## 

## Spy vs Spy: Is there method in the madness?

THE STING SHADY CHARACTERS, STOLEN GEMS AND DOUBLE DEALING

> SCHOOL FOR SCANDAL WE NAME VIP's SON

DISILLUSIONED – BUT NOT DESPAIRING JUSTICE MALALA SPEAKS TO NOSEWEEK

DURBAN'S R1.6BN PROBLEM GREED CITY IGNORES THE PROTECTOR

> BUNCH OF BASTARDS HAROLD STRACHAN

195 **JANUARY** 2016

### CELEBRATING CONSUMMATE CRAFTMANSHIP.

GRAHAM BECK BRUT BLANC DE BLANCS

HIER

AFRICA



GRAHAM BECK

www.grahambeckwines.com





#### FEATURES

8 Meat tycoon has a bone to pick Service station staff claim damages for assault by angry customer

**10 The Sting** A dramatic tale of double-dealing, stolen gems and shady characters

**14 Skating on thin ice** KZN premier appears to be in disfavour with party loyalists

**18 Truth, Justice and the South African Way** TV pundit Justice Malala is disillusioned – but not despairing

> **23 St Alban's: School for Scandal** Security chief's son in shock resignation

**26 Uneasy lies the head** Fight over right to kingship in Pondoland is more than a localised battle royal

**30 Greed City ignores the Protector** Durban has a problem – a R1.6-billion problem

**32 All change at the Casa Rosada** Never mind packing for Perth – would-be emigrants might consider tangoing to Argentina

> **34 Faking it** Lies, damned lies and CVs

Your favourite magazine is now available on your **iPad** and **PC** 



#### AVAILABLE ON YOUR TABLET

Download your digital edition today

both single issues and subscriptions available

**PLUS** never miss a copy – with back issues available to download and store

DOWNLOAD YOUR DIGITAL EDITION AT www.noseweek.co.za Or 2 021 686 0570

**4** Letters

**6** Editorial

**38** Smalls

#### **COLUMNS**

**35** Books

- 36 Down & Out
- **37** Last Word

### Letters

#### **Excellent**, Bheki

JUST READ THE EXCELLENT ARTICLE FROM Bheki Mashile (*nose*194). But there needs to be one correction: the American policy was 40 acres and a mule – a substantial difference, maybe opening up different conclusions. By the way, Spike Lee's production company is called: 40 Acres and a Mule Filmworks.

#### Peter Wegener By email

As a long-time admirer of Bheki Mashile's *Letter from Umjindi*, I do sympathise with his feelings of distress about littering, including occasions when bags of rubbish were thrown out of taxi windows (*nose*194).

But this is not a racial issue, rather a cultural one – specifically related to traditionally urban versus traditionally rural populations. It is to do with whether you are brought up to either disperse or concentrate your rubbish.

As an archaeologist I am intimately concerned with old rubbish and how it got to be where it is. Our aim is to understand how people lived long ago.

London grew to be the biggest city in the world in the 19th Century. In earlier years it was a disgusting place. People would throw their rubbish including their slops into the streets, diseases like cholera were rampant, it was full of rats which carried bubonic plague and the whole place stank. The rural habit of scattering rubbish outside your house was disastrous in a confined urban environment. Eventually sewers were built; the flushing toilet, invented in 1596, was perfected and promoted by Thomas Crapper in the 19th Century.

Rubbish collection started in the late 18th Century and, note that it was already linked to recycling by the "rag and bone" men.

This marks the big divide. To keep a city clean and healthy, rubbish must no longer be dispersed but concentrated in such a way that it can be collected and taken away to a suitable dump.

But people need to learn this way of doing things, and there needs to be an efficient system of collection in place.

Now to the rural African situation. For example, in a traditional Zulu homestead (*umuzi*) there are two distinct routes for rubbish disposal.

Ordinary rubbish (*izibi*) is scattered in the veld beyond the limits of



"The computer is only a tool. There will always be a place for unbridled avarice."

the homestead -a dispersed pattern - while ash from hearths (*umlotha*) which has spiritual connotations, is concentrated in a heap by the main entrance.

People growing up in such a homestead will learn to disperse rubbish outside the home, which would have been an appropriate system before the days of plastic, cans, glass bottles etc.

For "taxi" read mobile, temporary home – a place where a well-broughtup person wouldn't dump rubbish. So the obvious solution to deal with rubbish accumulated during the trip would be to neatly collect it in a plastic bag and disperse it outside the (temporary) home, i.e. throw it out of the taxi window. That is the rural solution; the urban system of concentration must still catch on.

**Tim Maggs** Johannesburg

Take a disapproving smack for Bheki? Cheap at the price. From his other E.Cape fan. Ken Schmulow

Port Elizabeth

■ I BUY YOUR MAGAZINE EVERY MONTH at Cape Town international airport. There I read with dismay and trepidation of all the shenanigans going on in our country. Then I read about the exploits of Bheki Mashile and I have hope.

I have recently acquired the leasehold of the now recently branded Protea Hotel Malaga – a short hop from Barberton – and would like to use my hotel to salute this brave man.

Let us do something incorporating both significance and fun and promote people like Bheki.

> Grant McLachlan Hermanus

#### Poetry appreciation society

I THOROUGHLY ENJOYED THE POEM Semper Helix by Gus Ferguson, published in Noseweek, December 2015 – thank you!

Lindi Still Dorpspruit



Jungle out there.. Quiet diplomacy failing lions

#### **Quiet diplomacy is failing lions**

WONDERFUL ARTICLE BY ANNE SUSSKIND on the horror story behind canned lion hunting (nose193); congratulations to *Noseweek* for rekindling the fire.

I am so frustrated by the lack of progress in putting an end to the obscene practice, though I do suppose something is coming about as a result of Michler's film.

I have written to WWF withdrawing my support for their present management, in particular Dr Morné du Plessis, whose weak leadership is the achilles heel of the local branch. His 'quiet diplomacy" will have no positive effect on the likes of Edna Malewa, who obviously has a hidden agenda.

Pat Werdmuller von Elgg Solara Organic Wines McGregor

#### 'Shrill homophobia'

THE SHRILL HOMOPHOBIA OF YOUR ARTICLE [book extract] on Rhodes (nose193) robbed it of any pretence it might have had to historical veracity. What next? A story that a conspiracy of Jews has been aiming to take over the world? Oh sorry. That one's been done already. And look where it led.

**William de Villiers** Mowbray, Cape Town

#### SAA loses my high esteem

I AM A SOUTH AFRICAN WORKING IN THE Middle East as a midwife, so I make the trip to South Africa about twice a year to be with my husband and daughter in Cape Town. I have flown with various airlines including Qatar, Saudia, Turkish, Etihad, Seychelles, Emirates and SAA. SAA is the one that got me flying - the first time in 1968, Johannesburg to Cape Town, and I have come to love it – until my recent bad experience.

The flights in from Abu Dhabi went well, even if there was strike action on the day we arrived and our luggage didn't get unpacked for about two hours. On trying to return, I had another experience entirely. I arrived at Cape Town International and booked in, only to be told that I would not be flying back to Abu Dhabi on the same day as the flight had been re-scheduled.

This was pretty traumatic. We had all been up since just after 3am to get me to the airport at 5am to fly out at 6am, so I had to call my husband to turn around and pick me up.

Next day the same thing happened! At no point was I contacted or informed, not by phone or email, that there was a problem. I had to make various calls at substantial expense to people who would be impacted by my late arrival. When asked if I might then be accommodated in business class, due to the bad deal they had created, I was told it wouldn't be possible.

But when I finally boarded, there were plenty of empty seats in business class... they just didn't feel I was worth it. I will have to rethink future plans... Emirates from Dubai, or Etihad from Abu Dhabi ... I don't think SAA should

be operating if this is the sort of thing that they do.

> **Christine van Veggelen** Abu Dhabi

#### Showmax screws local artists

DID YOU KNOW SHOWMAX DOES NOT PAY A single cent of royalties to any South African artist? No wonder the local actor dies penniless. By the way, the most popular content on Showmax is local content. Again local actors are screwed by the Broederbond, ie Naspers.

Koos By email

#### Come

Move gently into the soft cushions of my illusions and shock me into reality whisper word capsules into the tight spaces of my silence let there be music my spirit will dance to in this season of aborted beginnings in my land.

#### by Pitika Ntuli

(Published in the Carapace series, an imprint of Snailpress)

Professor Pitika Ntuli is a South African sculptor, poet, writer, and academic who spent 32 years of his life in exile in Swaziland and the UK



## noseweek

Editor Martin Welz

editor@noseweek.co.za

Special Correspondent Jack Lundin

Designer

Tony Pinchuck Consultant

Len Ashton Sub-editor

Fiona Harrisor

Contributors Len Ashton, John Clarke, Desiree Erasmus,

Elisabeth Hamilton, Hugh Oatley, Freda Postlethwaite, Harold Strachan

> Cartoon Dr Jack, Stacey Stent

> Accounts

Nicci van Doesburgh ccounts@noseweek.co.z

Subscriptions Maud Petersen

Advertising sales executive Godfrey Lancellas

godfrey@madhattermedia.co.z Advertising

021 686 0570 ds@noseweek.co

All material in this issue is copyright, and belongs to Chaucer Publications (Pty) Ltd, unless otherwise indicated. No part of the material may be quoted, photocopied, reproduced or be stored by any electronic system without prior written permission. **Disclaimer:** While every reasonable effort is taken to ensure the accuracy and soundness of the contents of this publication, neither the authors nor the publisher will bear any responsibility for the consequences of any actions based on information contained. Printed and Published by Chaucer Publications (Pty) Ltd.



#### SUBSCRIPTION RATES

Print		

SA only	R374
Neighbouring states (airmail) Europe, Americas and Australasia	R546 R673
Internet edition	
1 year	R298
Combined	
Print+Internet (SA only)	R474
To subscribe	

**By post:** Send cheque with name, address and phone no. to: noseweek, PO Box 44538, Claremont 7735.

Via Internet (pay by credit card): www.noseweek.co.za

Email subs@noseweek.co.za

Further information

Call (021) 686 0570; fax 021 686 0573 or email info@noseweek.co.za

## Editorial

## Spy vs Spy: Is there method in this corrupt madness?

VERYWHERE YOU LOOK ITS SPY VS SPY, corrupt deal on corrupt deal and a failing public service. Could there be method to all this madness? A series of reports sent to then Independent Democrats (ID) party leader Patricia de Lille more than a decade ago by an intelligence operative known simply as "Okhela" suggest as much. They certainly anticipated much that has happened since. Here are some alarming extracts:

#### LATEST IN THE SPY SOAPIE [Part 1]

From: Okhela (Original Message) Sent: 2003/12/03 07:12

REPORT TO THE HONOURABLE PATRICIA DE LILLE OF THE INDEPENDENT DEMOCRATS

#### Introduction:

"A silent coup is being engineered in our country. Today we have a situation of dual power:

(1) The President [then Thabo Mbeki]

(2) Mac Maharaj and his [Vula] group

The fight around Bulelani Ngcuka has become the terrain of battle by both forces, the constitutional, legitimate forces of the State and the unconstitutional, underground, parallel structures, represented by Mac Maharaj/Jacob Zuma/Mo Shaik. Their approach is premised on the former apartheid government Stratcom strategy.

"It aims to:

- undermine and destroy institutions of the state like the Scorpions;

- divide the ANC and to develop offshoots of leadership;

- play the race card of Zulu vs Xhosas, etc;

- determine the [Presidential] succession;
- make South Africa ungovernable;

- bring the integrity of elections into question [...];

- discourage foreign investment.

#### Who is behind this?

"[Among the names listed]: Mac Maharaj –the former Minister of Transport, Mo Shaik – Advisor to Minister of Foreign Affairs, Jacob Zuma (then Deputy President), Lindiwe Sisulu (Minister of Intelligence], Charles Nqakula (Minister of Safety and Security), Jackie Selebi (Commissioner of Police), Vusi Mavimbela (DG of NIA), Ricky Nkondo (National Coordinator Operations NIA), Raymond Lalla (CIS/ SAPS [Now SARS – see story on page 23], Mojo Matau – Defence Intelligence, Brett Kebble ("Businessman/Provides funding") and Niko Shaffer [Nico Shafer] ("Businessman/ Criminal/Provides funding").

"Their major vehicles to achieve these objectives were said to be:

• Parallel structures within the National Intelligence Agency, the Secret Service, Defence Intelligence, Police Services, Former apartheid operatives and private intelligence companies (OPM), SARS;

• the Operation Vula network "which permeates all levels of the state apparatus and the ANC-SACP-COSATU alliance"

Indian Cabal and its UDF network

"[Also mentioned were] Parliament's Ethics Committee, Scopa and the Auditor General's office – "to legitimise and to clear their criminal activities...".

Readers who have noted the latest sorry sagas surrounding the SA Revenue Service will be interested to note what "Okhela" had to report about that institution back in 2002.

#### South African Revenue Services

"The Vula network has a formidable presence in SARS. Whilst it must be acknowledged the Commissioner [then Pravin Gordhan] is doing a great job, there are serious areas of concern.

"The parallel structures in the NIA/SASS use SARS, as well as its employees who are part of this network, to engage in political and criminal activity, disguised as legal work.

"Once they are paid to run an operation on an individual or company, the NIA/SASS/CIS/ DI produces so-called intelligence on the individual or company, which will include drug dealing, money-laundering, trading in arms, etc, and deposits this file with SARS as high quality tested intelligence.

"SARS Enforcement Units who are part of this network then begin a campaign to investigate, harass, put on hold forex amnesty, gets Customs & Excise involved, thus making it impossible for a company or individual to do business, resulting in the business's collapse.

"Further, at a political level, companies of countries that are seen to be supportive of Thabo Mbeki are put under this pressure. Example: Thabo Mbeki goes on an official visit to Canada to attract foreign investment, whilst this NIA/SARS network makes it impossible for Canadian companies to do business in South Africa, all because this network wants to sabotage the President's efforts. Similarly, this is done with the Germans and the British. But, because of this network's link to the French and their support for Zuma, they can do whatever they like.

"The point is that individuals/companies have no recourse or access to these so-called intelligence files in SARS's possession, and have to accept this harassment and intimidation, with the only option being to move their business to another country. The result is that Mbeki's foreign trips to attract foreign investment into South Africa and to create jobs are sabotaged so as to set him up for failure..."

\*\*\*

#### LATEST IN THE SPY SOAPIE [Part 3]

From: Okhela (Original Message) Sent: 2003/12/03 17:11

Independent Electoral Commission

"The NIA has begun to determine the IEC's use of private companies, contractors and consultants. The NIA demands the right to give clearance before the IEC uses the services or employs anyone. This is whilst the IEC contracts a company called Integra to do its integrity checks. Further, all security companies used by the IEC have to be registered by the Security Officers Board, yet the NIA still demands that they have to vet them. The result is that the NIA puts their friends and companies in the IEC; it is also a mechanism to award tenders to contacts and business associates, using the security clearance mechanism. (Ref. Annex 4 Letter from the Director-General to Brigalia Bam.)

"This has a snowballing effect on the entire IEC organisation, in terms of its becoming an intelligence-gathering mechanism for the NIA, which then supplies this information to certain factions in the ANC, to the detriment of the other political parties. The integrity and independence of the IEC becomes totally compromised [...]

"In July 2003, the IEC-CEO Pansy Tlakula met with the Director-General of the NIA, Vusi Mavimbela, at his office in Pretoria for a private one-to-one meeting for an hour. Thereafter she called in her deputy to introduce him to the NIA Director-General Mavimbela and Tlakula agreed that William Masango (NIA) will be appointed to handle all matters in the IEC's vetting of people, security clearances, tenders, employees, companies, etc. This was done outside the Nococ [National Operation Co-ordinating Committee] structure.

"A secret NIA team was set-up to coordinate all activities of the IEC.

