



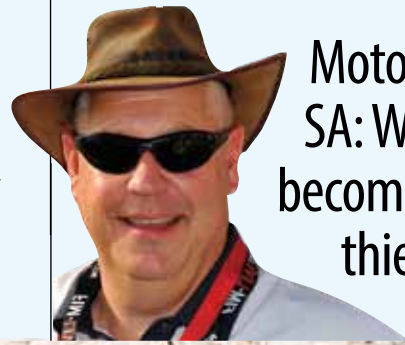
William Gumede
on the ANC then
and now

P14



Mercedes SA
conceals
design flaw

P22



MOTORSPORT
SA: What's
become of the
thieves?

P12

NEWS YOU'RE NOT SUPPOSED TO KNOW

noseweek

R39⁶⁰
(including VAT)

Zuma's imperial network

KZN RULES OK!

171 JANUARY 2014



00171
9 771025 104042

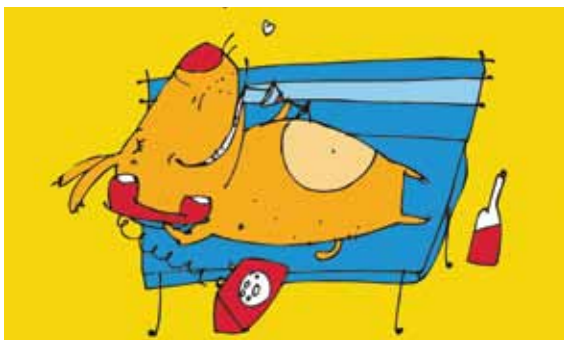
PCTCGOYDUTJIJOTZODONWBLYBCCFTJRSMTZBQMZCPHCSNYWIHRWEZTMGZGFLJPLUEJWNHIQ
VARRMMLAXAVKXBDZQDGLKPNBYURCCLNIZBLZNUYOKYLSQMGSEVDHCHOTJGZRNTONLARNOSGCIUTP
EJHVAAZALUKXPDOGCVZZCNGLBVOZETEAHQFQFEBCSQODTGOHVZKRALQDSHNLANDNOSGCIUTP
CLSTDDZIXIQYQIRKOCCHZPIGZQTICITAKTAVDUVDFPDUZVIOHVZKRALQDSHNLANDNOSGCIUTP
SLQVNNNTFWWSBMFJIARPNMGXHPJBCXVYSHIWDGWRBPDWOFQRAATJMKTHHGANMFPFOWXOKJGVXS
CXSHXHUWJLQTKOMPZIUGLNXYVQEFCHGONKIBFBZCZQREDUCSYJANWMSHNFJOWXOKJGVXS
LXINJDPIONBEPUNXDZYLWVQFCHGONKIBFBZCZQREDUCSYJANWMSHNFJOWXOKJGVXS
RKFLLVQSWQLZSRKACHTHANGNNDCHVHJFYNYOHZCCHNFJOWXOKJGVXS
XGICOKOYEAAMAYURJSSRWVDTJKJZDXIXVHIQZNCMMHAFJYNYOHZCCHNFJOWXOKJGVXS
UPJFWUWUWVNDXNYJZSENYHXSLEYOTJABBBEMDVBDDQGMMAOKNJJCXREYANXCIQZCXINANNZ
CMIGTTHWFNDNTTYJYDNGXTQOXCEIRMMHJGMYFGLUJQDGHKBWBJERNTJVKWBLQIXENTDUEG
TMCNITTDNEBDDTYJYDNGXTQOXCEIRMMHJGMYFGLUJQDGHKBWBJERNTJVKWBLQIXENTDUEG
FNMBAFIAZTDOETJYHUKQFTXWLUOQSCYUETJVMGZYZWJQDGHKBWBJERNTJVKWBLQIXENTDUEG
EXQKNNTNIHXPFCKHXQCPUSMZIKWVPPBGZVOKKESIVDEEZVJPOJLHGBICMUFKUHJVVOGHZLX
GFOFTUWVZXREKHXQCPUSMZIKWVPPBGZVOKKESIVDEEZVJPOJLHGBICMUFKUHJVVOGHZLX
YTOPPTSMWBSOICJJOICSYBHQZVKKRANLELRFJFVFEOWXCRILUCWYLTWEAJZGAKQXVVBOTY
BHAJAPHROLDGZINENUPTEUFAKRAKXULKESEJJEJVDVMEOBNUVHQPMSOBYGABOITJLHUUJN
YVPLHGLOEODGGACRLQEXBIAURPKKXULKESEJJEJVDVMEOBNUVHQPMSOBYGABOITJLHUUJN
LYOUABTHXHPWPOGPNAAQHIANBKGJYQOEVVXRQNLVPAVJFTXHQDMUHGGDFSPNOLMZHYYQV
LVKRVVHZHPWPOGPNAAQHIANBKGJYQOEVVXRQNLVPAVJFTXHQDMUHGGDFSPNOLMZHYYQV
BIYVLLKLVAZIOGGETSIPKQVZKDFDVVXRQNLVPAVJFTXHQDMUHGGDFSPNOLMZHYYQV
FNNHZZQBVLBSXTEGEPSPWUWUWVNDXNYJZSENYHXSLEYOTJABBBEMDVBDDQGMMAOKNJJCXREY
TBLTBVUVWVHXOMKSERUWUWVNDXNYJZSENYHXSLEYOTJABBBEMDVBDDQGMMAOKNJJCXREY
KZEWCVVAVAJZPYIOFIVEMJUFJFAVBUINTUBQCRKFCWUZNNVXTXKHQRUIWUALSYZGBVHLV
YFAVJVVOZUNIGKDUORDJVOFJIEAVBUINTUBQCRKFCWUZNNVXTXKHQRUIWUALSYZGBVHLV
VJLQGPVOTBBEIOQZKRCDEKNGUEGKBAWJLWISYERGDIDVHNSHBAATXJLSZGMJHSTSOQA
NNSHGGDCTQBBIQZKRCDEKNGUEGKBAWJLWISYERGDIDVHNSHBAATXJLSZGMJHSTSOQA
KFSWLGDMTZZBGAIZISBNGCYBGGECPCARWAHCLZWDMSJIBOFXANDICEVOKHKLABONGALWU
ODQYWCVCXONXHYFYZPEVZIUOLHMGQRRAWAFJWPDFMIXERZGKUDTRGQNNXZMYBGHMALWU
IJKFOZGXXHRYZYPAOLPUGNJAFAJWPDFMIXERZGKUDTRGQNNXZMYBGHMALWU
USMGHPXGDCQGFZIAOLPUGNJAFAJWPDFMIXERZGKUDTRGQNNXZMYBGHMALWU
WLDLTLZNOEGGCIIMIVJLHGSZVLAVALPKSZHLMMHTUFREABRRMRMOKCCYZZDPFOTEMTYX
TKCRPKGXJMLUQTTOUWSKSNZNBELDFEZSELTVMZCPHCSNYWYIHRWEZTMGZGFLJPLUEJWN
PCTCGOYDUTJIJOTZODONWBLYBCCFTJRSMTZBQMZCPHCSNYWYIHRWEZTMGZGFLJPLUEJWN
AXVWFFLALOADZKUZYPWPYZMFCQKGIKIEYRRHZZSYGJWBBOUECYERDDBVHKFFXKCDAGN
WVKNPXEIDWJJUHVSMSXHGCLGSGFEWDTZPQLNLYDLCOMNGOJABIKYIQEEOZOSIRDWQZ
HAKKZJIEMLSZZURGNOLIUIOKBDZKBRNJSKQBQTIOLDCZRIABIVNONMVEOSIRDWQZ
CVOJTPSMLSTQFUPZQELPWNURVBEIXIQAABINPEWBNDQKQKULQVGSPLCZSOWRRLV
GSHSHWIYQIIZDDEVUMSELVHKKMURVBEMERDHRVMDNABFIQGXCKULQVGSPLCZSOWRRLV
ZGPPCSTTFMLADHJGJELVTLRRDYMTSHMQGSHUULQQAABWGGPBPOUXPSWDDRFYQVAKMHTC
ZKWPFLNUZFYFYUFBIDILRRDYMTSHMQGSHUULQQAABWGGPBPOUXPSWDDRFYQVAKMHTC
CTCOPBQMGGDPJSTQTONJLQFDXQFOHCFGSHUULQQAABWGGPBPOUXPSWDDRFYQVAKMHTC
CTXPKNNDRJTEGGRWKMNLZUHYOHTHWILNDYKDAWHEIWHHPUHEHGVXUWVAKMHTC
TYZQNRKZKIMYAPJIVVRQLQDUHVBMBZNBUIJMZXVFAXTXQHKMPFOUPOONZVIAHNSRTGT
IRSYJQMNENBNUXERWJJAUBADCDHFMMEGXPNEGKXWJYWRQYTOUCARLIQETVGMZSYTU
HZMUTIWQRQTDGDPDYZRJIEMTQJKILFHIGZLIAMDVBFOWEUCARLIQETVGMZSYTU

THERE ARE TWENTY NAMES IN THIS WORDSEARCH,
BUT YOU ONLY SAW ONE. WEAR A LIFEJACKET.



noseweek

ISSUE 171 • JANUARY 2014



A bitter pill for independent pharmacists *page 26*

FEATURES

7 Notes & Updates

Saga of squatter's victim drags on | Told you so: Tina and Iqbal were at it

8 Bompas Road developments

Deal on the cards

9 Glenhof Gardens

Posh people with potty mouths

12 Motorsport boss sold hot Porsches

When will the NPA act?

14 Mandela's legacy betrayed

The leadership of the ANC has strayed far from Madiba's ideals, writes William Gumede

17 The right stuff

Zweli Mkhize has the makings of a successor to Zuma, according to some in the ANC

20 Jacob Zuma's KZN empire

Noseweek's latest organogram

22 Mercedes SA failed to protect clients

A tiny, but critical, flaw should have been pointed out to owners

24 Phoney phone deal

A Vodacom customer is not amused by a special deal that went wrong

Download
your digital
edition today



**NOW
AVAILABLE
ON YOUR
TABLET**

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

both single issues and
subscriptions available

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

DOWNLOAD YOUR DIGITAL
EDITION AT
www.noseweek.co.za
or ☎ 021 686 0570

4 Letters

6 Editorial

**28 African
affairs**

38 Smalls

COLUMNS

**31 Piece of
mind**

**32 Sport and
stuff**

34 Books

35 Umjindi

37 Last Word

Letters

Jail for incompetent surgeons

MY RESPONSE TO PORT ELIZABETH'S HEART surgeon fiasco (*nose170*): What happens to other professionals who fail the competency test in their profession?

They get fired! If through their incompetence someone dies, those responsible, including the complicit hospital management, should be criminally charged and face the prospect of jail.

Who, may we ask, is to decide whether more people's lives are going to be endangered by a "professional" bungler?

Nick
By email

FNB execs' Icelandic freebie

I TOTALLY AGREE WITH YOUR SENTIMENTS with regard to those FNB executives' all-expenses-paid holiday trip to Iceland (*nose170*). The practice has been going on for years.

What really is annoying and outrageous is the fact that in addition to that freebie trip enjoyed by the Exco of Core Banking Solutions (and I'm sure many other divisions), these executives will also expect and be awarded a cash performance bonus and/or share options or maybe both.

Somebody, somewhere pays and at the end of the day the shareholders lose out because of the reduced bottom line in profits. An absolute disgrace!

Charles (FNB Pensioner)
Parkview, Johannesburg

And what about the customers? – Ed.

■ I HAVE HAD AN ONGOING BATTLE with FNB collections department regarding a judgment they incorrectly took against me.

I am in the financial services industry and cannot have this. But even after a year of struggle and calling Laurie Dippenaar's office it is still unresolved. I am sure that this must happen to many people and the attitude of the bank is totally unreasonable.

After reading your article about FNB management's lovely year-end incentive holiday (*nose170*) I

feel that there is a lot more to it than meets the eye.

Teresa Carstens
by email

Resist bunnyhuggers

THANKS FOR PUBLISHING MY PREVIOUS letter (*nose170*) and for Adam Welz's response. While I do not agree with his arguments in support of the contention that human-caused emissions of CO₂ are the cause of global warming, please don't get the idea that I believe in the indiscriminate burning of fossil fuels; I think that we should be going hell-for-leather to save them, as they are much too valuable just to burn.

But, we need to do so for the right reasons. At the same time we should not allow ourselves to be hijacked by the bunny-huggers and greenies: as sympathetic as I am to their feelings, they often go overboard and win political concessions which make no technical sense and cost a lot of money.

As an electrical engineer, I can say with confidence that a lot of the current renewable energy technology is not nearly as good as many people make out or wish it to be. Wind power, except in areas where there is a huge amount of very strong and constant wind, is a waste of money. Wind fluctuations need to be backed up by steam (coal, oil or nuclear) generators, which are kept idling, or only partially loaded so that they can instantaneously pick up the shortfall of

the wind power as it fluctuates. This is the worst and most inefficient way to operate steam generators. I do not believe there are any commercially viable wind sites in South Africa, but building a few wind farms is a sop to get the greenies off the politicians' backs and score brownie points.

