

**Shareholders
outraged by Investec
deal with KPMG**

**Sydney wake-up
call finds Bobroff
in his jammies**

**Liquidator
Berrangé in
pig-farm poo**

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noseweek

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227 SEPTEMBER 2018

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love paying fines**

**KZN killers-for-hire
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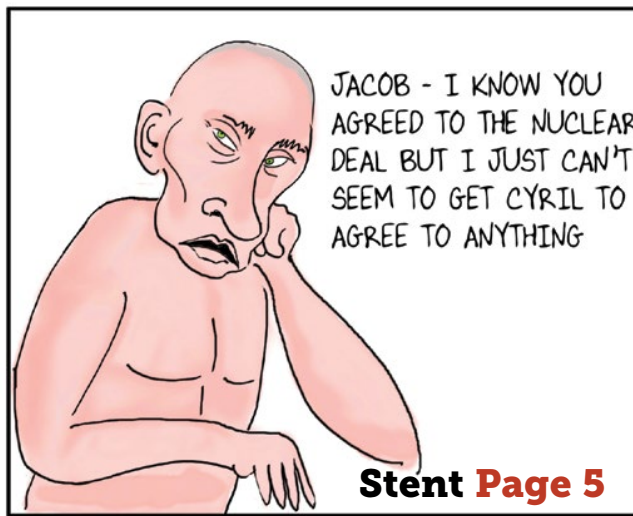
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Letters

Signed up while phone off

WHEN I DISCOVERED THAT MTN WAS illegally charging me for third party content providers, I complained on their Facebook page and got this response: "Thank you for your post. The registration of these services is completely voluntary and is activated on the handset by the user of the device. You need to dial *156# option 97 option 12 or *136*5# to unsubscribe from these services".

My reply was, how did I subscribe when I was asleep and the phone turned off? The "unsubscribe" link didn't work and I had to phone them to get rid of it. Only lost R6 but the annoyance cost much, much more.

Linda Howe-Ely
Cape Town

■ I DISCOVERED VODACOM IS IN CAHOOTS with a company called Basebone, stealing R6 every day from my Vodacom account. Vodacom are complicit. I carried on like a fishwife on both of their Facebook pages and eventually, to keep me quiet, I got a double refund of R430. Don't just accept it... kick up hell until you get your money back.

Joy Termorshuizen
Cape Town

■ WHEN I DISCOVERED THAT I WAS BEING charged for third party services on the MTN network, I called them to complain. The response: "some kid might have used my phone".

But there's no chance of that.

Heide-Marie von der Au
Midrand

Toyota killer taxi vans

NOSEWEEK USES LOADED LANGUAGE AND innuendo to build the case against the sale of modified vehicles. The implication is that many Toyota franchised dealers were directly and willingly involved in the sale of modified vehicles.

The truth is that most of the panel vans were modified and sold by non-franchise used-car outlets

who saw an opportunity when Toyota was unable to supply.

The taxi associations were more than happy to issue permits for these vehicles and as usual the banks turned a blind eye.

Lloyd Macklin
Vaal Marina

No, we make the point that Toyota and its dealerships knew why the sale of panel vans had doubled in a year, but said nothing for three years because it suited them; even after that, they simply quietly created a legal out from liability for themselves, but failed to warn the public.

As the story also points out, taxi associations and banks were equally at fault because it was the most profitable route for them to follow, never mind a few hundred deaths and scores of unsophisticated new taxi owners left burdened with a debt they can never repay. – Ed.

Banking on the bar

BANKS AND THE LEGAL PROFESSION are professional crooks. The Johannesburg Bar Council's response to the overcharging by three of its senior members (Editorial, *nose226*) is appalling.

One wonders what happened to the VAT raised on the fees.

Andre Crause
Southbroom

'Jersey Way' echoes in Mauritius

HAVING READ NOSEWEEK'S ACCOUNT OF the Brakspear family's sorry experience at the hands of a biased Jersey court (*nose226*), in my experience Mauritius is not that different.

Wait-and-see
Johannesburg

Cele as prosecution and defence

SURELY SOMEONE WITH THE RIGHT LEGAL mind can point out to us what is wrong here and save the taxpayer a few million in this farce?

Anthony Krijger
Westville

Admiration for Gift of Givers

SUSAN SEGAR'S ACCOUNT OF HER TRIP with Gift of the Givers to aid the drought-stricken farmers and community of Sutherland (*nose226*) is the best story of the year from *Noseweek*.

It gives me new hope for this country and the world.

A F Leger
Plettenberg Bay

■ GIFT OF THE GIVERS DESERVES AS much media attention as is possible in this generally Godforsaken world. I know of no other such organisation which works as efficiently and cohesively to do good.

Mo Haarhoff
Stellenbosch

Iqbal gets an ant up his trunk

I SALUTE THE FINE EXPOSÉ OF IQBAL Survé by Ed Herbst, (*nose226*). It gives me solace and company in my outrage. But there are a growing number, I gather, now alert to the bigger picture, not to mention the selective servings of Dr Iqbal and his sell-outs.

Nowadays I'll occasionally browse through a coffee bar *Times*, as one might scan a somewhat entertaining curiosity: its undisguised partiality, its klutzy agenda-driven crusade. Shame on the lot of them.

As for the *Cape Argus*, the "all-seeing eyes", how about an appropriate name-switch to *The Cape Cyclops*: one-eyed, fixated siblings.

Trevor Ruthenberg
Sunningdale

■ I WAS DELIGHTED TO READ THE ARTICLE by Ed Herbst in the latest *Noseweek* tackling megalomaniac Dr Iqbal Survé. I have written many articles for the *Cape Argus* and *Cape Times* over 20 years, but that came to an abrupt end when Dr No and his band of yes-men took over.

The majority of pale-faced writers were booted into touch at about the same time that Alide Dasnois was fired by Survé. Out went all the

regular loyal (read mostly white) contributors to both newspapers and in came the new kids on the block, who within no time were DA bashing and turning Patricia de Lille and Survé himself into rockstars.

Any hint of approval for their masters in the ANC in your letter, and you are guaranteed space on their Letters page.

A message to Survé: even an ant, as small as it is, is capable of taking on an elephant by climbing up its trunk.

Colin Bosman
Newlands, Cape Town

Bheki's butt of a joke

"YOU KNOW, THERE IS SOMETHING VERY wrong about this #MeToo movement where people [ie men accused of sexual harassment] are being tried by popular opinion. You can forget about innocent-until-proven-guilty – once you are exposed on social media, your goose is cooked" (Letter from Umjindi, nose226).

Nah! There was something very wrong when ladies didn't dare tell of

the abuse. This is way better. All of you feeling sorry for big, strapping, rich males, get real!

How many ladies do you know (I mean actually, personally know – your sister, your wife) who would like to state publicly that they were raped?

The rest of your post is good, but that sentence needed calling out.

Get Real
Montclair

Yes, and no. In situations where the police and prosecuting authorities are totally ineffective, doing nothing for years – eg the non-prosecution of Jacob Zuma re arms deal bribes and failure to render accurate tax returns for a decade, and those scores of women who lay rape and similar charges that never get beyond a "lost" police dossier – then publication is the only alternative route to some form of justice. – Ed.

Tell the DA

I DON'T KNOW WHO ELSE TO TELL. THE DA is losing all credibility here in KZN. Tell them to stop washing

their dirty linen in public. Leave De Lille and Zille alone. It's scary how quickly their name has become tarnished.

And what can we do? Egos are destroying the party. It's the leadership not leading. Send the leaders to PMB to note how bad leaders destroy everything of any value.

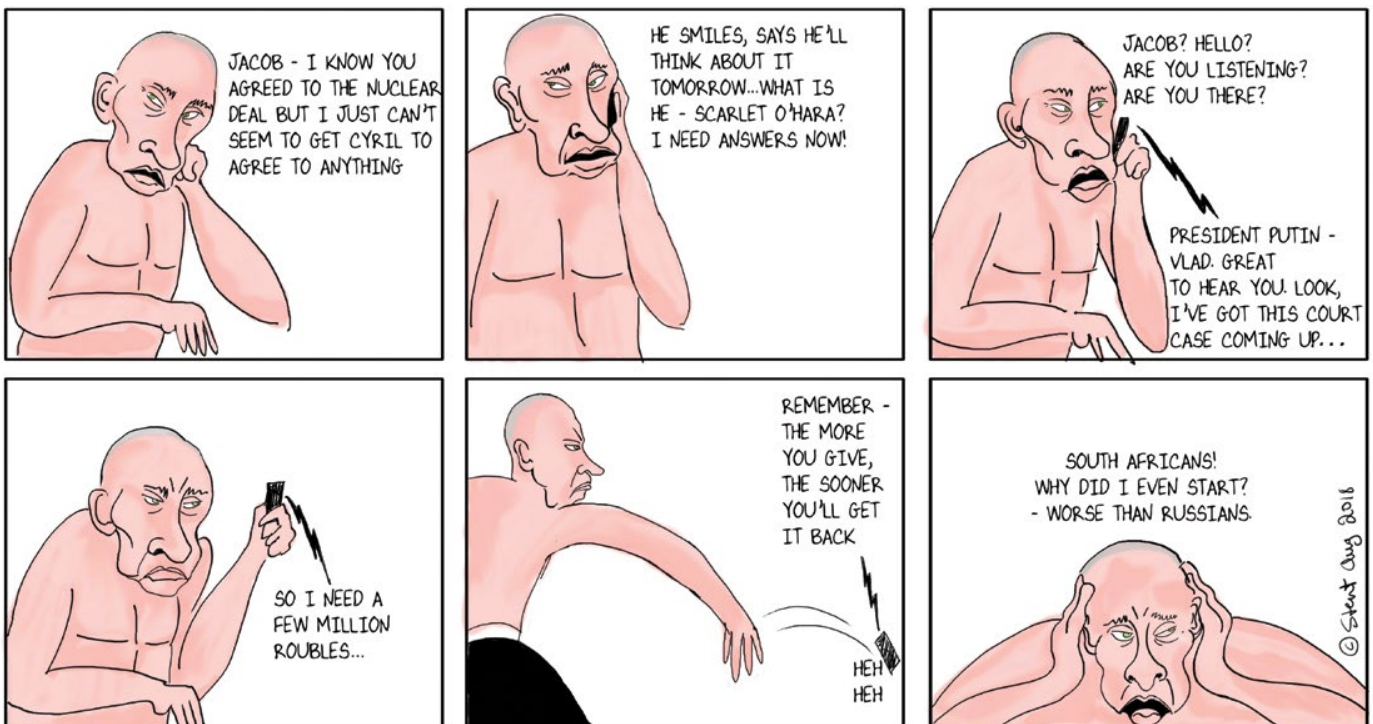
Adrian Moore
Pietermaritzburg

Free Julian Assange

AFTER SIX YEARS IN DETENTION, JULIAN Assange, a WikiLeaks founder rightly fearing US retribution for daring to expose US war crimes in Iraq and Afghanistan and the dark reality of US empire, deserves a just resolution of his case and his voice restored.

It's shameful how many governments and journalists have not just abandoned Assange to his fate, but failed to recognise his important role in releasing millions of documents that reveal how the world really works.

I support heavy pressure being



Stent

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Letters

placed on the Australian, British and US governments to bring him freedom and justice, along with the many other whistleblowers and reporters languishing in prisons around the world.

Antony Loewenstein

Australian journalist,
author and filmmaker
Currently resident in Jerusalem

'Freecall' a misnomer

FOLLOWING YOUR ARTICLE ON ILLEGAL cell phone charges I want to add my penny's worth:

Pick n Pay has a customer help line for their internet shoppers. I have been an online shopper of theirs for years. Recently I was unable to complete a shop on their website due to technical problems. In such cases you are encouraged to phone their help line 0860 30 30 30.

Vodacom charged me R5.33 (I'm on

prepay) just to listen to their blurb and then to be told all their consultants are busy. I reckon that took less than two minutes.

The banks are also on the bandwagon, telling you it is a free call when Freecall does not apply to cell phones. I have hung on for ages waiting for a consultant to come on the line until the call is terminated because my credit balance has been depleted. It is not uncommon for such calls to cost anything between R80 and R90. I am told the banks make money out of calls to their helplines. Is this true?

Brian Utterson
Gauteng

Harold's come-hither

A STRANGE THING HAPPENS WHEN I READ Harold Strachan's column. True, the weather in South Africa is legendary.

As are its peoples. These decades since 1976 have left me wondering from afar at the temptations of returning to what I think of as my home country (think of, as I was born to Danish parents in neighbouring kingdom, Sweden).

Over time I have returned to drink in the memories of my slightly tarnished past in Cape Town. On occasion it crosses my mind to return to Die Kaap for good, or at least until my time is up. The desire to return then passes and I get on with life once more in the blandness I have come to call home, Canada.

Yet a strange thing happens when I read Harold Strachan's column. His words magnetise my lust for a permanent return to Wynberg, Clifton, Muizenberg and Die Bo Kaap. Writers hey?

Claus Andrup
Maple Ridge, Canada

Tongaat weedkiller's bitter aftertaste

TONGAAT SUGAR CO. HAVE BEEN A controversial bunch of "lawyered up" twits for many, many years. We had a farm, Zwolle Estate, on the road from Canelands to Ndwedwe, and produced sugar, coffee, pecan nuts, litchies, pine apples and a range of vegetables. Our farming venture was virtually wiped out by a weedkiller, 2,4-D, that was sprayed everywhere by aircraft and tractor by Tongaat Sugar Co.