\*\*\*

"Lubusi Mapanga, the IEC head of Information Technology complained on the 11/08/03 at a finance/audit/IT meeting that he was being harassed by William Masango, demanding all information on the IEC-IT. Lubusi Mapanga refused to hand over the information. Masango said that he is acting on the instructions of the IEC-CEO. Lubusi then informed Masango that he must ask the CEO for the information."

#### Why is the NIA doing this?

"To give their business associates advantage over the IEC-IT and other IT tendering processes. They are also collecting dirt on opposition parties' candidates, ANC candidates, etc. Vusi Mavimbela and the NIA's agenda is clear. They are attempting to compromise the integrity and the independence of the IEC and by so doing, bringing the results of the election into question [...] thus creating a similar situation to Zimbabwe and Nigeria with regards the security forces' role in elections [...] The more questionable the results of the election, the stronger their chance of putting in their succession team.

\*\*\*

#### Conclusion

"Our democracy is under threat. The intelligence community and security forces are behaving more and more like their predecessors. [...]"

"[*The report ended:*] Miss de Lille, we ask for your help in stopping this rot and abuse of power, all done under the banner of secrecy and non-disclosure in the national interest."

"[And was signed] Concerned Patriotic Intelligence Community loyal to the Constitution of the Republic of South Africa, Okhela"

If Okhela's description of the Zuma/ Vula agenda is only half accurate, why would they want a competent, honest Minister of Finance? Nhlanhla Nene would have been fired because he didn't play the game.

#### **The Editor**



GREATER CAPE TOWN 101.3 ATLANTIC SEABOARD 97.1 FISH HOEK/NOORD HOEK 107.9 HOUTBAY 94.7

## Meat tycoon has a bone to pick

Service station staff claim damages for assault by angry customer.

#### **By Robert Martens**

ELF-MADE ENTREPRENEUR BRETT Latimer is a controversial character. On 22 July this year Durban's *Daily News* ran a "Lee Rondganger" interview, "Businessman fends off critics", telling how the man behind the burgeoning Oxford Freshmarket chain became very wealthy when, a few years back, he sold his six Cambridge Meats stores to Massmart for about R500 million.

He told Rondganger that he'd struggled through school and dropped out after three months at university. "I wanted to study law but I had a learning disorder. I am much better at hearing stuff and seeing it and I struggled to learn. I used to fight a lot in school...

"There are people who resent me because I fight for what I want. I'm not scared to use my hands in a boxing match and I'm not scared to use my tongue in a verbal boxing match".

After dropping out of varsity Latimer worked as a trainee butchery manager and never looked back.

He told readers how he built up the R17,000 he inherited at the age of 22 to R500 million – and pissed off more than a few people in and around Durban, saying he understood why so many businesses and individuals on the Bluff hated him. "It's because I tell it like it is," he told the *Daily News*. "I took the prices on the Bluff and made them affordable for all the people on the Bluff. Everybody had to follow me, so people hate me for that. The butchers hate me, the supermarket owners hate me, even the employees hate me because there were staff reductions."



There's nothing unusual about that – it's called capitalism – but a fair number of ordinary folk also have axes to grind. His R150m Oxford development in Hillcrest is under attack because the Greenies say he's destroying a natural wetland, neighbours insist he's planning to build a casino on site (which he denies), residents in Chatsworth are squealing that his development will clog up arterial roads and make their lives miserable, and his Pinetown project hit a possibly terminal speedbump before it had started because of a dispute over a property deal that went sour.

A week before the story appeared in the *Daily News*, the magistrate's court in Camperdown issued summons for Latimer to defend himself against serious allegations made by two pump jockeys and a female cashier at a local service station. Thokozane Cyril Manci was claiming R100,000 compensation plus costs, while Busisiwe Abigail Khanyile and Brian Mfundo Mthembu each demanded R75,000 each. All three alleged they were assaulted, and had their dignity impaired in the incident on 20 April 2015.

According to the claims, Latimer arrived at the service station that night to refuel his car, but when he tried to pay by credit card the portable machine malfunctioned and Manci asked him to step into the forecourt convenience store and use the terminal there. The plaintiffs say Latimer then became "extremely abusive", frequently calling Manci a "Kaffir like Julius Malema".

"The accused then alighted from the vehicle continuing with the verbal abuse in the manner aforesaid and at [or] near the petrol bowser, punched the first plaintiff in the stomach and kicked him. The confrontation then moved out from behind the bowser whereupon the defendant violently pushed the first plaintiff, who fell back on to the concrete."

What happened next is mysteriously absent from the plaintiffs' version of events, but was captured on the service station's security cameras. Manci regained his feet and found a novel use for the credit-card machine by using it to cold-cock (knock out) Latimer. The plaintiffs' version then takes up the narrative again, stating that Latimer, once he'd gathered his wits, climbed back into his vehicle and drove it towards Manci and other employees, apparently trying to run them down.

When that failed, they say, he "alighted from his vehicle and chased the first plaintiff around the area of the Engen service station."

It seems that Latimer eventually drove off, while a customer took Manci to the Hillcrest Police Station to lay a charge of assault.

The plaintiffs allege that Latimer

later returned, accompanied by four males, to ask where Manci was. When Mthembu said he did not know, they state, Latimer became abusive and insulting, telling him that "he would be happy to pass the third plaintiff on the road and hit him with his truck and that he must not show his ugly white teeth because they are smelling".

He then allegedly threatened to "put sugar in his ass and fuck" him and further intimated that his mother was a whore and that he would "fuck her and kill his family". Then, according to the plaintiffs' version of events, he asked again where Manci was before kissing Mthembu on the cheeks, saying that this gesture was for his children.

The debate then moved noisily to the convenience store where Latimer is said to have angrily confronted Khanyile, asking: "Where is the fucking coloured who hit me?"

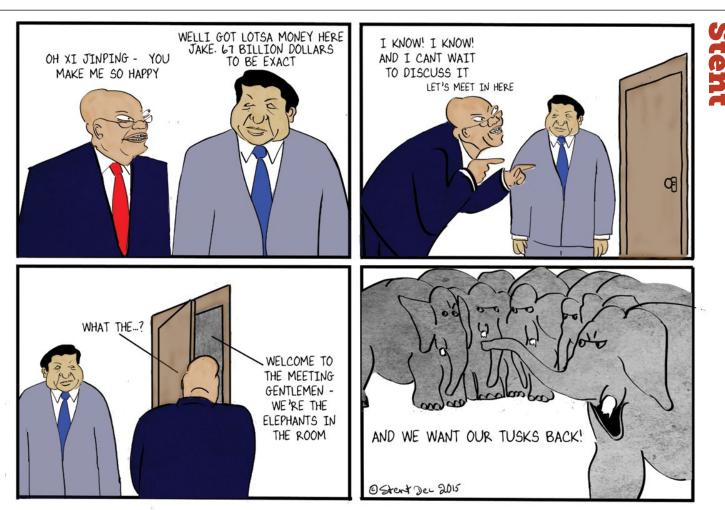
When she said she didn't know, Latimer allegedly told her he was going

to kill her family one by one and break their fingers (presumably not in that order). Then, according to the plaintiffs' deposition, he told one of the heavies accompanying him to remember Khanyile's face, intimating that he knew where she lived.

Latimer was apparently later arrested and released on bail, but laid a counter-charge of assault GBH against Manci.

After the summons was served the negotiations started, and on 5 August the plaintiffs' attorneys, Lister & Co, wrote to the court advising that Manci had withdrawn his case in terms of an Alternative Dispute Resolution (ADR) Settlement whereby Latimer paid him R15,000, but the other two plaintiffs' actions would continue.

On 2 September, Latimer's attorneys, MS Omar & Associates, filed notice that he would defend himself against their claims in court. If it gets that far, *Noseweek* will be there.  $\blacksquare$ 



Noseweek January 2016

## The Sting

#### A dramatic tale of double-dealing, stolen gems and shady characters. By Jack Lundin

RNESTO BISOGNO WAS A COLOURFUL old pirate accustomed to sailing close to the wind. Opal-cutting, emerald-smuggling, uplifting silver bars from a sunken galleon in the Indian Ocean, recording American TV shows in his suite at the Waldorf Astoria and flogging them to Zimbabwe Television... this was Bisogno's wheeler-dealing globe-spanning life, which he conducted with perennial charm and unfailing courtesy.

But in the last big deal of his life, over a parcel of opals valued at R7.6 million, Ernesto himself got scammed by a fasttalking 65-year-old from Centurion who claims to be a former agent of National Intelligence. For after Bisogno handed over the parcel of 4,200 carats to Louis Steyn, payment was never made and the opals vanished into thin air.

Now Steyn has the Attorneys Fidelity Fund in his sights. The supposed ex-spook claims an attorney stole the gems from him and he wants the fund to compensate him for their loss. Not for the R7.6m he never paid Ernesto for them though – the disappearing opals have now soared in value to R162m.

This complex rip-off yarn begins ten years ago when Bisogno, then in his mid-70s, was contacted by his old friend Larry Hood, who suggested that they go into one last deal together. Hood, a gem trader for 43 years, who once owned emerald and sapphire mines in Zambia and Malawi, had been approached by a wheeler-dealer named Louis Steyn, who claimed he had an international buyer looking for 5,000cts of cut and polished Ethiopian opals.

Let's do it, said Bisogno, and the old friends set to, with Hood bankrolling the purchase of rough opals while the by-then frail Ernesto, breathing courtesy of an oxygen tank, supervised a team of cutters in the plant attached to his house in Kempton Park.

Five thousand carats is a lot of opals. From 65,000cts of rough they produced 3,700cts, to which Hood's sources in the trade added R580,000-worth on consignment, bringing the total to 4,200cts. The gems, ranging in weight from 3cts to 75cts, with one stunner of 400cts-plus, were photographed, certified and valued. The laminated paperwork weighed 8kg.

Bisogno's company Cuplacoo invoiced Steyn's Southern Palace Investments for R7.6m. Hood describes this as the factory trade price. "He would have sold them on for a bit more," says Hood. "He could have charged up to 50% more, or he could double his money if he's that way inclined."

However, before he could hand over the R7.6m, Steyn said, his gemologist must audit the parcel and check each stone against its certificate. Bisogno and Hood reluctantly agreed, and the parcel was delivered to First National Bank in Pretoria, where Hood says the audit was conducted in the downstairs safety deposit.

This took a couple of months, after which Steyn told the duo that before he could pay the R7.6m he had to deliver the opals to his "client". Steyn showed Hood an invoice he had prepared – for R83m. "I felt that Steyn was off his rocker to try and ask that price for them," says Hood.

Reluctantly they allowed Steyn to take the gems to his elusive client, giving him 24 hours to come up with the money. When that didn't happen they demanded to meet the client. In December 2006 they drove in convoy to Krugersdorp and the offices of a wellknown criminal lawyer named William van Vuuren. The client turned out to be Van Vuuren's "attorney" son, Lance, who assured them he had the gems in safe custody.

But we want the money – or our stones, cried the increasingly-agitated Hood/Bisogno. "I'm busy with an international client overseas. It's a done deal and I'll have the money in one week," Lance van Vuuren assured them.

"We were in the hands of a law firm, they seemed to have a big operation, so we agreed," says Hood now.

After more delays, Lance van Vuuren eventually told them: "Gentlemen, the stones are no longer in South Africa, they're in Budapest!" A DHL slip for the gems' certificates showed the 8kg of paperwork routed to the Intercontinental Hotel in Budapest, for the attention of a will-o'-the-wisp Hungarian named Steve Mascher.

However, Van Vuuren was unable to produce export documentation – a DA55 and a bank-attested F178 for the gems' value – leaving Larry Hood and Ernesto to conclude that the opals had been smuggled out of the country. The duo laid theft charges against the Van Vuurens with the Krugersdorp police, but gave up after the file disappeared twice. Louis Steyn filed a complaint against the law firm with the Law Society of the Northern Provinces.

It took four years before a high court judge ordered William van Vuuren to be struck off the attorneys' roll in August 2011. It emerged that his son Lance was a clerk and Van Vuuren had allowed him to masquerade as an attorney, with no proper control or supervision over his conduct.

"A number of serious complaints have been lodged with the Law Society in respect of Lance van Vuuren's conduct while purporting to be an attorney," reads Judge B R Southwood's



judgment. There had been complaints of dishonesty of a high degree including fraud and misappropriation of funds, said the judge. The father's failure to supervise his son's activities was "serious and has caused considerable harm to a number of people".

All this time Hood and Bisogno were chasing Steyn for their R7.6m. Needless to say, they suspected that Steyn was in league with Van Vuuren over the opals' mysterious disappearance.

Enter the Attorneys Fidelity Fund. This body, now in transition to the newly-named Legal Practitioners' Fidelity Fund, reimburses victims of theft by practising attorneys and their employees. It is funded by gathering the interest paid on attorneys' trust funds, has assets of R43bn and last year paid out R97m. The fund's rules state that victims' complaints must be filed with the Law Society within three months of a theft's discovery, and claimants must first exhaust "all available legal remedies against the practitioner concerned" Bisogno and Hood were baffled and outraged. How could their parcel of opals worth R7.6m be the subject of a claim for R162m? in respect of their loss.

However, when Steyn's Southern Palace Investments filed its claim to the Fidelity Fund in 2011, the former spook's loss had soared to an incredible R162,514,000. And he hadn't even paid the R7.6m for the opals in the first place.

The Fidelity Fund rejected Steyn's claim under Section 48(1)(a) of the Attorneys Act – for being out of time. Claims executive Jerome Losper refuses to give *Noseweek* any details of the case. But the sheer size of the claim must have alarmed the fund – its total payouts that year were only R93.4m.

Bisogno and Hood were left baffled and outraged. How could their parcel of opals worth R7.6m be the subject of a claim for R162m? Having ripped them off for their opals, was Steyn now attempting to rip off the Attorneys Fidelity Fund?

Of course not, says Steyn, whose Southern Palace Investments is now in liquidation. In a confusing, often incoherent ramble he told *Noseweek* that Bisogno's parcel of 4,200cts was only part of the opals he had handed over to Lance van Vuuren and his father. He couldn't give precise details, describing the additions as stones "from Tanzania and some from Australia". It's those additions, explained Steyn, that pushed the parcel's value up to R162m.

Steyn gave a more detailed account in an affidavit supporting his 2011 claim to the Attorneys Fidelity Fund. He described how he met the claimed mystery buyer Steve Mascher at an Aucor auction; how they got chatting and Mascher said he would buy all the opals that Steyn could source, process and deliver to a value of R450 million. It was agreed that Steyn's Southern Palace company would deliver the opals to WS van Vuuren attorneys, who would act as escrow agents, holding the gems in trust.

"The opals would not be released to Mascher until such time as all the opals with a purchase price of R450m had been delivered to Van Vuuren Attorneys," reads one extraordinary clause.

In his affidavit Steyn lists two opal deliveries to the attorneys, worth R3.9m and \$10m. Then, on 7 December 2006 he delivered Cuplacoo's 4,200 carats (accompanied by 1,500cts of uncut), which he valued at \$12.3m. Payment for the first two deliveries, he was assured, had been received from Mascher and was in the firm's trust account. The \$12.3m payment had not been made.

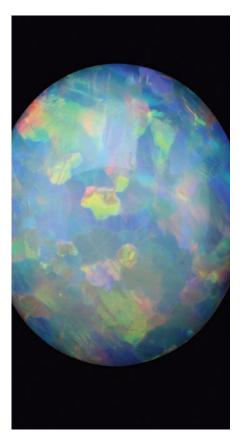
(Though muddied by the 1,500cts of uncut, Bisogno's 4,200 parcel had soared in value from R7.6m to \$12.3m – R93m at the agreed rate).

Steyn's affidavit states that at a meeting with Lance van Vuuren and his father William on 3 January 2007 he was "astonished and dismayed" when they told him that all the opals he had delivered had been released and dispatched to Mascher in Budapest, by courier, between 7 to 14 December 2006.

The Van Vuurens promised payment from their trust account for the earlier deliveries. But nothing materialised and in all Southern Palace was "accordingly out of pocket in the amount of approximately R162,514,000".