Solar heating is an excellent way to use the sun and in South Africa should be used much more. The highest domestic demand for energy is water heating and big savings can be made here.

Solar electricity is still not an economic proposition except for remote areas where small amounts of power are needed. The development of this technology is moving quite fast, but, the last time I looked, it cost almost as much energy to produce the solar cells and batteries as they would give back in their working life. The amount of energy that can be produced by the cells diminishes quite quickly over time and they need to be replaced, as do the batteries. In any event these are domestic-size technologies and will not provide the gigawatts needed to power our heavy industry.

Southern Africa's big opportunity lies in harnessing the Congo River and using high voltage DC transmission to transmit the energy over large distances. But politics is killing that idea.

Richard Becker
Midrand

Fracking: is it ANC's stake in Shell?

IT'S A PITY THERE IS NOT MORE EMPHASIS on the falling prices of renewables such as solar and the rising prices of fossil fuels when evaluating the politics and industry of fracking. The crossover of these two prices has already occurred and poses the question as to why the government heads in the direction to promote fracking, and my belief is that it is the ANC's major stake in Shell.

Those opposed to fracking in South Africa should hit Shell right where it hurts and stop purchasing fuel from Shell.

Jeremy Westgarth-Taylor
Cape Town





Treasure chest... FNB's Icelandic freebie

Much mileage from small snag

YOU RAN A LETTER IN NOSE167 FROM A Derek Poole in which nasty, untrue allegations were made about me.

A few facts: Poole bought his Scooti golf cart from an agent in Johannesburg. After he reported having problems with it, I, in good faith, said I would pay for the unit to be sent to Cape Town to be checked out. I found a controller problem and replaced it, as per the guarantee. I serviced the unit and it was running perfectly. I informed Mr Poole I would be sending the unit back to him.

He told me he had purchased a new golf cart and would refuse delivery of the unit. He then asked me to sell it for him and I said that, as it was winter in Cape Town, sales were slow and I would rather return it to him.

He refused, then started getting rude and threatening. I offered him an amount of around R4,000 for it. He then went to the Small Claims Court.

I verbally withdrew the offer and informed him his cart was ready for collection. Further, the phone number he allegedly called, 021-5314117, was disconnected about six years ago and has never been on any paperwork of Scooti. My telephone number is 072 1430554.

Mark Hodson
scootimark@gmail.com

See next letter. – Ed.

I will hunt down Scooti man

I REFER TO THE LETTER “TEED OFF” ABOUT Scooti’s failings in nose167. I was also a sucker caught by Mark Hodson. I

bought one of these scooters from Technopharm in Rustenburg. After a period of three years I had trouble with it and was told by the owner of the business that he no longer stocked spares or sold these units.

He recommended I contact Mark Hodson for the spares. This I did and had a charming fellow answer the phone, namely Mark, who recommended that I replace the controller which was faulty. He said he had stock but I would have to deposit R1,840 into his account at FNB Mowbray, which I did, on the promise that I would receive the spare within a week.

After phoning numerous times and

promises of it being posted, still no parcel. After being told that the Post Office had sent it to another town, he eventually sent me one which was second-hand and did not work at all.

I have in the meantime had another one sent to me direct from China by the manufacturers at a cost of R1,023 including airfreight. I have not been able to trace Hodson or get him on the phone. I am always told that the number does not exist any more.

I will one day be coming to Cape Town and will make it my business to track him down.

Jan Stark
Bushman’s River Mouth



“I’ve heard a lot about money, and now I’d like to try some.”

WHY ARE LEADING LAW FIRMS SWITCHING TO LEGALSUITE?

LegalSuite is a leading supplier of software to the legal industry. We have been developing legal software for over 20 years and 6000 legal practitioners use our program on a daily basis.

If you have never considered LegalSuite as an alternative to your current software, we encourage you to invest some time in getting to know the program better. We strongly believe it will not only save you money, but could also provide a far better solution than your existing system.

Some of the leading law firms are changing over to LegalSuite, we would like to show you why. So give us a call.



“MAKING COMPUTERS WORK FOR YOU”

+0861 711150

FOR A FREE DEMONSTRATION,
www.legalsuite.co.za



Editor

Martin Welz
editor@noseweek.co.za

Designer

Tony Pinchuck

Investigations & special projects editor

Mark Thomas

Consultant

Len Ashton

Sub-editor

Fiona Harrison

Contributors

Len Ashton, Tom Eaton,
Gavin Foster, Helen Grange, Sue Segar,
Harold Strachan, Viv Vermaak

Cartoons

Gus Ferguson, Stacey Stent

Accounts

Nicci Joubert-van Doesburgh
accounts@noseweek.co.za

Subscriptions

Maud Petersen
subs@noseweek.co.za

Advertising sales executive

Godfrey Lancellas
godfrey@madhattermedia.co.za

Advertising co-ordinator

Adrienne de Jongh
ads@noseweek.co.za

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



SUBSCRIPTION RATES

Print

SA only	R374
Neighbouring states (airmail)	R546
Europe, Americas and Australasia	R673

Internet edition

1 year	R298
--------	------

Combined

Print+Internet (SA only)	R474
--------------------------	------

To subscribe

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

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

Email subs@noseweek.co.za

Further information

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

Editorial



Party stalwarts: Pieter-Dirk Uys, Cape Town Mayor Patricia de Lille and Noseweek editor Martin Welz

IN PREPARATION FOR THE NEW YEAR, it is advisable to do a quick audit of the old.

We mourn the death of Nelson Mandela and an era of reconciliation and hope. Political analyst William Gumede offers insight of what we have lost with the great man's passing. (See page 14.)

We celebrated *Noseweek's* 20th anniversary with a party that Mayor of Cape Town Patricia de Lille saw fit to grace with her presence and a speech from the heart. That's worth a picture!

As auditors tend to do, we also find matters reported in our pages that remain unresolved. Two examples for the record:

- Sanral's brothers and sisters in crime at the Construction Industry Development Board (CIDB) are still "in the process of constituting" an investigation team to "kick-start" their probe into the 15 construction companies – more than six months after they admitted to having engaged in collusive tendering on government contracts worth tens of billions of rands.

Meanwhile it's business as usual, with further state contracts worth billions still being awarded to the same corrupt companies without any special precautions having been taken to exclude collusive tendering. And no word of criminal prosecutions in the pipeline.

- In January 2011 *Noseweek* reader Jaron Tobias lodged a complaint with the Johannesburg Bar Council (see *nose153*) concerning the alleged serious misconduct of advocate Nigel Riley, who appeared for him as the Plaintiff, and Advocate G'D Wickens, who appeared for the Defendant, in a case heard in the South Gauteng High Court.

Over a year-and-a-half later, he sent the Bar Council a note asking about the outcome of their inquiry. No joy.

A further six months on, he asked again.

We repeat the arrogant, meaningless reply he received (on 11 February 2013, two years after his complaint was lodged) from Pam Irvine, the secretary of that body of legal worthies:

"I said I would inform the Secretary and Chairman of the Professional sub-committee of your query on the status of the matter. I have done so. Once there is any further update on the matter you will be notified."

By now another year has passed and still no update. Tobias himself sums up perfectly in a letter he addressed to the bar some months ago: "It is my understanding that issues such as blackmail/extortion and rape are serious matters within any society and in particular when it applies to officers of the court. The lack of attention given to this matter by the Johannesburg Bar's Ethics Committee is shameful.

"It's a very sad day when advocates can do as they like in terms of the law and in no way be held accountable."

By its own misconduct in stalling on this matter, the Bar Council has effectively implicated itself in the misdemeanours of which its two members were accused. The law has trusted them to discipline their own, but they have proved themselves unworthy of that trust.

We will continue to record the days, weeks, months and years that pass as a measure of the Johannesburg Bar Council's shameless cowardice when it comes to policing its own members.

With the dawning of the New Year, we thought it appropriate for another *Noseweek* organogram, this time of Jacob Zuma's deployment of his KwaZulu-Natal comrades into the furthest reaches of power and influence. Have a close look at it on pages 20 and 21 and let us know what you make of it. What are the names and links we've missed? What stories does it tell us?

And then, with all the signs suggesting that Zuma's empire might be declining, on page 17 we introduce you to Zweli Mkhize, who many political punters think could just be the man to succeed Zuma as president. But can he play that network as Zuma does – and still succeed in presenting himself as our new Mr Clean?

Happy New Year!

The Editor

Saga of squatter's victim drags on

NOSEWEEK READERS WILL BE FAMILIAR with the frustrations of hotelier Nigel Owles who lives in the hamlet of Rhodes in the northern part of the Eastern Cape. He sold his business in 2009 to smooth-talker Pieter van Wyk for R4.69 million. But a tranquil retirement has eluded him for the past four years; Van Wyk failed to pay up, then refused to vacate the premises.

Owles, who's been living in a borrowed caravan, has turned to the courts repeatedly – and won. But after each ruling, Van Wyk has played for time by appealing. Eviction orders were of no use because the state had failed to appoint a local sheriff, so they went unserved.

Last May things began to look up for Owles when a new sheriff arrived to eject the interloper, but it soon transpired that Van Wyk had transferred the hotel's liquor licence into his wife,

Annette's, name, to whom he had also leased the bottle store and space in the hotel to run a coffee shop and bakery.

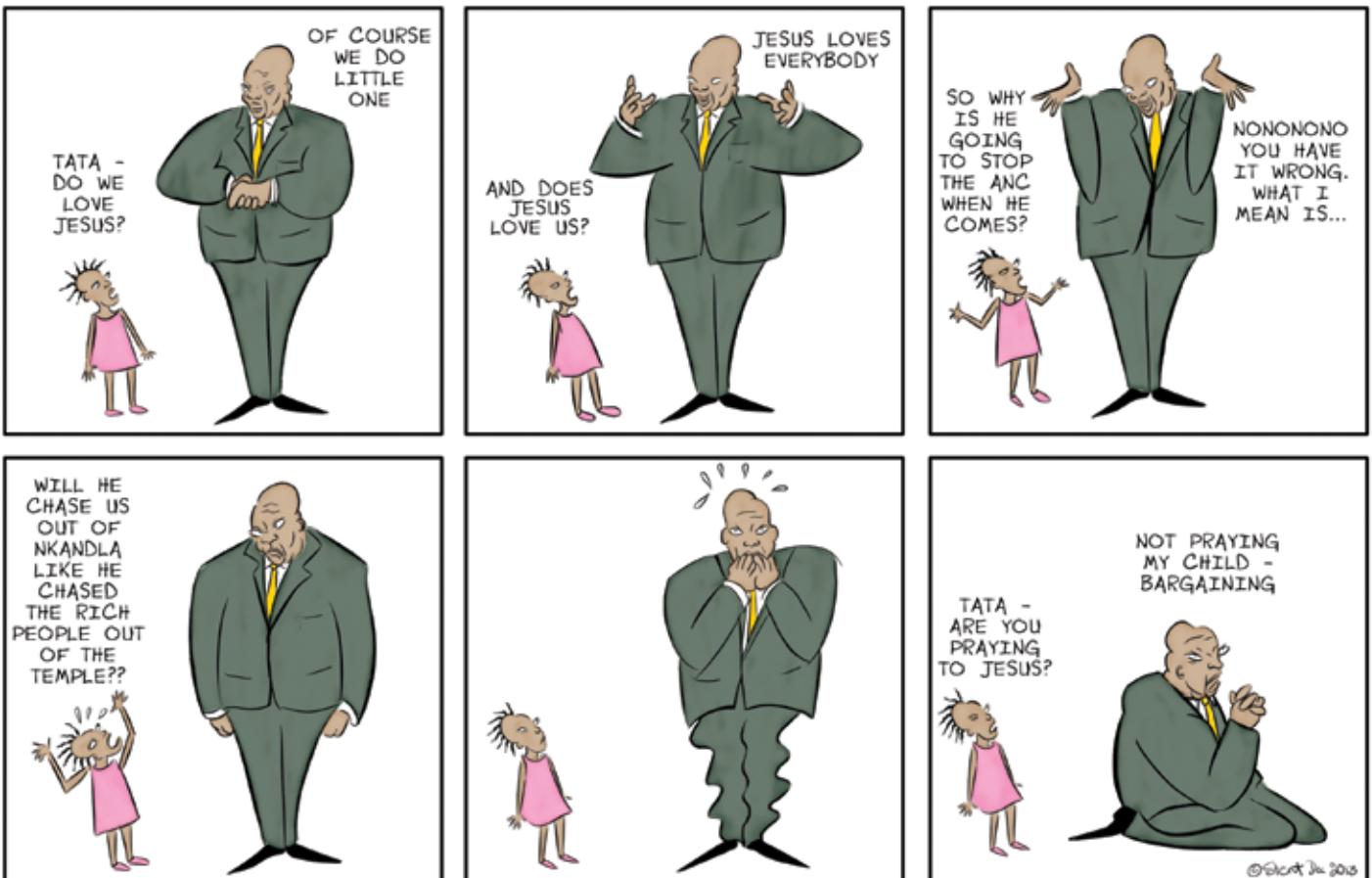
Owles found an East London couple willing to lease and operate his hotel, but then Van Wyk contrived to get the electricity account transferred into his wife's name and had the electricity supply to the rest of the premises disconnected. Likewise the phone lines. Telkom and Eskom are in no hurry to sort out the mess.