Years of expensive legal battles ensued and my late dad, John B James, was told that Tongaat had the desire and ability – and cash – to crush us financially.

Our neighbour, Trevor Polkinghorne, would plant a block of about 100 acres of tomatoes now and then and he too was wiped out when a crop-spraying plane flew over his place while still spraying because the nozzles would not shut off.

He got the plane's registration number and raced to Virginia Airport, found the plane and pilot and technicians who were fixing the problem and got evidence and statements here.

Next day the Tongaat lawyers forced the pilot to withdraw his statement, with threats that he

would never work again – unless...

A Greek family (I forget their name) who farmed further north also had a huge case against Tongaat. I believe that this weedkiller 2,4-D was banned almost everywhere else on earth.

Then these clever dicks got into poultry and their accountants decided to build two more levels of cages than everybody else (more chickens per square metre) and on the first really stinking-hot summer's day, they had mass mortality from heatstroke – hot air rises – and they threw the dead chickens out on their cane fields as "fertiliser". The stink of tens of thousands of rotting chickens was incredible!!! Health authorities were called in.

The Moths had a Shell Hole at Mount Edgecombe, given to them by Huletts, but this place did not suit Tongaat's development plans. Meetings were held and promises made but as usual their crafty lawyers made sure that nothing was given in writing and the Moths were eventually booted out and told to fuck off!

At about the same time, early settler graves at Mount Edgecombe were ploughed up to make way for

millionaires' shacks!

Right now, Tongaat has a problem with "Rubber Chickens". Experimenting with the cheapest possible chicken food to maximise their profits, they have produced chickens whose bones do not harden and these chickens cannot stand up, their bones just bend!

A few years ago, Eldana Borer became a problem in sugar cane. Apparently this insect always lived in the reeds of rivers and streams but our clever Tongaat accountants decided to use every square metre of land and removed the traditional strips of indigenous bush that all real farmers left on either side of a stream or river – so the Eldana Borer took to the sugar cane!

My uncle, Wyatt James, was managing a Tongaat section at Doornkop outside Stanger and they conducted an experimental spraying of a thousand-hectare block of sugar cane to eradicate this Eldana Borer.

They succeeded in killing every living thing in sight.

All their staff seemed to be trained to become a two-bit accountant crossed with a split-arsed lawyer.

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Durban North

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Editorial odds and ends

Some gems and that elusive pot of gold

IN AUGUST, CREAMER MEDIA'S *MINING Weekly* reported that:

- during the first half of this year, LSE-listed Gem Diamonds recovered a record ten diamonds greater than 100 ct at its Letseng mine, in Lesotho.

Another such gem was recovered in July, resulting in the highest number of above-100 ct diamond recoveries in a single year.

- Diamcor Mining has recovered six special rough diamonds at its Krone-Endora project, in Limpopo. They include a high-quality 18.45 ct gem octahedron rough diamond, two gem-quality rough diamonds (18.56 ct and 14.71 ct) and three non gem-quality diamonds (21.92 ct, 17.32 ct and 15.84 ct).

- TSX-listed Lucara Diamonds' Karowe mine in Botswana delivered 253 diamonds larger than 10.8 ct during the second quarter, ended June 30 – the highest number of specials recovered, by quarter, since production started at Karowe.

The mine processed a total of 700,000 tons of ore and 4.4 million tons of waste, during the quarter under review.

From these brief reports I learned a great deal. Firstly, large, even huge diamonds are not nearly as rare as we once were led to believe; they are in fact, well, common. Secondly, the last also reminds me of the vast amounts of earth and rocks that are blasted and moved by thousands of exploited mine-workers flattening mountains, scarring the landscape and poisoning rivers – for what? Chunks of quite pretty shiny stones whose only real use is to decorate the regalia of royalty, or for mafia bosses to shift value across borders undetected, or to be buried once more – in the safes of the foolish rich.

Yes, I know diamonds cater for the vanity of a great many women – but, let's face it, most could not tell the difference between a diamond and a beautifully cut glass crystal.

In short, diamond mining is so costly in human effort and to the environment that, in this day and age, how can any sane person go along with it, let alone invest in it?

Finally, there was one diamond mining report in *Mining Weekly* in which I found something of value: good, and telling, advice. It read: "AIM-listed [listed on the *Alternative Investment Market of the London Stock Exchange*] BlueRock Diamonds has reached an agreement with former CEO Riaan Visser that his application for the liquidation of Kareevlei Mining be removed from the court roll, subject to security being provided for the full amount of his alleged claim of about

£230,000 (R4.5m).

"The company has taken this prudent action on the advice of its lawyers because, while the board was confident that, had the hearing proceeded, it would have been successful, it is impossible to be entirely confident of success in this or indeed any other court process," BlueRock noted in a statement.

Yes, neatly summed up: South Africa's legal fraternity have reduced our legal system to an expensive high-risk lottery – by at least one member's prudently honest admission.



FROM DIAMONDS TO GOLD – THE KIND THAT beckons from the other end of the rainbow.

Hard on the heels of those *Mining Weekly* reports from the diamond mining industry, a statement arrives in my mailbox from Gold Fields Limited, the company that declares at the top of its website: "Our vision is to be the global leader in sustainable gold mining." Vision being the operative word, as in daydream, fantasy, hallucination, because the reality at Gold Fields's South Deep mine is quite different, as quickly emerges from the statement they've sent me:

Johannesburg, 8 August 2018: Gold Fields Ltd (JSE, NYSE: GFI) advises that basic earnings per share (EPS) for the six months ended 30 June 2018 is expected to be at least 20% lower than the US\$0.07 per share reported for the six months ended 30 June 2017.

Noseweek readers would not have been the least surprised. For example see *noses192,194&196*. In *nose196* (February 2016) Barry Sergeant described the "terrible saga of Gold Fields and South Deep" as a powerful symbol of South Africa's loss of innocence, pointing out that since Nick Holland took the CEO seat in May 2008, Gold Fields' executives had earned over R700 million "in return for shamelessly spinning a plainly impossible future-production profile for South Deep". Year after year, with much the same story trotted out each time. There's a good example in *nose202* ("All that glitters..."). By that year (2016) company executives had scored more than a billion rand; Nick Holland personally R200 million.

The latest expected drop in earnings was explained in a further statement issued on 14 August. It read "Gold Fields Ltd (JSE: GFI) (NYSE: GFI) announces a restructuring at its South Deep operation and provides a

further trading statement relating to its first half year 2018 results, due for release on Thursday, 16 August 2018:

“South Deep has had a number of operational challenges since Gold Fields acquired it in 2006. The key challenge has been the difficulty in transitioning the mine from one run with a conventional mining mindset and practices to mining with a modern, bulk, mechanised mining approach. South Deep is a complex and unique mine that has faced persistent issues that need to be addressed in a holistic manner which include:

- Rising operating and overhead costs, not aligned with current output levels;
- Consistent failure to meet mining

and production targets;

- Unique and complex mining method, long hole stoping mining at 3,000m with attendant challenging ... conditions requiring extensive support;

- Extensive infrastructure and support services required to underpin mining activities, which continue to operate sub-optimally... ;

- Poor equipment reliability and productivity impacted by poor maintenance practices and operational conditions;

- The operation is staffed and resourced for a much higher production rate than is currently being achieved; and

- Overall labour productivity is signifi-

cantly below industry average.”

All this seems aimed at softening up shareholders for yet another annual report with bad news. And – is it possible? – for another rights issue to raise yet more capital for a lost cause? When are shareholders going to vote for calling it a day at South Deep – despite the billions and billions they have been conned into investing over the past decade? Is it a case of institutional investors being so deep in that they can’t turn around and declare a loss so vast they will have difficulty explaining it?

And at what stage is Nick Holland going to grab his last bag of loot and run?

Noseweek’s guess: if he and his shareholders have any sense, soon.

Sell in May and regret the day

IN MAY – APPROPRIATELY – *BUSINESS Insider* published a report headlined “Why Sell-in-May-and-go-away doesn’t work for SA investors”.

“Sell in May and go away” has long been a popular adage on New York’s Wall Street. There they believe the strategy is a great way to avoid the worst months on the US market. Many market crises seem to happen between May and October.

Since 1926, total returns delivered by the S&P 500 during the May to October period are about half those for the seasonally strong November to April.

However, an analysis of 20 years’ worth of data from the JSE Top 40 index, compiled by Andrew Todd of the investment platform Traders’ Corner, has shown that South African investors on the JSE will have lost money if they sold each May and went away.

On average the index gained almost 2% in the May to October period, more than 37% over the years.

The index rose in the March-Oct period in 14 out of the 20 years.

His conclusion: For investors with a long-term horizon, it is better to ignore the legend and remain invested.

Also remember that you would have to keep transaction costs and capital gains tax in mind if you sell out at the end of April. This could result in even lower returns, cautioned Todd.

All this information would/should not have been news to any major banks, financial managers or stockbrokers who spend their days watching

the trading graphs on their screens.

In fact, to the extent that South African fund/asset managers of all kinds may have used the “Sell in May” legend as a reason for selling their clients’ shares in May, one may safely assume, been using it simply as an excuse to “churn” (buy-sell-buy) shares in order to up their own brokerage and management fee income at their ill-informed client’s expense.

This was clearly the case with Investec Securities Cape Town broker Harry Bell when he sold the entire blue-chip portfolios of his clients Michael and Peggy Schonland, both retired and in their eighties, in May 2013 and again in May 2014, specifically referring to the sell-in-May legend as his reason for selling. They had good reason to be unhappy with the outcome and have since taken their share portfolios elsewhere.

Bell took charge of the Schonlands’ share portfolios in 2012 when their previous brokers, HSBC SA, were bought out by Investec.

On the morning of 15 May 2013 a flood of share sales notices from Investec Securities began arriving in the Schonlands’ email inbox. Without prior notice or their permission, Bell was selling their entire share portfolio: Anglo American, Aspen Pharma, BHP Billiton, British American Tobacco, Richemont, MTN Group, Naspers, RMBHoldings, SA Breweries, Standard Bank, Sasol, AVIAT and Brait.

Responding to the complaint they subsequently lodged with the JSE, Bell wrote: “There was no large pending

economic data that I thought might push the markets higher and I therefore felt markets would adopt the usual sell-in-May stance and therefore drift lower.”

Andrew Todd’s JSE data referred to above shows that the JSE index rose 15.8 percent from May to October 2013.

As a result of the sale, Peggy had to pay R104,000 in capital gains tax, and Michael a further R228,163.

Five weeks after selling their shares, Bell went back on the market and bought all the same shares for them again. He did buy one new share: over R1m worth of Kumba – after Investec had itself warned clients of an impending decline in Kumba due to economic woes in China. Kumba’s share price plummeted in the following months, and three years later have still not recovered to the purchase price.

In May 2014 Bell did it again. He sold their entire portfolios without prior warning or their consent. At 4pm on 15 May – after the sales had gone through, he called them and after several minutes of small talk, chirpily slipped in: “I’ve got news for you!”

Over the next six weeks the sold shares appreciated by about R600,000.

The total profit they made on the sale – before tax – was R12,635.

Investec’s brokerage fee on the transactions: R35,514.

Just before they closed their accounts at Investec, Bell called them to suggest he buy a million-worth of Steinhoff shares to add to their portfolio. Can you believe it: their answer was No!

The Editor



Liquidator probed over porkies in pig farmer divorce case

WHAT BEGAN AS AN EXTRAMARITAL affair for Vryheid pig farmer Thomas Volker, has ended up causing one of KwaZulu-Natal's top liquidators, Pierre Berrangé, being placed under investigation by the Master of the High Court in Pretoria.

The Master's Office has instructed Pretoria-based Theo van den Heever of D&T Trust to investigate Pietermaritzburg liquidator Berrangé (nose219) and his handling of the divorce-fuelled liquidation of a once-successful Vryheid business, the Penvaan Group, run by now-divorced Thomas and Renata Volker.

The investigation will be conducted under Section 381 (3) of the Companies Act which empowers the Master's Office to "appoint a person to investigate the books and vouchers of a liquidator" if there is "reason to believe that a liquidator is not faithfully performing his duties and duly observing all the requirements imposed on him".

Noseweek has learnt that once the investigation is complete, which includes interviews and assessing all available documents, Van den Heever will submit his report to the Deputy Master in charge of insolvencies, Marianne Bernard, by September. Based on the findings and recommendations, Bernard could institute a full inquiry.

As *Noseweek* has previously reported, court records, including transcripts from a taped conversation between Thomas and creditors – spread over several years and in multiple courts from Paulpietersburg to Pretoria and Pietermaritzburg – revealed how Thomas, along with Berrangé, his divorce lawyer Gert Vonkeman, and KZN advocate Eddie Lotz devised a strategy to dismantle his successful



Maritzburg liquidator Pierre Berrangé is under investigation for cooking books to help his client

family business, the Penvaan Group of Companies, and (as Renata had consistently maintained) leave her penniless. First National Bank which was the company's preferential creditor – and possibly facing hefty costs for their role in the liquidation – were represented by Africa's largest law firm, ENS.

On 22 March 2013 Berrangé wrote to the Master's Office to be appointed liquidator of the Penvaan Group shortly after Thomas had told the bank his company was in distress and asked for it to be liquidated. Five days later he provided the Master with a R20-million surety bond to secure his appointment as liquidator of the

companies. On 6 May 2013 the liquidation order was made final.