Back in 2011 Hood and pretty well everyone else snorted in disbelief at all this. Bisogno's Cuplacoo issued summons against Steyn for their opals' R7.6m invoiced value, and after William van Vuuren was struck off, Steyn signed a settlement agreeing to pay Cuplacoo up to R18m of any money he received from the Attorneys Fidelity Fund.

Now Hood, as major creditor of Cuplacoo, is preparing a claim against



the Attorneys Fidelity Fund for the R7.6m loss. The Randburg law firm of De Jager & Du Plessis is running the case on a contingency basis, for 25% of any payout. In a preparatory move, Hood has filed a new criminal complaint against the Van Vuurens at Pretoria Central police station.

Hood, aged 68, is bitter about the whole business, which he says has left him severely out of pocket. After battling cancer, his health is fragile and he's been living in rented accommodation after his second wife secured ownership and had him evicted from his trout farm home.

Sadly, thrice-married Bisogno died on 3 November 2014, aged 85, after more than a week in intensive care at the private Arwyp Medical Centre in Kempton Park. Broke at the end, his second wife Carolina, who lives in Madagascar, was paying for his medical aid.

Meanwhile, Steyn has renewed his attempt to extract R162m from the Attorneys Fidelity Fund. First step by his attorneys Rontgen & Rontgen, he says, is to apply to court for condonation to put in a new claim.

Is Steyn really ex-National Intelligence, as he told SARS under interrogation in an insolvency inquiry?

"That's correct, I did," he says. "I didn't like to lie, but I didn't want to divulge nothing further. And SARS couldn't ask me what I was doing because we were protected by law. I worked in various places and they paid me in dollars, but after 1994 I'm out of it." ■

## Who is Steve Mascher?

ETERAN GEM CUTTER ERNESTO BISOGNO was scammed by claimed intelligence agent Louis Steyn, but it's more complicated than that: the path taken by Ernesto's R7.6mworth of vanishing opals ends at the door of the equally vanished Hungarian, Steve Mascher. And just as Louis Steyn pulled a sting on Ernesto, so it seems did Mascher and disgraced WS Van Vuuren Attorneys put one over on Louis Steyn.

So who is Steve Mascher? The man exists, that's for sure. He's a main character in the still-recurring nightmares of Bisogno's youngest son Amadeo, who at the time of the 2006 opal scam was 14 and living with his father in Kempton Park. Amadeo remembers Mascher as "a big bloke, I think in his late 50s-or-so, quite heavy-set, fat, a white stubble beard with a very strong voice and quite an intimidating air about him.

"I met him quite a few times," says Amadeo. "We became like family friends, having lunch together and there was a lot of trust there. He came to my birthday party. I don't know what it was, but he just had a way with words and charm. He always spoke about mob connections.

"His wife was plump and quite short.

And he had a very attractive daughter with red hair."

Steyn and WS van Vuuren Attorneys do not feature in Amadeo's childhood memories. "The whole thing was, Steve Mascher was going to go to Hungary to get these opals sold," he says. "He said to my dad: that's the place where the market is, he's got buyers. He gave us this whole story. And before we knew it he was actually moving to Hungary and he was gone from South Africa. All these fairy tales, and we got schnaaied."

As our main story relates, Louis Steyn declared he had known Steve Mascher and supposedly done a deal to procure R450m of opals for him. Now a different story emerges. After the opals vanished, Steyn retained a private investigator named Andre Putter to investigate their disappearance. Putter tells us Steyn said the lost gems consisted of three parcels totalling 5,000 carats valued at \$100m (equivalent to R763m at the then rate of exchange!)

Putter tells *Noseweek* that, accompanied by Steyn, he made a surprise visit to Lance van Vuuren, then masquerading as an attorney at his father's law firm in Krugersdorp. After "some pressure" Van Vuuren revealed that his cousin had taken the opals to "a certain Steve Mascher, who was the real buyer. He couldn't/wouldn't tell us where to find Mascher."

The investigator's account casts serious doubt on Steyn's sworn affidavit (see main story) that he already knew Steyn and was working on a massive opals deal with him. Putter recounts to *Noseweek* that he tracked down Mascher to nearby Muldersdrift in the scenic Kromdraai Valley. Accompanied again by Steyn, the pair dropped in to an upmarket smallholding with a security guard manning the entrance, when Mascher was living with his wife (a Swiss national), their 18-year-old daughter and a son of 25.

"Inside the house we found a very jovial Mascher, a man of between 55 and 60, large build and clearly a guy who knew the rough side of life, with quite a few scars and very little hair," says Putter.

No indication was given to the investigator that Mascher and Steyn already knew each other and had this big deal going. "Mascher went out of his way to tell us about himself," says Putter. "He told us he was a professional wrestler and claimed to be an honorary consul for Hungary. (The Hungarian Embassy said they had no record of Mascher on any list of people who had worked for them at any time.)



He showed photos of factory buildings in Budapest which he claimed belonged to him." (Mascher's name does not ring a bell with Hungary's current ambassador in Pretoria, Andras Kiraly.)

Mascher claimed he did not know who the opals belonged to, says Putter. "He said he took them to Hungary, where they were lodged in a safe deposit box at Citibank in Budapest. He had shown them to a potential buyer. He also told *Noseweek* about a scheme whereby the opals could be used as security for a credit line.

"Mascher offered to accompany us to Budapest to collect the opals. He didn't want

'He told us he was a professional wrestler and daimed to be an honorary consul for Hungary' to bring them back to South Africa himself, because he took them out of the country illegally. We declined and Louis [*Steyn*] decided to claim his opals from Lance [*Van Vuuren*] through a legal process."

What a mishmash of lies and deceit. But that's only Part One. *Noseweek* can reveal that about a year after scoring Bisogno's opals, Mascher popped up again in Kempton Park – and in a second sting tricked Bisogno out of another parcel of opals.

This time it was a whopping 9,000cts. "This guy Mascher just appeared again out of nowhere," young Amadeo Bisogno tells *Noseweek*. "My dad had just gotten a whole big shipment of these beautiful opals, huge things, the fire in them was amazing."

And for the second time, Bisogno handed over a parcel of gems worth millions. "My dad was sceptical, but he was a trusting man, you know. He does things the old school way, where a man of his word is a man of his word."

Part payment, says Amadeo, was a Jaguar Sovereign car ("which didn't work") and a Harley Davidson motor cycle. "The rest was supposed to be cash, but it never ever materialised."

(Ernesto's funder for the first opal deal, the respected gems dealer Larry Hood, was aghast when he later heard for himself of Mascher's repeat performance.

"Had I known he was in the country I would have done everything in my power to have him arrested," the respected dealer tells *Noseweek*.)

Now 23, Amadeo Bisogno says the millions lost to Mascher in the two stings finished off his father. "They wiped him out and it was the beginning of the end."

He adds: "I've been on the move since I was 16. I'm trying to delete everything from my past; they're not good memories. My father was always chasing money. He gave all his other kids (Amadeo has a sister and three brothers from Ernesto's earlier marriage) cars and travelling and this and that. He promised me the world from a young age and fought his whole life to try and get that for me. I have a very bad relationship with money from a young age, because I saw what it put my father through and how it brings out the darkness in people."

A gifted artist, Amadeo lived for a while in Cape Town, where he was signed up by a gallery. Then he decided to "get off the grid and stop chasing this whole money charade". He's now living quietly along the coast, working in a coffee roastery. ■ Skating on thin ic

#### KZN premier appears to be in disfavour with party loyalists. By Desiree Erasmus

T MAY BE COLD OUTSIDE THE ANC, BUT IT can also get frosty inside. Ask Kwa-Zulu-Natal Premier Senzo Mchunu, who felt the chills for months before receiving a series of ice-cold slaps in November and December.

Over the course of a few weeks, Mchunu lost his position as provincial ANC chairman, failed to make it on to the Provincial Executive Committee and was bumped to the second chair in the legislature's seating arrangements while he was away on business and the new chairman was being sworn in.

Mchunu's premiership is now a tightrope walk. Some speculators say he will be ousted after the 2016 municipal elections in order to avoid more political disruptions in the province. Until then – and if that even happens – Mchunu still retains value as premier in order to implement massive provincial investment projects that his administration spearheaded, many of which start in January.

Through a series of possibly coordinated humiliations the ANC has smacked Mchunu back in line, reminding him (and everyone else in the province) that the ANC is the Strongman in KwaZulu-Natal and that bootlicking is a prerequisite for its praise singer. That precarious profession now resides with Sihle Zikalala, a gung-ho cadre who has never held a job outside the party (see *nose*194).

Since taking office Mchunu has said one of his top priorities is to scrub the provincial house clean of corruption – which hasn't enhanced his popularity in provincial or party structures. Staff members say he faces a backlash on a daily basis because of the crackdown.

When Noseweek spoke to him shortly

before the provincial elections, Mchunu said that he gets "frequent" and "sympathetic" phone calls from people within ANC leadership circles "who come in good faith saying they want to advise me". His strong stand on corruption is not making him popular, his good-faith callers tell him. Though the callers don't tell him directly to back off, "they will tell you that you need to decide what you want to do if you want to proceed as a leader... It's like when people feel sympathetic and say you would be enjoying popularity [*if it wasn't for the hard way you are coming down on corruption*]," he said.

Mchunu says there is "nothing new" with the way he views corruption. "The stance that I am taking is exactly the stance that the ANC is taking." [*In his dreams!* – Ed.]

It is true that the ANC has taken a very verbal and public stand on corruption; their National General Council (NGC) in October was awash with it. The difference, Mchunu's fans will tell you, is that in KZN he has taken the talk one step further and is successfully having civil servants charged and jailed for feeding from the public trough.

Mchunu's supporters are fiercely loyal. They see him as something of an anomaly – a clean politician who runs himself ragged to fulfil his mandate as premier – and who balances party and provincial responsibilities. His detractors say he fails to put the party first and is "out of touch with people on the ground".

Since he lost his chairmanship, Mchunu supporters have twice marched on the ANC's Durban headquarters to show their distaste for what they call a flawed and manipulated provincial conference; they are demanding the provincial election be held again or, at the very least, that a re-count takes place. Critics see this as sour grapes and have called on Mchunu's supporters (and thereby Mchunu) to respect the voting outcome and focus on unity within the ANC.

"I am very concerned about fraud and manipulation within the organisation," said Mchunu. "Corruption is taken for granted, as if people are entitled to be corrupt, and it's fast becoming some kind of culture, unfortunately. [*The attitude is*] What else do we do? We have to be corrupt.' This in an environment where the salaries of civil servants, especially those who are senior managers, are quite reasonable, if not high!"

Mchunu tasked the KZN Treasury's integrity unit with leading the charge against graft, and some fruit has indeed been borne, with criminal cases being brought against almost 750 public servants for the 2012/2013 financial year. For the same period, more than 500 civil servants were convicted and sentenced for fraud and corruption.

"In the first quarter of 2014, 274 public servants were subjected to disciplinary hearings for grant-related fraud and 78 for fraud and theft," Mchunu told a supply chain managers' meeting.

During his state-of-the-province address in February, he announced that the asset forfeiture unit recovered nearly half a billion rand during 2014. In the first two months of 2015, he said, an additional R100m had been recovered. He had also tasked the provincial



Treasury with enforcing 43 cost-cutting measures, he said.

With his crackdown on corruption and the multi-billion-rand development underway in the province, Mchunu should be having a rip-roaring political year, but even as 2015 ended, the provincial party remained deeply fractured.

KwaZulu-Natal has been the tail that wags the dog during President Jacob Zuma's tenure and was pivotal in having him elected president in both 2009 and 2014. Past experience shows it is likely that, with or without Zuma at the helm of the party, KZN will remain a powerful lobby in the ANC. KZN is the biggest ANC province in terms of numbers, with 158,199 members, but it has also seen the biggest drop in membership – by about 38% since 2012, according to reports delivered at the NGC.

Whoever leads the province will become a kingmaker of sorts in the selection of the next ANC president and president of South Africa.

Under Mchunu's watch, the eThekwini Region – the most powerful in the province and the country – has been divided into two camps. Durban mayor James Nxumalo was said to back Mchunu in the provincial election and executive city councillor Zandile Gumede backed Zikalala.

Numerous disruptions led to eThekwini having to postpone its conference three times, but at the time of writing a date had been set, for 12 and 13 December.

Despite the infighting, the ANC in KZN is firmly in control, with no

real challengers. The once-formidable Inkatha Freedom Party, led by Mangosuthu Buthelezi, has been bulldozed into near obscurity, running just a handful of poor local municipalities. The DA may be the official opposition, but they hold a paltry 12.76% of the vote, opposed to the ANC's 64.52%.

Zikalala will need to balance party stability with factional interests while making sure his party doesn't lose ground to opposition parties. KwaZulu-Natal is a post-1994 success story for the ANC and they will want to keep it that way.

Entwined in all this are relations with the province's Zulu royal family and King Goodwill Zwelithini, who controls more than a quarter of KZN land and has in recent years shown a growing appetite for more power and influence on the province's economic and political trajectory.

Mchunu's administration – and that of his predecessor – are not viewed as being suitably accommodating to the royals, who are almost entirely funded by the province.

According to the annual report of the Royal Household Trust, King Zwelithini's reputation was damaged because the province refused to pay for his wed-

Mchunu's administration – and that of his predecessor – are not viewed as being suitably accommodating to the royals, who are almost entirely funded by the province ding to Queen Zola Mafu in 2014. The report also states that under Mchunu's administration, the household's budget – managed by the Royal Household Department – was consistently reduced until the department was closed in March 2015.

Despite the well-publicised Mchunu/ Zikalala split, both men steer clear of criticising each other in interviews. Mchunu said his relationship with Zikalala was "normal"; Zikalala said their working relationship was like that of "brothers".

That hasn't stopped their supporters from hurling insults at both men and each other, although by December the atmosphere appeared to have calmed. During the run-up to the election, Mchunu was mocked through struggle songs and booed off the stage at a meeting. He says this didn't bother him because, "I am a product of democracy myself."

"The only thing that I found seriously hurtful was when the chairperson of the Musa Dladla region passed on in an accident, and [*there were rumours that I was*] behind that accident. I have never felt worse in the ANC," said Mchunu.

(Thulani Mashaba, former ANC chairperson of the Musa Dladla region on the far north coast – encompassing Richards Bay, Empangeni, Nkandla and others – was also deputy mayor of uThungulu District Municipality. Mchunu's wife, Thembeka, is mayor of uThungulu. Mashaba had allegedly been slated to take over Zikalala's position as provincial secretary if Zikalala's run for chairman was successful. Mashaba died in July in a car accident near Ballito. He was known to be close to President Zuma and Zikalala.)

"I was quite alarmed... I was quite terrified," Mchunu said. "When I actually got an impression that even some of the senior leaders [*in the ANC*] acted in a manner that was indicative of people who believed this, I was quite shocked. There were people who assumed that Mashaba and I were enemies, when in fact we were not. I don't know where the assumption came from and what it was based on."

Mchunu is calm, almost dismissive when talking about the possibility of being recalled as premier. "I wouldn't even want to comment on that because I don't know what people's intentions are," he said.  $\blacksquare$ 





#### and pictures by Victoria

LOVIS LAWI CAN'T STOP THINKING about coffee: "I'll just be walking around and see something, like a tree, and say to myself 'I need to put this in a cup of coffee'."

Lawi and his colleague Rolly Kayenbe are masters of foam art at the Common Ground Café, overlooking Rondebosch Common in Cape Town. Lawi says he's been experimenting with his "drawing" technique for about three years and he and his colleagues inspire each other to create intricate, creamy images floating on the brims of coffee cups. Milk-pouring techniques, backs of teaspoons and toothpicks are skillfully and delicately used to create images that make his customers gasp in delight.

"How often do you try a new design?" "Every day. You have to try some-

thing new every day, " says Lawi. Having observed several foam-art designs being formed, my friend and I settled down with our works of art, only to be enthusiastically summoned back to the coffee station to view new designs for the next customers.