Annette van Wyk said she refused to pay the Owles' utility bill and insisted that Owles owed her and her husband R1.5m – the sum they claim was spent on improvements to the hotel.

The court date for the next round is September 2014. Meanwhile the couple from East London have fled the battlefield saying they'll return when the lights come on again. – *Gavin Foster* ■



Told you so (in October 2012): Now the Public Protector, too, has found Fisheries Minister Tina Joemat-Pettersson guilty of maladministration and improper and unethical conduct in the irregular award of an R800m tender to Sekunjalo, headed by SA's new newspaper boss Iqbal Survé.



Stent

Deal on the cards for Bompas Road development

STUART GRANT, OWNER OF THE controversial development at 1 Bompas Road, Dunkeld, Johannesburg, which featured in *nose170*, has offered the objecting neighbours a compromise whereby he reduces his plans by one level and moves that bulk – about 450m² – to the west side of his building. By the time of going to press, however, the deal had not yet been concluded.

Grant, incensed by *Noseweek's* report, vehemently defended his investment, saying he had lost more than R2 million due to “unnecessary delays” caused by “people in this neighbourhood who don't know what they're talking about”.

“I am losing millions due to the five-month delay caused by these monkeys, including that witch (Wendy McAllister, elected deputy chairperson of the Craigpark Residents' Association – CRA) who has nothing else to do with her time and no money to lose, like me. This is a development worth over R100m that will bring value and jobs to the area. Why would I expose myself to breaking the law?” he raged.

As part of the deal on offer, addressing the concern over traffic jams, Grant said the Bompas Road entrance to his six-storey office block would be reserved for visitors only, while the entrance at the back of the building on North Road would be for tenants only. “I'm making this concession despite the fact that the Joburg Roads Agency gave me unqualified permission to use Bompas Road as an entry point,” he said.

Grant says he had scheduled four meetings in the past with the objecting residents to explain his position and the impact of his office block, but

they “kept cancelling – once, just an hour before the time”.

“This is costing me money, not them. And now, due to all the bu@%#t in *Noseweek* and the *Saturday Star* and that devil woman with nothing else to do, I have lost out on a sale deal. When 1,000 of me leave this country, unemployment will be up another 10% and you'll all be eating rocks and grass,” he said.

Grant says he was also going to develop a “stunning field where Hugh Wyndham Park is, with the soil excavated from his development, but that the residents had rejected the proposal, saying the park was a natural wetland. “It isn't, it's a swamp! I would've made it a community field,” he charged.

(He did earlier concede that being able to dump all the excavated soil from his site so nearby would have saved him a lot of money.)

About the procedural problems that *Noseweek* had identified, Grant said: “I don't make the rules. Joburg Council approved my building plans and they even felt sorry for me because of all the delays, realising how much this is costing me,” he said.

(This is the first time *Noseweek* has heard that pity for a developer is proper cause for a municipality to approve plans that do not comply with building and zoning regulations, and condone building that is taking place without approved plans. The citizens of Tongaat may have some views on this after the collapse of their shopping mall.)

Noseweek pointed out that although construction at 1 Bompas Road began in November 2012, the first Site Development Plan (SDP) was only submitted in January 2013, followed by a second SDP in May and a third SDP in August. Only on 15 August 2013 did the city's

Land Use Management department stamp all three SDPs, even though the second and third SDPs detail more basement coverage and height than the first, and the third SDP suddenly ignores the 4m servitude intended for road widening.

Just over a week later, on 22 August, the actual building plans were submitted and were miraculously approved on 6 September 2013.

Grant says he was granted a certificate to continue with earthworks (excavations) and lateral support groundwork while the SDPs and building plans were in the pipeline.

“That is common practice. There is absolutely nothing unlawful in that,” he claims.

He says nothing about the fact that building had advanced far beyond “excavations and groundwork” by the time his plans were submitted and approved.

Only on September 25 did Grant's town planner, Rick Raven, submit a rezoning application asking for exclusions of the basement and lower basement floors from the height determination of the building, as well as an increase in coverage of the lower basement floor, from 60% to 90%. This meant giving the building an extra two levels above ground, making it six storeys high.

McAllister says that, should the new deal he has proposed to his objecting neighbours be accepted by them (110 residents signed the objection), the Craigpark Residents' Association would “ask the council to ratify the agreement, specifying that there will be no more height added to the building”.

“And there'll be no more mud-slinging,” she added. – *Helen Grangezz*



POSH PEOPLE - ROUGH LANGUAGE

Within one of Joburg's swankiest apartment blocks, a drama of Shakespearean proportions is unfolding, with a cast of characters well known to the city's intelligentsia. By Helen Grange

GLENHOF GARDENS, RIVIERA, IN Johannesburg is described by estate agent and former trustee Russell Fischer as "home to a fortunate few" offering a "very special lifestyle". But despite its gracious walls, marbled walkways and lobby chandeliers a vicious war rages between the trustees and an owner who has kept lawyers lawyering for years, flaring into unholy name-calling and even a physical encounter-or-two in the basement parking area.

Social activist and research fellow of the Helen Suzman Foundation Claudia Braude, has compiled thick lever-arch files containing the "extensively documented history of trustee non-compliance with their fiduciary duties and abuse consequently directed at members of the body corporate seeking such compliance".

The offending trustees include three legal heavyweights, attorney Michael Young (chairman of the board of trustees), former judge Lewis Goldblatt and Israel (Olly) Gordon, retired senior partner of one of Johannesburg's worthiest old law firms, Wertheim Becker.

"I've been intimidated, harassed, verbally abused and physically assaulted twice, and this because I have had the temerity to ask questions and wish to see documents that as an owner I'm legally entitled to see.

"They are bullies who think the law doesn't apply to them."

To which the 80-year-old Gordon counters: "She's a very bitter, wicked

lady who takes great pleasure in provoking people, and has created tremendous problems in this building. Not one of the 25 owners speak to her."

In February 2012 Gordon sent Braude a letter on Wertheim Becker's letterhead in which he declared: "I wish to make it abundantly clear to you that my wife and I do not want to receive any further communication from you. How dare you snoop around our unit and then complain about the improvements we have made to our lobby [*which is common property*] with the full knowledge and consent of Sarah Copelowitz? [*Gordon's neighbour, who shares the lobby*] I hereby request you not to communicate with me or my wife again, and should you do so I will have no hesitation in applying to the high court for an interdict restraining you from making any contact with me or my wife as we are not interested in your grievances. Please do not respond to this e-mail because if you do it will be considered as a refusal to comply with my request."

The documents Braude wants to see are proof of what approximately R900,000 in funds from levies was spent on in the years 2009 to 2011 – without due authorisation as stipulated by the Sectional Title Act.

She says: "It has been impossible to determine what the money was spent on because I've never been given sight of the documents. Now it has escalated to a legal situation and a discovery process in which the documents I have requested must either show up, or ad-

mission must be made that, contrary to their legal obligations, they don't exist."

In response, Young denies the trustees ever misspent levies and claims that everything ever done to the building was approved and accounted for, with consent from owners including Braude.

"This is just the latest excuse she's come up with to avoid paying levies. Her unpaid levies now stand at over R100,000 and we've lodged yet another legal action against her for these. She's a serial defaulter, and the rest of the building is having to fund her as a result. She's a disgrace," charges Young.

This is deliberately misleading because, while Braude acknowledges defaulting on levies – which, to Young's knowledge, she has been paying into her attorney's trust account – for the past several months, but only since the trustees failed to produce audited accounts and proof of certain expenditures.

"I was withholding levies in an attempt to pressure the trustees into having an AGM, which, contrary to their duties, they hadn't held for three years."

It was during the "AGM" held in 2012 to cover three years, that Braude sought clarification on how the money was spent. She says the financial statements that were shown revealed that about R500,000 on top of the R1.38 million approved for improvements for this period had been spent, and another

er approximately R400,000 on what is lumped together under unspecified “building repairs”, with no invoices to prove them.

“I believe this concealed extensive expenditure over and above the normal maintenance,” she says.

“Why should I pay when levies are unlawfully raised, and why do they think they don’t have to abide by property law, including by disclosing the nature of these expenses?” she says.

Braude contends that the money was spent on “unnecessary luxurious improvements”, like glossy tiles for the walkways, to give the building the con-

her bonnet with my open hand without causing damage whatsoever”.

Unfortunately for the old lawyer, he’s been caught out fibbing. The altercation was recorded on Braude’s cellphone, and *Noseweek* has heard it. What he is heard saying on the recording bears little resemblance to what he relates in his police statement.

He prefaces his police statement by describing Braude’s behaviour as “typical of her malicious and vindictive way of annoying most of the owners of the building who avoid her at all cost. She is described as ‘wicked’, ‘evil’ and ‘toxic’ by a number of other owners.”

Accusations fly as distinguished Joburg citizens dispute levy expenditure

temporary look it presently has (previously it was a 1950s-style) and cater to some of the occupants’ social pretensions.

The levies are now just below R6,000 a month before rates.

Braude says that most of the owners are wealthy enough not to worry about large levies.

On Friday August 23, tempers flared in a nasty encounter in the parking basement when Olly Gordon became enraged, he claims, by Braude’s deliberately slow, obstructive driving in front of him as they both happened to be approaching Glenhof Gardens. On arrival he screeched to a halt out in the street and stormed after her into the basement to yell abuse at her.

Braude says that as she was still behind the wheel of her car, Gordon furiously banged on the bonnet with such force that it was damaged and needed panel beating. She has a panelbeater’s invoice to prove it.

Shortly after the incident, she laid charges of malicious damage to property, common assault and *crimen injuria* against him.

Gordon, meanwhile, in a police statement of his own, concedes that he approached Braude’s car, but declares he used only polite language in reprimanding her and merely “tapped on

Her then proceeds to describe the basement altercation: “I told her that if she ever repeated what she had just done to me I would deal with her to the full extent of the law, meaning I would obtain an interdict restraining her.”

The recording reveals something quite different. He is to be heard telling Braude: “You try that again, you stupid fucking bitch, and I will smash you up!”

Gordon’s police statement continues: “Braude got out of the car and said she would slap me.”

On the contrary, the recording reveals that it was he who assaulted her. She is heard saying to him: “You just physically assaulted me!” To which he responds: “Yes, call the police!”

She is then heard to warn him: “Touch me again and I’ll smack you.”

Back to Gordon’s police statement, where he says that, as he tried to leave the scene, she followed and “said what she said about the size of my penis”.

Braude admits that as they angrily went their separate ways, she did call after him.

The basement is also where, in 2010, the lone Afrikaans flat owner, Dr Carel Jooste, “deliberately rammed me with his trolley”, according to Braude, who laid a charge of assault against him and presented the police with a medi-



cal report attesting to injuries to her arm where she fell over.

Jooste was arrested at his dental practice, but the charge was dropped because, according to him, Braude had “fabricated the whole incident and the legal process which followed found that she’d made a false statement”.

Braude retorts that the police made no such finding, and “simply did not proceed because there was no witness”.

Other things have allegedly happened in the basement, for which no one has yet been held accountable.

Young points to tyres with nails in them and scratches on cars, while Braude says she twice found pork rind around her car (“obviously in refer-



Glenhof Gardens

ence to my being Jewish”), and cat poo on her doorstep.

Braude says Jooste once called her “a filthy Jewish swine” and to “fuck off and go back to the shtetel [*eastern European villages or ghettos*]”.

“Dude, you’re living in a *shtetl!* [*most of the residents happen to be Jewish*]” she says she replied. In public once, “Jooste was seen standing behind me in a shopping mall, twirling his index finger next to his head”.

“This is the mentality I’m dealing with,” she says. Braude has a reputable witness to that incident, who is known to *Noseweek*, .

In January, Braude offered to settle all her outstanding levies, plus inter-

est and legal expenses to date, in return for sight of the documents she has long been requesting.

But apparently the fight is beyond settlement, because the trustees sent a curt letter via their lawyer saying they refused the offer and would proceed with litigation.

Then there is Braude’s assault charge against Gordon, a court date for which is being set for early next year (the prosecution has decided not to proceed with Gordon’s counter charges of assault).

Suffice it to say, the courts have more work cut out for them in 2014 where swanky Glenhof Gardens is concerned. ■

Once more unto the breach

THE TRUSTEES OF GLENHOF GARDENS including Carel Jooste, were taken to court in 2007 by six owners, Braude among them, for carrying out building alterations without owners’ consent.