Prior to their divorce, Thomas and Renata ran successful piggeries, a meat wholesale business and a feed-manufacturing plant. They reared cattle, grew timber and also owned several farms and properties in Pretoria and Cape Town. The annual turnover was approximately R100m. Their assets were in excess of R80m and liabilities were about R40m. Their farmhouse mansion was designed to be a boutique hotel and had cost about R10m to build.

But it was the land question, an over-arching reason for the Master's investigation, which led to the failure of the liquidation-by-design plan to sell the land and the business infrastructure based on the farms. The land was never owned by the group of companies but rather by a trust whose trustees were Renata, Thomas and an independent trustee Johannes de Witt who voted with Renata, effectively giving her control.

Furthermore the trust had no debt and was solvent. Potential suitors for the businesses had told Berrangé they were only interested if they got the land. So to get around this, FNB – advised by ENS's liquidation unit (headed by Leonard "Lennie the Liquidator" Katz) – tried to liquidate the trust, claiming it had signed surety over the companies being wound up.

However in March 2014 Pietermaritzburg High Court Judge Thoba Poyo-Dlwati said Thomas was the only trustee who had signed the suretyship on behalf of the trust and therefore it was not valid and binding.

Then eight months later Berrangé brought a high court application against the trust, claiming that it had been unfairly enriched to the value of

Notes & Updates

R16.46m by the company's improvements on the land. The matter is still ongoing.

Then in February 2016 a third option arose: they could sequester Renata Volker, effectively removing her as trustee of the trust, leaving Thomas Volker in control to sell the land. Or at least that was the plan. FNB, with ENS, stepped in again and duly sequestered Renata Volker in March 2017.

However, instead of Thomas Volker's gaining control, his three sons with Renata – whom he had effectively abandoned – stepped in to the trust void, wrestling control yet again from their father. Months later Thomas Volker resigned from the trust.

A complaint lodged with the Master was that Berrangé had never paid rent to the trust when he occupied the business premises based at the farms and leased them to third parties. Moreover, in about November 2017, once it became clear to Berrangé that he would not be able to seize control of the trust land, he simply packed up and left. The trust claims the infrastructure was left in a "horrendous state" far beyond being the result of fair wear and tear.

Renata Volker has recently brought an application to have her ex-husband's retirement annuity fund attached. She says in documents filed in the Paulpietersburg Magistrate's Court that he has failed to honour even a single monthly maintenance payment of R20,000 since ordered to do so by the High Court in Pietermaritzburg in September 2014. She is owed approximately R900,000.

Thomas Volker claims that, since January 2017 he has been "unemployed and [has] no assets" while only doing "volunteer work" for his local church. But this has also been uncovered as a lie.

Ironically it was his attempt to have the maintenance order discharged during the course of 2017 at the Paulpietersburg Maintenance Court that revealed this lie.

On 23 April this year KZN senior maintenance prosecutor S Erasmus contested Thomas Volker's application for discharge. She said that on 3 January 2017, when Volker applied for the discharge, he had stated he was "unemployed and had no assets".

Subsequently it was established that this was incorrect "as [Thomas Volker] had been employed by his (new) wife's company since March 2016".

The prosecutor said claims by Thomas Volker that he earned R15,000-a-month and had expenses of R17,133 were also untrue. She put his true earnings in the region of R60,000.

Erasmus pointed to Thomas Volker's credit card expenditure which was in excess of R30,000-a-month, while he had no evidence that he had paid any expenses at all. She said it was clear that his employer was his new wife Monica Volker (née Bates), and that it was by design that the cash-generating companies Monica Volker

now controlled, were the ones he had controlled until January 2014 – when he resigned and installed his new wife as the sole member of the companies.

Erasmus said that, while there were five judgments that Volker claimed he had against him, totalling R9,241,417.11 – including more than R7m owed to FNB, there was no evidence that he was trying to – or was required to – service the debt.

"More pertinently, none... [have] been reported as 'bad debt' by these organisations. One would have reasonably expected this to reflect on your client's credit report, which it does not. He remains a client of FNB."

The battle continues. ■



Dr May Mashego with her husband Zweli Mkhize

Zweli Mkhize: Noseweek's part in his downfall

SHORTLY AFTER CYRIL RAMAPHOSA took over as President of South Africa in February, it was widely speculated that Dr Zweli Mkhize would become his new Minister of Finance. This didn't happen, and, according to government sources, *Noseweek* played a role in his losing out.

Earlier this year *Noseweek* ran a story about Mkhize's wife Dr May Mashego who had received two R1m "loans" in 2007 and 2008 that were interest-free and did not have to be repaid if her company did not turn a

profit. They came from Pietermaritzburg property developer Protus Sokhela.

In mid-2008 Sokhela landed a lucrative R10.9m lease agreement with the KwaZulu-Natal Department of Finance – of which Mashego's husband Zweli Mkhize was then the MEC. The deal was recorded in the *Government Gazette*.

Mkhize became KZN ANC chairperson in mid-2008 and was installed as the KwaZulu-Natal premier in 2009.

Sokhela's 2008 lease has been rolled over and is still in place today,

Mkhize should have declared his wife's "loans" to the KwaZulu-Natal

Legislature in 2008, due to the clear conflict of interest. But his declarations – for that year only – have disappeared from two separate locations – an unheard of coincidence, say officials.

Shortly after *Noseweek* ran the story in late February (*nose221*), a source said it was being shared on ANC leadership WhatsApp groups, resulting in speculation that Mkhize's possible appointment as finance minister was in jeopardy.

Days later Nhlanhla Nene was appointed Minister of Finance, while Mkhize was made Minister of (the less glitzy and more gritty) Department of Cooperative Governance and Traditional Affairs.

Just how much of a role the *Noseweek* article played, if at all, is debatable but what is certain is that Mkhize has been embroiled in more than one kickback scandal, the most recent being allegations made in June that he was involved in a R4.5m kickback involving the Public Investment Corporation (PIC), as reported by the *Sunday Times*.

In January the EFF laid criminal charges against Mkhize, accusing him of soliciting a bribe of R80m from former Passenger Rail Agency of South Africa (Prasa) CEO Lucky Montana.

The "loans" Dr Mashego received were paid to Essential Equity CC, an entity solely controlled by her, on 12 March 2007 and 15 January 2008 respectively, which came from Sirela Trading CC, controlled by Sokhela. On 14 June 2007 Sirela Trading purchased the multi-storey block known as the Nomalanga Building, 212 Langalibalele Street, Pietermaritzburg for R10m. A year later the R10.9 lease deal was signed.

The terms of both "loans" from Essential Equity were identical – and very favourable to Mashego, who was not required to pay them back at all if the company failed to turn a profit.

"The loan will be repayable after a period of 24 months from the date that the whole loan amount has been paid to the debtor. The loan will be paid as follows: sale of shares/members' interest in the closed corporation (the debtor) and monthly repayments of R50,000 after profit has been realised each month. It is recorded that interest will be payable only if the debtor defaults in payment."

Both loan agreements were drawn up by the law firm Ngcobo Poyo & Diedricks Inc. Mkhize's lawyer at the time was Thoba Poyo-Dlwati, one of the firm's

partners. She has since been appointed a judge of the High Court in KZN.

At the time *Noseweek* asked Mkhize and Mashego about the highly questionable loans and whether they had informed the KZN Legislature about the conflict of interest, but they refused to comment. Mashego did however see the questions sent via WhatsApp.

Mkhize's spokesperson Tahera Mather told *Noseweek* she couldn't comment because she was "only the spokesman [for] Dr Mkhize and, "Since this is related to his wife, I am unable to assist."

We asked if Mkhize had declared the loans to the KZN Legislature, whether May had paid back the loans and if Mkhize saw the conflict of interest. We also asked the KZN Legislature secretary's office for Mkhize's declarations from 2007 to 2009. Office assistant Nishen Sukraj told *Noseweek*: "Dr Mkhize was a Cabinet Member at that time and would have disclosed to cabinet. It is suggested that Cabinet be approached for access to his disclosures".

Sukraj ignored further questions as to how it was possible that the legislature did not keep records of MECs, who were

also members of the legislature, for oversight purposes. *Noseweek* later found out they did keep records and Sukraj was deliberately fobbing us off.

Noseweek then approached the director-general in the KZN Premier's Office, Dr Nonhlanhla Mkhize (no relation to Zweli Mkhize). She made available Mkhize's public declarations but informed *Noseweek* that the record for 2008 had "gone missing". She said both the cabinet copy and the copy kept at the KZN Legislature could not be located and "only the 2007 and 2009 ones were available". She suggested *Noseweek* "could ask Dr Mkhize for a record," as they had given him the "benefit of the doubt" that he would not alter his missing declaration if he needed to reconstitute it.

Noseweek informed Dr Nonhlanhla Mkhize that the reason we were requesting a copy from her office was because Dr Zweli Mkhize had refused to assist. The Sokhela "loan" declarations would have likely fallen within the 2008 declaration period.

Noseweek asked the director general's deputy, Sifiso Zondo, an economist by training, whether Zweli Mkhize had been informed that *Noseweek* was



"Let's face it, we just don't get on."

Notes & Updates

looking for his declarations. He said it would not be done formally but it was not entirely unlikely that, through “informal interactions” between the various leaders, he could have been told. He also said he had never heard of declarations going missing before.

Noseweek was not allowed a copy of the declarations and could only view them and take notes from the public section at the Premier’s Durban office, according to the Executive Members’ Ethics Act, 1998.

The tiny 2007 public declaration revealed that, at the time, Zweli Mkhize owned Sanlam shares worth R100,000; was given R400-worth of wall paint by Shoprite Checkers; owned a house in Ashburton, Pietermaritzburg valued at R450,000; and was selling a flat on the KZN South Coast for R99,000.

The 2009 declaration revealed a change in status and fortune. It said he was a member of the non-profit, KZN provincial government-funded Moses Kotane Institute; that his Sanlam shares were still only worth R100,000; that he still owned a house in Ashburton (R450,000) and had bought two more – in Willowfontein, Pietermaritzburg, for R700,000 and in Cato Manor, Durban for R725,000.

Under “Gifts Received” there were: sheep worth R700 from “Cllr Mdabe”; cattle worth R6,000 from “Inkosi Shabalala”; more sheep, valued at R700 from community TV “station manager” at BayTV; R6,000 of cattle from “President JG Zuma”; [*Cows JZ was supposed to distribute to the poor?* – Ed.] a R700 “engraved shield” from the University of KZN; a sword valued at R5,000 from the “Foreign Minister of Dubai”; a R1,800 carpet and R500 “Crystal Eagle Statue” from the “Government of Dubai”; and a R10,000 zebra skin from Ezemvelo KZN Wildlife.

There was no mention of the soft loans, at least not in the public section. The only people who may view the private section, according to the Ethics Act, is “the President or Premier as the case may be, the Public Protector, the Secretary concerned and staff designated by the Secretary to have access to the confidential part of a register”.

Noseweek has since asked the DA, the official opposition in the KZN legislature, to make inquiries about Mkhize’s declarations. Their requests to view the declarations have been ignored. ■

Sydney’s wake-up call for Bobroffs finds Ronald in his jammies

CAUGHT IN HIS PINSTRIPE PYJAMAS and splashed across the front page of one of Australia’s largest Sunday newspapers, disbarred and disgraced South African attorney Ronald Bobroff is convinced his meteoric demise is not of his own volition but by some twisted conspiracy driven by the insurance giant Discovery Limited.

And the conspiracy is real, says Bobroff, because those “against him” follow each other on Twitter.

Adamant that he is being “martyred” for – he claims – uncovering in 2011 Discovery’s “decades of institutionalised defrauding of its members who had sustained injuries during road accidents”, Bobroff believes the Sunday splash in the Australian paper was because “Discovery...has now commenced doing business in Sydney and Melbourne” and no doubt want him out of the land down under. Presumably the continent is not big enough for their respective egos.

In recent months there have been two South African news reports, one in Moneyweb and another in the *Sunday Times*, about Bobroff and his son Darren, also a lawyer. The Australian report appeared on 5 August in *The Sun-Herald* – the *Sydney Morning Herald*’s Sunday tabloid.

The articles are fairly similar in that they both state that a “Red Notice” for the Bobroffs, issued by Interpol in 2016, is still valid; that their bank accounts in Israel containing “over R100-million” have been frozen thanks to efforts by the South African government; that the Bobroff family lives in luxury in a R25m home in the suburb of St Ives in Sydney; and that the SA National Prosecuting Authority is still trying to extradite the Bobroffs to South Africa to face criminal charges for ripping off RAF victims. They also

state Ronald is looking to practise law in New South Wales and that Darren runs a successful property business there.

Ronald – who told the Australian paper in August that he was living in “reduced circumstances”, “on the smell of an oil rag” and that his AU\$2.5m home in St Ives was “not much” – now believes the Australian journalist is part of a cabal secretly out to get him. This view was expressed on his own website www.bobroffronald.com.

The website’s opening sentence, all in capital letters, states that the site provides “the facts not the fiction as to what’s really behind the relentless vendetta by the multi-billion-rand public company Discovery Limited, it’s highly paid legal army and their proxies on Ronald Bobroff, Darren Bobroff and RBP Inc”.

Bobroff snr seems to see himself as John Lennon’s *Working Class Hero* – like the working class folk he ripped off. In response to the Australian article, he authored a 4,000-plus-word reply, claiming the Sun-Herald journalist Sally Rawsthorne was working with a “Discovery gang” that included *Noseweek* and Carte Blanche (and occasionally *Noseweek*) journalist Tony Beamish, Graeme Hosken from the *Sunday Times*, and “Discovery’s Jeffrey Katz”, one of the company’s various in-house attorneys.