One image after the other was created within minutes, each more exquisite than the last, from birds in flight to a portrait of Helen Zille - the creativity is boundless.

This experience reminded us to make the most out of the small things in life: and starting the day by sipping an aromatic cup of coffee, bursting with life and artistry, is a foolproof way to lift the spirits and put you in a positive frame of mind.

The hearty laughter heard from Lawi and Kayenbe during the process can only enhance your caffeine high. ■



#### Natural Herbal Toothpaste



#### with Xylitol and **Curcuma Xanthorriza**



Its antibacterial and soothing anti-inflammatory properties

- Healing most mouth ulcers
- Xerostomia (dry mouth), possibly from medication
- Oral care related to chronic fatigue syndrome and cancer
- Maintaining overall oral and dental health

Available from health stores and Dis-Chem Pharmacies or our online shop www.masterhealthproducts.co.za





# Truth, Justice and the South African Way

#### TV pundit Justice Malala is disillusioned – but not despairing. By Sue Barkly

FEW WEEKS AGO, TV PERSONALITY and political analyst Justice Malala was on his way to visit his mother in Hammanskraal in northern Gauteng, when he came across a roadblock that some young kids had set up.

"They were protesting, burning tyres in the road. I asked them what the problem was. They said: 'Our water has been cut off. We're not moving until someone comes to address us. If we don't do this, we won't be heard'.

"What interests me about this – in context of the recent student uprisings – is that there are protests like this going on in about 40 communities every day," says Malala. That's the number which Police Minister Nathi Nhleko gave Parliament. Isn't that crazy? I mean, that's 14,700 service delivery protests a year – usually against an ANC councillor. Why isn't this government jumping up and down?"

The point, Malala says, is that the power and force of the recent FeesMust-Fall protests were a jolting wake-up call for the authorities. "But where have they been and what have they done about the growing temperature in all the disaffected communities scattered around South Africa? The ruling elite could well think they are just dealing with the students... but what next?"

I am meeting Malala a day after the launch of his book, *We have now begun our descent: How to Stop South Africa losing its way*, described as an honest paean to his country.

Nigerian academic and political analyst Kole Omotoso describes the book as "a timely book, an angry book, a young man's book... which, as one of its major achievements, does not compare SA to the rest of the continent. Rather the greatest and the best are the measures that Justice calls up and demands that SA emulate and surpass."

In the prologue, referring to the state of the nation today, Malala says: "I am angry. I am furious. Because I never thought it would happen to us. I never thought we would be having such a conversation. Not us, not the rainbow nation that defied doomsayers and suckled and nurtured a fragile democracy into life for its children. I never thought it would happen to us, this relentless decline, the flirtation with a leap over the cliff."

He's not the only one. The country right now is full of angry students, angry parliamentary workers, angry teachers and angry communities.

Malala comes across as gregarious and cheerfully fascinated by all aspects of the country of his birth. He also confirms his state of anger. "But," he says, "I am more likely to talk about it than throw a stone through a window." And he is not without a strong dose of humour about all of it.

I never thought it would happen to us, this relentless decline, the flirtation with a leap over the cliff We meet in the aftermath of the Fees Must Fall campaign. SAA has just been declared bankrupt. The SABC has crumbled. Other entities, like Eskom, Denel, the Post Office, the Road Accident Fund, to name a few, are in various stages of decline. South Africa has just been declared more corrupt than Nigeria. Julius Malema and his merry band of red overalls have vowed to occupy "each and every branch of Absa" next year until the bank intervenes to resolve inequality.

Allister Sparks has warned us all to brace ourselves for "the most challenging year since our liberation from apartheid," saying it is all about the economy.

Days later the global ratings agency Fitch would downgrade South Africa's sovereign credit rating from BBB to BBB-, one level away from junk status. Then Finance Minister Nhlanhla Nene was fired. Wits University's Vice-Chancellor and Principal Professor Adam Habib, fresh from the eye of the FeesMustFall storm, sums it up, saying: "There is a trust deficit in every aspect of our society. We do not trust the locations of power."

"Something is seriously wrong," says Malala. "The standard response to date when people have voiced their unhappiness, has been that they are paid by the CIA, or that there is a plot or a sinister force machinating behind the scenes, but the fact is – as seen in the Fees-MustFall protests – the government has been caught unawares and does not know how to fashion a response.

"Many ANC-aligned youth formations, like Sasco, Cosas and the ANC Youth League, have been leading these marches... and the ANC response has been, 'But you are part of us... what can we do with you? Why are you acting like this?"



"What they should be saying, instead, is, 'What have we done to push you to this extent?" It certainly amounts to a certain loss of touch."

Every week at the end of *The Justice Factor* – which, since its inception in 2008, has been required viewing for anyone serious about keeping their finger on the pulse of SA politics – Malala designates a "winner" and "loser".

He is not one to mince his words and has, variously, called President Jacob Zuma "the artful dodger" and Malema, "the buffoon of South African politics". He says about Mmusi Maimane: "The idea that having a black leader will somehow attract votes for the DA is one of the most enduring fallacies of the new South Africa."

For now, he is closely watching the student movement and other civil so-

ciety movements, "which are far from over".

"These young people are raging against the system and these are the signals we have to be very attuned to. But, I don't think we are listening much. There's this impression of 'Oh, this or that is happening', but, if you put it all together, we are talking about a lot of very angry people."

Malala predicts that 2016 will be one of – if not the most – challenging of the past 21 years. The FeesMustFall campaign is likely to intensify and lead to serious protests and disruptions that will put the ANC government under pressure in an election year.

"The local government elections will be noisy and disruptive, given that the ANC is under immense pressure in the major metros and may very likely find itself below the 50% mark in Port Elizabeth and even in Tshwane.

"All the economic indicators tell us 2016 will be hard and this will add political pressure on the ANC government. Unemployment and inequality are on the increase. Tax collections are down. GDP growth is anaemic. All these make for a volatile cocktail – and President Zuma is patently unqualified to bring any new ideas or leadership to the problem. I would say that 2016 is the year of tightening belts.

"The prospect of a new, dynamic leader to be elected by the ANC in 2017 may change the domestic mood and investor sentiment somewhat. However, 2016 will be a noisy, disruptive and tough year both economically and politically." Are voters about to leave the ANC?

"Yes, they are. If you look at liberation movements everywhere, many begin to lose their liberation dividend after about 20 years and the ten years after that are just diminishing returns for many of them. We have entered that period for the ANC... and, given all the other challenges the ANC faces, they are definitely going to lose votes.

"I also think that, generally, people are more amenable to voting for the opposition in local elections than they are in national elections. But I don't think it will be precipitous. We will see a slow erosion of the ANC's leadership from here."

For Malala, in the year ahead, the EFF is the party to watch. "They have branches in the townships... and that is why they got, without any publicity, those 45,000 people on to the streets when they marched through Johannesburg to protest against white monopoly capital. That is something we just haven't seen in South Africa.

"The EFF will, without doubt, have a good showing in the local elections. The DA needs to jack up its game... it is losing the excitement of being the main opposition. I do not think they will go backwards... but I feel its new leader has not kept up the relentlessness of the two leaders before him. They might still do well but I am not convinced that, in the long or medium term, they are playing their politics right. They are being outmanoeuvred by Julius Malema in the public space."

He believes that Nkosazana Dlamini-Zuma – who remains politically close to her former husband, will succeed him as president, rather than deputy president Cyril Ramaphosa.

Malala says his real "aha" moment, in which he realised – as the title of his book suggests – that South Africa had "begun its descent", was on February 12 last year, at the State of the Nation Address, when, "that secret army of men converged to shut down Parliament.

That event, more than Polokwane, Marikana or the day "a dictator was allowed to defy a court order and fly out of our country," was pivotal, he says.

Malala's book offers an 11-point plan to guide the ANC – the party in which he and his family invested so much – to avoid looming disaster and forge a future the country deserves.

His tips:

After two decades, it is now time to vote for delivery, not history: ("What if 'Action Man' [Zuma] continues on the same inactive and uninspired path he has trod since 2009? The greatest act of love anyone who cherishes the ANC can perform in the upcoming elections is to reduce its electoral majority. They should vote for an opposition party any opposition party - because what the ANC has built, the ANC seems hellbent on destroying. They should send the party a love letter that says, 'If you continue to treat us, the voters, and our party in this manner, then we shall kick you out of power'.");

Stop obsessing about mineral wealth. Obsess about valuesbased leadership

• Focus on building a capable merit-based state led by visionary political leadership: ("learn from Singapore... the late Lee Kuan Yew took over a country of 1 million people in 1965, when it was 'impoverished and diseaseridden'...it now sits on top of the global economic pile.");

• Protect our great Constitution



and its institutions, at all costs: ("Here in South Africa, every politician who sees a microphone complains about how the Constitution stops them from achieving something or other. The Constitution is our road map to a good society. We must defend it.");

• Take proactive, pro-growth measures to tackle inequality: ("I am my brother's keeper... if there is anything that sums up SA's wide Gini coefficient, it is Alexandra township and the rich suburb across the highway from it, Sandton. South Africa's extremes of inequality, unemployment and poverty are becoming increasingly stark. Should, metaphorically speaking, Sandton be taxed to make Alexandra a better place? Government needs to come to the party and raise some serious cash for SA.");

• Stop obsessing about mineral wealth. Obsess about values-based leadership: ("The challenge... is to produce and nurture the kind of leaders who can help us build prosperity without relying on our mineral wealth.");

• It's the Economy, Stupid: ("We are still ruled by the heat and emotion, the noise and the theatre of politics... instead of on just how much detail there is in the policies. We reward the loud and the showy and ignore and sometimes even punish the cerebral and analytical.");

• Back to School: ("We need to give our children and our young quality education right from the primary school ...all the way to technical colleges and universities.");

• Our chance, every day, to say no to corruption;

• Say this again and again: Jobs, jobs and more jobs;

• Implement the Plan you have – and the latest we have is the National Development Plan... which is an excellent piece of work and, if implemented, holds the key to a bright and prosperous South Africa. And there's no opposition to it; and

• A New Leadership Ethos.

Early in the book, Malala states his refusal to lower his expectations for South Africa.

"My anger is about the fact that we aimed so high, but are achieving so little and have come so low. The standard I set for all of us is the standard I grew up believing is the standard for full humanity for South Africa. He clearly believes that South Africans – capable of so many human achievements, historically – can turn South Africa around, but only if they come alive and tackle the present crisis with the urgency it requires.

Asked who he admires in politics today, Malala says: "As a type, I like politicians who are prepared to come on and fight... to engage. So, in the ANC, I have always found it very refreshing that Gwede Mantashe will show up and say, 'You are wrong'. He might think I am a CIA agent or a sellout or whatever, but he will, at least come out and engage and make the point. I admire and am grateful for people like him. Julius Malema, too, is prepared to engage, as is Helen Zille, who is always ready to come on and have the fight. In the political space, I am grateful for those people. And, who is the biggest loser of all time? "I think this will come as no surprise, but I think the President of South Africa has been absolutely atrocious on so many levels and he is at the centre of our politics. He is my loser of the decade. We all made a big mistake in 2009 by electing President Zuma – and the ANC, most of all, made its biggest mistake, as this has done nothing but accelerate the ANC's decline."

## From humble beginnings

USTICE MALALA IS MARRIED TO fellow journalist Justine, whom he met while they were both working at *The Star* "a long time ago". They live in Parkview, Johannesburg with their two daughters, Ayanda, 12, and Freya, 8. Justine, who is British, works as a producer for the BBC.

"Justine moved back to London and I moved to London, then we moved to New York, and then we came back to live here."

Besides presenting the eponymous *The Justice Factor* and writing political columns for newspapers, including *The Times* and *The Guardian*, Malala works in affiliation with Lefika Securities as a consultant for corporates on political developments in South Africa. That involves, for example, analysing trends such as FeesMustFall or predicting the outcome of next year's elections. "A lot of my work involves talking to people and getting a sense of where we are going," he says, adding that he is also working on a memoir tentatively titled, *All My Yesterday's Names*.

Malala was born in Johannesburg in 1970 to parents Steve and Sylvia, who both hailed from Tzaneen, Rain Queen Modjadji's territory. ("We always throw that in, as my mother makes a big thing about being related to the rain queen," he jokes.)

The family moved to Johannesburg, where Steve worked on the mines for Anglo American – and also signed up for night school. He read a great deal and worked his way up from labourer to wages clerk. The family lived in a mine compound before moving to Soweto.

Justice remembers his father as a

man always looking for opportunities. "My love of writing comes from my dad and I still have some of his books."

When the Soweto riots happened in 1976, Malala senior was deeply concerned that his children would not get a proper education. "He panicked and put us on a truck with our suitcases and moved us to New Eersterus, near Hammanskraal, where his sister lived. The nearby Eersterus was a designated coloured area... and New Eersterus was, in apartheid nomenclature, for 'people who were too dark'." The young Justice got his education in Hammanskraal.

"After moving us in 1976, my father would arrive home from Johannesburg for weekends with a bunch of newspapers and say, 'You guys must read these'. When he returned the following Saturday, we'd have to sit in front of him and tell him what we had read while he was away.

My mother always makes a big thing about being related to the rain gueen Malala was one of five siblings. His younger brother, Ernest, died, at the age of 14 in 1991, when he and a friend were hit by a bakkie while riding a bike outside New Eersterus. Ernest was already a staunch ANC activist. In the book, Malala writes, "When my brother's coffin was lowered into his grave, an ANC flag went down with it. The black, green and gold was in our blood... the beautiful melody of *Nkosi Sikelel' iAfrika* rose up over the New Eersterus Cemetery."

Justices's elder brother, Eric played a formative role in his life. "He was highly aware of what was going on, was an activist from early on... and was very generous with his knowledge. I followed him around like a little dog. I am sure I irritated him a lot. He told us all about Steve Biko and black power. I remember in 1980 he took me outside and told me to 'look north' because Zimbabwe was celebrating its independence. He said, 'Bob Marley will be singing there right now'.

In 1984, Eric was detained for about four months by the Bophuthatswana government – under whose jurisdiction Hammanskraal fell – along with other young activists. Malala recalls: "About 20 mothers didn't know where their children were. My mother would visit a different police station every two days to try to find out more about her child's whereabouts."

It was his brother's detention that sparked Malala's fire of political activism in the late 1980s. And he credits his Standard 5 (Grade 7) English teacher, Gerry Modise, as a big influence. "He told us after about a month in his class: From now on, you speak to me in English only. And from now on, if I see you walk past a piece of paper and not read it, you are in big trouble.' He also asked each of us to bring one book to school so that we could exchange them among ourselves. He really accelerated me. I read a great deal during this time."

Malala's mother was a domestic worker before taking up a position at the famous St Peter's Catholic Seminary in Hammanskraal. "In the 1970s, particularly, it was a safe place for a lot of activists. Organisations were launched there, the Azapo guys would come there, Steve Biko and all those guys would go there for retreats... and a lot of political activity took place at the seminary. It was about 1km from the main police training college – which was weird."

When Malala was 13, his parents separated. "They had a very bad breakup... he met someone else and we were basically just left behind. After a while he just stopped coming home at weekends. He walked away. So it sort of tapered off there and it wasn't a nice break-up but I guess none of them are ever nice."

The influence of his mother and siblings in his life was crucial, says Malala. "I had a very bad relationship with my father. He was quite violent."

As a top student, he won an Eskom scholarship to study engineering at the University of Cape Town in the late 1980s. He joined the defiance campaign, occupying the segregated beaches.

After two years of study, he realised engineering was not for him and he dropped out. "I had already been writing for all sorts of student publications and was freelancing as a journalist."

The newspapers – and some of their editors and reporters – during his early career made strong impressions on Malala. "The mid-1980s were really interesting as that was when *The New Nation* was coming into being... and Zwelakhe Sisulu was basically in detention throughout his editorship of the *New Nation*. He made a huge impression on me and was top of mind in my consciousness as a young journalist.