The action resulted in a High Court order to stop their planned security alterations and the body corporate’s trustees were berated for not being sufficiently transparent in their dealings with their members, which included Braude.

“It is clear that there has not been sufficient consultation amongst the members” concerning building alterations “which could involve the owners in substantial financial costs”, the judge found.

These alterations included the building of a guard house, which Young identified to Noseweek as part of the “missing R900,000” to which Braude refers. “We also fixed up the balustrades. It was all authorised and signed off,” says Young.

Braude replies: “Mr Young is confused or obfuscating. The R900,000 was spent on items over and above the guard house, which was dealt with in 2007, and the balustrades, which were part of a R1,37m special levy legitimately raised. Young represented the body corporate in that action, and even though he lost, the lack of transparency continues under his chairmanship.” ■

Silence reigns on action against Motorsport SA's ex-boss

Money went missing after luxury cars were sold on commission – but the NPA is taking ages to act. By Gavin Foster

MOTORSPOORT SOUTH AFRICA, the national governing body for motor racing, issued an extraordinary press release on 1 November 2011 about “allegations surrounding Motorsport South Africa’s (MSA’s) Chief Executive Officer Francois Pretorius...” It said, “Until there is a criminal prosecution against Mr Pretorius, or he is convicted in a court of law, his appointment as the Chief Executive Officer of MSA is supported by the Board.” Among the assurances in between were:

- “Pretorius has assured the board of MSA that he has appointed attorneys and counsel to deal with all matters and to co-operate with any SAPS investigation to bring these matters to finality;

- “There is no criminal case pending in any court of law against Mr Pretorius, he has not been arrested and he is not ‘out on bail.’”

The MSA recklessly regurgitated the line Jan Francois Pretorius had fed it. First, they should have asked him why, if he was squeaky clean, had he found it necessary to appoint “attorneys and counsel” to deal with the matters and cooperate with the police.

And they should also have paid more attention when *Noseweek* journalist Paul Kirk asked questions about the shenanigans of their new CEO. Kirk told them on the day before they issued their press release that Pretorius had been arrested and what the allegations were. Instead of answering Kirk’s questions they issued their press release and then referred him to it.

Pretorius had indeed been arrested

by a Detective Sergeant Pokane on 17 March 2009, charged with fraud under case number 406/3/2009, and locked up at Midrand Police Station. He was arrested again on similar charges in October 2011, nearly three weeks after the announcement that Motorsport SA had appointed him as the new MD.

The allegations were all the same. Pretorius, who owned now-defunct John Abbot Motors, a Porsche dealership near Kyalami, undertook to sell used Porsches from his showroom on behalf of customers, in return for a commission.

It is now known that he sold at least seven Porsches on his showroom floor at heavily discounted prices, pocketed the proceeds, then withheld the information from the sellers for months afterwards.

In one case a buyer was shocked when the car for which he had paid cash was repossessed by a bank (not his bank), while the seller was equally distressed to find out that the Porsche he thought was still standing in the showroom had been sold some months before, for cash, without the debt being settled with the bank.

The money for the various deals, running into millions of rand, had simply vanished.

Many of the aggrieved customers who laid the criminal charges were car racers, thus Motorsport SA clients, but, hoping to avoid scandal, the board buried its head in the sand.

Noseweek was forwarded some emails that whizzed around MSA. One, from ex-television presenter – now diamond broker, racing driver and Porsche

aficionado – Visser du Plessis, dated 31 December 2011, was addressed to Pretorius and copied to the chairman of MSA, George Nyabadza.

“I have a new concern” it says. “Your legal team acts for Motorsport SA and now for you, the CEO of MSA, in a personal capacity.

“This is a total conflict of interest, which has the potential to make it look even worse in the media: the CEO who gives them work uses them in his personal capacity to keep his job as CEO so he can continue to give them work...”

“They cannot serve two masters and are seriously jeopardising their careers and possibly overstepping the ethical codes of the Bar and Law Society...”

“The (board) has to urgently ask the following questions regarding the MSA press release that was false and therefore implicating:

“Why did the press release state that no criminal case is pending, if in fact there are seven cases pending?”

“Why did it state that Mr Pretorius has not been arrested, if in fact he was arrested and did spend some time behind bars regarding those very allegations?”

“A new and correct press release is overdue, before these questions are raised in public.”

He then laid into his erstwhile friend whom he had previously supported, writing, on 5 November 2011, shortly after the rumours started spreading, he pointed out numerous holes in Pretorius’s claim that there was only a civil and not a criminal case.

“Things need not be complicated,” he went on. “There are four simple ques-

tions... regarding your suitability to lead an organisation of this stature.

“Did you sell the cars?”

“Did you receive money for the cars?”

“Did you pay the money to the owners (complainants)?”

“Did you lie to the complainants?”

“This is a matter of utmost importance to the existence and reputation of MSA... If the board decides to adopt a laissez-faire attitude while other options are available to make a timeous decision, then we are going to pay a huge price...”

“If the above allegations are indeed true it will taint motorsport for many years to come and the mandate of MSA will suffer irreparable damage.”

It is very important to note that the then-chairman of MSA’s board, George Nyabadza, was included as a recipient in this and other critical emails. Nyabadza was, at the time, General Manager: Public Sector and Marketing for Wesbank as well as MSA’s chairman – a position he took up in March 2009.

[In true South African banking tradition, instead of dealing with the problem Wesbank’s man ran for cover, leaving quietly by the back door. – Ed.]

Pretorius resigned abruptly at the end of January 2012, a month after receiving the above email, saying he was “of the view that the issues facing MSA at the moment require the focus of such a small, dedicated group of leaders, representative of the sport in strategic thinking and able to support the management committee on a regular basis for the next few months, at least until the next AGM”.

Six months later Wesbank ended a 25-year relationship with motor sport in South Africa by pulling the plug on the Wesbank Super Series, which included the various formats of national circuit racing under its umbrella.

One cannot but suspect that the stench emitting from MSA had a large influence on that decision.

Despite Visser du Plessis’s admonition to MSA that they had to investigate the matter properly and issue a press release to clear the air, nothing more was heard from them officially until March 2012, when MSA put out a terse media statement.

“The Board of Directors of Motorsport South Africa today announced that they have, with regret, accepted the resignation of Mr Francois Pretorius as chief executive officer and director of the company, with immediate effect. The board wishes to thank Mr Pretorius for his service to MSA and the passion he consistently displayed for motor sport”.



Ridem cowboy: Motorsport SA’s former CEO Francois Pretorius



Wheeler resigned suddenly from the Johannesburg municipality where he was responsible for investigating town planning and zoning irregularities, after being suspended for taking bribes from property developers.

IOL and other news sources had covered his antics since 2005, when he was alleged to be responsible for closing down a business that had disregarded his demands for bribes. He was back in the news in May 2010 after the murder of Teazers kingpin Lolly Jackson when the *Mail & Guardian* reported that Wheeler featured in a 400-page dossier of affidavits about Jackson’s corruption of government officials that suddenly went missing. The story claimed that Wheeler, as a Joburg compliance manager, was in Jackson’s pocket and fought on his side in a war against his strip-club competitors.

So, what’s happened in the two years since Pretorius left Motorsport SA? Not much, according to Mauritz Visagie, one of his victims. “We’ve heard from our counsel that he wanted to make an offer to make the criminal charges go away, but nothing has materialised.”

“If you look at the value of the seven Porsches, it’s a couple of million rand he has to find. I think he’s playing for time. The prosecution has all the original dockets and they know the buck stops with them.”

It’s difficult to see why things are going so slowly at the NPA. There’s evidence that:

- Pretorius was paid for the cars and did not pay over the money to their owners;
- He submitted fraudulent documentation to both the sellers and the buyers; and
- There are all his lying emails.

All that’s missing is a conviction and sentence.

And Pretorius? He simply doesn’t take phone calls.

Roll on Christmas 2014. ■

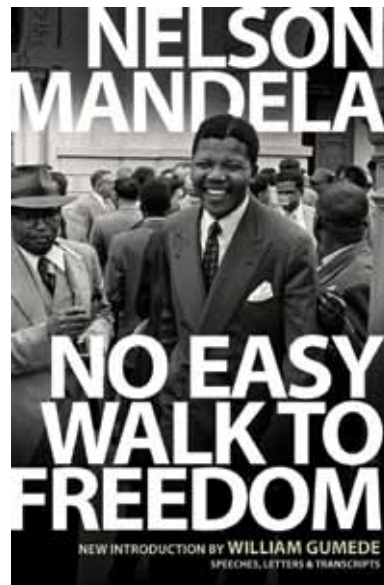
Lilliputian politicians betray Mandela legacy

The glue that holds different communities together is equal rights and shared democratic cultures – not ethnicity

In his new introduction to *Nelson Mandela: No Easy Walk to Freedom* – a classic collection of Mandela’s speeches, letters and transcripts – respected author and political commentator **William Gumede** demonstrates just how far the current leadership has strayed from the ANC’s vision under the old guard.

THE FIRST THING THAT STRIKES one as one reads the pages of Nelson Mandela’s speeches, letters and transcripts collected in *No Easy Walk to Freedom* is that he and his generation of ANC and ANC Youth League leaders were political giants compared with the current cohort. During the ‘dark times’ of apartheid, the Mandela generation was far more visionary, intellectually astute, open to new ideas and far wiser. The success of the African National Congress as a liberation movement during colonialism and apartheid rested on visionary leadership, on striving to be racially, ethnically and class inclusive, being accountable to its members, practising inclusive democracy and the exemplary personal behaviour of its leaders.

The failure of most African and East-



ern European liberation-movements-turned-governments is the moral corruption of the leaders and parties who hold power, even if they have a just cause and impeccable “struggle” credentials.

Amilcar Cabral, one of the great thinkers of African liberation ideology, said that the success of African liberation movements that become governments depends more than anything else on the personal moral behaviour, decency and honesty of their leaders and members.

What kind of morality are we talking about? In the context of political parties, governments and leaders, we are talking about democratic morality, which transcends narrow religious and cultural traditions and ethnicities.

The ANC’s success was to turn the struggle against apartheid into a moral struggle: in fact, to turn it into a global moral struggle. This strategy could not have succeeded without leaders with huge moral authority who, by their individual ethical and moral conduct, reinforced the moral dimensions of the struggle. The current reality is, embarrassingly, quite the opposite. This is illustrated in the wide difference between the moral authority of Nelson Mandela, Oliver Tambo or Walter Sis-

lu – all members of the Mandela generation – and the murkiness of Jacob Zuma, the ANC president, and the populism of Julius Malema, the expelled ANC Youth League president. The fact that the morally flawed Zuma could be elected to the presidency by the ANC is in itself testimony to the moral regression of the party.

Apartheid and colonialism left black South Africans with massive “existential insecurity”, meaning, in the words of Pippa Norris and Ronald Inglehart, “a persistent, generalised sense of threat and unease” because their survival was systematically threatened on every level – personal, familial, communal, cultural and national.

In South Africa this “existential insecurity” has generated “illiberal attitudes” in the wider citizenry: violent crime, a low level of tolerance for differences, xenophobia, social conservatism and so on.

In many African post-independence societies, the leaders of independence movements have spectacularly failed to provide leadership in the context of both broken societies and broken individuals, most of them lacking the imagination to do so.

Martha Cabrera, the Nicaraguan social psychologist of the revolution in her country, said: “What we need is leadership that starts with the personal, leaders who lead from their own values, their own life.”

Mandela, as evidenced by the letters and speeches in *No Easy Walk to Freedom*, undoubtedly retained his dignity during the “dark times” – and when he emerged from them. For Mandela, the moral integrity of a leader was crucial.

President Jacob Zuma’s appalling statement during his rape trial in 2006 that he could see by the way a woman dressed that she was looking for sex, is indicative of the decline in moral integrity of our leaders. Unable to secure respect by behaving with integrity, Zuma’s supporters, specifically the SACP in KwaZulu-Natal, have called for a law to “protect the dignity” of the president. In contrast, because of his moral integrity, personified by his exemplary personal behaviour as leader, Mandela was respected even by his opponents.

In the ANC of the 1940s, 50s and early 60s – in which Mandela cut his political teeth – the democratic spirit was premium. The ANC’s Youth

League statement of policy, which was developed in the mid-1940s, called for “true democracy” in South Africa and Africa. Even as a young Youth League leader, Mandela was more democratic in outlook than many of the current ANC leaders, a number of whom seemingly appear to believe in a very narrow version of democracy. Even during the 1960s, Mandela had strong views on the kind of democracy he envisaged for a free South Africa. He argued for a parliamentary system, a Bill of Rights, the doctrine of separation of powers, as well as the independence and impartiality of the judiciary that “never fails to arouse my admiration”.

This is truly revolutionary, as many African liberation movements and their leaders have viewed democracy in its narrowest sense, sometimes wrongly insisting that democracy only meant holding elections. Others argued that democracy was not African; it was “foreign” and “Western”.

