn't slept in three days. He'd been fishing for harders without respite, while others lay at home drunk or hung over. Sometimes he earns R35 for three days' work. Sometimes nothing. But every time he casts his net, he casts with passion. When he walks, he walks with passion, barefoot, never stepping on a thorn, barely leaving a footprint. He knows nothing of Zen or Buddhism. But, wise beyond his 18 years, he knows everything.

"Life's a game," he explained. "Every time I go out to collect wood, it's an adventure. When I feel down, I go to Bakensklip and look at the stars."

Back to our squabbles: Sydney Khumalo broke the ice, by insisting we banish political correctness and talk things out. When the producer arrived with hunger relief, transport (and an ample supply of cigarettes) the group had started to gel. The guitars and the drums came out for the first time. Racial healing took place to powerful African rhythms.

Poverty, humility, racial awareness, vulnerability – the project left us powerfully aware of the role they play in being South African. I now know for certain that to continue my South African journey will require honesty, passion and a sense of adventure. That joy can be had from things as simple as baking your own bread or gazing at the stars. And, maybe, that adventure's as simple as skidding along in the mud. *n*



Sentimental Journeys

by HAROLD STRACHAN



I thought perhaps it was because of xenophobia that I never go to the city's beaches any more. You know, as Durban folks used to scorn the Vaalies they now scorn the Gauties; we're a parochial lot, thought I, and supercilious, so get your ass down to the golden sands and find some innocent pleasure in it all. Said I to myself, and I'm off on the Mynah bus.

Back of the Five Star beachfront, same city blocks, is the Multigrade Fried Food Belt: Kentucky Chickens – Eleven Spices, says the motto, and all of them sodium chloride – and next block back it's the tarts, adult dens and a 13th World flea market called *Le Quartière Latin*, where sits an auntie with a butt stuck to her lip, clad in tekkies and grey tracksuit broeks she's just slept in, peddling Salmonella-burgers and toxic horrors.

Are you looking for a friend? says a quiet voice as I stand transfixed at the view. At my elbow I perceive a nut-brown maiden, cracking the chocolate on a Magnum in that disgusting way its done on the telly: decibels increased and pitch reduced, all in sensual slow-mo. She holds her lips well back so as not to dribble or smudge lipstick. Her teeth carefully crush the ice cream.

D'you mean I've an appointment?

No, I mean I could make you happy.

Already I'm happy.

I could make you even happier.

What, at nine o'clock? And I'm old enough to be your grandfather.

Maybe you are my grandfather, you know how it goes?

You mean at the age of seventy-five at nine ay em I should be made even happier by my granddaughter?

It happens, she says, wiping her hands and lips on her clothing. She is of the fluoride generation. The teeth are clear and strong, and slightly irregular – laughing teeth. If they can do that to a Magnum, I think, what might they do to an ear? Or one's little finger, smiling? Hell, think I to myself, if I were just her maybe father I'd don a couple of condoms and paste over all exposed parts with surgical soap and make a merry hour with this fizzgig. With lutes, harpes, and giternes, to daunce and pleye.

You're just scared, says she.

Well, *ja*, sort of.

She touches my arm, and smiles a full toothy smile; Stay happy, Sweet-heart, says she.

Byebye, Lovey, say I.

I climb aboard a handy homebound Mynah. Already the sentiment's been too much.

A black American woman with beaded dreadlocks and Nigerian nightie climbs on next with a hundred-rand note. The driver goes blank. I absently give her a coin for the fare, my mind is elsewhere, and she sits with me. Everybahdy's SO NICE! she declares. I think about the fizzgig; Yeah, say I. We trundle along babbling about wildlife and all things nice until the central stop at the Royal Hotel. That's where she's staying. Big bucks. Also Five Stars.

She's looking for her roots. You're on the wrong side of Africa, Miz, say I; Zulus made very bad slaves, when you could catch the buggers, not that many folks tried, I mean they were a bit fierce. Yeah, but its AFRICA, she cries, and everybahdy's SO NICE!

Well that's pleasing to hear, say I, most of us here have a poor opinion of our country because of crime and all that, and it's not attracting a hell of a lot of capital. Oh no, it's not ALL nice, says she. In Joe Burg a black policeman spoke to me in Jiggerboo, and when I answered him in English he said I was an i-legal immigrant, and wanted to send me somewhere else in Africa, Mow Zambique or somewhere, and it was only when a white policeman said I sounded like the movies that they would look at my passport.

Well, you're all right here, say I; where to next? Wal, she says, Peter Maritzburg. Oh, say I, that's my home town. OH WOW! she exclaims, how GREAT! Ja, say I, tell Reception at the Royal to book you on the Cheetah coach just round the corner at the Local History Museum.

But do they have i-legal immigrants there? Of course, of course, and here too, everybody's looking for work down these parts. And what about Jiggerboo? she asks. No, none of that around Peter Maritzburg, I say, only English and Zulu.

Yeah, says she, but what do I say when the police speak to me in Zoo Loo? No, you just say Hoosit, bru? and everything will be be hunky dory.

Is that Zoo Loo?

No, that's South African. You'll be ok.

So I haven't got ahead with the Gautie problem. And maybe one quiet weekday I'll make for the Snake Park way along there where it's not so built up, and walk along the surf past the Five Star part, and down to Addington where I got a lot of shad as a kid. My sentiments will be safer there. *n*

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PERSONAL

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Mel, Happy 60th, Old Fart. From your East London girlfriends and mates. [9586]
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