"Then *The Sowetan* was an interesting paper, and I loved *The Weekly Mail*. My father made us read *The Rand Daily Mail* and Jon Qwelane was a big influence. For all his faults, he had a very powerful voice."

Malala joined The Star in the ear-

### South Africa is going to implode because people cannot put food on the table or send their children to school

ly 1990s, completed their cadet programme and had stints as education, labour and political reporter on the newspaper, all the while completing a Politics and English degree through Unisa. In 1997, he left *The Star* to join the *Financial Mail* as a senior writer covering parliament and politics. He was awarded the Foreign Correspondents' Association Award for Outstanding Journalism later that year.

After a year with the FM, Malala joined the *Sunday Times* in Johannesburg and, in late 1999, after covering Thabo Mbeki's campaign, he was posted to London for the newspaper. When 9/11 happened, he immediately asked for a transfer to the United States and was tasked with setting up the paper's New York bureau.

While in New York, he got the call to return to South Africa to start the newspaper *This Day*, and he became its founding editor in 2003. He worked at *This Day* for about two years – "working very long hours and I hardly saw my family" – till it imploded.

He then became a consultant and worked on starting small newspapers, particularly in the Eastern Cape. From 2007, he worked as head of magazines for Avusa, before becoming general manager for *The Sowetan* and *Sunday World* until 2011. Since then he has been taking his pick – writing columns, hosting *The Justice Factor* – and working with Lefika Securities as a consultant for corporates on political developments in South Africa.

His columns have appeared in a number of publications. He once, rather poignantly wrote how it was "the small things" he observes in everyday life that really get to him in his work. Like the fact that a young Zimbabwean man working as a gardener in South Africa has a wife back home who is six months' pregnant, but he cannot be with her as he is forced to seek work outside his own country. Or the small community that for years has been waiting in vain for a road so the children can walk to school safely.

"It is these small, human moments that cause a weakness in my limbs... as my breath rushes out of my whole body... The Zimbabweans are not coming. The Zimbabweans are here. They are no longer a vast depressed heartwrenching mass. They are men and women, once proud, reduced to begging, to hustling, to a shifty-eyed nether world. It should not be like this."

Justice and Justine share a passion for running. And he loves "family time", like eating out, and especially travelling to game reserves for weekends.

"I still write a restaurant column for the FM. That is one of my hobbies... and we come to Cape Town a lot because my daughter is obsessed with surfing. Half of my latest book was written on Muizenberg beach waiting for Ayanda to finish surfing."

Malala loves being a parent. "I spend a lot of time with my children. I am blessed in the sense that I no longer have a nine-to-five job, and I work a lot from home, so I do a lot of taking to school etc."

Malala is planning to eventually read Thomas Pickety's *Capital* over the December holidays. "I'll be the one walking round with an 800-pager. I want to understand inequality and to be able to make a contribution to that debate in the South African context.

"I am fascinated by the race debate but... the really urgent problem is unemployment.

"What if unemployment was at 6% or 10%? An unemployment problem is one that we can solve with policy... They can have debates about race till the cows come home but, frankly, South Africa is not going to implode because of race... it is going to implode because people cannot put food on the table or send their children to school."

## School for Scanda

Attempt to hush up shock resignation of well-connected teacher. By Freda Postlethwaite

T ALBAN'S COLLEGE, ONE OF SOUTH Africa's most expensive private schools for boys (R197,300 pa for boarders) ended its Michaelmas term with pupils and staff receiving counselling following the shock resignation in mid-November of an unnamed teacher after an internal investigation into allegations of inappropriate sexual behaviour.

Great secrecy has enveloped the affair. St Alban's is an English-medium Anglican church school in Pretoria's Lynnwood Glen, and not even the Bishop of Pretoria, the Rt Rev Jo Seoka, who is chairman of its Foundation trustees, was told the name of the axed teacher.

All that headmaster Tom Hamilton confided to the bishop was that the teacher's father was a "well-known person". Hamilton refuses to name the teacher, or give any details, when approached by *Noseweek*.

"St Alban's College has reported allegations of inappropriate behaviour by one of its staff members to the police," reads his statement to the media.

"The staff member concerned has resigned. St Alban's will cooperate fully with the police in this regard and no further comment will be offered as this may jeopardise the investigation."

In late November *Eyewitness News* reported online that a newsletter sent by the school to parents told how a

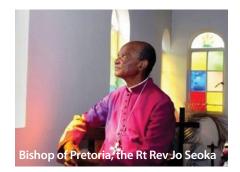
NOSEWEEK January 2016

male teacher from the college had been interviewed following allegations of a sexual nature and that "the staff member confirmed there was truth to the allegations and he subsequently resigned from his position."

A month after the alleged incident no arrest had yet been made and no-one had appeared in court related to the alleged incident.

So who is the teacher allegedly guilty of an offence of a sexual nature so serious that it warranted reporting to the police and the immediate termination of his employment at the school – but whose father is so influential that his name could not even be confided to the Bishop of Pretoria as chairman of the school's board of trustees?

The teacher's name is Sasha Lalla and his father is Lieutenant-General Raymond Lalla, former SAPS crime



intelligence chief and current deputy commissioner of the South African Revenue Service (**see: Editorial, page 6**).

Lalla Jnr's school email address has been terminated, all school sources and former pupils have refused to divulge his telephone number. He did not respond to a Twitter message. *Noseweek* will publish any response or comment he may wish to make as soon as it comes to hand.

*Noseweek* learns that the alleged incidents took place in a dormitory of one of the school's older boarding houses, MacRobert, which has revamped its sleeping quarters into smaller units for increased privacy. Lalla, a popular sports teacher at the school for the past six years, was attached to MacRobert as one of the house's resident tutors.

Gossip among the boys is that he was caught on video. And certainly at the internal investigation before he left Lalla was faced with video footage of his night-time comings and goings at the dormitory.

However, Hamilton was quick to deny to *Noseweek* that secret cameras routinely capture everything going on in the boys' dormitories. "There is video surveillance, with cameras monitoring people coming and going from a security point of view," he says. "In most cases they're intended to try and identify if there's a thief in the house, or if

#### Solara sauvignon blanc is produced only from grapes organically grown on Houtbaai Farm, McGregor\*



Only on sale at Mike Bamfield-Duggan's exclusive wine shop, Wine Concepts, corner of Main Street and Kildare Road, Newlands, Cape. Tel. 021-6719031 Michael@wineconcepts.co.za

Or online at www.lavernewines.co.za

someone comes in who isn't warranted. But you wouldn't put cameras in the children's private bedroom space."

St Alban's has two tiers of governance: the headmaster reports to the College Council, headed by Kuben Pillav, executive chairman of Primedia and includes David Brown (former CEO of Impala Platinum), Cheryl de la Rey (Vice-Chancellor and principal, University of Pretoria) and Siobhan McCarthy (head of group communications at Standard Bank). The Council carries responsibility for the college's operational integrity. The Foundation trustees, chaired traditionally by the Bishop of Pretoria, are responsible for investments, fund-raising and development to ensure long-term sustainability.

Says the Foundation's Bishop Seoka: "The teacher was filmed going into the dormitory. He was caught on the cameras as he went in. Apparently the boys didn't even know it was him, they thought it was another boy. According to the video he had been going there more than he was supposed to."

Seoka told *Noseweek* he didn't know the teacher's name. He says the headmaster told him that the teacher's father was "a well-known person, and for that reason I avoided asking. For me the name doesn't matter, so long as the matter is with the police let the criminal process take its course. When that has been finalised we apply the church disciplinary codes."

Sasha Lalla, who joined St Alban's in 2009 and was appointed to the full-time staff the following year, was a popular sports teacher at the college, which has 500-plus pupils and celebrated its 50th birthday in 2013. For a couple of summers Lalla managed the under-19A water polo team at the well-known Northern Tigers swimming club in Pretoria.

At MacRobert House, Lalla was one of four staff members appointed as resident "tutors" under housemaster Keith Viljoen. Lalla entered enthusiastically into house and school activities. "The

### Popular teacher was a sports master at the college

## PORTUGAL

#### Small Group Exclusive AN EXTREMELY RELAXED TOUR FOR THE DISCERNING TRAVELLER

Fifteen Days: 15 to 29 October 2016 Tour starts and ends at Heathrow. Four locations: Porto, Vila Vicosa, Alvito, Lisboa.

#### At each location:

 Accommodation in an ancient, stunningly beautiful, modernised Castle, Monastery or Convent.

- A welcome drinks and dinner evening and a guide escorted coach tour.
  - A totally free day (in Lisboa two free days)

#### Special events

• Douro Cruise

山中

• Village choir's private rendition in the group's castle courtyard

- Fado Club dinner and wine evening
  Port House Tour and Tasting
- Tour of the Roman ruins at Vidigueira
- Visits to Braga, Ponte de Lima, Elvas, Monsaraz, Alcaser do Sal, Sintra and Belem

#### **Contact Designer Tours**

calvin@designer.co.za

021-788-8440

the state main and the set



more you sweat in practice, the less you bleed in battle," he Tweeted in congratulation to St Alban's oarsmen on "an excellent season".

One of his motivational messages ran: "Not the colours of the jersey, or the badge on your chest, it's what's engraved on your heart."

And the day after Nelson Mandela's death Lalla's message was: "Let's honour Mandela's spirit by never returning anger and bitterness in kind, rather defeat those imposters with love."

At a Remembrance Day service in the school chapel in 2012, Lalla spoke of his family's exile to Swaziland in the apartheid era, and how his mother, in a case of mistaken identity, was shot and killed by members of the Defence Force.

Keith Viljoen, housemaster of Mac-Robert since 2009, also refused to name the departed teacher and demanded: "How do you know he was a tutor in my house?" He added: "I'm not allowed to comment, all communication has got to go through the headmaster."

In a letter to new parents, Viljoen has described MacRobert as "an energetic and sociable place where boys are encouraged to develop to their full potential. Comfort zones are a thing of the past. You have a huge role to play in this process and I would encourage you to become involved in all facets of MacRobert life, but to give your son the space he needs to grow, to stand on his own two feet, to make his own decisions and to reap the benefits – or sometimes the consequences.

"We are a community that enjoys each other's company, encourages deep and searching questions of the heart, asks difficult questions of each other and often you will find that we choose to move against the spirit of the day. This is a safe environment where mistakes are tolerated, but excellence is striven for."

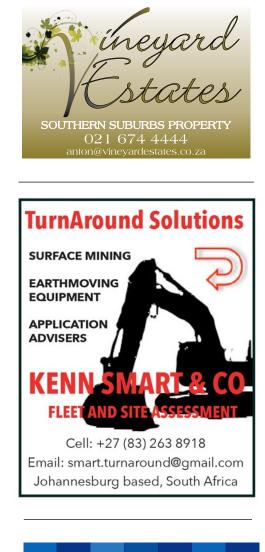
Headmaster Hamilton, who speaks with a touch of his native Irish brogue, hails from Sligo, came to South Africa in the mid-80s and was appointed headmaster of St Alban's in 2001. A couple of years ago he planned to step down at the end of 2014, but was persuaded to sign a new six-year contract, with the option of taking early retirement when he reaches 55 in 2017.

Now Hamilton's main concern is for the welfare of his pupils. "They've been hurt and they feel a little bit unsafe," he tells *Noseweek*. "It's important for them to feel they can return to school in January."

In Lt-Gen Ray Lalla's 16-year police career he was head of internal security in KwaZulu-Natal, rising to Divisional Commissioner: Detective Services and head of crime intelligence, reporting to the National Intelligence Co-ordinating Committee.

Pre-1994, he was a member of Operation Vula, Mac Maharaj's secret unit set up to plan and finance violent revolution. In the '80s he was head of military intelligence in the ANC's armed wing, Umkhonto We Sizwe, based in Swaziland and tasked with planning a bombing campaign in and around Durban known as Operation Butterfly. After testifying at the Truth and Reconciliation Commission he was granted amnesty in 2011.

Lt-Gen Lalla resigned from SAPS that year, to take a post in SARS, where he holds the title of senior manager, special projects. One such "special project", we learn, was a key role in Ivan Pillay's rogue intelligence unit at SARS, disbanded a year ago for illegal intelligence gathering. Lalla and Pillay are old comrades from clandestine days together in Operation Vula. ■





JOHN: 082 901 0824

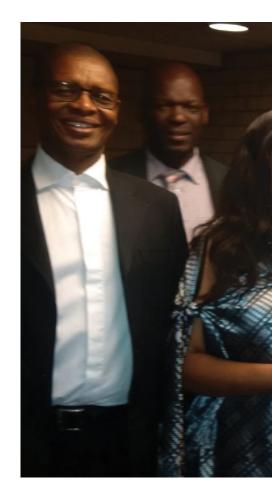
## Uneasy lies the head ...

Who has the greater right to the kingship of AmaMpondo aseQuakeni – Princess Wezizwe Sigcau or her cousin Chief Zanozuko Sigcau? Judge John Murphy ruled that the Princess ask the Constitutional Court to uphold her claim, but in the meantime President Zuma is legally empowered to recognise Zanozuko as King. The Princess has sought leave to appeal that ruling, but the ramifications of Murphy's Law go way beyond the interests of the AmaMpondo. Sanral, an Australian mining company, and all who cherish the Pondoland Wild Coast are stakeholders in the final outcome of a dispute that has simmered for nearly 80 years. By John Clarke

HORSE, A HORSE! MY KINGDOM for a horse! The last words of Shakespeare's Machiavellian King Richard III before he perishes in battle at the hands of the future king of England Henry VII, ring through the ages. Even if, today, royal succession disputes in South Africa are not decided on the battlefield but in the courts, they are still charged with the timeless theme, "...a personification of the Machiavellian view of history as power politics" according to Shakespearean scholar Janis Lull.

Most modern urban dwellers, regardless of race, believe that the institution of traditional leadership belongs to the Middle Ages and should be swept aside as an expensive patronage system that dangerously distorts the proper flow of political power from the bottom up, and warps democratic accountability. Yet for more than a decade the late king of the AmaMpondo aseQuakeni, King Justice Mpondombini Sigcau, his Queen and their daughters have stood fast against the politics of patronage and corruption and instead tried to shape their kingdom as an inclusive institution that safeguards the constitutional rights of their subjects, especially when democratically elected politicians, CEOs of state-owned entities and wealthy foreign mining entrepreneurs violate them.

Five years have passed since President Jacob Zuma announced on 29 July 2010, that, in accordance with the



finding by the Commission for Traditional Leadership Disputes and Claims, Mpondombini needed to relinquish the throne because his nephew Zanozuko Tyelovuyo Sigcau was indeed the rightful heir to the throne of AmaMpondo aseQuakeni, as he had claimed.

Why? Because the Commission decided that, following the death of King Mandlonke nearly 80 years ago, the decision which gave Mpondombini's father Botha Sigcau the throne was wrong, and that his uncle, Nelson Sigcau, ought to have been named iKumkani instead.

The commission had ruled that upon Nelson Sigcau's death, his son Zwelidumile would have been entitled to the kingship, and therefore upon his death his son Zanozuko was entitled to inherit the throne. That meant that Botha's genealogical line – his son Mpondombini and his first-born daughter Wezizwe – inherited an illegitimate dynasty, and unless they could successfully get the courts to overturn the commission's Royal line-up outside the North Gauteng high court (front, left to right): Adv Patric Mtshaulana SC, Crown Princess Wezizwe Sigcau, Queen Lombekiso Ma Sobhuza Sigcau, Adv Pule Selaka; (back, left to right): Chief Mkwedini, Chieftainess Sigcau, Chieftainess Matwasa



determination, they would have to vacate the Quakeni Komkhulu (royal residence) and allow Zanozuko to move in and get paid the salary and receive the perks of the position.

In this real-life Shakespearean drama, Zanozuko had been given the "horse" by the commission, but was prevented from mounting it because Mpondombini Sigcau challenged both the substantive grounds upon which the decision had been based, as well as the technical, procedural validity of the president's certification of Zanozuko.