Of course, our “ideas of political and personal rights have taken their particular form only relatively recently, and it is hard to see them as ‘traditional’ commitments of Western cultures”. Many elements of democracy are found in both traditional Asian and African cultures, as well as Western ones.

Again, some African leaders argued that pursuing democracy was an expensive luxury, given the staggering development backlogs in their newly independent countries. They insisted that economic development must come before democracy. Damningly, the record speaks for itself: they have achieved neither development nor democracy. Research across developing countries has shown that democracy is not only compatible with growth and poverty reduction but may be crucial to both.

Key ANC leaders participated in the writing of South Africa’s constitution, widely considered among the most progressive in the world. Incredibly, some leaders are now saying that the country’s constitution, particularly its provision for freedom of expression, “undermines” development.

As the ANC celebrated its one-hundredth anniversary, anti-democratic leaders, groups and factions appeared to have a stranglehold on the party and democrats seemed to be in retreat. Zuma and his supporters, in their campaign to quash corruption charges



William Gumede

against him, attacked the judiciary, democratic institutions, the media and other critics. During his campaign to secure the presidency of the ANC at the party’s 2007 Polokwane conference Zuma remained silent when his militant supporters, such as former Youth League president Julius Malema, said they would “kill” to ensure that the corruption charges against him were dropped and to make sure Zuma became the country’s next president.

Under both Mbeki and Zuma’s presidencies, watchdog institutions, such as the Human Rights Commission, have been cowed into submission by patronage appointments and threats by government leaders that their funding and resources would be withdrawn if they criticised the government or the ANC.

The Zuma presidency is now pushing through a draft Protection of Information Bill that will give the government broad powers to classify almost any information involving an agency of the state as “top secret”, not to be reported on or divulged in the interests of “national security”.

The draft bill prescribes penalties of up to 25 years in prison for those trying to uncover such “protected” information, disclosing such information, found in possession of such informa-

tion or refusing to reveal their sources. The public's right to access government documents would also be restricted. Clearly such a law will cover up official corruption and punish whistle-blowers and the media who expose wrongdoing.

It is poor governance, the inability by the government to redress poverty, while leaders enjoy extravagant lifestyles funded by public money and corruption and dishonesty of leaders that are the biggest threats to the stability


of South Africa – not exposing these despicable actions.

The strength of the ANC during the Mandela era was its ability to portray itself as a more racially inclusive alternative to the racially segregated colonial and apartheid ruling parties of South Africa. Mandela's African nationalism was far more embracing and inclusive and non-racial in outlook than the narrow Africanism espoused by many leaders in the ANC and its

Youth League today.

During his campaign to secure the presidency of the ANC at the party's 2007 Polokwane conference, Zuma was silent when supporters wore "100% Zulu" T-shirts, and the inclusive, non-tribal and non-racial ethos of the ANC's 100-year-long struggle effectively went out of the window. Playing the tribal card, whether openly or subtly, especially in times of political trouble or in leadership battles, is dangerous.

Mandela's African nationalism was far more inclusive and non-racial than the narrow Africanism espoused by many ANC leaders today



Association of Arbitrators (Southern Africa)
Courses 2014

The Association of Arbitrators, Southern Africa will be offering the following courses in 2014:

Certificate in Arbitration;
Fellowship Admission Course and Specialisation in Construction Law.

For more information on the courses, please visit our website at www.arbitrators.co.za

Closing dates for enrolment:
Certificate Course: 4 February 2014
Fellowship Course: 25 February 2014
Specialisation Course: 25 February 2014

Courses are open to members or those wishing to register as members.

For more information please contact:
Diane Watridge diane@arbitrators.co.za
T (011) 884-9164/5
F (011) 884-9167 or 086 545 0895

It allows for grievances to be expressed along ethnic lines and makes ethnic mobilisation and violence easier.

During his campaign for a second term ahead of the ANC's 2012 Mangaung national conference, Zuma again remained silent while supporters mobilised Zulu speakers to vote for him on the basis of ethnicity rather than on his performance in government and in his party. Mandela's 1962 statement in the dock during his political trial for inciting resistance against the apartheid government neatly stated that South Africaness cannot be defined in relation to an ethnic majority. In his autobiography, written clandestinely in the Robben Island prison in 1974, Mandela appealed to the best of African traditions, culture and custom to argue that "a minority was not to be crushed by a majority". For him, black solidarity stopped when his fellow black leaders behaved undemocratically or were corrupt or uncaring.

From Mandela's speeches it is clear that, for him, Michael Ignatieff's concept of "civic nationalism" was applicable to his vision of a future South Africa. In "civic nationalism" the glue that holds different communities together is equal rights and shared democratic cultures, values and institutions, rather than ethnic nationalism, which uses ethnicity as the main principle of belonging. ■



Zweli Mkhize among his Nguni cattle

THE RIGHT STUFF

Zweli Mkhize is a rising star in the ANC – and certain influential people think he has the makings of a successor to President Zuma. By Sue Segar

AS NUMBER ONE'S STAR DIMS AND ANC deputy president Cyril Ramaphosa tumbles from grace after his series of blunders, the name of Zweli Mkhize is the one echoing in the corridors of power as a potential successor. Not unexpectedly, considering the risky political territory in which he moves, Mkhize insists presidential ambitions are not on his agenda, though that doesn't stop others from identifying him as a prospective head of state.

Trained as a medical doctor, the 57-year-old Mkhize is a family man who is equally at home with his Nguni cows in KwaZulu-Natal as he is among the political beasts of Luthuli House.

With his impeccable Zulu credentials and rural roots, he would have the march on other pretenders to the presidency if he can commandeer the support of the vast network of Zuma allies deployed in all politically relevant structures across the country in the past five years. (See organogram on page 20.)

Mkhize has been described, by turns, as “an enigma”, “quietly, fiercely ambitious”, “honest and fair”, “passionate with a quiet energy” and an intellectual who has not lost the common touch.

He has also managed to steer clear of scandal, apart from being exposed recently in the KwaZulu-Natal Legislature as having spent R1.2 million on flights at taxpayers' expense in his capacity as premier, which he has pledged to repay if this is deemed necessary.

He was Health MEC in KZN for ten years before being appointed provincial MEC for Finance and Economic Development as well as chairperson of the ANC in KwaZulu-Natal, a member of the ANC National Executive Committee (NEC) and elected as Treasurer General of the party at Mangaung in December 2012. He was also Chancellor of the University of KwaZulu-Natal.

A protégé of the late firebrand KZN ANC leader Harry Gwala and fellow activist David Cecil Oxford Matiwane, both of whom he names as mentors, Mkhize has said he regards Zuma as a

father figure.

Eight years ago, at the height of the controversy over Zuma's rape trial, Mkhize was hugely instrumental in the so-called rehabilitation of JZ in the eyes of rural Zulu communities. He was also the key “envoy” between Zuma and the family of the woman who accused him of the rape, according to noted political analyst William Gumede:

“Zuma and Mkhize had forged a strong relationship working together underground in the late seventies and eighties when he would have worked closely with Zuma as head of ANC intelligence. This continued when they worked in the same executive in KZN. They became friends and built up trust.

“When the alleged rape took place, the community was very angry – and Zweli Mkhize did a peace offering on behalf of Zuma. He was very effective as he is highly respected in the rural communities of KwaZulu-Natal. He is seen as somebody honest and fair, who follows all the cultural rules. He helped soften the anger of family members...

Zuma is deeply indebted to him.”

But if Zuma's star loses its shine, Mkhize may need to keep his distance and differentiate himself from Zuma's cause. Sources say that of late Mkhize has been inching closer to the Bheki Cele grouping within the KZN ANC cabal.

Cele has recently been reported to have “returned from the political wilderness” to play “a key part” in the ANC's 2014 election campaign.

The former police commissioner was sacked by Zuma over the R500m lease deal for new SAPS headquarters. But, he told *City Press*, “I was never gone”.

“I would be lying if I said it didn't hurt, but pain does not equal hate,” he said. “Sometimes things are not all rosy in the ANC. Sometimes decisions go against you.”

Cele said his removal as national commissioner did not preclude him from holding public office again, and that a vigorous campaign – and his strong ANC position – could see him back in government. There have been recent reports that some ANC branches in KZN have indicated they want Cele to lead the party in the province.

Meanwhile Mkhize, who was KwaZulu-Natal premier until he resigned in August to become party Treasurer General, has been succeeded by ANC provincial chairman Senzo Mchunu as premier. He was not Zuma's first choice, who is said to have backed Willes Mchunu for the job.

The *Mail & Guardian* reported that the “anti-Zuma faction” saw Mchunu's election as “a positive step towards changing the balance of power in the party, both at a provincial and national level”.

City Press quoted a provincial leader as saying: “Unlike others, Senzo Mchunu has refused to be a blind loyalist to anyone, including President Zuma. Most importantly he despises ethnic politics and would not easily agree with a certain perspective because it is raised by someone who comes from his province. He is a progressive politician.”

ANC provincial secretary Sihle Zikalala welcomed the choice of Mchunu, saying he was the right person to steer the province “to greater heights and improved service delivery – a path that has been ably blazed by Mkhize”.

Mkhize, the son of farm tenants, was

born in Willowfountain, Pietermaritzburg as the fifth of seven children.

Recognised early on for his intelligence and leadership qualities, he was sent off to school in Sobantu where he ended up in the classroom of the village matriarch Vera Sikhosana, who has said that, of the hundreds of pupils who passed through her hands, Mkhize stood out as one of her brightest.

In a recent interview in Cape Town, Mkhize paid warm tribute to his older brothers for being instrumental in making sure he had a good education: “They protected me from becoming a labourer... and, as soon as they started working, they sent me to school in Sobantu.

“Then of course there were other people in the village – like Harry Gwala and David Cecil Oxford Matiwane, who played a big role in encouraging me to learn and be aware politically.”

To this day, Mkhize's family is still involved in upliftment initiatives in the Willowfountain community to pay tribute to these teachers, he says.

Mkhize graduated as a doctor from the University of Natal, along with his wife Dr May Mashego. The two had met while at school.

On campus, Mkhize, as president of the Medical Students Representative Council, earned a reputation as an open-minded and humble leader.

He did a stint at Pietermaritzburg's Edendale Hospital, before going into exile in 1986 and worked for the ANC in Swaziland and Zimbabwe while practising medicine. He returned in 1991 and immediately threw himself into promoting peace and stability in KwaZulu-Natal, including peace negotiations in the violence-wracked Richmond.

In a recent address to the Cape Town Press Club – having flown in from a trip to Nigeria – Mkhize impressed his audience with his political savvy and knowledge across a wide terrain, from the National Development Plan to the recently released Goldman Sachs Report, to the thorny issues of party funding and Chancellor House, the ANC's investment wing which, he claimed, was more trouble than it was worth – not because of any wrongdoing in the contracts it has won, but mainly because of the controversy that surrounds it.

He quoted analyst JP Landman, au-



thor of *The Long View*, saying South Africa was on the right path and should stop believing the misleading headlines that create an impression of a pending apocalypse.

“We really need to see how far we have come and to try and project the country in such a way for South Africans to see the strength of the country and to understand the context of these challenges.”

He also spoke passionately about national unity, particularly over key issues like corruption, HIV/Aids and crime. “These are things we can politicise as much as we like, but something has gone wrong in society which we must fight as one, without trying to allocate responsibility.”

His view on public protests is that “It's very unlikely that when people say they want a clinic, road or house, they are lying. They are not. They are actually raising the issue. What we've found to be a challenge is that when those protests become violent, you end up having to give in to more of a criminal element... You need to actually separate that. Even in the days of the anti-apartheid struggle, we ended up with a terminology of ‘comrades’ and ‘com-tsotsis’. The problem was that everybody who was fighting against apartheid was doing it out of commitment but others were taking chances.”

One of the things that disturbs



Jacob Zuma and Zweli Mkhize

Mkhize most about the country today is that South Africans are still a very traumatised people. “On the roads... a fellow makes a mistake while driving... and the finger is out there flying. We must not under-estimate the trauma and the bitterness from which we have come... We need to understand that and to try and work through the pro-

bitterness, the marginalisation and the poverty in a way that makes everybody negative, cynical and pessimistic, it won't be good for the country.”

Mkhize is a man who combines a deep intellect with a strong connection to the grassroots communities, says commentator Gumede.

“He is a very respected individual in the KZN community. Zweli Mkhize is definitely presidential material.

“Zuma is the face of the ANC in the next election. If the ANC drops below 60% there will be calls from within for him to step down sooner rather than later. When that happens, it won't be as easy as that because Zuma has direct grassroots support in KZN. If he is removed in a hostile manner, there will be a rebellion among those communities in KZN...”

“To counter this rebellion, many argue that they will have to find a Zulu leader to replace Zuma. Mkhize is one of those people, Dr Nkosazana Dlamini Zuma another. She would probably be the first option.”