Bobroff questioned “Rawsthorne’s morality and lack of any sense of decency” when she door-stopped him two days before the Sun-Herald article appeared while the paper’s photographer snapped the picture. He claimed he looked awful in the image because he’d “been awake all night due to pain, caused by a fractured ankle”. He asked: “What kind of people are they?”

Ronald and Darren, who were partners in and directors of personal injury



law firm Ronald Bobroff & Partners (RBP) in Rosebank, Johannesburg, are accused of swindling their clients, all claimants of the Road Accident Fund, of up to 40% of their claim made against the fund when the law only allowed them to charge their client up to 25% of what was successfully claimed against the RAF.

They have settled with some but according to the *Sunday Times*, are still in dispute with former clients to the value of R12m. They are alleged to have netted over R100m through their gambit, shovelling it offshore, protected by a series of trusts.

If the Bobroffs return home – having skipped the country in 2016 – they will face charges of fraud.

On their website it is claimed that both Ronald and Darren are innocent and claim that Rawsthorne is a “scoundrel”. It unpacks, complete with links, the alleged conspiracy against them orchestrated by Jeffrey Katz.

It also makes inappropriate bizarre and unrelated claims, that *Carte Blanche* reporter Beamish is a “Discovery-hired media assassin” who regularly “entertained one of South

Africa’s most senior judges” – whom they describe as “a reformed alcoholic and drug addict” – at Beamish’s villa in France, and that former RBP staffer Cora van der Merwe was “trained by the South African Navy in counter espionage and had been sent to a Russian University to study allied topics”.

In conclusion Bobroff declares: “Perhaps the clearest indication of collusion between Rawsthorne and Discovery’s Jeffrey Katz, his media assassin Beamish and accomplice Graeme Hosken of the *Sunday Times* appears from their all following each other on Twitter, and Katz tweeting Rawsthorne’s article within minutes of her doing so.

“The question may rightly be asked how and why at this particular time and day would these corrupt conspirators be following each other and tweeting about Rawsthorne’s obligingly delivering the goods – served as a special present for Ronald’s birthday which is on the 7th August.

“What words are there to describe such persons, and does Rawsthorne have no shame or conscience?”

Ronald’s scorn for anyone who thinks he’s a stand-up crook has always been evident. On the same website he dismissed *Noseweek* of being a “fringe publication”, while in 2012 when he was still somebody in the Law Society of the Northern Provinces he called *Noseweek* a “gutter publication... filled with half-truths and malicious speculation designed to titillate its minimal subscribing readership”.

In a letter to the society he went on to declare: “It is beneath my dignity [*as a*] respectable attorney to endeavour to respond to this gutter journalism”. In that issue, *Noseweek* revealed that a report by top forensic accountant Vincent Faris, filed at the North Gauteng High Court in 2014, found there was “sufficient evidence to prove contraventions of the Income Tax Act, the VAT Act, the Companies Act, the Attorneys Act and the Rules of the Law Society of the Northern Provinces” by Bobroff and son.

The action resulted in father and son being struck off the Roll of Attorneys. ■

Joburg shrugs off ‘frivolous’ Noseweek probe

THE CITY OF JOHANNESBURG STILL refuses to explain why a multi-million-rand property valuation tender was handed to an ANC-backed company that was not among the initial bid-winners, instead labelling *Noseweek*’s request for them to account for the anomaly as “manifestly frivolous”.

Noseweek has reported extensively (*noses211,212,215&222*) on how the city’s tender for the General Valuation Roll 2018 (Bid A683), was found to be rife with problems, including over-valuation of the 900,000-plus rated properties. The contract was awarded to Durban-based Evaluations Enhanced Property Appraisals in October 2016, with a price tag of R99.9 million.

But that was not the first tender issued for the same contract. A year earlier the identical tender was advertised and closed in January 2016. Then, the bid submitted by valuations, owned by ANC-backer Willy Govender, was only the third-lowest, at R167.2m.

The scoring process was approved by the city’s Bid Evaluations Committee and the clear winner was DPP Valuers (Pty) Ltd at R144.9m. The contract budget was R300m. The city then went mum, refused to award the time-critical contract and it lapsed.

The tender was re-issued and this time Evaluations shaved R67.3m off their original quote, undercutting everyone else to a price one insider said was “simply too low” and would lead to corners being cut. The city has had more than 50,000 objections to their valuations, including a direct intervention by mayor Herman Mashaba relating to 8,000 valuations – a cock-up for which he blamed Evaluations, now owned by JSE-listed technology firm EOH Holdings.

Noseweek has twice formally requested records that show why the first tender process for Bid A654 was cancelled as well as all communication dealing with a specific bid. Both were denied but we’ll keep trying. ■

Shareholders up in arms as Investec fails to sack KPMG

SHORTLY BEFORE THIS ISSUE OF *Noseweek* went to press, the *Financial Times* reported that almost 20% of shareholders at Investec have objected to the company's decision to reappoint KPMG as its joint auditor.

Investec responded with a lengthy statement accompanying the results of its annual shareholder meeting, setting out why it was sticking with KPMG.

Revelations over the past 18 months about KPMG's practices in South Africa have highlighted its work for the notoriously corrupt Gupta family, for SARS and for VBS, a mutual lender that collapsed in March as a result of large-scale theft and corruption facilitated by its top executives.

Investec has long been audited by Ernst&Young and additionally, for the past 13 years, by KPMG. (It paid KPMG about R90m for its services last year.) One of Investec's independent non-executive directors, David Friedland, was the head of audit and risk at KPMG's Cape Town office until 2013.

Investec said its decision to retain KPMG "was not taken lightly" and that the board remains "concerned about the failures of KPMG's internal controls and procedures".

However, it said, "of greater concern is the significant negative impact this has had on the country's audit profession, individual lives and the South African economy". Its decision to reappoint KPMG had been influenced by "the need to ensure stability within the South African financial system and the audit profession at a time of uncertainty and volatility in the country as a whole".

[Such worthy sentiments expressed by the likes of Investec are so unusual they have to be suspect. – Ed.]

Twenty percent of Investec shareholders also rejected the company's remuneration policy, and nearly 20% rejected its pay report – a report that had drawn criticism from a separate shareholder advisory firm, Pirc, for setting out bonuses for senior executives at the company that were many times larger than their fixed salaries.



Eye of the storm: Investec CEO Stephen Koseff who will be stepping down in October

Online comments by *Financial Times* readers quickly uncover the true, decidedly less worthy reason for Investec's decision to retain KPMG as its auditors: the bankers can't afford to fire their partner in a decades-long conspiracy to cover up a massive fraud from which they raked in billions of rands.

Reader Stephen O'Hagan kicks the ball into the air with this observation: "Any company who continues to utilise KPMG's services must be viewed with deep suspicion concerning integrity, corporate ethics and honesty."

Philip Jansen picks up the ball with: "My private bank account and my shareholding in Investec were cancelled – many years ago when they gave the world the one-finger salute about the Kebble affair."

The ball gets neatly passed down the line to reader Gordon Beattie who adds: "I have followed the Kebble/Investec/KPMG debacle for years. No one has been held to account for the billions of missing money. Read Barry Sergeant's books on this sordid affair and the series of articles in *Noseweek*. The muddying of the water continues to this day. Another book that is relevant is *Elite Deviance*. Perhaps keeping KPMG is a quid pro quo for hiding some ugly stuff that could hurt top guys."

That sees the ball passed out to the wing, James Gubb, who scores a goal with this neat summary:

"Investec will never get rid of KPMG. They are also the auditors of JCI and Randgold. An undisclosed liability in JCI has been unrecognised for many years. JCI has not produced JSE and IFRS compliant financial statements for so

many years now that it is beyond a joke.

"Why is this so important? Because if this contingent liability were recognised, JCI would be clearly bankrupt. And Investec lent a lot of money to a bankrupt company. This would press an inquiry (Section 35) into this loan, and that is something Investec would never let happen. Too many skeletons would come clattering out of the cupboard.

"To be more specific: JCI delivered 5.46 million Randgold Resources shares (current value: R5.5 billion) it had stolen from Randgold to Investec in March 2004. Investec sold these stolen shares and retained part of the proceeds to settle a long overdue loan to JCI/Kebble. This is described in a never-challenged article by Barry Sergeant "Dirty Laundry Remains Unwashed" in the September 2014 issue of *Noseweek*.

"In October 2005 the Investec-appointed JCI board appointed Investec's auditors, KPMG, also as JCI's auditors. Unbelievable but true is that JCI has not since published audited accounts: on 1 March 2018 KPMG [finally took the precaution to] record a Reportable Irregularity to the Independent Regulatory Board for Auditors and JCI, stating: "The company has not prepared audited financial statements since the 2005 financial year end".

"JCI is facing a multi-billion-rand claim from Gold Fields which, if awarded, it will not be able to pay. The winding-up of JCI would put the spotlight on Investec's acceptance and sale of the stolen Resources shares."

But then, of course, *Noseweek* readers knew all of that a long, long time ago. –

Martin Welz ■

'Foul-mouthed magistrate threatened me'

Maritzburg journalist lays charges following alleged abuse in court over newspaper articles. By Jonathan Erasmus

THERE IS NO BETTER PLACE IN THE kingdom of KwaZulu-Natal to find a vastness of eccentrics than in the small city of Pietermaritzburg. Among the city's more famous oddballs is the flaccid former National Director of Public Prosecutions, Shaun Abrahams.

Now flamboyant local magistrate Ashin Singh is threatening to drag Pietermaritzburg journalist Sharika Regchand at the *The Witness* and her editor, Yves Vanderhaeghen, to the Equality Court. Singh's issue is that the paper had the temerity to report on two court cases in which he features – as respondent in one and witness in the other. Singh claims the two articles in *The Witness* were a deliberate attempt to besmirch his name, orchestrated by his foes who he believes enlisted the help of *Witness* reporter Regchand.

On the flip side, Singh has had a criminal charge of verbal abuse opened against him by Regchand after he allegedly threatened her husband and children, called her “a bitch”, and intimated that she was sexually promiscuous with her sources in a hostile exchange at court on 31 July. *The Witness* has also filed a complaint of abusive conduct against Singh with the Magistrate's Commission. Singh said their complaint “can go to hell”.

The articles Singh is seething over emanate from publicly available court records. In the first newspaper article, dated 12 May 2018, Regchand reported on a twist in an otherwise parochial court case in which another local magistrate, Divesh Mootheram, is accused of



The journalist and the magistrate: *Witness* reporter Sharika Regchand (left) has laid a charge of verbal abuse against magistrate Ashin Singh, who in turn, is suing her and the editor of *The Witness* for defamation over articles in the newspaper

swearing at his boss, Chief Magistrate Mpho Evelyn Monyemore, in April last year, claiming he would “get rid of that corrupt black bitch”. Singh is a witness for Monyemore.

The article said that on the day of the hearing Mootheram's lawyer Sanjay Sarawan, handed in documents

showing that Mootheram and fellow magistrates Ms A Bezuidenhout and Ms P S Joubert had lodged grievances in August 2017 against Monyemore and Singh with the Magistrate's Commission, citing they were “intimidated and victimised” by the pair and that these documents confirmed the

matter was with the commission's "ethics committee".

The Commission confirmed to *Noseweek* they had matters pending against Singh but would not divulge any details. Attempts to obtain comment from Mootheram were unsuccessful, despite his undertaking that his lawyer would contact *Noseweek*.

On 22 June this year Regchand wrote a front-page splash titled "Fraudster drags city bigwigs to court".

Regchand reported how convicted fraudster Visham Panday, brother of equally dodgy Durban tycoon Thoshan Panday (*Noses*149,150,154,181,184, 204,221&226) had claimed in an urgent application filed at the High Court in Pietermaritzburg that a local hospital owner Dr Navind Dayanand, had paid R1 million for a "hit" on Visham's life. Panday also implicated Singh, among others, in the plot.

Singh has filed answering affidavits which have been published by *The Witness*, dismissing Panday's claim as "malicious and defamatory". He told *Noseweek* he has "never shared a cup of tea" with his co-accused in the case, which was postponed to a date to be determined. Singh believes it will never be brought to trial. "Panday has no intention of pursuing the matter. By circulating his court papers to the press he simply used the application as a means to defame me and others."

On 31 July Regchand attended court, like any other day, as the court reporter. She walked through the turnstile gate into the open foyer and proceeded to Court A, where all first appearances enter the District Court system.

Singh was standing outside the court. He and Regchand locked eyes briefly as Regchand proceeded into the courtroom. South African courts allocate special seats separate from the public gallery and to the side of the Bench, for the press. This is partly in order for reporters to hear better. The public gallery is behind a large sheet of glass.

When Singh entered the court he walked over to Magistrate Vincent Ncanyana and left again, only to move to the slightly ajar public gallery door. Then the court orderly went to Regchand and told her she, too, had to move to the public gallery, saying "Singh said that you must go to the back". She refused. Prosecutor Rene Padayachee spoke to Ncanyana who eventually told Regchand to move, which she did.

Ashin Singh: guns, gossip and grudges

ASHIN SINGH IS NO STRANGER TO THE spotlight, nor known for holding his tongue. When Jacob Zuma, as leader of the ANC, appeared before Judge Chris Nicholson in 2007 on charges of corruption related to the 1990s Arms Deal, Singh – a senior magistrate in the Pietermaritzburg district court – tried to enter the trial as an *amicus curiae* (friend of the court).