An urgent interdict was granted in August 2010 to prevent Zanozuko's certification and installation, and a threeyear-long legal battle commenced. Mpondombini lost in the high court but the matter was escalated to the Constitutional Court on appeal, where his legal team, led by Advocate Patric Mtshaulana SC, argued that the president's certification was invalid because it was only formalised after the fiveyear lifespan of the commission had The President had not 'tightened the girth strap of the horse needed in Pondoland's Game of Thrones' expired and after amendments to the Traditional Governance Framework Act had come into effect.

The amendments modified the powers of the president, and obliged him to consult with the affected traditional community before any decision over a disputed claim could be made final.

Advocate Norman Arendse SC argued the case for the President and commission, in vain.

As to the substantive issue of the method and finding of the commission, the Centre for Law and Society had been admitted as Amicus Curiae, and Adv Tembeka Ngcukaitobi, instructed by the Legal Resources Centre, motivated that a traditional leader who was appointed by the state was then no longer a traditional leader but a stateappointed functionary; that the commission's dependence on parliamentary statute rather than prevailing customary law was unconstitutional: and that the reliance on a rigid genealogical approach to determining succession was ossified, and failed to recognise the living dynamics of customary law.

The argument that won the day for Mpondombini was Adv Mtshaulana's procedural case: the President had not firmly tightened the "girth strap" of the saddle of the horse that Zanozuko needed to ride triumphant into the Pondoland *Game of Thrones*. It all came down to a matter of how to interpret statutes and resolve certain ambiguities of language used. Zanozuko might have been heard to lament "a word, a word. My kingdom for a word".

As to the substantive award of the "horse" to Zanozuko, the court chose to remain silent, consistent with the judiciary's tendency to seize upon a procedural flaw to kick a substantive issue into touch, especially issues that questioned executive decisions.

To add to the complexity, tragically, King Mpondombini was not present on 13 June 2013 when the Constitutional Court unanimously granted his application to have Zanozuko's appointment set aside. He had passed away while awaiting judgment.

Notwithstanding the doubts about his legitimacy, the government still accorded him a state funeral, fit for a king. Numerous dignitaries turned up to the funeral on 25 April 2013, including two cabinet ministers to represent the President. "He was the last man who spoke the truth. All the rest are liars" lamented the irrepressible Minister of Sport Fikile Mbalula.

Eastern Cape Premier Noxolo Kiviet expressed a different attitude. Laying aside her prepared speech, she opted to berate the King as he lay lifeless in his coffin. "Those people who stand against this democracy that we fought for, who think they will rule this nation through the courts of law, are causing a problem. I don't want to disturb this service. The matter that is causing conflict will have to wait for the court but we are expecting, especially in matters of developing rural areas, to have a clear path".

Mbalula's tribute and Kiviet's appalling abuse of decorum at the funeral, as well as the unfolding court case are featured in the award-winning documentary *The Shore Break*. The legal battle is one of three narrative threads; the Xolobeni Mining conflict and Sanral's N2 Wild Coast Toll road are the other two. Kiviet clearly had these big development schemes in mind.

King Mpondombini, his Queen and their daughter Crown Princess Wezizwe Sigcau have stoutly defended the constitutional rights of the directly affected local residents to oppose these schemes and decide their local destinies locally.

Zanozuko is loudly supportive of both. His rule would "provide a clear path to the development of rural areas". Zanozuko adheres to the Noxolo Kiviet school of imposed development.

The film moves to a climax featuring Princess Wezizwe Sigcau, first-born daughter of King Mpondombini and his Great Wife Queen MaSobhuza Sigcau jubilantly celebrating outside the Constitutional Court after receiving the judgment that granted her late father's dying wish. In accordance with Mpondo customary law she was duly named by her mother and the Royal Council as hereditary successor. President Zuma sent two senior cabinet ministers to the Quakeni Great Place to convey his congratulations and goodwill.

Alas, what promised to be a fairy tale ending soon transmogrified again into Shakespearean tragedy.

When presented with the formal papers to sign off on the decision by the royal family so that the princess could draw her salary and entitlements, the Presidency baulked. Seizing on the silence of the Constitutional Court on the substantive grounds for the decision, the Minister of Cooperative Governance and Traditional Affairs went back to court with their canny counsel, Adv Norman Arendse SC and Adv D Borgström, to seek three declaratory orders.

First was an order declaring that Princess Wezizwe Sigcau had no right to claim the position of Queen of the amaMpondo aseQuakeni because the Commission had already found in favour of Zanozuko. Second was an order declaring that "the President was required and empowered only to implement the decision of the Commission of 21 January 2010 upholding the claim of Mr Zanzuko Sigcau, to be the rightful king of the amaMpondo aseQuakeni". Third was "that section 26(2)(a) of the Traditional Leadership and Governance Framework Act 41 of 2003, prior to its amendment by the Traditional Leadership and Governance Framework Amendment Act 23 of 2009 ("the Amendment Act"), did not permit, require or empower the President to identify and follow a process of consultation with the royal family of amaMpondo aseQuakeni before implementing the Commission's decision, and only requires the President to publicise the decision of the Commission, and issue a certificate of recognition under section 9(2) of the Act".

Judge John Murphy did not grant the first order, ruling that the Constitutional Court must still ultimately decide if Princess Wezizwe Sigcau's claim to succeed her late father King Mpondombini Sigcau has more merit than that of her distant cousin Zanozuko Sigcau. However he also declared that until that happens, President Zuma can legally appoint Zanozuko as King.

Princess Sigcau's team have lodged an application for leave to appeal against the second and third declarators. If granted, it will serve to ensure that the President has to hold his horses in certifying Zanozuko.

Will Murphy's law be overturned? If so, it means that all those who have been counting on Zanozuko to ease the very troubled passage of the Xolobeni Mineral Sands' mining rights application, and the commencement of the N2 Wild Coast shortcut, will have to continue waiting.

• See www.theshorebreakmovie.com

and John Clarke's e-book, Survivor Wild Coast: Before and Beyond The Shore Break, http://www.amazon. com/John-GI-Clarke/e/B014HK-5BXY/ref=ntt\_dp\_epwbk\_0 ■

## Traditional rule still has clout

HEN CARTE BLANCHE AIRED a story that showed the Green Scorpions flexing their muscles to stop the domestication of the Wild Coast by white city dwellers building holiday cottages in the Mngazana area near Coffee Bay, it looked like a good news story. Illegal structures were torched and bulldozed and the unity of common purpose shown between the headman, Fundile Msikantsi, and the head of enforcement for the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (Dedeat), Div de Villiers, seemed a formidable force. The Wild Coast was not the Wild West. Laws existed and they would be enforced to send a strong signal to any opportunists who thought they could get away with carving out a piece of paradise without a permit.

However the reality is that the remoteness and inaccessibility of the area generally places it further than the (ever-shortening) arm of the law can reach. In these parts it is the Traditional Authority system that provides a governance structure offering at least some means for ordering the common good. To adhere to customary law and also comply with statutory law is complicated. It needs wise and educated leadership. Misapplied, they easily cancel each other out, and the Wild Coast gets wilder still.

Some residents in the Lubanzi community at Mngazana feel aggrieved – not because they don't cherish the pris-



tine natural scenic beauty but because they feel that the chiefs give in too easily to the government and don't consult much with communities. They believe the Green Scorpions are being misdirected by a traditional authority that is profiting from the illegal excavation of river sand for construction purposes.

"The issue is not the few relatively harmless holiday shacks; but rather the illegal sand mining and the right to our land," says Siphamandla Makhaya, a local resident who has been working with Wild Lubanzi Backpackers, owners of one of the demolished beach cottages.

"We are community members who have been lied to by Dedeat and have also been given false promises.

"Enforcement is not pleasant" says De Villiers. "The Wild Lubanzi owners bought a cottage that did not have a Permission to Occupy certificate. We explained that to them. The department has invested an enormous amount in environmental education beforehand. With very limited resources at our disposal we try to work with positive energy on the ground."

It is a familiar narrative: young backpackers from afar hike on the Wild Coast and can't believe that such pristine natural beauty still exists on our despoiled planet. Dreams are dreamed and connections made with local residents to author an enterprise. Rules will be pragmatically made on the basis of necessity as circumstances demand.

However not all interests at play are altruistic and noble. Rare cycads, river sand, indigenous timber hardwoods, crayfish and marine resources fetch a price in an external market. The Green Scorpions have a genuine desire to protect and conserve the coastal zone, and have an enormously complex set of stakeholders to engage.

For the past five years the Eastern Cape authorities have been working on a coastal development plan, with yellow lines indicating nodes where people can live if they fall within the line they have drawn to protect the coast, and zones that must remain under conservation.

Business and party-related interest groups have been rubbing their palms in anticipation. But the plan has not

> Rumour has it that politically connected entrepreneurs want to position themselves for land options

been openly publicised, leading to suspicion that politically well-connected entrepreneurs want to position themselves to get the best options ahead of the competition. De Villiers claims it has been published for comment and will soon pass into law.

Makhaya has meanwhile approached the Public Protector, accusing the environmental authorities of misleading them.

"The Public Protector has not yet acknowledged our complaint and we are going to be sending a second email to ask why in the next few days. There are other community members who would like to add to the complaint. We hope she takes us seriously and that we are not just dismissed."

Constitutionally the Public Protector is the perfect authority to intervene. But the PP is even more stretched than the Eastern Cape Department of Environment, Development and Economic Affairs. The PP's regional offices have closed down due to severe financial constraints because of her courage of speaking truth to power.

Meanwhile the Lubanzi community can take heart from the enlightenment of the Crown Princess of the amaMpondo Kingship to the north, Princess Wezizwe Sigcau, who envisions a maturing of the Traditional Leadership System to resolve such tensions.

"The role of traditional leaders is to become custodians of the Bill of Rights on behalf of rural residents whose land rights are held under communal land tenure especially Section 24 of the Bill of Rights, which refers to their 'Right to an environment that is not harmful to the health and well-being, and to have the environment protected for the benefit of present and future generations'.

"That mandate does not only arise from the Bill of Rights. It is a duty that is implicit in our sense of accountability to our ancestors, who are identified within the Earth. The strong attachment to the land which traditional communities have is a source of indigenous knowledge and, properly understood, it is a progressive, inclusive cosmology.

"As the planet is increasingly compromised by a development logic that places life at the service of the economy, traditional leaders and customary law works from the inverse assumption. The economy must be at the service of Life."  $\blacksquare$ 

## **Greed City ignores the Protector**

#### Durban has a problem – a R1.6-billion problem. By Elisabeth Hamilton

THEKWINI MUNICIPALITY'S LIBERAL use, or misuse, of a little-known clause of the Municipal Finance Management Act has sparked a probe by the Public Protector.

Thuli Madonsela's office has cast a wide net, asking for records of all transactions under Section 36 of the act, dating back to 2004/05. But Durban's leadership has ignored all requests for information despite all the files being deemed public documents.

Section 36 allows circumvention of normal supply chain management processes in an emergency – effectively allowing officials to hand any contract of any value to anyone of their choosing on the basis that it is "an emergency".

While the policy was intended to facilitate, for example, helping families whose homes may have been destroyed by a fire, opposition parties claim Section 36 has been used to dish out lucrative multi-million-rand housing tenders to a select few at inflated prices.

The DA, the official opposition in KwaZulu-Natal, lodged a complaint about the practice more than 12 months ago. DA city leader, Zwakele Mncwango, who is also the provincial leader, said they had raised a flag because he believed construction company Zikhulise Cleaning Maintenance & Transport CC - owned by flamboyant nouveau riche couple S'bu and Shauwn Mpisane (see noses100 109;125 &150) has a corrupt relationship with the city. The pair are reported to have netted, since 2012, at least R739.1m in contracts to build houses through the city's use of Section 36.

Last year the pair also bagged a R405m non-Section 36 tender to build 2,350 low-cost houses in Umlazi.

The Mpisanes successfully beat the city in a high court case when municipal manager S'bu Sithole tried to cut



them out of contracts. And charges of fraud and tax evasion against the Mpisanes were dropped because the NPA bungled the case. The couple – who have friends like former top cop Bheki Cele and acquaintances in the Zuma clan – have survived many highly publicised "white-wash probes" by the city and the provincial government.

But even former city manager Mike Sutcliffe believes Durban Metro's use of Section 36 is excessive, even though he was similarly accused, while in office.

According to the city's annual report, in the last financial year it used Section 36 no fewer than 869 times (but only 23 times under the header "emergency") to the tune of R124.1m. The rest included paying for services to 40 separate service providers (R206.8m), while only three instances were related to art or historical works (R630,000) and animal purchases stood at R26,000.

Listed as "exceptional cases where impractical to follow due process", Section 36 was used 789 times to the value of R835.1m. Additionally, 13 service providers netted R506.5m for "minor deviation from standard process". "Minor," presumably, as the city has a draft budget of R39bn for the 2015/2016 year.

Criticising the increased use of Section 36, Sutcliffe pointed out that when he was municipal manager, the city had the World Cup to deal with, requiring "regular circumventions of policy".

"Given that an Accounting Officer (ie Sithole) must apply his mind on each case individually, you would have to look at that and see whether or not he had validly done so," said Sutcliffe.

Sutcliffe said when he was accused of misusing the policy he had challenged "all naysayers" to probe as much as they liked. "No-one was able to argue that I had not applied my mind in terms of Section 36," said Sutcliffe.

There is no love lost between Sithole and Sutcliffe. In 2012 Sutcliffe served a R10m summons on Sithole, who had told the media he would seek to recover R1.1m, lost under Sutcliffe's tenure, to fraud and corruption. Eventually Sutcliffe withdrew the defamation claim. In return Sithole unreservedly withdrew the fraud claim.

When *Noseweek* asked Sithole about his use of Section 36, he offered the rote answer: "The use of Section 36 is allowed according to the Municipal Finance Management Act No. 56 of 2003... however, the City has established very strict controls to reduce the number... These measures have seen a positive result with a great reduction ...in the last financial year..."

He also said the city would "cooperate fully with the Public Protector's office".

Not so, says the DA city leader Mncwango, who maintains that the policy use and abuse has continued unabated. He said the Public Protector had informed him that they had been compelled to approach Nomusa Dube (MEC for Cooperative Governance) to force the city to cooperate."

Mncwango said his complaint to the Protector was about the Mpisanes and

ANC chief whip, may have tried to mis-

lead council by declaring himself as "Mr

Stanley" on a company disclosure docu-

ment, allowing him to do business with

the city to the tune of R12m. Xulu and

three others were fined a pittance and

the city. "My feeling is there is a corrupt relationship between the two which needs thorough investigation. They took my complaint and have since enlarged their scope of investigation".

The Protector's office did not reply to queries from *Noseweek*.  $\blacksquare$ 

## **The Manase Report**

THE MANASE REPORT IS DEAD. It was the forensic report that was expected to jolt Durban's establishment into urgent action – and it made for salacious reading. Former mayor Obed Mlaba was implicated in a multi-billion-rand waste collection tender scam and Metro Police officers were revealed to be ignoring fines on illegal taxis they owned. Other officers were coercing trainee cops to buy their drivers' licences.

The 7,050-page report was commissioned by MEC for Cooperative Governance and Traditional Affairs Nomusa Dube. Undertaken by Manase and Associates, it was completed in 2012 but only became public – including to opposition council members – in June 2013.

The report revealed the existence of a revolving-door culture and a blatant disregard for ethics by councillors, staff and service providers. The forensic investigators found that in numerous incidents there was prima facie evidence that political leaders, staff and private enterprise had conspired on several fronts to seize tenders in the hundreds of millions of rands by skirting policies designed to prevent fraud, corruption and racketeering.

However no senior politician or official has ever been charged, let alone found guilty. Instead, they have either been absolved or moved on to better things and now, in theory, could sue the metro for defamation.

The findings read like Corruption 101: ten councillors had done business illegally with the council to the tune of R19.4m. One, Senzangakhona Shange, told investigators he was "aware of the code of conduct which forbids councillors doing business with the metro, but did not know all of it".