Mkhize, as former provincial KZN leader, has a great deal of support in KZN, says Gumede. Not only that, he also knows the way the ANC works and would be able to manoeuvre the internal structures: “The internal structures and branches of the ANC in KZN are very important supporters. Mkhize has those people.”

He also has to prove himself in one of the most difficult portfolios, as Treasurer General, making sure the ANC and its leagues are financially viable.

“The Youth League was allowed off the leash because they were in the position of kingmakers. The leaders looked the other way and now it's coming back to bite them, with the possibility that the Youth League might go into bankruptcy.

“Another key task will be for him to demonstrate that he can heal the obvious fragmentation among the alliance partners and allow them to transcend their current political predicaments... Similarly with the ANC leagues that find themselves in a very weak position. Anyone who is even to be considered as a candidate would have to deal with the complex political matrix and geopolitics across regions in the ANC. If Mkhize is to stand any chance, he will first have to have a united home province behind him. If this fragments, he is in a weaker position to launch.

“Then the problem he will face is the issue of identity, ethnicity and regionalism, which has become a sensitive matter: it should not be taken for granted that succession should be according to a particular region or ethnicity (in this case Zulu). A lot of convincing would have to take place across provinces.

“Very complex alliances are forming. There is fluidity even within KZN

A key task will be for him to demonstrate that he can heal the obvious fragmentation among the alliance and allow them to transcend the current political predicaments

cess. How do you explain the murders of children, domestic violence, the rape of kids? All these are not normal, they are an indication of a community that is needing a lot of focus on how we deal with this trauma of the past.

“That is why it is so easy for us to be strong on the things we disagree about because we are still very angry with each other and we must get rid of it.

“These are the things South Africans need to work on... Therefore we should at all times be trying to focus on the positives while we solve the challenges... If we focus on the anger, the

Analyst Dr Somadoda Fikeni agrees that Mkhize is cut out for the top job.

“Having been premier of one of the biggest provinces without a major crisis, he brought stability and dignity to the office, survived some of the most bruising struggles of KwaZulu-Natal to become one of the most powerful chairs of the ANC in that province... But he still has a lot to do. He remains unproven material on a national level.

“The position of ANC Treasurer General has given him his first opportunity since being confined to KZN to criss-cross the country to introduce himself

in terms of power bases and this became more obvious after Bheki Cele was ousted as police commissioner but continued to mobilise on the ground with considerable success. The rise of Senzo Mchunu to become premier, even though Zuma would have preferred the older Mchunu, Willie, is another sign that all is not going Zuma's way. Then there is the older story about Zweli Mkhize, having been seen to have been associated with some of Zuma's nemeses, including Tokyo Sexwale.”

Fikeni reckons that, whatever chemistry there once was between Zuma

and Mkhize, “I do not think it has been as solid in recent days”.

“While Mkhize has played a crucial role in saving Zuma on many occasions, both prior to his presidency and in more recent difficult days, nothing suggests he is still in the inner core. He seems to have been marginalised.

“At a broader level, the fact that they come from the same province may convince Zuma to throw his weight behind him, but at a closer level, the chemistry of previous days appears to have waned.”

Commenting on Mkhize’s reported links with the Cele grouping, Fikeni said: “It is difficult to confirm because much of the alliances are happening at a more informal and subtle level. Many things will surprise us when the crunch period comes... It would be politically risky for him at point of ascendance to show his hand, especially with a person who has become a nemesis for the president.”

To rise in the party, he has successfully ingratiated himself with Zuma and, by so doing, he can also inherit the Zulu empire... or what some refer to as “the KZN syndicate”.

But, if Mkhize does indeed have presidential ambitions he will have to differentiate himself and distance himself from a discredited Zuma – sooner, rather than later. Is he capable of surviving long enough to succeed and at what stage does he shift gear? Would Mkhize be dependent on Zuma’s Zulu power-base in the ANC or would Zuma’s established support network there be a handicap to another KZN contender?

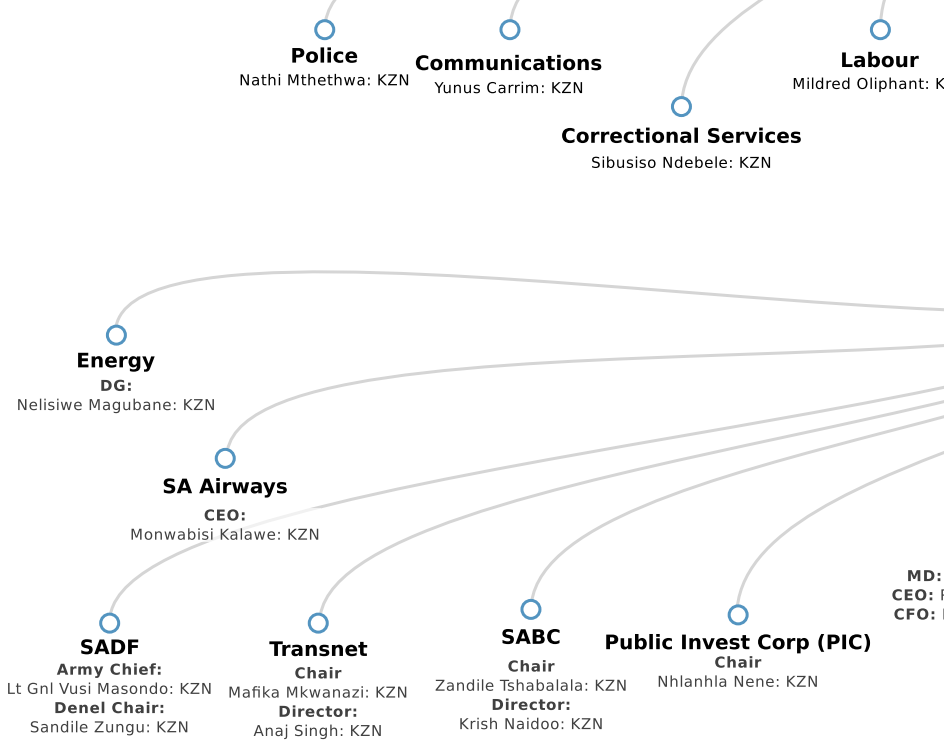
“He wouldn’t mind having that block support from the biggest province in terms of ANC membership. He would not want to alienate the KZN base but at the same time he would have to try and do everything to reach out to others and go beyond the province.

“Remember, 20 years after democracy, ...some are crying that they have not felt economic benefits in a country with jobless growth, a shrinking manufacturing base, a high policy turnover and confusion in terms of policy direction.

“All of those will be a reminder to any new leader that it is around this time that most liberation movements of post-colonial Africa lost their glow. It is not a task for the faint-hearted.” ■



SA
Blade N



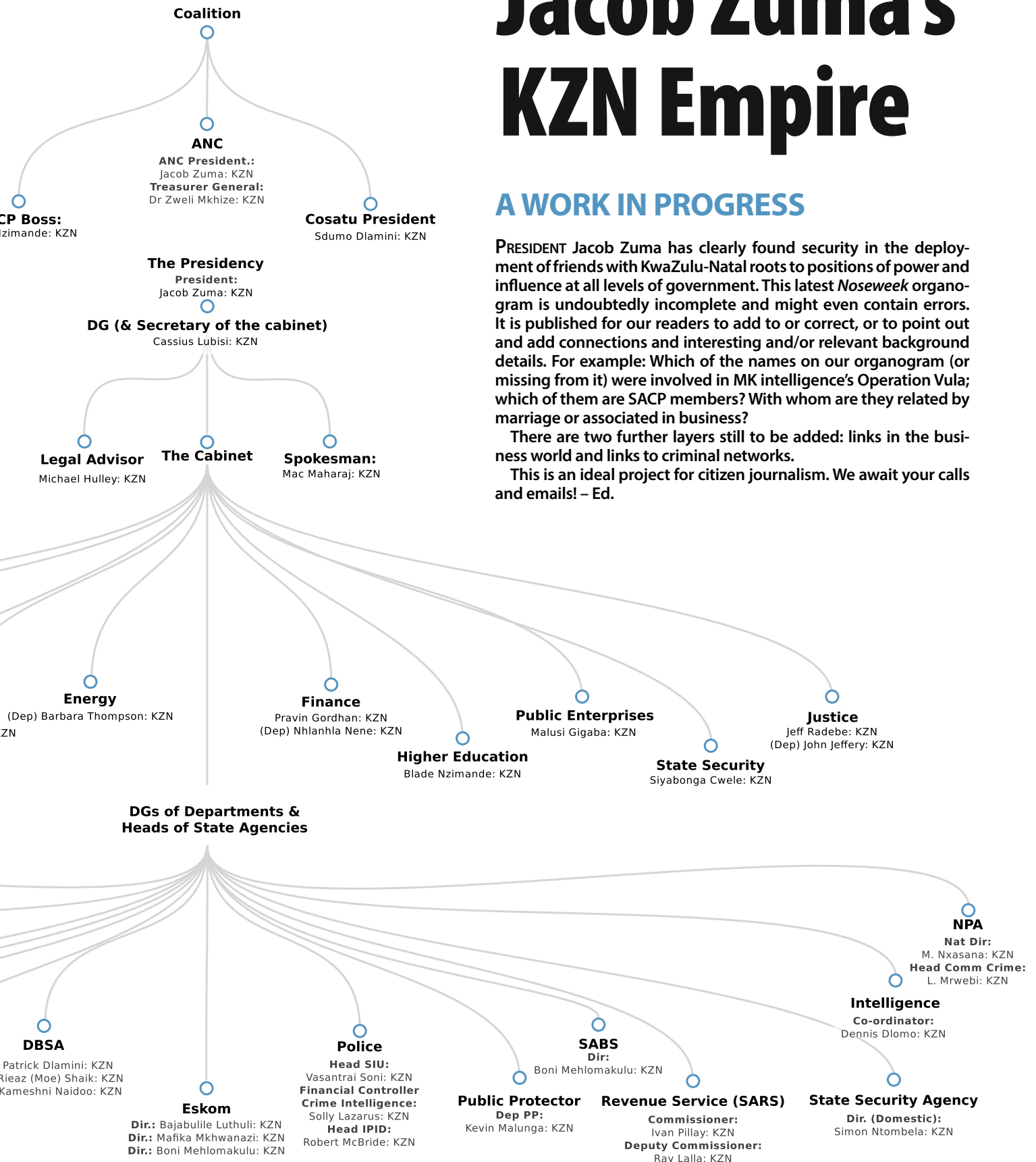
Jacob Zuma's KZN Empire

A WORK IN PROGRESS

PRESIDENT Jacob Zuma has clearly found security in the deployment of friends with KwaZulu-Natal roots to positions of power and influence at all levels of government. This latest *Noseweek* organogram is undoubtedly incomplete and might even contain errors. It is published for our readers to add to or correct, or to point out and add connections and interesting and/or relevant background details. For example: Which of the names on our organogram (or missing from it) were involved in MK intelligence's Operation Vula; which of them are SACP members? With whom are they related by marriage or associated in business?

There are two further layers still to be added: links in the business world and links to criminal networks.

This is an ideal project for citizen journalism. We await your calls and emails! – Ed.



In collaboration with www.code4sa.org



Mercedes-Benz SA failed to protect clients

A tiny, but critical, flaw in certain models should have been pointed out to owners.

By Mark Thomas

SERVICE CAMPAIGN BULLETIN No 2009100001 issued to all Mercedes-Benz Centres worldwide in December 2009 revealed that the German manufacturer Daimler AG had found a small but serious design fault in the C230 Kompressor series.

In a seven-page explanation couched in impenetrable technical jargon, Daimler quietly informed its dealers (not their customers) about the problem and how it should be rectified – obviously hoping to avoid a fuss and an inevitable slew of law suits. It later transpired that nearly 200,000 cars were affected in the US, alone.

Mercedes-Benz centres were informed: “This Service Campaign has been initiated because Daimler... has determined that due to the settling properties of the seal of the camshaft adjustment solenoid specification, oil may enter the engine wiring harness(es) through the electrical connection of the camshaft adjustment solenoid from capillary action.”

In plain language: a seal weakens, allowing oil to leak on to an electrical cable and run down it to the car’s main computer board, causing tens of thousands of dollars – and even more thousands of rand’s – damage. By simply installing two adaptors – that first curve upwards before descending – at

a cost of less than \$100 (about R700 at the time) – disaster would be avoided.

Dealers were instructed to instal the redesigned parts as each of the affected vehicles made their next workshop visit. (This was presumably to avoid a panic rush by customers and the bad publicity of a public announcement.)

In the US and Europe, Mercedes dealers carried out the replacement free of charge.

The bulletin states specifically: “Please note that Recall and Service Campaigns do not expire.”

Mercedes-Benz SA – responsible for thousands of such cars – chose to ignore this bulletin from head office and said nothing to their customers.