It would later emerge that he wanted to have a go at advocate Billy Downer SC, the prosecutor leading the charge against Zuma. Singh had an old grudge against Downer and was determined to ensure that he was taken off the case.

Singh's grudge related to his having been seconded to, and then removed from the Investigating Directorate for Organised Crime and Public Safety in KwaZulu-Natal. The unit was tasked primarily with investigating politically related killings in Richmond, and later formed part of the now-disbanded Scorpions.

As reported at the time by the South African Press Association (Sapa) Singh was dismissed, charged and prosecuted by Downer for going rogue. But Singh won a permanent stay of prosecution in 2003 against Downer. He then launched an unsuccessful private prosecution of former National Director of Public Prosecutions Bulelani Ngcuka, the KZN Scorpions head Clifford Marion, and Downer, followed by civil claim of R2.87 million against the Department of Justice for "being insulted" and for his previous legal costs.

In his attempt to enter the Zuma trial he said in papers: "Unless one of the members of the team of prosecuting counsel is removed from that team, the accused will not be afforded a fair trial. The member of the team of the prosecuting counsel that I refer to is Mr WJ [*Billy*] Downer SC."

Singh, seated in the public gallery, is accused of then calling Regchand "a stupid bitch". Regchand says that when she confronted him about this, Singh again called her "a bitch" and accused her of sleeping with her sources.

"While still in the vicinity of Court A, Magistrate Singh then said to me that

He was represented by two recent Pietermaritzburg outcasts, Cameron "Knock-out" Hunt SC – who famously floored "inebriated" fellow advocate, Mergen Chetty, with a hefty punch at a Bar function in 2010 (*Nose*210) – and his wife, advocate Penny Hunt, who is known for her exceptionally sharp (and apparently foul) tongue. The Hunts were eventually hounded out of Pietermaritzburg chambers and took up residence in Durban. Penny Hunt is currently appealing her suspension from the Bar for spying on colleagues (*Nose*217).

Judge Nicholson found Singh's *amicus* application ridiculous, calling it "vexatious and an abuse of the process of the Court", and stuck Singh with a cost order. Singh later struck a deal with the justice department to avoid the costs order and dropped his claims against the department in return.

Other publicly recorded incidents include a report about Singh discharging a gun during a fracas involving a fender-bender at a residential parking bay and insulting a *Witness* guest columnist in 2013 who wrote about gossip in Indian communities.

In a letter to the editor Singh called her "a sourpuss" and said it was "little wonder that she is not married... Maybe that is the source of her frustration". The Press Council ordered *The Witness's* then editor Andrew Trench, who defended Singh's letter, to apologise to the columnist for publishing it.

Singh, who worked his way up from Magistrate's Court clerk in 1988, has also verbally attacked EFF leader Julius Malema's disparaging remarks about Indians. Singh uses his own organisation, the South African Minority Rights Equality Movement (Samrem) as his platform to defend the Indian community. ■

he is out to get me, he is out to ruin me and that I must watch my back. I kept explaining to him I was just doing my job," Regchand said in a signed affidavit deposited on 1 August.

She claimed he said: "I am out to get you" and that he said he knew her husband and what school her son

attended. He said she “must be careful when you are driving home”.

“Magistrate Singh said I had ruined his reputation in front of his children,” said Regchand.

The newspaper was quick to complain to the South African National Editor’s Forum (Sanef) which on 1 August said it notes “a pattern of abuse by the magistrate” who had also threatened “to throw Regchand out of cases he is presiding over”, while abusing another *Witness* journalist Kerushun Pillay “over stories *The Witness* has and hasn’t run” as well as “abusive behaviour” towards the news editor, Ingrid Harrison.

“Sanef believes that Singh is abusing his position and using his authority as a senior magistrate to harass and intimidate reporters in relation to cases in which he himself is a party,” said the statement.

The same day Singh said in a rambling letter sent to various media houses, including *The Witness*, that the publication was “a very dishonest, malicious and racist newspaper”. He said the articles in dispute did not give him a “right to respond”.

“This tabloid with its declining figures is on the brink of collapse specifically because of its poor journalism,” said Singh. He accused Panday of bringing “dozens of applications against most senior state officials and [then] withdraws the actions after defaming them through unethical reporting”. He also accused *The Witness* of not reporting on “Mootheram’s nude pornographic selfies” which had been “widely circulated in Pietermaritzburg” and which was “the subject of an ongoing investigation which *The Witness* withheld from its readers, yet chose to defame me through its newspaper”.

Singh said he “had to exercise restraint



as a Senior Magistrate and remain aloof; however, I cannot do so any longer. The article carried photos of the Chief Magistrate and myself, both non-whites but no photos of the two white complainants.”

He accused Regchand of having broken court rules, and said that her behaviour in the courts was being investigated by him as the “Magistrate in charge of Quality Assurance”.

“CCTV footage will show Regchand confronting me and attempting to poke her finger into my face,” Singh added in his letter.

“Rest assured that your editor Yves and Sharika [Regchand] will have to repeat the allegations in court as I have commenced legal proceedings against them. They will not be able to hide behind the newspaper. I view your Editor’s conduct as racist and malicious and self-serving.”

Portions of this letter were published by *The Witness* on 2 August. Editor Vanderhaeghen responded: “The reporter maintains that she did not

attempt to poke her finger into Singh’s face. She did, however, point at him to object to him calling her a ‘bitch’, which he repeated several times.

“Despite Singh’s statement, neither *The Witness* nor the reporter has been served papers by Singh.”

Singh told *Noseweek* he will be taking Harrison, Vanderhaeghen and Regchand to the Equality Court but only once he has finalised a number of serious judgments in his court.

“Yves’s reputation will take a knock. It was one thing to write articles and another to sit under the glare of cross examination,” said Singh. He said he had witnesses that proved Regchand colluded with Mootheram while, in the Panday matter, he had witnesses and evidence that proved Panday’s claims made in his application were fabricated.

“Panday sued the NDPP and the DPP; he’s sued seven or eight prosecutors, he’s written a book on how much money he’s stolen, what a thief he is, how he was a ‘general’ in prison. He’s a convicted criminal but he has never taken a single matter to court. He circulates [his applications] to journalists and he gets the maximum bad publicity on everybody and not a single case goes on. We have a case against him for defeating the ends of justice. He will be charged and he will go to jail,” Singh told *Noseweek*. Singh denied the accusations made against him by Regchand.

When *The Witness* complained to chief magistrate Monyemore about their journalist being moved to the back of the court, she responded by saying that it was a “standing rule that if the media wish to do coverage in any court, permission must be obtained in writing from the Chief Magistrate’s Office”. ■



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Notorious KZN hitmen go to trial – finally

Glebelands Hostel killers-for-hire will face the state
in September. By **Desiré Erasmus**

AFTER YEARS OF INACTION, A RISING body count, hits on witnesses and stories of crooked cops being up to their eyes in the violence at Durban's Glebelands Hostel, eight alleged killers will finally stand trial in September. One of the accused is a former senior police officer.

The case of the Glebelands Eight (previously seven accused) has been dubbed a slam-dunk, but as experience has taught, when it comes to convictions for things to do with hostels, taxis or politics in KwaZulu-Natal, scoring is not assured.

Critically, in this case, the prosecution is at an advantage. Already, two of the accused are serving life sentences for murders committed at the sprawling, squalid Glebelands complex – crimes that occurred outside of the timeline in the case against the Glebelands Eight.

Noseweek has learned that there is also “solid” DNA and documentary evidence linking Durban Central Police Station undercover detective Bhekukwazi Louis Mdweshu, aged 37, to at least one of the crime scenes.

Witnesses – who are either rival “gang” members or victims – are lining up to tell their tales of horror. The State's witness list stands at over 100 people.

The alleged killers were arrested between December 2017 and April this year. Initially seven men, now eight, were arrested on suspicion of being at the heart of many unsolved murders and attempted murders at Glebelands. Some of the men have also been linked to assassinations and assassination attempts outside the hostel complex, and are believed

to be among the numerous “hitmen for hire” who operate throughout KwaZulu-Natal particularly and other provinces. (*More about this in a future report.* – Ed).

The arrest of Durban Central undercover cop Mdweshu came as no surprise to many hostel residents and some SAPS members who spoke to *Noseweek*. Human Rights activist Vanessa Burger, who has worked with victims of violence at the hostel for years, and KZN violence monitor, Mary de Haas (*Nose201*), who researches political violence in the province, did not express shock, either. Mdweshu's name and his alleged criminal activities have long been no secret. In fact, Mdweshu's name and rank were emailed to senior police management at Umlazi Police Station back in 2015 as being one of several police officers alleged to be implicated in the violence, including hits, at the hostel. The cluster commander and other top brass have denied ever receiving the email.

Seasoned State advocate Dorian Paver is prosecuting the Glebelands Eight who are charged with common purpose for crimes committed at the hostel between August 2014 and March 2016.

Mdweshu is alleged to have been the orchestrator of several killings and alleged to have been the go-to man for recruiting hitmen. He was identified as the de-facto boss of the alleged gang, and is accused of “managing an enterprise conducted through a pattern of racketeering activities” throughout the period.

Slam-dunk or not, prosecutor Paver has faced some nasty challenges since being assigned to the

case. During each appearance in the Durban Regional Court, the gallery has been packed with supporters of the accused. Heavily armed police have also been in attendance. Several of the supporters sitting casually in the public gallery were pointed out to *Noseweek* as being known hitmen.

But the show goes on, albeit cautiously. Paver has been placed under 24-hour protection following death threats, information he shared with the Durban Regional Court in April when he opposed bail applications brought by the accused. All were denied bail.

Noseweek understands that the disgraced undercover detective was planning a hit on the advocate from Westville Prison, where he had obtained access to a cell phone.

The reign of terror perpetrated by the eight came to an end in July 2017, when all Glebelands-related cases were handed to a three-man special team appointed to investigate murders and attempted murders at the hostel.

The three men were chosen because they had no known links to the Umlazi Police Station: Lieutenant Colonel Bhekumuzi Cosmos Sikhakhane was shipped in from Ulundi, Lieutenant Colonel Mbhekeni Bongani Mazibuko from KwaDukuza (Stanger area) and Detective Warrant Officer Thulani Robert Mwelase from Durban Central. The men report directly to Brigadier Tebogo Mbhele, provincial head of the organised crime unit in KZN.

In an affidavit placed before the court, lead investigator Sikhakhane explains: “[Brigadier Mbhele] instructed my team to intervene... because the matters were not being



Some of the Glebelands Seven (before they became the Glebelands Eight) at their bail hearing in Durban in April

satisfactorily investigated at station level, being the South African Police Service at Umlazi.” In fact, several Umlazi police officers have been named as collaborators in violent crimes and some allegedly have links to the hitmen.

There is “a plethora of cases” that had to be reworked, according to Sikhakhane’s affidavit.

However, *Noseweek* has learned that three Umlazi warrant officers – Shabangu, Madonsela and Ngcobo – who worked on the Glebelands cases before Sikhakhane and his team took over, did much of the legwork.

They were never implicated in any corruption and managed to secure a life sentence in September last year for the killer of Siphon Ndovela who was shot execution-style outside the Umlazi Magistrate’s Court in 2015. Ndovela was a witness to the murder of another Glebelands resident and was waiting for his police escort – which was supposed to be with him throughout the duration of his appearance – when he was shot in the back of the head and in the heart.

While the province’s top police

Several Umlazi police officers have been named as collaborators in violent crimes and some allegedly have links to the hitmen

brass contends that the murders at the hostel are “pure criminality” and have no links to politics, the evidence-leader for the Moerane Commission of Inquiry into political violence in the province made an interesting connection. During his closing arguments before the Commission in March, advocate Bheki Manyathi said Glebelands was central to the political violence in KwaZulu-Natal.

Central to the violence at Glebelands, it is alleged, is ANC Ward Councillor Robert Mzobe, now serving his third term in public office. Should he complete this term, he would have been the Glebelands Hostel’s councillor for 15 years.

Advocate Manyathi is quoted by *News24* saying: “We heard evidence that there were several demonstrations to have the councillor removed. The perception was that he was [*the*] instigator of violence. The plea from residents was ignored by the ANC locally and provincially.”

Glebelands is not alone as being something of a crime-ridden cesspit that appears to be low on eThekweni Municipality’s clean-up list. Other hostels in the metro area can be described similarly. But two important factors set Glebelands apart from the other poorly maintained hostels in the metro. First, it is the only complex that has been described before a formal commission of inquiry as being “a haven for hitmen” by more than one witness and in a variety of ways. The arrest of the Glebelands Eight and their subsequent court statements certainly appear to prove this.

Second, is that a report released by the Public Protector last year found that the municipality had completely

“failed” the hostel’s residents, as had the police, the metro police and department of social development.

Since the release of the Public Protector report, it seems that only the police have taken steps to address the violence at the hostel – including establishing a satellite police station in the grounds – which has not stopped the violence. The number of murders at Glebelands since 2014 is impossible to tally accurately. Varying accounts by police, the Public Protector and activists put the number between 50 and 100.

Trying to separate murders and attempted murders according to “pure criminality” and “politically motivated” is even more difficult, but some put the overall tally closer to 200. And Khayelihle “Mroza” Mbuthuma, Accused Number One (of the eight), told Paver during his prosecution for another “contract-style killing” at the hostel in 2017 – unrelated to the charges against the Eight – that, to his knowledge, the toll stood at 180.