Stanley Xulu, the current eThekwini

der there is little evidence it was ever paid. The former mayor, Obed Mlaba, was found to have improperly influenced the awarding of a R3bn tender for the running of the Solid Waste Reduction Plant and Bisasar Rd Landfill in Umtisgeni to a company in which his daughter was a director.

> The report revealed that Mlaba's involvement in the project was known by the KZN ANC leadership while his daughter's "business partners" included another former city mayor, Bheki Mtolo.

> Despite overwhelming evidence of interference, affidavits and signed statements confirming Mlaba's alleged meddling in the contract transaction, the council deemed that further investigation was "unwarranted because council didn't incur losses".

> Mlaba, who apparently referred to the since-cancelled deal as his "pension plan" is now High Commissioner to the United Kingdom.

> The report said that former municipal manager Mike Sutcliffe told the investigators that Mlaba's direct involvement in the landfill tender was "the single most divisive issue" in his professional relationship with the former mayor.

> Sutcliffe himself was found to have contravened the Prevention and Combating of Corrupt Activities Act, and his own senior management blamed him for the turmoil experienced in council. Sutcliffe called the report "a waste of time and money [*that*] did great harm to the city's image".

He gave a detailed rebuttal, included

in the document, refuting any charge against him and alluding to manufactured allegations by "a particular faction in the ANC", crafted in a way that pointed towards Mlaba, whom they wanted out. Sutcliffe has maintained that the investigators never properly gave him or others, including Mlaba, the opportunity to respond to any allegations before making them public.

The report also had much to say about the administration. It found that the city's treasurer Krish Kumar, head of infrastructure Derek Naidoo, housing boss Cogi Pather, and the IT head Jacquie Subban had flagrantly disregarded their own policies. Kumar and Subban were cleared, while Naidoo and Pather resigned.

The Manase investigators also highlighted as unusual the Umlazi B Housing Project in which Zikhulise Cleaning, Maintenance & Transport CC, run by Durban businesswoman Shauwn Mpisane, was awarded the contract with no specific sum. The Manase investigators were never able to calculate just what Mpisane was paid, but her lifestyle suggests it was a large sum.

The report also made damning findings against Gralio Precast, owned by Durban businessman Jay Singh, who rose to national notoriety in 2013 when a mall he was building illegally in Tongaat collapsed, killing two people. His company's work at one housing development was described as "shocking, unacceptable, dangerous, substandard" while other projects in which he was involved had massive cost overruns.

Singh survived these findings and netted one of the biggest real estate deals in the city, obtaining a slice of a R25bn project known as Cornubia Development near the King Shaka International Airport. ■ **Election night in Buenos Aires** 

## All change at the Casa Rosada

Never mind packing for Perth – would-be emigrants might consider tangoing to Argentina. By Hugh Oatley

N 22 NOVEMBER ARGENTINA voted for an end to the populist rule of Cristina Fernández de Kirchner who, with her late husband and predecessor, Néstor Kirchner, had ruled the country for 12 years.

Those 12 years have brought consistency to a country whose reputation for political instability and financial mismanagement is legendary. Since 1930 Argentina has suffered 16 military coups d'état (twice in 1943) and achieved notoriety in 2001 for the largest default in the history of the International Monetary Fund. The number of political dissidents and activists who were "disappeared" under the last rule of the military Junta between 19761983 is believed with some credulity to be around 30,000; shot, tortured and thrown from aircraft over the muddy waters of the Rio de la Plata.

Of the three periods of relative postwar stability in Argentina under firstly Lieutenant-General Juan Perón from 1946-1955 (when he was ousted in a military coup) and Carlos Menem from 1989-1999, whose policies sowed the seeds for Argentina's astounding collapse in 2001. The Kirchners presided over the third period, from May 2003 to the present.

Néstor Kirchner, who died in 2010, was a relatively unknown governor from the distant province of Santa Cruz in Patagonia. He succeeded in uniting the country under his own brand of Perónism. His wife Cristina took the reins in 2007. The first family appeared untouchable, at least until the shock waves of the global financial crisis began to make themselves felt and the cracks in Argentina's fragile recovery began to appear more obvious, exacerbated by an interfering, overblown and cronyist public sector, presided over by ministers of dubious qualification and talent.

Néstor Kirchner's death in 2010 produced an outpouring of misdirected sympathy for Cristina, whose election to office for a second term in 2011 had much to thank for it. Finding resonance in the works of Argentine political theorist Ernesto Laclau, her message is to the nationalism and discontent of the growing numbers of urban poor and the youth movement, La Cámpora - headed by her son Massimo, known by his detractors as El Gordito, "little fatso" - that has corralled much of the sentiment and youthful ire which gave rise to the revolutionary activism of the 1970s.

In the years since Néstor was gathered to God, Cristina's unashamed publicity machine has decreed that her rambling and often-tearful speeches are staged before a vast picture of Eva Perón, her sorrowful mascara-ed eyes glancing upwards meaningfully when she refers to "him", her departed husband and guardian Néstor, up there on a cloud, or wherever it is such people go when the burden of statesmanship finally tires them.

It is by such increments that the doctrine of populism moves perceptibly towards cultism and there is no greater cult in Argentina than that of Evita.

Both women claimed to champion the cause and dignity of the poor. Christopher Hitchens in his exposé of the cult of Mother Teresa The Missionary Position argued that the sainted Albanian was "not a friend of the poor, she was a friend of poverty". Poverty suited Teresa of Calcutta, as it did Evita or Cristina, but the latter's attitude to the trappings of her position as both First Lady and as President appear more invidious in the present day: the fancy clothes, never worn a second time; the jewels; the unexplained personal fortune built on hooky property deals in Patagonia in the 1970s when her husband was making his rise up the ladder in local politics and the law; and



the presidential jet, *Tango One*. (*Obvia-mente*! What else would it be called?)

Rio Gallegos is in the far south of Patagonia and is the provincial capital of Santa Cruz. It's a dull outpost built firstly on fishing and the livestock from the *estancias* (ranches) of the interior, and more recently on oil. The architecture is solid and utilitarian, along the shore are sturdy holiday houses built for the strong winds and chill of Patagonia and the south Atlantic – a hint of Scotland or Central Europe in their design.

Passing through in 2006, I wondered whether the Kirchners would have been so successful if more Argentinians had been to Rio Gallegos. It is emphatically a one-family town: Néstor's sister Alicia is standing for governor, but for all the wealth of Santa Cruz's resources, the shanty-towns stretch for kilometres, blasted by dust and the incessant wind.

It takes a cult of personality to convince the inhabitants of these shacks that their wellbeing is the priority of the lady aboard the gleaming jet when it roars over their heads, coming or going from distant Buenos Aires.

Louis de Bernières' brilliantly lyrical and poignant South American trilogy alludes to many of these factors in a broadly Latin-America context: the ascent to power and the indulgence and misuse of it by populist leaders and dictators suspicious of foreign influence and contrary political doctrines.

But how big is the leap between a populist leader and an entrenched and even benevolent dictator? What was Chavez? Or Mussolini, or Kenyatta? What is Putin? Argentinians have rejected that path and the diversionary populism that leads to it. They've seen it before. A taxi driver made the point to me just prior to the presidential election and Mauricio Macri's victory, that it mattered less to him who was the winner, only that the country needed change at the top. *Cambiemos*. Let's change.

As with an increasing number of countries, today Argentina has for decades managed to function despite its leaders rather than because of them. At the turn of the 20th Century its economy was bigger than that of France or Spain. The fanciful architecture and sheer size and glitz of Buenos Aires give the hint to the fortunes made.

President-elect Mauricio Macri's en-

deavour is to return the country to its rightful place as a grown-up regional power, open for business in a world more troubled idealogically and politically than it was even a month ago.

Some of this will be unpalatable; the negotiation with vulture funds, the devaluation of the currency, the Malvinas question. But all of these are issues about which his predecessor was determinedly intractable and petulant. The country needs them resolved, but Cristina Kirchner refused to address them in any manner resembling an adult dialogue.

By now doing so, Macri will release the confidence and financial credit of a world increasingly starved of places to invest. Russia is under sanctions, China is looking shaky, Brazil is mired in corruption and economic stagnation and resources prices that drive Australia or Africa's growth are as flat as the prospects for the continent's slumdwelling millions.

There are opportunities in Argentina both for big business and for individuals, and not necessarily for purely economic reasons.

James Neilson, writing in the *Buenos Aires Herald*, makes the chilling point that the misguided bickering, ineptitude, and head-up-ass behaviour of European politicians is giving rise to a situation where "Argentina had better prepare herself for an influx of refugees fleeing – not from the Muslim world – but from western Europe".

As a nation built entirely on immigration and an ability to integrate newcomers without preference or cultural indulgence, the prospect from a European or South African perspective begins to bear thinking about. There is no "us and them" in Argentina. It may well turn a corner in the coming years and will rediscover the potential that everybody knows is here.  $\blacksquare$ 



Cristina's jewels and unexplained personal fortune recalled Evita Peron's excesses

#### CHELSEA FLOWER SHOW tour in support of SA's Kirstenbosch entry

#### **2016** 7-day extravaganza

Private VIP tour of Chelsea with gold medalwinning SA designer David Davidson, plus Champagne Breakfast

See the finest English gardens including Highgrove, country estate of HRH Prince Charles, and other magnificent private estates in Oxfordshire and the Cotswolds

Enjoy flowers, fine food & theatre **Departure 21 May** Book now for this 7-day swirl of glamour Enquiries

Gillian Durrant (021) 683 2838 083 261 3961



Our services include sourcing (all over South Africa), supplying and installation of original reclaimed Oregon pine flooring.

We also do repairs, extensions and new installations on joists or directly on concrete screed flooring.

#### Contact: Kurt Zincke

082 258 1125 kurt@oregonpineflooring.co.za www.oregonpineflooring.co.za

#### Klein Karoo Gem

A brilliant lifestyle opportunity A steal at R3,2m 4 bed house, cottage, shed 1 of 16 plots. 120ha within 2040ha Pristine with variety of game World heritage site Visit **P24-101653257** for details. **083 325 2526** or **082 411 0950** ivanvanlier@gmail.com

## Faking it

Lies, damned lies and CVs. By Gerrie Pieterse

ITH THE SLEW OF FAKE qualifications that seems to have plagued the public sector over t h e past year, many 00 school-leavers will wonder whether it's acceptable to alter their matric certificates in the hope of increasing their chances of finding a job. One popular ploy is to add desirable subjects such as maths and science, another is to change symbols from, say, an E to an A or a B.

Police recently arrested members of syndicates alleged to have forged documents ranging from passports and IDs, to matric certificates, to permanent residence permits for illegal aliens.

Kirsten Halcrow, CEO of background-screening company EMPS, said matric certificates were the most widely forged qualifications documents.

"There is a perception that if senior members of government can lie about their qualifications – and in many cases, get away with it for years – why not take a chance in the hope that nobody will take the trouble to verify the certificate?"

Halcrow said the majority of CVs submitted to her company for vetting contain some embellishments, ranging from non-existent matric certificates, inflated education, unfinished degrees and even fake degree certificates.

"Lying or embellishing qualifications constitutes fraud – a criminal offence.

"One of two cases that may lead to many more prosecutions are that of former police spokesman, Vincent Mdunge, 49, who was sentenced to five years' jail for fraud and forgery over a fake matric certificate. Durban Regional Court Magistrate Thandeka Fikeni noted: "There is absolutely nothing respectable about white-collar criminals and crime'. The other notable case that highlighted the prevalence of qualifications fraud was that of Passenger Rail Agency South Africa (Prasa) former Head of Engineering services in the rail division Daniel Mtimkulu, who is facing criminal charges for allegedly having lied about his qualifications.

"He claimed he held a doctorate, among other qualifications. It also emerged that he was not registered with the Engineer-

ing Council of South Africa. "These two cases have

changed the landscape and I believe we are going to see many more prosecutions," said Halcrow. She stressed that to lie on a CV was not just the proverbial "little white lie", it was fraud.

She said that although employers had a responsibility to verify all information on a CV, it was incumbent on the job applicant to be honest and forthright on his or her CV.

"Problems lie not only with embellishment but also with omissions. If a job-seeker has a criminal record – however petty the crime may be – they are obliged to disclose it. If an employer does a proper background screening, a criminal record check will usually form part of the process.

"There is no question that job-seekers are getting jobs for which they are not qualified because employers are simply too lazy to do proper background checks.

"In addition to putting their companies at risk they are also denying qualified job-seekers who have put in the blood, sweat and tears to get the necessary qualifications, the opportunity to get the jobs they deserve," Halcrow said.  $\blacksquare$ 

## Books

#### LEN **ASHTON**



### **Season's regrets and promises**

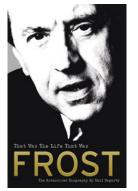
ANUARY: THE SEASON OF REGRET, OF promises to do better next year, term, lifetime. So where do find hope and/or encouragement? Why the Books Column, where else? Publishers obviously have a vested interest in encouraging readers, who may have wilted in the hangover month.

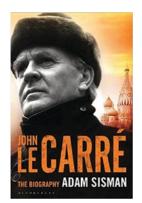
It is of course unnecessary to consult the soothsayers about what's peeping over the horizon, since publishers generally give generous notice of their intentions. And, judging by early reports, there are signs of a rich harvest this year.

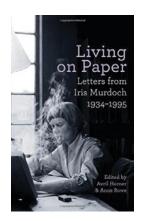
It is at times like this that readers should bow their heads in prayerful thanks for knowledge of the English language and its infinite literary variations on ideas and creativity. The contemporary publishing range is, as it has been for many years, mind-blowing.

In the solemn interests of information and instruction (okay, pleasure too), let us consider a tiny selection of possible coming attractions. Lovers of spy-vs-spy drama will be intrigued to know that **John le Carré: The Biography** by Adam Sisman (Bloomsbury) promises to reveal the soul of Mr Espionage himself.

Over the long years of his phenomenal successes, fans have mused on the motivation behind the depiction of all that international skulduggery in high places and low. Unsurprisingly, the wicked character of his con-man dad turns out to have been a sharp goad. Ironically, the man who infuriated the young David Cornwell (Le Carré's real name) appears to have been a major cause of the novelist's huge success. Many readers cottoned on to this belief over a period, particularly in A Perfect Spy. The humiliations of the young schoolboy who realises the flash father is no good are painfully rendered and moving. And they have the ring of truth. Well, eventually as we know, The Spy Who Came in from the Cold did so to great advantage. He is a rich man now.







Former president Richard Nixon never did stumble out of the chill of his dethronement, but the man who nailed him did very nicely for himself, thank you. The suave interviewer who tricked Tricky Dickie into confession was David Frost and the tale is told in by Neil Hegarty (WH Allen) in *That Was the Life that was Frost*.

The treacherously charming Frost, of humble British background, smoothly inveigled himself into power and influence, and even married a Duke's daughter. The Nixon tale is history – and Frost ensured that his own monicker is also recorded forever.

And speaking of history: perhaps we shall learn the true fate of the late King of Kings: *The Triumph and Tragedy of Emperor Haile Selassie of Ethiopia* by Asfa-Woosen Asserate, translated by Peter Lewis (Haus Publishing). His Imperial Majesty ruled with an iron rod, and his people remain awed by his memory to this day. It is reported that his ministers bowed to the telephone when receiving a call from the Conquering Lion of Judah.

Literary royal treatment is given in Living on Paper: Letters From Iris Murdoch 1934-1995 (Chatto & Windus) edited by Avril Horner and Anne Rowe. Some readers may be interested to know that the blue-stocking impression the distinguished novelist gave veiled a tumultuous and richly varied love life, preserved in endless correspondence with friends and lovers. Many of whom made sure to preserve the evidence for posterity.

A quotation from a letter to political philosopher Michael Oakeshott apparently encapsulates her romantic energy: "I am not at the moment in love with anyone, thank God. Instead I am quasi in love with about ten of my friends."