Eugenio Marsicano, a Merc enthusiast who has driven only Benzes since 1985 and owns several, reckons the only conceivable advantage to Mercedes-Benz SA for their stance would be that, shortly after the service warranty expired on any Kompressor model, the chances were good that there would be a serious breakdown for which the service centre could then draw up a massive repair bill (which included installing those little adaptors).

How sure about that was he?

When, in August 2013, the warning lights started flashing on the dashboard of his wife’s 2004 C230 Kompressor, he insisted she take it immediately to MB-



SA’s service centre at Cape Town’s Century City for attention. After a few days, they called to inform her that her car was fixed and ready to collect. But she had hardly made it out of the service centre before the lights started flashing again, so she simply reversed back in and demanded that they do a better job.

The problem had been due to the flaw that Daimler AG had warned of in 2009.

But Mercedes-Benz SA told their customer nothing about that – because by now the cost of fixing the resulting problems, including the various installations, worked out at a tidy R34,952.23.

Shocked by the cost estimate, Marsicano instructed the service centre staff not to do any repairs while he considered his options. But when he arrived to collect the car, it had been stripped down. Marsicano, who’d been about to go on a family holiday to Europe, had little choice other than to allow them to proceed with the repair.

While in Europe he decided to search online for information about the problem and stumbled across the stories or “threads” of other C230 Kompressor owners who had had similar experiences just as the mileage on their cars headed towards 100,000km. These



Three of the Marsicanos' Mercs with the white C230 Kompressor at right

threads led him to the recall alert by Daimler AG, otherwise labelled a "Service Campaign".

Having had such great faith in Mercedes-Benz in the past, Marsicano's sense of disappointment and betrayal was profound. Why had they not recalled his wife's car in good time to affect the small correction? Why had they not told him about the problem? He resolved to confront them as soon as he got home.

If he expected expressions of remorse and some loyalty from the bosses at Mercedes-Benz SA's head office in Pretoria, he was to be sorely disappointed. As soon as he notified them of his discovery, Steven Crittall, the Customer Relations Manager tried to convince Marsicano that the design and safety flaw that had prompted the recall by Daimler AG only applied to Engine model M111 and not to his M271.

Simply not true. Angry, he wrote pointing out that both engines suffered from the same defect and "that is precisely why oil leaked from the cam magnets into the loom and electronics".

Without retracting the earlier denial, Crittall adjusted his version as he admitted: "Yes the M271 engines were affected, but "only in those C230s that

were manufactured prior to 2003".

The Daimler circular refers to "model years 2001 to 2004".

But in a seemingly damning admission, he raised the matter of profit:

"We would also like to mention that even though other markets have campaigns, it does not mean that it will be applicable to all markets due to certain break points.

"It must also be noted that campaigns are a directive from Daimler AG and there were no campaigns for our market regarding the camshaft magnets and timing chain on your vehicle."

Marsicano wasn't taking any more nonsense. Daimler AG only identified the flaw in 2009 and immediately advised their service centres around the world on how to remedy it. In addition they had sent a reminder to the centres that the recall had no expiry date and all vehicles were to be modified.

In fact, when Marsicano's C230 finally failed at 91,000km, the Century City Service Centre effected the remedies that had been advised nearly four years earlier. They feature on the bill.

So why would a design flaw not be corrected for South African owners as it had been for owners elsewhere?

Mercedes-Benz SA's spokesperson Lynette Skriker said Daimler's service campaign "was not applicable to C230 vehicles manufactured and sold in the South African market".

"However," she said, "all Daimler companies, regardless of their location in the world, focus on continuous improvement through their intensive quality control systems and processes."

Noseweek asked why local C230s would not have the same design flaw.

Skriker wrote back: "We do not have any comment further to this. I hope for your understanding in this regard."

Not this time.

In Stuttgart, Christoph Horn, director global communications Mercedes-Benz cars, promised to look into the matter. but had not got back to us by the time of going to press.

The reason is to be found in the small print of the motor plan sold with every Merc and which expires after six years or 120,000km, whichever is first. If your C230 Kompressor fails after the motor plan has expired, Mercedes-Benz SA and their service centres get to collect an extra R35,000 if your engine fails as a result of the flaw – as opposed to the R713.30-plus-VAT they could have charged for replacing the faulty part, had MBSA decided not to fix the design flaw free of charge.

But then, perhaps South African consumers are not as astute or exacting as their American and European counterparts and therefore that much easier to fleece. We might even hope for your understanding in this regard.

In an update bulletin of the same service campaign, dated April 2011, Daimler AG instructed all service centres: "If the customer already paid to have this service campaign condition repaired and provides adequate documentation to support their claim of a non-warranty repair of this item, they may be eligible to receive reimbursement.

"Requests for reimbursement may include parts, labour, fees and taxes."

● Just before going to press *Noseweek* learnt of two other recalls – or more euphamistically, service campaigns – in the same model, that were also hidden by MBSA. Dated 26 August 2008, recall 2008020002B was for the replacement of engine vent hoses; and recall 2008070001A, of 16 October, 2009, pertains to the engine control module, (ECM) that affects the 2003 C230. ■



iPhone 4

Hanging on the telephone

A Vodacom customer is not amused by complications arising from a special deal that went wrong

Business consultant Stephanie Budlender of La Lucia visited Vodacom's website to see what cell phone packages were on offer, as she her upgrade was overdue. She found just what she wanted at a great price: an iPhone4 that came with a R199-a-month package. She was particularly pleased, since her daughter had just emigrated to England and had an iPhone. iPhone-to-iPhone, they would be able to talk to one another "face to face" on their phone screens.

Budlender clicked on the upgrade option, but it flashed the response "not eligible".

Out of the blue two weeks later, she got a telesales call from Vodacom offering her an upgrade on her contract. Well, she already knew what she wanted: that deal that came with an iPhone4.

Yes, said the telesales lady, you can have one. She was then asked to "respond clearly" to a number of questions that would be recorded in order to conclude the contract on the phone. A day or two later, on 2 October, she got an SMS confirming her new contract and upgrade to an iPhone4, and promising delivery within five working days.

Nine days later, when her iPhone had still not arrived, Budlender called

the telesales number, only to be told that they had no stock. But, when she checked the Vodacom website they still had the iPhone4 on promotion, with a promise to deliver within five days. And that same day she had received an SMS confirming that her Vodacom contract had been extended to July 2015.

Budlender was not amused and wrote to Vodacom Customer Care to tell them so. On 15 October she was surprised to receive a reply – not from Vodacom, but from Rewardsco, "a registered financial services provider" of River Horse Valley Business Estate, Durban: "I apologise for the inconvenience you have experienced and can assure you this is not the way we, as a company, conduct business," wrote Visvanathan Chetty, Rewardsco's customer care manager.

"There was stock of the Apple iPhone4 8Gig at the time your appli-

cation was captured. We did not have line of sight that the stock would deplete so quickly and [is] being discontinued. Please feel free to contact me, so that we may discuss an alternative package/handset."

This was the first that Budlender had heard of Rewardsco. She had been led to believe she was dealing with Vodacom, and she remained determined to hold Vodacom to their contract.

What you offer you must deliver, she told them. The mighty Vodacom can't find an iPhone4 anywhere, or afford to substitute it with an iPhone5 to fulfil their part of a contract that they themselves solicited? You must be joking!

Budlender was obviously fairly persuasive because on 29 October a brand new iPhone4 was delivered to her door.

Next day she excitedly installed her micro sim card and activated the phone, only to discover that people she called could not hear her talk and she

This case tests the attitude of a mighty company to client service

could not open SMSes. It was faulty. Her husband, an experienced iPhone operator, confirmed it.

She immediately turned off the phone and put it back in its box. On 1 November, two days after she had received it, she took the phone to the Vodacom shop in Gateway Mall, Durban, only to learn that the Gateway Vodacom shop is not really Vodacom's shop because, while they confirmed it was faulty, they were not prepared to take responsibility for the problem.

"The Vodacom shop refused to deal with me because, they said, it was an online upgrade offer – nothing to do with them."

From the Vodacom shop, at their suggestion, she telephoned Vodacom's upgrade department, who said they had logged the fault and would arrange to have the phone collected and replaced.

"I indicated I would accept an

iPhone5 with the same terms and conditions as the iPhone 4, if they did not have one."

But still no joy with Vodacom. On 18 November she received an SMS from them stating: "You have been refunded for the promotional bundle that you did not receive in October. Apologies for any inconvenience."

Adding further insult to injury, the SMS concluded with Vodacom's latest adline: "Power to You!"

Budlender told *Noseweek*: "I am not interested in my charges being reversed. I insist they perform/deliver on the contract they entered into with me. They have messed me around with their misinformation and deceipts for over a month. They were still advertising the deal on their website for more than a month after they knew that no stock was available, simply to lure people in, then dump another (less desirable) product on them.

"Now that they haven't got away with that ploy with me, they want to back out of the deal. Can you imagine what Vodacom's response would have been had I, after a month or two, simply sent them an SMS informing them that I had posted their phone back to them and was no longer going to pay them the monthly contract amount as I had unexpectedly run out of cash?

"Meantime I am sitting with a faulty iPhone in the box in which it was delivered. We are talking about a R199-a-month contract and an iPhone. That's too much for Vodacom to handle? My guess is that, in keeping with prior years, they plan to spend a million or more on a lavish Christmas function!"

Before coming to *Noseweek*, Budlender had directed her complaint to the Independent Communications Authority of South Africa (Icasa), which immediately informed her that the matter did not fall within their jurisdiction. They advised her to redirect it to the National Consumer Commission (NCC), which she did on 27 November. She had yet to receive a response by the time *Noseweek* went to press.

This case, we reckon, is a litmus test to determine what Vodacom's real attitude is to customer service: "We deliver what we promise" or "Take what you get or f-off"?

Test results will be announced in a forthcoming issue. ■



Stephanie Budlender

FINE ART CONSULTANT

Ian Hunter



Managing Art Collections.

Buying and selling works on behalf of clients.

Insurance valuations for private and corporate collections.

Probate valuations for late estates.

www.ianarhunter.co.za

info@ianarhunter.co.za

cell 084 257 6495 work 021 788 4532

Ian has 12 years working experience with top auction houses, corporate and private collections.



Bryanston	011-706 6655
Rosebank	011-880 9691
Durban	031-303 5881
Cape Town	021-794 4449

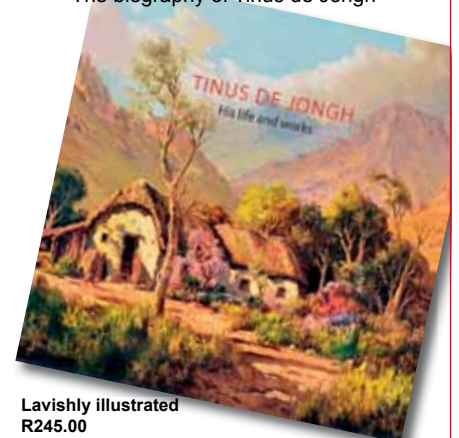


Lounge Around

Atlanta Lounger

NEW OUT NOW

The biography of Tinus de Jongh



Lavishly illustrated
R245.00

Available from
www.tinusdejongh.co.za or www.kalahari.com

Independent pharmacies: hunted to extinction

Sophisticated new prescription delivery service has advantages – and disadvantages

WHEN LAST DID YOU GO TO AN independent pharmacy, one that wasn't located inside a Clicks, a Dis-Chem, a Checkers or a Spar? They are a dying breed, losing out to the chain stores that establish dispensaries as loss leaders aimed solely at attracting customers.

Because older pharmacists are seen as bad for image (and maybe more expensive) chain stores tend to poach most of the newly qualified chemists, luring them with start-up salaries that the independents just can't match.

There are several other facets to the chain store takeover strategy:

- Chain store pharmacies are out to lure even loyal customers from the independents by entering into arrangements with the medical aid companies. One major scheme even offers customers "cash back" for buying their medication from a particular chain.

- Corporates are establishing in-store pharmacies in shopping centres as close to independents as they can get away with – the Department of Health will only grant a licence if the pharmacy is at least 500 metres from a competitor – then invariably launch a price war to close down the nearby, less capital-resourced independent.

- Where the Clicks branch is too close to an independent pharmacy, Clicks has devised a strategy to get around the rule and achieve the same result. It has initiated a "Prescription and Self-Medication Request Service" which is basically a drop-and-collect medication

convenience. If your local Clicks does not have an in-store pharmacy (because there is an independent too near to permit one), you can hand in your prescription nonetheless and it will be sent off to the nearest Clicks that does have a pharmacy. Pharmacists there will dispense the prescription and send it back to your store, where you pick up your medicine a few hours later. Repeat prescriptions and self-medication requests are also catered for. Get your order in by 9.30am, they promise, and you'll get your pills by 1pm.

Old-school pharmacists warn about all sorts of legal and ethical implications when there is no pharmacist in attendance. The Good Pharmacy Practice (GPP) guidelines issued by the Pharmaceutical Society of South Africa (PSSA) provide that:

- the person who hands over the drugs must be a pharmacist;
- there must be eyeball-to-eyeball contact;
- there must be proper counselling;
- there must be history-taking;
- the pharmacist must be sure that there will be no adverse reactions arising out of the fact that other drugs are being taken.