In a face-to-face interview with *Noseweek* (a rarity, we are told), Ward Councillor Mzobe denied any involvement whatsoever in any of the violence. He said his first job had been in construction, he then worked for the OKBazaars and after that for “a concrete company”. At one stage he was also a social facilitator for KwaZulu Finance Development before it became Ithala Bank. He resigned in 2005 and was elected Glebelands councillor in 2006 after fellow residents asked him to stand.

Tall, big-boned and serious during the interview at his hostel-based office, 53-year-old Mzobe said that the Glebelands violence, including murders and attempted murders,

Accused Number One told the prosecutor Dorian Paver that, to his knowledge, the Glebelands death toll stood at 180

were “just criminal”.

Why then, *Noseweek* asked, was his name repeatedly linked to the violence? Mzobe at first declined to answer, but then said: “Everybody has freedom of expression, freedom of speech. They can say anything about you. Particularly us, as public servants, we are not protected [by] anyone.

“Anyone can insult you, just insult you in public, we are not protected, you see. I can’t answer that question, but anyone who says Mzobe is part and parcel of it, he has to prove it. How?”

Noseweek has been told by three independent sources that Mzobe and disgraced detective Mdweshu had a close relationship. Not true, said Mzobe. “I knew him as a resident, but not my friend or my neighbour; we are not sitting in the same flat [socialising]. I know him like I know anybody here. Anybody who lives

here, he thinks he knows the councillor, even if we don’t know him.”

Glebelands is estimated to have between 20,000 and 22,000 residents. It was built to accommodate about 12,000. There are no official numbers because there has not been an official head count – no resident list exists.

This, says Mzobe, is where the violence started – with the allocation of accommodation, an administration issue that lies with the council, not an individual councillor. “It goes back to the main battle of violence here, it’s about beds. How did people get allocations here? It starts back there. Because some of the people are lawful and other people are unlawful. That’s where the problem starts; access control... Family units [are] the answer to all the problems government is facing at the hostels.”

Glebelands is awash with security. A satellite police station was officially opened on 1 December 2017; there are between 60 and 70 CCTV cameras; Metro police and private security guards patrol the area. None of this, however, stopped the latest spate of violence in early August in which three people died, one of them, a security guard.

Noseweek has been told that the streetlights in the area where the guard was killed are still not working, rendering anything that may have been captured on CCTV useless. Fixing all streetlights was one of the remedial actions in the Public Protector’s report.

Mzobe told *Noseweek* that the city council was doing “all we can do to make things good here, but it [also] depends [on] the community”.

The city’s efforts to do “all it can do” involves a R75-million tender



approved on 29 August last year. The contract, according to Mzobe and a city official, is to be used for upgrades stipulated in the Public Protector's report. The municipality says the three-year contract was procured in terms of section 32 of the Municipal Finance Management Regulations.

"...the contractor carrying out the developments at the Glebelands Community Residential Unit has a contract with another organ of state. So we, as eThekweni Municipality, never issued any tender in this regard," the municipality told *Noseweek*. [This tender and others will be unpacked in a future issue. – Ed.]

The project, says the municipality, "entails conducting a conditional assessment of all council assets, repairs, refurbishment and maintenance, attend to all Occupational Health and Safety related problems".

The city says Glebelands residents "will be involved in various ways, for example, employment of local residents, and emerging local businesses will be utilised to respond to emergency maintenance issues and repairs". But residents say that has not happened. A few (unskilled) Mzobe loyalists have allegedly been hand-picked as the group of "local residents" mentioned above.

Mzobe, however, denies any involvement in tenders and contracts. "I am involved in tenders because I am just a councillor, not an official, I am not working [in] the procurement department. I am not doing any [tender] allocations."

Mzobe denies the rumours that he is related to Jacob Zuma and that he is a taxi owner. "I am Mzobe, [Zuma's] mother is maMzobe, but it doesn't mean that we are related. I [never even went to] any parties for him" nor had he been to Zuma's house, he said. He also denied having any businesses or work, aside from being a councillor. "I am the poorest of the poor. How can I stay here if I have money?"

Mzobe says he does have a family homestead that he travels to, and points out that at Glebelands he lives in an "old style" block – the old, single-quarters where some of the alleged hitmen were accommodated – and where most of the violence takes place.

He said he does not feel particularly safe in his single quarters, adding: "I am not feeling safe if the people I live with are not safe. Even as a councillor, you always have threats. People come to your office, they try to fight with you and say 'hey, you can't have this because of this'."

Mzobe has twice had his office burned down, allegedly by unhappy residents.

His most recent risk-assessment was in 2017 or perhaps at the start of 2018, he is not sure. "As I am not conducting it, it depends on whenever anyone comes from Intelligence saying, 'I want to have an interview'. I don't record that, because it is their own business. Even if they will come tomorrow, I have no control over that," he said. He does not lose sleep over things his detractors may say: "The people who are voting for me are not those individuals who want to make tall stories about me. It's about the people who come stand in the queue to vote for me."

Pressed again on whether he felt safe at Glebelands, Mzobe said: "It's not safe according to the environment, but I have no choice, I have to serve our people here. I have to be with them, all the time."


Returning to questions about evictions, Mzobe said there were "too many institutions" that had an interest in Glebelands. "It is very difficult to take all of the stakeholders and bring them together and agree on what kind of policies to have," he said.

Government could not have one policy for Glebelands and differing policies for other hostels, he said. "There is no easy way, but the government of the day, I can tell you, it has done a lot at Glebelands to change the lives of the people."

When there is a killing at the hostel, people tend to forget about the good that has been done, he said.

The Glebelands family units, Mzobe said, are his greatest achievement to date. "Women and children were not allowed to set foot in this place. There is now even an early childhood development unit here." ■

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Son of Gauteng

Despite struggle roots in Gauteng's Alexandra township, first-hand experience managing SA's richest province and the chops to lead the ANC, the party's treasurer Paul Mashatile says for the moment his sights aren't set on high position but rather on the nuts and bolts of working with Cyril Ramaphosa to get the economy humming. **By Susan Segar**

WHEN ZWELI MKHIZE HANDED over the ANC purse strings to their new Treasurer Paul Mashatile earlier this year, he warned that the party's debt of about R200 million could only be reduced if the ANC restructured. It had incurred substantive costs – largely through the ANC congresses in Polokwane and Mangaung – and owed millions to service providers.

"The debts were huge and we've not paid all of them off," Mashatile said in an interview with *Noseweek*, following an address to the Cape Town Press Club. "We are restructuring as [*his predecessor*] Zweli recommended and looking at how to pay off the debts and ensure long-term funding. We are also looking at how other progressive parties on the continent run their funding. The ANC is a complex organisation and turning it around cannot be done overnight."

Asked how much money was needed and where he intended getting it from, Mashatile was coy. "It's confidential... I don't want my opponents to know how much money I need."

Paul Mashatile is a tall man with a golden smile, who "still dresses in Mapantsula township style". He's a somewhat controversial member of the "Alex mafia" – a group of former activists from Alexandra township who

have risen to positions of influence – who has street politics in his blood. A former Finance MEC and Premier of Gauteng, he's been labelled "enigmatic", "ambitious" and "courageous". He spoke out against Jacob Zuma long before most comrades dared do so. Now, since being escalated to become a member of the ANC's top six and Treasurer General of the party, he faces his biggest challenge yet: to help turn around the country's economy.

"The economy is top of the agenda at Luthuli House. We discuss this all the time. We have to get the economy right and create employment. The growth forecasts are not good yet but we're putting all the ducks in a row."

Despite the challenges, Mashatile is buoyant that, in facing next year's General Election, the ANC will be a much stronger party than in the 2016 poll. "Then, we were weak, divided and perceived as arrogant and tolerant of corruption. The December conference created a new hope that we are returning to the ANC we were under Nelson Mandela and Thabo Mbeki."

Recent surveys by market research group Ipsos, he said, were very encouraging. They showed that the new president had been broadly accepted by South Africans. He was polling at 68% and the ANC, above 60%. "We think that's an indication that people

are saying, 'you guys are beginning to do the right thing'. We need to stick to that. People like that we are decisive about the land question, because they are hungry for access to land. They are also happy that we are acting decisively on corruption. We are bringing back the image of a party that is caring, as opposed to arrogant.

"The feedback we are getting is that people who did not vote ANC in the last election are now returning to the party they know. People are saying 'because of what you did in December, we are ready to come back and vote for the ANC'. But leadership is about consistency. As the new leadership of the ANC, we must sustain this."

Political analyst Dr Somadoda Fikeni says of Mashatile: "He has a very bright future, having shown his skills in various powerful positions in Gauteng... he's also on the right side of history as he chose very early to be critical of the Zuma administration. He understands business and the economy. Importantly, he also brings the experience from within the ANC in its declining years."

Commentator Ralph Mathekga says: "Paul cemented his presence in Gauteng... and look how Gauteng defined itself, by raising its hand first [*against Zuma*]. They were not afraid to be critical of the ANC – even though



ANC treasurer Paul Mashatile

they might not have been entirely clean themselves. Nevertheless, Paul is a man of the people, somebody who can twist arms and forge decisions. We will see him rise even higher in the ANC.”

Said Mashatile: “Serving in the top six of the ANC is the highest position you can attain in the organisation. Together we look not only at the ANC, but at the country. If we get it wrong, it goes wrong all the way down. The whole country is affected by our decisions. Running the ANC and handling its finances is a mammoth task. I want to do this properly.”

Mashatile has been working closely with President Cyril Ramaphosa on economic issues, joining him in Davos in January and travelling to London, Saudi Arabia, the UAE and several African countries to talk business. He’s off to the United States in September.

Mashatile says that despite his worries about the country’s cash-strapped coffers, the challenges of tax-

Mashatile has worked closely with Ramaphosa on economic issues, joining him in Davos in January and travelling to London, Saudi Arabia and the UAE to talk business

collection and of raising investments, Ramaphosa on his recent two-day trip was given separate investment commitments of \$10 billion each from Saudi Arabia and the UAE. “This is the equivalent of R240bn. This is what we will continue to do. There is a positive response coming from all over, but we’re highly aware we need to correct our institutional frameworks and the governance of our state owned enterprises if we want to succeed.”

In his address to the Press Club, Mashatile spoke about the ANC’s commitment to organisational renewal, economic recovery and African development. He also gave reassurances about a fair and rigorous procedure for land expropriation.

Organisational renewal and modernising the ANC required political education, he said. “People who join the party must understand the ANC is not a place to enrich oneself but a place to serve the people. Our head of political

education, Fikile Mbalula is now full-time at Luthuli House and working on this. It will take time to ensure proper organisational renewal but we have started and we are happy with our efforts.”

He said the ANC hoped to use the Public Investment Corporation (PIC) to tackle the problems of state owned enterprises (SOEs) and to stabilise Eskom by turning its R120bn loan into equity. He proposed that Eskom – “an elephant that is too big to walk” – would be more manageable if split into three companies with different functions: production, transmission and distribu-

tion. Although privatisation was not an option, the ANC was willing to engage with the private sector on equity investments in SOEs. He stressed these investments would be minority stakes and not a complete outsourcing, unless the entity was unable to recover.

Land expropriation, said Mashatile, “must be done in an orderly way and not with land-grabs”.

“When we start rolling out land redistribution, restitution and security of tenure, we will look at all land, including land owned by the state. We will not expropriate land that is already being used productively.”

Despite his assertions that the ANC was hellbent on fighting corruption, Mashatile seemed taken aback when questioned about the recent election of Tony Yengeni as head of the ANC’s crime and corruption committee, and the election to the Gauteng ANC’s provincial executive of former health MECs Qedani Mahlangu and Brian Hlongwa. Mahlangu was Gauteng Health MEC during the Life Esidimeni tragedy in which at least 144 patients died, and Hlongwa is facing a probe by the police’s SIU for alleged corruption. Yengeni was convicted for fraud in the early 2000s.

From Alexandra Township to Luthuli House

PAUL MASHATILE WAS BORN IN 1961 in Gerhardtsville, a small township near Pretoria. His father, Diamond, was a priest and his mother, Nomvula, a domestic worker who was also an informal trader.

Aged 16, Mashatile went to live with relatives in Alexandra township, Johannesburg, to attend high school. His passion for soccer had to take a back seat when he became politically active as a student at Alexandra High School. He joined the Congress of South African Students (Cosas) to try to address students’ problems and co-founded the Alexandra Youth Congress (Ayco) in 1983, of which he was elected the first president.

He was close to his father and strongly influenced by him. “He was a very humble person: a giver, not a taker. I used to help him at his church, working as his secretary and teaching in the Sunday school in the early ’80s. “Many people thought I would become a priest but my political activities started taking up all my time.”

The young Mashatile and his Alex comrades were fascinated by the then imprisoned Nelson Mandela, as well as Oliver Tambo, Walter Sisulu and other struggle heroes. “When Chris Hani returned from exile, I worked with him when I was UDF secretary in the then Transvaal. He was a very down-to-earth man and I loved him.

“Walter Sisulu had no interest in

positions. When he was deputy president of the ANC, he could have ended up being president, but he’d say to us, ‘I’m not going to Parliament... I want to just work with you guys at Luthuli House’. He really loved the ANC. Those guys were strong influences in how I saw the ANC and my commitment to leadership.”