Roll on 2016. The literary portents at least, are promising. Reality is another matter. ■

## Down and Out

#### ANNE SUSSKIND



### **Confusing times. Oz comes to a standstill**

Y NOW THE WORLD KNOWS THAT, ON a horse with odds of 100-to-one and wearing the colours of the suffragettes, diminutive Michelle Payne, 30, became the first woman jockey to win the hallowed Melbourne Cup, the 155-year-old race that sees Australia come to a standstill, transfixed by their television screens.

Perhaps less well known is that Payne, whose groom and strapper is her Downs Syndrome brother, is the youngest of ten children (seven are jockeys) who lost her mother when she was six months old and a sister after a 2008 riding accident. Moments after her win, she said that everyone who didn't think women good enough should "get stuffed".

The new "face of" and brand ambassador for the upmarket department store David Jones (owned by South Africa's Woolworths) is Adam Goodes, the Aboriginal AFL player who was repeatedly booed on the field after taking a strong stance against racism. Goodes will also advise David Jones on its Reconciliation Action Plan (RAP). More than 500 Australian businesses have RAPs aiming to bring about Aboriginal advancement.

Each week, ABC TV talk show host Annabel Crabb takes a dessert to the homes of different government ministers, and they cook lunch. It's a successful format but critics such as Amy McQuire, writing on the website *New Matilda*, argue that Crabb's "sickeningly sweet" profiles humanise politicians, "coating their numerous acts of structural violence with sugar frosting... this taxpayer-funded sycophantic date with power... completely dumbs down debate."

Last month, Crabb gave Social Services Minister Scott Morrison roses, while he cooked a Sri Lankan curry and made chapatis. "What a renaissance man you are," Crabb told Morrison, who'd been at the heart of the "stop the boats" policy which helped the Liberals win the 2013



election, and a few months later, as Immigration Minister, was taken to the high court for holding 157 Tamil asylum seekers (including 37 children) on a customs ship for over a month while he tried to get them deported.

Crabb says she aims to share with her audience what politicians are really like, and the "usually invisible" influences on their decision making, which only journalists and insiders are privy to normally. "Our democracy is big, vigorous and free," said Crabb, "with more than enough room for a few pockets where conflict isn't an obligatory part of the equation... The new media landscape is heaving with old and new players, on various platforms, locked in minute-byminute competition to expose, investigate and hold to account anyone in public life."

Five specialist teams, including principals, counsellors and psychologists will be "deployed" to New South Wales schools to identify vulnerable students at risk of radicalisation and develop strategies to counter violent extremism.

Announcing a package of new measures after the October shooting by teenager Farhad Jabar of police accountant Curtis Cheng outside NSW Police headquarters, State Premier Mike Baird, said: "We are locked in a global struggle with cynical manipulators who exploit vulnerable young people and children to commit acts of terror."

It's been a great relief to see the new PM Malcolm Turnbull on TV instead of the foot-in-mouth Tony Abbott. Turnbull is articulate, intelligent and definitely more progressive (e.g. he accepts samesex marriage and is a staunch republican). But, despite high hopes, there are misgivings. Friends of the Earth have labelled as the "stuff of satire" his honouring of an Abbott promise to industry to investigate the health effects of wind farms which he found "visually awful" and noisy.

The new "wind commissioner" is on AU\$205,000 a year part-time, for three years, which is being contrasted with the scrapping, for budgetary reasons, of the role of full-time disability commissioner at the Australian Human Rights Commission (AHRC).

From the AHRC head, Professor Gillian Triggs, Turnbull has received a qualified tick. Triggs says she's heartened by his emphasis on the rule of law, but that it will be challenging to respond to global insecurity and mounting terrorist threats with "rational and proportionate" measures to protect borders, while upholding fundamental freedoms and protecting asylum seekers.

Under Abbott – perhaps a desperate last-ditch stance – Australia announced it would re-settle 12,000 Syrian refugees. But on radio recently the ex-PM was to be heard invoking his (Roman Catholic) faith against asylum seekers: "I don't think it's a very Christian thing to come in by the back door rather than the front door."

What about via the stables? asked one commentator. Then, on the speaker circuit in Europe, at the Second Annual Margaret Thatcher Centre Gala, he said the "wholesome instinct" to love our neighbours was "leading much of Europe into catastrophic error".

We live in confusing times.

### Last Word

#### HAROLD STRACHAN



## Men. Bunch of bastards

REMEMBER PEOPLE IN THE BAYNESFIELD area who lived in a yellowwood house, and I don't mean a house with floors and ceilings of yellowwood, this part and that; the whole of this one was yellowwood except the tin roof. Unpainted; over the years, many many of them, it had gone a gentle grey to meld into the landscape, no nunu had been able to eat it, and on the sunny side lichen had grown.

And that's how I've always seen yellowwood; a working timber for ossewaens and farm furniture, chopped from one's local bit of indigenous bush in a fold of the hills. It doesn't have the beautiful grain of fancy furniture, just that nice buttery character which you can buff up now and then with beeswax and turps. A bit of porridge spilt on it, a sewing machine thumping on it, such family roughness only make it more part of the family, kind of cosy, and that was our table come up from the Cape in my grandmother's days.

Heavy turned legs and a top four centimetres thick, and big, man, as big as a ping pong table, with drawers all round. Small wonder our grandkids had their neighbourhood school pals in to do their projects. Our quiet home was like a classroom after supper, man, except the kids were of all ages, eight to 18, strangely serious and quiet. Over here was a place for grown ups and guests to take tea and talk their grown up mumbo jumbo, and here one evening sat a certain crabby old menopausal sack from Ladysmith, name of Mev van Niekerk, bemoaning her ill luck in life. All of it.

Yê-ê-ês, Mister Strô-ô-ôchan says she, just because my name is Van Niekerk it doesn't mean I don't go to church. I have been a goood woooman but God is p!-unishing me. The kids roll their eyes heav'nwards. I think to myself if I were God I too would punish you, bejasus, the way you complain about the life I've given you. She blathers on and on, and what she blathers about is that men are



swine, all of them, not noticing that I myself am of such Schweinerei. She puts her restrained speech down to long oppression by the men of this world never permitting her the right to free opinion. Maar dit help nie om te kla nie, says Mrs Van. I just hold my tongue.

You know, says she, my brother-in-law is such a bastard and he spends all his time with tarts and bimeby my sister got the hell in and met a nice man from the Fullgospelchurchof Gaaard who is not such a bastard and doesn't use dirty unchristian language and of course bimeby she had a baby and her husband who is such a bastard himself said it wasn't his baby and he goes to bliksem this other man who isn't such a bastard but it turns out this other one is a boxer and bliksems him instead and reports him to the police for assault. Oh dear! I declare. Ja, says Mrs Van, her skinny lips compressed, nodding. One thing leads to another, I tell you.

Not necessarily, says Inkazimulo down the other end of the table. He's the main brain round here, he's at varsity. In the Big Bang everything happened at the same time, says he. Mrs Van slowly blinks, like she's just heard a piece of furniture talking. If all things are consequential they should be predictable, says Kazi, you should be able logically to predict all weather 100%, and if you went back far enough you would find everything was predictable at the moment of the Big Bang, including your sitting here blinking.

Yirra Yissis! says Mrs van Niekerk. A sequential time-line would be an asymptote on curved spacetime, meeting the curve at infinity, says Kazi. Nee, God! says she, and turns to me. What's he talking about, man? Science, says young Billy, who is Kazi's disciple doing matric.

Mrs van Niekerk is entirely dumbfounded. She forgets to close her mouth for a good long while. Why is that black one doing that thing? says she to me. Kazi, say I, why are you doing physics? So I can go and be an officer on one of our turbo-electric submarines, says he.

On what? she cries. A great big submarine called the SAS Winifred Madikizela-Mandela, says Billy. She grips the edge of the table and goes all wobbly. I quickly fetch the gin from the kitchen cupboard and tonic from the fridge and some lemon slices and pour her a stywe dop. Here's to you, say I, never mind the submarines, what were you saying about your life in Ladysmith?

No that was my brother-in-law in Harrismith, says she. My son-in-law in Ladysmith, now, he is such a bastard he borrows his wife's car because he's out of petrol and he goes off with all sorts of whores and comes back in the middle of the night and... and... kisses her. And... and... men are all just a bunch of bastards, I'm telling you. ■

#### Smalls ads must be booked and paid for online. Book at: **WWW.NOSEWEEK.CO.ZA**

FOREIGN HOLIDAY ACCOMMODATION

#### PARIS FRANCE

Sunny, spacious apartment Fully equipped kitchen 5 mins from Champs Elysees, shops, restaurants, airport shuttle & metro. EnglishTV, free internet and phone. €110 per day www.pvalery.com 25 Rue Paul Valery, Paris 75016 Metro Victor Hugo

082 900 1202; Paris:+33 617 045 290 putz@icon.co.za

Paris apartment Centrally located Montergueil (2nd) Reasonable rates, internet, TV, etc; Lindsaygunn@noos.fr; +33 62 034 6710. Bordeaux Modern self-catering in the heart of the winelands. Ideal for wine tours. From €73/day. Visit www.bordeauxwinelands.com

#### LOCAL HOLIDAY ACCOMMODATION

Llandudno 2bedroom 2 bathroom penthouse apartment available April to October; johnsonr@iafrica.com.

Southbroom Holiday House. KZN South Coast. 150m from main beach. Sea and lagoon views. Sleeps 8. Good security; www.southbroomhouse.co.za or bookings@southbroomhouse.co.za

**Clarens near Golden Gate** in the beautiful eastern Free State: Rosewood Corner B&B offers all you want for a break from it all. Call 058 256 1252.

**Arniston** Stunning seafront home perched on cliff top overlooking beach. Breathtaking position and panoramic sea views, 5 bedrooms, 3 en-suite, serviced; 082 706 5902.

**Cape Town, Camps Bay** 5 star, 2, 4, 5 and 6 bedroomed villas. Beach House on Glen Beach. Main House and/or penthouse;

mlpope@telkomsa.net; www.glenbeachvillas.co.za **Bishopscourt**, Klaassens Road, 200m from Kirstenbosch Gardens Rycroft gate. Tranquil B & B in an acre of gardens. Call 021 762 2323. www.kleinbosheuwel.co.za





Karoo Magic Cottage on conservancy over Ceres mountains overlooking the Tanqua. 2 doubles plus 4 bunks. Comfortable and cozy. Succulents, rock formations, dams and game. Landline/wifi. Call Karel or Susan 023 004 0176. Umhlanga 2 bed, 2 bath stunning, serviced sea-facing apartment with DSTV; 082 900 1202; putz@icon.co.za

#### LOCAL PROPERTY FOR SALE

Nosing around for property in Langebaan or the West Coast? Call Melanie Mouton-Creugnet 079 378 0000 or email melanie@sothebysrealty.co.za

Knysna Central Apartment in Main Road with business rights. 178m<sup>2</sup>, 3 bed, 1½ bathroom. R620k. Visit P24-101712981. 083 325 2526; 082 411 0950.

**Limpopo** Beautiful Lodge with breath-taking view of the Waterberg in Mabula Game Reserve. Rm7.5; email joani@senco.co.za

#### FOR SALE

**Tinus & Gabriel de Jongh** paintings bought, sold and valued for estates and insurance; 021 686 4141; dejongh@yebo.co.za; www.tinusdejongh.co.za

New 3-Phase Diesel Generators 40, 60, 100, 200, 350 & 500 KVA. Open & Closed models of each. New stock arriving weekly. Go to www.r21plant.co.za

**Tent Pro cc** sells new army tents (5x5m and 10x5m) and dome tents. Go to

www.tentpro.co.za or call Philip 082 537 2894.

#### SERVICES

Silver Spoon Function hire. Hiring of cutlery, crockery, linen, glasses, marquees, stretch tents, heaters, etc. For all your hiring requirements; 011 262 2227; www.silverspoonhire.co.za French sworn translator Countrywide. Experienced in mining rights, court and tribunal papers, official documents. My CV, testimonials and samples of my translations are available on request. Christine: 071 356 8279; christine@thefrenchpage.com

## **Editing and writing services** For friendly and creative editing, writing and "how to write" services. Contact Richard; ReWrite@gmail.com; 083 557 7462.

**Need a loan** quickly against your JSE listed shares or other assets? Call Andrew 083 308 8204.

#### WANTED

**Unwanted firearms**, left from deceased estates or simply a bother to keep?

david.klatzow@mweb.co.za is looking for a variety of weapons to add to a forensic collection used for research.

Classic cars Karman Ghia Fiat 124 Sport Mercedes 250C W114/W115. Call Rudy 083 273 2014.

#### **COURSES AND TUITION**

French lessons Learn to speak, read and write French in the greater Johannesburg area with a Sorbonne-degreed, native French speaker from Paris. Private or group lessons as well as corporate clients. Christine: 071 356 8279; christine@thefrenchpage.com

**Golf Psychology** Good golf is all in the mind. I can fix yours. EGTF Pro DEV Call 082 440 7164.

Need a break – need a farm sitter Email: gubba8451@gmail.com or Call Dave Willment on 073 618 8451.

#### **LEGAL, INSURANCE & FINANCIAL**

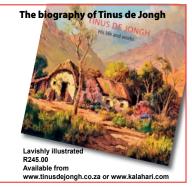
Jurgens Bekker Attorneys, Bedfordview Commercial and litigation; Call 011 622 5472; jurgens@jurgensbekker.co.za

**Lawyer.co.za** is a new website for members of the public with extensive information about lawyers and the law in SA. Research the law, or find a law firm. Also available in Afrikaans at www.Prokureur.co.za

**Anglo Cape Confirming** offers assistance with financing your company's imports. Go to www.anglocape.co.za or call 021 419 5820.

#### PERSONAL

Looking for Mr Handsome Attractive, independent, sassy brunette, tired of kissing frogs. Where's Mr Handsome, kind, adventurous, outdoorsy, epicurean, established? Fine dining, beach picnics, travel, humanitarian. Email: thelink@live.co.za





## **SUBSCRIBING IS EASY**

Never miss an issue...Free early delivery...Enjoy massive savings



#### ONLINE 🥑

#### PHONE

POST

www.noseweek.co.za or email subs@noseweek.co.za

Call **021 686 0570** with your credit card details or fax **021 686 0573** or **0866 773 650**  Make your cheque out to **Noseweek** and post to: Box 44538, Claremont 7735

**SUBSCRIBE** OR RENEW THE **PRINT EDITION** FOR **R374** (12 ISSUES) OR GET A COMBINED **PRINT AND INTERNET** SUBSCRIPTION FOR JUST **R474** 

Apart from having SA's top investigative magazine delivered to your door, you could also win one of five Ken Forrester wine packs. Subscribe now and stand in line to score.

**CONGRATULATIONS TO THIS MONTH'S WINNERS:** 

Mrs Gwynneth Cluttey, Kensington Mrs Anne de Clery–Scott, Observatory Mr Brian Jonker, Heldekruin Mr Tshifhiwa Matodzi, Honeydew Mr Mellville Priest, Roodepoort



#### SMALLS ADS

The deadline is the 24th of the month, two months prior to publication. Ads are prepaid at R200 plus VAT for up to 15 words, thereafter R15 per word plus VAT Please note that multiple (long-term bookings) are now available online.

#### **BOXED ADS**

Boxed ads are 6cm (1 column) wide, and are charged at R900 for the first 3cm and R250 per additional cm (length) plus VAT. Payment is due within 30 days of invoicing Please contact ads@noseweek.co.za to book or phone 021 686 0570.

#### DISCLAIMER

Although Noseweek does reject obviously questionable ads, it can't run checks on every ad that appears in the magazine. The magazine doesn't endorse the products or services advertised and readers are urged to exercise normal caution when doing business with advertisers.

## QUALITY PUBLICATIONS CHOOSE A QUALITY PRINTER

### COLOURTONE ARIES PRINTERS OF CHOICE

For all your printing, packaging and display requirements contact colourtone aries on 021 929 6700 or

www.colourtonearies.co.za info@colourtonearies.co.za