When Mashatile left high school, his plan was to study at Wits “but a funny law that required ministerial consent to get into Wits, and because we were hardened activists, made that option impossible”. He only got around to studying some time later, while in prison, when he signed up for a BA Law with Unisa. “Being in and out of prison meant I was always missing exams, so I didn’t finish.” He is currently studying economics through the University of London.

At 23, Mashatile was elected the assistant general secretary of the United Democratic Front (UDF), Southern Transvaal Region and later became its general secretary from 1989 until political parties were unbanned in 1990 and the UDF was dissolved.

Throughout his years of activism, he was harassed by the security police who also tried to assassinate him. “Growing up in Alex, they would regularly threaten to deport me to Pretoria because my reference book said I was from Pretoria. They said I had no right to be in Alex. They continually harassed my comrades and me, and we were

always in and out of jail.”

Mashatile was detained without trial on and off over four years from 1985 to 1989 after the government declared a state of emergency.

“We were charged for the bus boycott, but won the case... and then the state of emergency was declared. I was returning from the funeral of the Cradock Four with some friends and we were stopped at a roadblock and arrested and jailed in the Sun City prison, where we stayed for seven months. I came out in 1986 for three months and then was arrested again till 1989. It went like that for four years without trial.”

While in detention in 1989, Mashatile joined a nationwide protest and embarked on an 18-day hunger strike. “We wanted the world to know we were being kept in jail indefinitely without trial. When I came out, my flat in Alex was bombed in the early hours while I was staying there with the secretary of the Ayco, Jacob Mtshali, but we survived.”

Mashatile was a key player in re-establishing the structures of the ANC and the SACP when these organisations were unbanned in 1990. He was appointed General Secretary of the SACP in Gauteng. He was also appointed as the ANC Branch Organiser in Alexandra and Branch Chairperson for the SACP. He helped build ANC branches throughout South Africa. He also served on the Interim Leadership Group of the ANC in the

Mashatile said the ANC's integrity body should decide on the controversial appointments/elections.

While Mashatile clearly has a powerful future in the ANC, analyst Fikeni has this to say: "His rise would never have happened without the skills needed to play a role in the richest and most populous province in the country and the one with the most demanding stakeholders because of its industrialised, urbanised base.

"But I have not yet seen a solid constituency for him outside of Gauteng and he does need a stronger national profile. He also has no strong

affinities with trade unions, traditional leaders, youth formations and civil society organisations. His constituency is largely in business. In considering ANC power blocs, he needs to strengthen these connections."

Then there's the matter of his links to the "Alex mafia". Mashatile and his friends from the anti-apartheid movement grew into powerful figures of influence in Gauteng and have been linked to alleged corruption in entities like the Gauteng Shared Services Centre (GSSC).

"Those Alex mafia stories are based

on hearsay," he told *Noseweek*. "When you look at all the departments I ran in Gauteng, including the GSSC, there is no evidence of corruption. People just didn't like us tampering with entrenched interests. I am one of the few leaders who emphasised empowerment ... corruption by the Alex mafia does not exist. We ran Gauteng well.

"One of the biggest projects I was responsible for in Gauteng was the Gautrain – which ended up being a R26bn project. There is not single allegation of corruption related to that project – and it is one of the biggest projects we did." ■

Pretoria-Witwatersrand-Vereeniging (PWV) region (of the former Transvaal) led by Kgalema Motlanthe.

He was later appointed head of political education for the ANC PWV region. During the '90s, he formed a strong base in Gauteng which supported his rise through the ranks in politics.

In 1992 he was elected the Provincial Secretary of the ANC, a position he retained for six years, under Tokyo Sexwale as Chairperson of the province.

In 1994, Mashatile became a member of the Gauteng Legislature and was appointed Leader of the House, serving ex-officio in the Gauteng Cabinet.

In 1996, he was appointed Gauteng MEC for Transport and Public Works. He went on to hold numerous posts in the Gauteng provincial government, handling the portfolios of Safety (1998-1999), Housing (1999-2004) and Finance and Economic Affairs (2004-2008).

As MEC for Finance he was effectively responsible for an annual provincial budget of more than R40 billion and for keeping the country's economic hub running. He also became head of a number of entities, including the Gauteng Economic Development Agency, the Gauteng Shared Services Centre and the Gauteng Tourism Authority, to name a few.

In 1998 he became Deputy Chairperson of the ANC in Gauteng and in 2007 was elected chairperson of the province, beating his rival, Education MEC Angie Motshekga to the post.

In 2008, after Gauteng Premier Mbhazima Shilowa resigned in protest against the ANC's decision to remove President Thabo Mbeki from office,

Mashatile took over as premier of the province from October 2008 to May 2009 when Nomvula Mokonyane was made premier.

He then served as Jacob Zuma's deputy minister of Arts and Culture before being appointed as minister in that department, a position he held from November 2010 to May 2014.

At the time, the ANC in Gauteng had become very vocal against Zuma's shenanigans – and few were surprised when Mashatile was axed by Zuma as minister, with many seeing it as a punishment for his role in talking out against Zuma.

Through the years in Gauteng, Mashatile became known as the "don" of the so-called "Alex mafia", the network of old struggle-buddies who, after rising through the ranks to become powerful and influential in Gauteng, were linked to alleged corruption in the province's administrative agency, the Gauteng Shared Services Centre (GSSC). The four friends appeared intertwined in a number of business dealings.

The anti-apartheid activists included Mike Maile (former CEO of the GSSC), Nkenke Kekana and Bridgman Sithole. Mashatile also courted controversy for allegedly failing to declare his stake in a number of companies and for awarding shadowy tenders.

These included: in 2007, it was reported that IT company Business Connexion employed Mashatile's daughter, Palesa, while waiting for the outcome of two big tenders from the GSSC, which was answerable to Mashatile.

The company won both tenders in 2005 but lost others. However, the

Gauteng Integrity Commissioner cleared Mashatile of a conflict-of-interest in the Business Connexion saga as he had declared, then disowned, his own shares in the company.

Kekana and Sithole were shareholders in Business Connexion.

Mashatile has always denied the allegations of corruption, accusing his naysayers of having a personal vendetta against him.

Mashatile also has a reputation as a survivor who is able to sit out controversies, including the R96,000 dinner bill he clocked up in 2006 by hosting a post-Budget Speech dinner for 200 guests.

He has stoked concern in the ANC for his often vocal opposition to the white monopoly capital narrative.

On 18 December 2017, Mashatile was elected Treasurer General of ANC at their 54th national conference, meaning he had to relinquish his position as Gauteng chair of the ANC.

Mashatile is married to Manzi and has four children. In his spare time he watches soccer – he is an Orlando Pirates supporter – or motor sports, and visits friends or reads.

He reads a lot about China, particularly the country's president Xi Jinping. "I want to understand what is happening in this country that is already the second-biggest economy in the world, driven by him, what kind of person he is and the issues he is dealing with."

Mashatile's political style is "to work with people honestly". One politician he admires is Abraham Lincoln: "He fascinated me. I loved his style of leadership, his way of "bringing in the rivals". ■

From another country

Doing healthy business

Are açai and goji berries, as well as quinoa really super foods – or do they just fetch super prices? By Tom Philpott

THEY'RE WIDELY VILIFIED, BUT FOOD industry marketers really do have a tough job. People can only eat so much, and in industrialised countries where food is plentiful, they don't tend to consume more of it as their incomes grow. Unlike sales of, say, personal computers in the 1990s or tablets in the 2010s, overall food spending tends to be pretty flat – it rises roughly with the growth of population.

One way the industry responds to this stagnation is to roll out “new and improved” products – an endless grope for bigger pieces of a slow-growing pie. Junk food manufacturers are masters of this game: Smokin' Bacon Ranch Miracle Whip Dipping Sauce, anyone?

But the natural-food industry does it, too – with superfoods such as açai berries, goji berries, quinoa, and chia seeds. These pricey, often exotic ingredients cycle quickly in and out of the foodie spotlight. Açai berries were barely known outside of Brazil a decade ago, but in 2012 açai-laced products grossed nearly \$200 million in the United States. And while açai sales have dropped recently as their novelty has worn thin, coconut oil – touted as a wonder fat – is picking up the slack.

Some of the super claims are true: Açai berries, native to the Amazon rainforest, and goji berries, produced mostly in northern China, are indeed loaded with phytochemicals, plant compounds that seem to protect us from heart disease, brain deterioration, and cancer. And quinoa, the seed of a spinach-like plant grown in the Andes, really does offer a complete, high-quality vegetarian protein.

Other boasts are, well, less true: Açai and goji berries are not really miracle cures for everything from obesity to sexual dysfunction. Indeed, in 2006, the US Food and Drug Administration (FDA) reprimanded two different goji product manufacturers for making



Gojis being shovelled at the Zhongning market in China

unsubstantiated health claims in violation of the Federal Food, Drug, and Cosmetic Act.

Nor do all superfoods come from the pristine places that their packaging would suggest. One prominent US goji supplier, Navitas, calls its berries a “Himalayan superfruit,” but the company's website reveals they're a product of China, grown in the “lush, fertile valleys of the Ningxia Province.” That's nowhere near Tibet – and, it turns out, most of the world's goji berries hail from industrial fields in this region.

If that doesn't faze you, perhaps this will: Quinoa may deliver a complete protein – all of the amino acids you require – in a compact package but rice and beans together actually do better. And like goji berries, blueberries and strawberries are packed with

phytochemicals. The only problem is that lacking an exotic back story, food marketers can't wring as exorbitant a markup from these staples: the domestic blueberry, for example, is periodically (and justifiably) marketed as a superfood, and in recent years, products featuring blueberries as a primary ingredient saw their sales nearly quadruple. But they still only raked in less than 2% of açai-based product sales.

Yes, the food industry's hawkers have a tough job – and you can make it even tougher. The real superfoods are lurking exactly where marketers don't want you to look: in produce sections, bulk food aisles, and backyard gardens. Not quite as exotic as the Himalayas. But then again, neither are those industrial plots in China where goji berries actually come from. – *Mother Jones* ■

Why big banks LOVE paying fines to the US government

The \$2bn fine Deutsche Bank happily paid to the Federal Reserve for breaking the law was the equivalent of a motorist paying a \$150 speeding ticket – no big deal

WHEN VOLKSWAGEN EXECUTIVES found out that United States regulations would kill off one of their diesel models, they pulled some tricks to fool them by installing software that misrepresented the emissions their vehicles released.

But the US found out and arrested several VW executives – one of whom was sentenced in late 2017 to seven years in prison for his role.

How does the US government respond when a business directly victimises hundreds, thousands, or tens of thousands of its own customers? Look no further than banker Wells Fargo, which has repeatedly screwed its customers, yet not a single executive has gone to prison.

Sovereignman.com sums up the last few years of scandals:

“The ink isn’t even dry yet on the \$1 billion check that Wells Fargo wrote in April as a penalty to settle its previous scandal, in which 570,000 clients were defrauded in a car-insurance scam. As many as 20,000 of those clients may have had their vehicles repossessed as a result of their inability to pay for the insurance that Wells Fargo illegally stuck them with,” the news site reported.

In October 2017 Wells Fargo was found to have deliberately recommended investment products that were “highly likely to lose value...”

Earlier that month, the bank admitted that it had “erroneously” charged late fees to more than 100,000 borrowers, even though the delays were the bank’s fault.

In 2016, a number of employees at various Wells Fargo branches in California were found to have sold sensitive customer information, including Social Security numbers, to a ring of identity thieves.

And of course, in late 2016 and

throughout 2017, Wells Fargo’s notorious “fake account” scandal was found to have affected millions of customers.

Wells Fargo paid \$185 million in fines for the fake account fraud. They paid \$1 billion for the car-insurance scam.

In the past decade, Wells Fargo has been fined \$11.8bn. This includes the money it cost the bank to redress the damage done to customers, and even that was lacking.

Volkswagen fines and settlements have topped \$25 billion. The next-highest fine paid by an automaker was \$900m. That was when 126 customers died because of a faulty GM part.

Accidentally kill a hundred people or intentionally rob your customers, and it is no big deal. Lie to the US government, and you’ve gone too far.

The fact is, Volkswagen and its executives made an irresponsible move, which cost investors dearly. But the US response is draconian, especially when compared to the country’s treatment of the banking industry.

No one from Wells Fargo has gone to prison despite intentional theft from customers.

Volkswagen didn’t actually victimise any individual – which makes it clear that this response is meant to make an example out of VW and its executives: this is what happens if you mess with the US government. On the other hand, why would the US government care to make an example out of Wells Fargo? They only screwed their customers, not the government.

Wells Fargo brings in about \$6bn per quarter. When a government fines a bank, it is tough for outsiders to know what kind of effect that has on the bottom line. For many banks, millions or billions, which sounds like a lot of money, is just a drop in the bucket.

The US fined Deutsche Bank \$156m after it coordinated the buying and

selling of various currencies with competitors. The bank also failed to follow some of the rules on using the bank’s own capital for certain investments. Because Deutsche Bank is government insured, the rules limit what kind of investments it can make.

Deutsche Bank said it was happy to settle with the Federal Reserve. Why?

Because their assets are pushing \$2 trillion according to *Forbes*. The bank brings in tens of billions of dollars each year. Under the circumstances, \$156m is a small price to pay to get the Fed off your back. Especially if you want to keep doing what you are doing.

That fine was less than one-hundredth of one percent of their balance sheet. It’s like an average American getting a \$10 parking ticket.

Deutsche Bank paid over \$2bn in fines a couple years ago to settle charges that it conspired to manipulate interest rates. That was like a \$150 speeding ticket. You might slow down for a while, but does your overall behaviour change? No. You’ve got places to be! This is simply the cost of doing business. Fines to punish banks are small, compared to how much the banks make from the misconduct. Banks basically legally pay-off the government to say that everything has been resolved.

Who gets screwed? The taxpayers who expect the government to watch out for them, and the consumers who rely on the banks to behave appropriately with their money. This is why governments are such poor regulators. They don’t care about protecting the consumers. They are more interested in making money. The government is essentially charging a fee to look the other way and allow banks to continue screwing their customers.

• *This is an edited version of an article first appeared in The Daily Bell, a US Libertarian online publication.* ■



Inside view. Tale wagging the dog

IN THE EARLY NINETIES AN ASPIRING YOUNG Tasmanian writer called Richard Flanagan was approached to ghost-write the autobiography of the notorious conman John Friedrich, awaiting trial for defrauding banks and other institutions to the amount of nearly \$300 million Australian dollars. The emolument would be AUD10,000, the main condition being that the book had to be written in six weeks. Hard-pressed for cash, his wife expecting twins, Flanagan accepted. But in the course of the six weeks, Friedrich committed suicide, and Flanagan had to complete the autobiography on the strength of the very very meagre information he'd managed to glean from Friedrich's evasive, contradictory narrative.

Flanagan completed the autobiography, and went on to publish six very successful novels, the most recent of which, *The Narrow Road to the Deep North*, won the Man Booker Prize. Now, in *First Person*, Flanagan gives us the story, in the first person, of an aspiring young Tasmanian writer called, Kif Kehlman, who, in the early nineties, is approached to ghost-write, for a consideration of 10,000 dollars, the autobiography of the notorious conman Siegfried Heidl, awaiting trial for fraud amounting to millions of dollars. Kehlman is reluctant, but his own writing is getting nowhere.

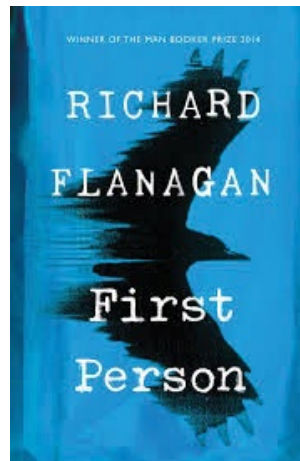
So where does fact stop and fiction start? The question is probably a distraction, in focusing on the origins rather than the actual contents of the novel: best to just get on with reading and judging the book as fiction. Even here, though, the reviewer is faced with origins: it doesn't take long to discern in Flanagan's novel the potent influence of Joseph Conrad's *Heart of Darkness*. Heidl is Flanagan's version of Kurtz, the megalomaniac jungle potentate, as observed by the narrator Marlow. As in Flanagan's novel, Conrad's narrator is

more than a device: he is drawn into the web of deceit and self-deception of his subject, and finds his moral preconceptions, his notions of good and evil, challenged and even destroyed. Both Kurtz and Heidl become representatives of "the horror", in Conrad's phrase, underlying what we regard as civilised society – in Conrad, colonialism, in Flanagan, capitalism. A possible additional point of reference is Scott Fitzgerald's *The Great Gatsby*. Gatsby, like Kurtz and Heidl, was a self-made ruler of his demesne, in this instance the vapid, heedless, prosperous flapper generation of the 1920s.

All this is to say that Heidl is clearly a representative figure, a product as well as parasite of the world of high finance – with the offshoot of that world, the culture of publishing and television, greedily gorging itself on the sensation value of high crime.

Kif Kehlman is, like Conrad's Marlow and Fitzgerald's Nick Carraway, the outsider who is drawn into the vortex of amorality, finding his own moral notions challenged, indeed finding himself becoming Heidl, in becoming a writer. Kif's best friend, Ray, who is also Heidl's bodyguard and factotum, says "He's a bloody funhouse mirror... Look at Heidl long enough and all you can see is yourself." And Kif himself starts to feel that "The more I invented Heidl on the page, the more the page became Heidl and the more Heidl me – and me the page and the book me and me Heidl."

Thus Flanagan uses his own experience of writing the autobiography of a conman to explore the relation between the writer and his subject: as Heidl says, quoting his beloved Nietzsche, "And when you look long into the abyss, the abyss also looks into you." And what Heidl reveals to Kif is the illusory nature of all ideals and morality: "The point of all Heidl's stories: to make me believe my life was based on illusions – the illusions of goodness, of love, of hope."



FIRST PERSON
by Richard Flanagan
(Chatto & Windus)

We must assume that it is at this point that Flanagan and Kif part company: where Flanagan went on from his encounter with his subject to become a respected author and a doughty fighter for environmental causes (so controversially so that the Premier of Tasmania has declared “Richard Flanagan and his fictions are not welcome in the New Tasmania”), Kif takes to producing television shows, the perfect medium for Heidi’s rock bottom view of life: “We made rubbish, and, in the Australian way, the more mediocre our work, the more awards and the more praise with which we garlanded ourselves. ...TV was the art of turning money into light and light into money.”

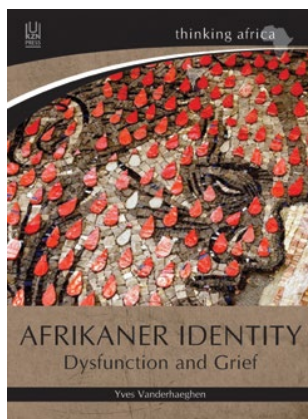
Ultimately, Kif comes to share Heidi’s view that “The evidence of the world is that the world is evil.” This is the equivalent of Kurtz’s dying words: “The horror! The horror!” and Kif (Flanagan?) finds that evil alive and well in his native land: “It was a land not infinitely perfectible, just infinitely corruptible. There was nothing of itself it wouldn’t sell, and always cheaper than last time.”

But if Flanagan is particularly acerbic on the subject of Australia, he extends, in the closing pages of the book, Heidi’s philosophy to the brave new global world of the 21st Century: “He swindled the banks of seven hundred million, but soon enough the world would be swindled by so much more, the racket disarmingly the same taking and making money out of ...junk bonds, no doc loans, derivatives... Enron, Lehman Brothers, Northern Rock and Bear Stearns.”

And when Kif says of Heidi, “He contradicted his own lies with fresh lies, and then he contradicted his contradictions,” who does not think of The Most Powerful Man on Earth? At least Heidi had the grace and insight to shoot himself.

Flanagan’s book is a pungent fable for our times, as *Heart of Darkness* and *The Great Gatsby* were of theirs. It does not always make for pleasant reading, and in truth may at times be too moralistic in its questioning of morality, but there is no denying its power, or evading Heidi’s uncomfortable question: “Do you think the evidence of the world is that the good are rewarded?” ■

Victimhood. Boot on other’s foot



**AFRIKANER IDENTITY:
DYSFUNCTION AND GRIEF**
by Yves Vanderhaeghen
(University of KwaZulu-Natal Press)

THE AUTHOR, A SEASONED JOURNALIST (and editor of the KZN-based daily newspaper *The Witness*), bases his survey of Afrikaner identity on a close analysis of the Afrikaans daily *Beeld*. His findings are revealing, though perhaps not surprising: given the paper’s generally well-to-do Afrikaans readership, *Beeld* concentrates overwhelmingly on issues close to the concerns of Afrikaans middle-class people.

Vanderhaeghen sees Afrikaners as “self-othering”, that is, casting themselves as victims of the new dispensation, in defensive reaction against being cast by others as the perpetrators of Apartheid. He uses the concept of “grievability”, which he defines as a matter of “trying to claim a position of legitimacy... through establishing an equivalence of suffering. Othered by dominant social discourse as racists and right-wingers, Afrikaners flip the dynamic around: they are the new ‘other’, ...appropriating the traditional position of minorities around the world. They offer up their dead and maimed to the world to bear witness to their grief...”

To support these necessarily broad generalisations, the author analyses

in exhaustive detail the reporting of *Beeld* from 1 November 2012 to 31 January 2013, that is, a total of 77 editions, in terms mainly of the news and opinion sections, from which “were generated discursive categories of ‘grievable’, which are then interpreted in terms of a prevailing discourse of dysfunction, informed primarily by ...crime and disorder.”

Thus *Beeld*, according to the author, promotes a “grievable” narrative of Afrikanerdom, in which the Afrikaner is the victim of a political dispensation whose dysfunctionality disproportionately disadvantages the white Afrikaners. He shows by numerical analysis how strong the emphasis is on whites as victims: “In *Beeld*, the life of the Afrikaner subject is presented as vulnerable at every level, that is, ‘othered’ in every aspect of public life.”

He notes, possibly sardonically, that the fate of the rhino becomes, in *Beeld*’s rendering, metaphoric of the threatened position of the Afrikaner. In general, he finds that stories involving animals outnumber, by 199-to-110, stories “in which a black person was the subject of the story”.

Interestingly, in the light of recent revelations, Vanderhaeghen refers several times to *Beeld*’s hagiographic obituary, alone among the local media, to General Magnus Malan. It is tempting to speculate whether *Beeld* was aware of the rumours circulating at the time regarding the General’s paedophilic activities; if so, that would support Vanderhaeghen’s contention that *Beeld* was intent on counteracting the Afrikaner-as-perpetrator image.

To summarise somewhat baldly a complex argument, Vanderhaeghen suggests that, judging by the editorial practices of *Beeld*, Afrikaners have retreated into a new laager, not of racial domination, but of self-othering, casting themselves as “grievable” victims rather than perpetrators, rhinos rather than hunters. This is a challenging thesis, and will no doubt be challenged. It is certainly a thought-provoking one. ■



Bluebirdism. Let's get over the rainbow



DOES ANYBODY REMEMBER JUDY Garland anymore? A sweet girl with nice eyes and a nice smile, also uncomplicated by too much thinking about uncomfortable things, as befits a daughter of the US of A. I suppose you could say she came in the same category of comfort as Bing Crosby who sang songs about baking a sunshine cake, as follows: We-he-he oughta ba-hake a sunshine cake, it really isn't so hard to make, ah-ha fresh cheers, a pocket full of pleasure, kind words you needn't use a measure, ah-ha and for goodness sake whaddawe waiting for? A-let's aba-hake a sun, a shine, a sunshine cake aday-daky, a Sunshine Cake.

Judy, now, she descended from a more Romantic era, that of Chopin and Liszt, and her main contribution to the history of music went something like this: Somewhere over the rainbow, way up high, there's a land that I dreamed of once in a lullaby. And but recently it occurred to me that for twenty four years we've been casting about for a suitable national anthem and this may be just the job.

I mean we are a secular state, and calling on the Almighty to bless us along with an entire continent, *Nkosi Sikelel' iAfrika*, that's a bit clumsy, also dreary, you must admit. Then again, we are a republic with five kings f'Chrissakes, and though we might appeal to the Almighty to help finance this lot, it would sound silly to plead that He should save them all and make them all gracious, noble, victorious, happy and glorious. No! Appeal to Mother Nature! Thus Judy: Some day I'll wish upon a star and wake up where my cares are far behind me, where troubles melt like lemon drops away above the chimney tops, that's where you'll find me.

Okay, so now, how to become a Rainbow Nation? Well sit up and pay atten-

tion and I'll tell y'all a history story, as follows. O frabjous day! Callooh Callay! A full-on real-live in-the-flesh US former president comes to Joeys and smiles upon us with all his 64 teeth and tells us ordinary humans he admires Mandela's vision like anything. But why should Mandela have needed a vision when he had a perfectly good charter? The Freedom Charter of 1955? Aha! you will say, but that's socialist! Well, if such a document of decency is socialist then bring socialism on.

But let's not niggle. Let's shunt forwards to 1961, when certain rebels conceive a certain vision instead of a mere charter of words: the original M-plan. M for Mandela, whatever later nomenclature suggests. The armed struggle is about to begin, its schedule laid out by this plan. First will come industrial sabotage, and when the economy is on its knees, armed attacks on police and army places will begin. Then when the prole populace has risen as one and overthrown the racist regime we will plan a decent democracy. Plan schman, the whole bloody lot of us, self included, end

up in boep for our hallucination, and lucky not to get the rope. Well, no, not all, some flee to London to bask in the warmth of world flattery and claim some bullshit about running an underground back here.

In the US they have a thing called the Deep State, a power elite, certain men of inconceivable wealth, unidentifiable and unelected. The government is elected and it governs, it administers, but the Deep State rules, supreme. The Deep State 1980s is content with Apartheid SA, see.

The country is stable, their investments secure, there is no blood running down the gutters. But in the '80s our mission in exile gets the quaint idea of disinvestment in SA, a right kick up the crutch for the Apartheid State. It is becoming unprofitable. With all due apologies our government is told to find somebody on Robben Island with nice eyes and a nice smile, groom him up as our first black president and give him a Springbok rugby jersey to swop with Francois Pienaar if we win the World Cup in 1995. But note NO Marxist. NO communist. NO Govan Mbeki to redistribute our wealth.

Certain lucky bandiete are considered for gentlemanly training and polishing for the presidency and lo! our Madiba is the winner! He is by far the most celebrated of our celebrities! He does swop the rugby jersey and Dezzie the Toot comes all over coy and giggly and rainbowly; as Judy said, "Somewhere over the rainbow bluebirds fly". We must all confess publicly our evil past and forgive and love each other because deep down we are all good Christians and now we must get together and make a nice new country.

*If happy little bluebirds fly
beyond the rainbow
Why, oh why can't I? ■*

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