(The 2004 GPP document says "all efforts must be made to enable face-to-face counselling of the patient by the pharmacist" and, when advising a patient, their "physical presence is preferred". It also says "systems must be developed to ensure the distribution of medicines is reliable and secure to the point of delivery".)



Clicks stores that offer to dispense medicines in this unusual manner are purporting to be pharmacies when they are not, warn the independents. If Clicks is permitted to trade this way then so should, say, petrol stations or bottle stores, provided the prescription is dispatched to a proper pharmacy.

Generics pose another anomaly. The Good Practice Guide stipulates that generics or alternatives can only be dispensed after consultation with the customer/patient. Oh, and Clicks happens to have its own range of generics.

In the case of self-medication requests for non-prescription drugs, the rules say the pharmacist is obliged to advise the customer after having apprised themselves of the customer's medical history. A pharmacist is also



obliged to monitor the sales of over-the-counter Schedule 1 and 2 drugs to look out for cases of possible abuse.

And the temperature at which drugs are kept needs to be strictly controlled – something that cannot be ensured or even monitored if drugs are being shunted from one Clicks to another.

The South African Pharmacy Council (SAPC) escalated *Noseweek's* queries all the way up to the CEO, Amos Masondo (former Mayor of Johannesburg and ANC NEC member) and that is where they stayed. The Department of Health's Lehlogonolo Kekana of the Affordable Medicines Licensing Unit sent us this terse message: "Have elevated this matter to senior management". But there, too, it failed to come back down again. The Pharmaceuti-

cal Society of South Africa did not respond either.

Which rather tends to support the rumour that all these agencies are by now beholden to the players with the deepest pockets.

There was one person keen to talk: Clicks CEO David Kneale. In fact Kneale had quite a lot to say:

"The pharmacy [*delivery*] service you refer to was launched by Clicks as a pilot project [*in Fish Hoek*] in just one of our 330 pharmacies two weeks ago, so we are flattered by the interest it must have generated amongst our competitors for this to have been brought to the attention of *Noseweek*.

"Our service works in the following way: a delivery service is provided for prescriptions and self-medication by the supplying pharmacy [*in this case, Clicks Capricorn Park, a registered pharmacy*] to the Clicks store in Fish Hoek [*a Clicks branch that does not yet have a pharmacy*] ...for the customer to collect the prescription medication... our service is similar to a community pharmacy's delivery service to a customer's home or a courier pharmacy's delivery service.

"However, our deliveries are not handled by a courier or a delivery person, but by a qualified pharmacist assistant registered with the SA Pharmacy Council...

"Counselling is provided telephonically by an SAPC-registered pharmacist, patients are contacted upon receipt of the script to confirm patient history, proxy diagnosis, adverse reactions are checked, and generic alternatives are offered. Records are maintained of all schedule 1 and 2 medicine sales in the dispensing store in compliance with SAPC guidelines and a pharmacy professional will intervene should abuse be detected.

"Parcels are kept in a secure location in a temperature-controlled environment in the Clicks store until collected. Customers are required to provide proof of identity at the time of collection."

"Clicks' pharmacy management consulted with the SA Pharmacy Council prior to launching this delivery service. Our service does not contravene the Good Pharmacy Practice (GPP) guidelines on delivery of medicines. Your understanding that 'the person who hands over the drugs must be a pharmacist' and there must be 'eyeball-to-eyeball

contact' is not correct in terms of the GPP guidelines.

"The service has the potential to broaden access to medicines for customers by increasing the number of outlets where prescriptions can be conveniently collected. While Clicks has over 440 stores across the country, only 75% of these stores currently have pharmacies."

It may have the potential to broaden access to medicines but it's certainly not doing so in Fish Hoek where the community has long been served by a main street pharmacy which happens to be very close to the Clicks branch offering the drop-and-collect service. This pharmacy's existence is presumably the reason why Clicks has not been able to get a licence for an in-store pharmacy in Fish Hoek.

Kneale's remark that the Clicks branch in Fish Hoek doesn't have an in-store pharmacy "yet", reads like a threat, aimed also at the independents situated close to the roughly-110 Clicks stores that don't "yet" have in-store pharmacies.

Noseweek asked Kneale: Are in-store pharmacies really making health care more accessible to the masses?

Kneale waxed lyrical: "Clicks Group's healthcare strategy is aligned with the government's policy of making healthcare more affordable and accessible to all South Africans... many of these are in rural and previously under-served areas.

"...Clicks helped form the Public Health Enhancement Fund to improve access to affordable health care ... and has donated R1m to the fund in the first year."

Mmmm! So Clicks is at the forefront of primary health care in South Africa is it? Well, as the Clicks Store Locator Map will attest, there are not many of those "under-served areas" where citizens "have not had easy access to health care". Most are in larger urban areas, and locations serving the fairly well-off; their names include words like mall, shopping centre, village, park parkade etc.

As for its R1m contribution to the Joint Public Health Enhancement Fund to improve access to affordable healthcare launched by Health Minister, Aaron Motsoaledi in November 2012, Clicks boasted a turnover of R17.5 billion last year. ■

Zimbabwe. Skill at winning elections not matched by grasp of economics

IT IS BECOMING CLEAR THAT THE COST of the Zimbabwe African National Union-Patriotic Front's (Zanu-PF's) July electoral victory is the loss of the financial credibility built up by Tendai Biti of the Movement for Democratic Change (MDC), who was Finance Minister in the coalition government for its past four years.

The MDC is now again in opposition and Biti's replacement is Zanu-PF's Patrick Chinamasa. He returned empty-handed from the International Monetary Fund-World Bank annual meetings in Washington to announce that the budget would be postponed until January – the last date the constitution permits – while he holds consultations.

The Reserve Bank of Zimbabwe (RBZ) Governor Gideon Gono has yet to present the mid-year statement which was due in July. There is little enthusiasm for Zanu-PF's new economic blueprint, the Zimbabwe Agenda for Sustainable Socio-Economic Transformation (Zim Asset). One faint glimmer of hope for the regime is the possibility that deteriorating security in Mozambique may see a call for military assistance and thus make it less likely that power from the Cahora Bassa Dam will be cut again for non-payment. The slide in business and investor confidence has continued. Recovery is unlikely until there is more clarity on policy in the new year.

Without massive foreign capital inflows, Zim Asset is short on prospects. With a trade deficit of US\$3 billion for the first nine months of the year and foreign debt of \$10bn, the pressing priority is how to stabilise the short-term balance of payments gap, rather than long-term capital projects.

To give impetus to the initial phase of Zim Asset, Mugabe directed his attention to the mining sector. Platinum interests were warned of an immediate suspension of unrefined exports until there was convincing progress on



Reserve Bank of Zimbabwe Governor Gideon Gono

building a domestic refinery. All gold was to be refined by the RBZ's Fidelity subsidiary and illicit gold-panners would be legitimised as small enterprises. Whether these promises will be implemented remains to be seen but the new Mines Minister, Walter Chidhakwa, is related by marriage to Grace Mugabe (née Marufu), so a brotherly-in-law eye can be kept on him.

A greenfield platinum refinery will take a few years to build. So, with platinum accounting for a fifth of ex-



This report is reproduced from UK-based *Africa Confidential* (www.africa-confidential.com), the authoritative fortnightly bulletin on Africa.

ports, it is hardly the best time to be stockpiling unrefined matte (smelted ore). Mining companies have already taken a hit from the indigenisation programme and profitability is now marginal.

In the diamond sector, the warnings from years back that alluvial deposits were low-cost but short-lived are coming true. The alluvial deposits are nearing exhaustion without their original source (a volcanic pipe) having been located. In the excessively secretive Zimbabwe industry, hard information is scarce although there are rumours of a pipe discovered in the Savé Valley Conservancy, over which the generals are rumoured to be squabbling.

Mugabe also signalled that the three biggest operations, Anjin, Mbadanda and what he called “the Lebanese” were ripe for investigation, which may aggrieve them as they appear to have been generous to their previous “overseers”: The Anti-Corruption Commission's investigation into allegations of a \$6m solicitation by the former ZMDC chairman Godwills Masimirembwa

– which he denies – has apparently been dropped. The same may apply to other high-level investigations and it is unclear whether the Commission remained active after the election.

Masimirembwa spent a fortune on sponsoring housing cooperatives in July's elections in the hope that would help him win a seat. The actual beneficiary was Petronella Kagonye, now Deputy Transport Minister, who reclaimed the Goromonzi South seat for Zanu-PF. Her vote ballooned from 5,000 in 2008 to 17,000, while that of Morgan Tsvangirai's wing of the MDC rose from 6,000 to 11,000. Many of these co-ops are now under threat of demolition as illegal structures by Local Government Minister Ignatius Chombo, just as a massive scam involving forged letters and lost deposits is uncovered. The co-op scam was repeated across the country and the Central Committee saw many members expressing concern that the demolition programme would undermine the party at the next elections.

Local authorities will be pressing the government to make good their revenue shortfalls from the election gimmick of writing off outstanding rates and utility bills. Some councils have been unable to pay wages since April.

The Supreme Court last month ruled in favour of the Chinese company Shougang International for the return by Standard Chartered Bank of \$48,000 which the RBZ had forced StanChart to surrender in 2008. The RBZ called in all US dollar deposits at the time, and the court ruling means it could be liable for \$100m or more.

Although the RBZ has reassured banks that other surrendered funds will also be returned, where it will get them is a mystery.

The Meikles Group, which is making an Indigenisation loan to its staff, with which they will buy shares in the company, has said it will only make the loan when its dollars have been returned by the RBZ.

There is a growing worry that the chaos of pre-2008 could re-materialise. The IMF Staff Monitored Programme team was in Zimbabwe recently and its report-back to Washington is unlikely to be reassuring. ■

Mozambique. From debt relief to borrowing spree

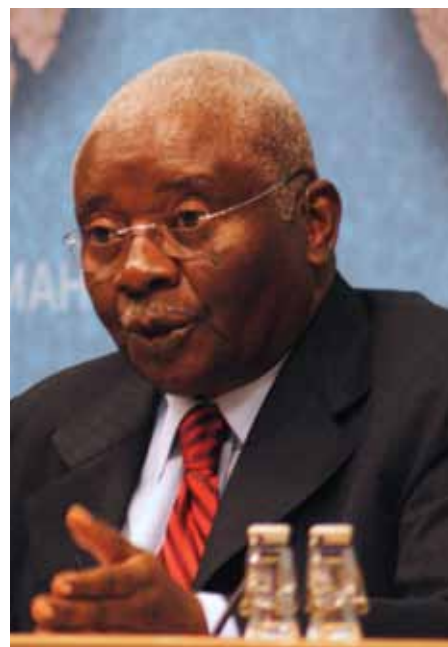


Cahora Bassa Dam, and (below) Mozambique's President Armando Guebuza

THE GOVERNMENT OF MOZAMBIQUE is on a credit binge and is taking on billions of dollars' worth of loans. Its newfound creditworthiness is based on wealth from mineral resources and on debt relief. Much of the new debt is expensive commercial credit at high rates of interest and it is being used to finance projects of doubtful utility but dear to the heart of President Armando Guebuza and Frelimo.

Total external debt stock had risen to US\$5.6 billion by the end of 2012, equivalent to 36.3% of GDP, and is forecast to rise to 44.7% by 2014.

The risk of debt distress for Mozambique has risen, according to the International Monetary Fund. The growth in public liabilities has occurred since Mozambique was granted \$4.3bn in debt write-offs, predominantly funded by Western governments and multi-



THERE'S ALWAYS A CATCH

NW FF 005

Provided you have the
right equipment.

For all your fly fishing requirements,
visit us online or drop in at the shop.



www.frontierflyfishing.co.za

Contact Tom, Dean or Mike on (011) 463 9048/9 or visit us at Coachman's Crossing Shopping Centre, Peter Place (off William Nicol Drive), Bryanston, Johannesburg

BETA GLUCAN

Building your immune system
all-year-round



Yestimun - your assurance of
the finest quality ingredient

MADE IN
GERMANY

Helps protect when under stress...

For more information and to take advantage
of our introductory offer, shop online at
www.masterhealthproducts.co.za

Adding Health to Life



Trade enquiries tel: 011 803 5445
Email: info@masterhealthproducts.co.za

This space is a snip at
ONLY
R1650...

(Plus VAT)

Why not try it for size?

ads@noseweek.co.za

021 686 0570

lateral agencies, through the Heavily Indebted Poor Countries Initiative and the enhanced HIPC terms between 1999 and 2001. In 2006, a further \$2.9bn was written off under the Multilateral Debt-Relief Initiative, reducing public debt to \$2.7bn. That was a major achievement of the government of former President Joaquim Chissano.

Publicly guaranteed debt has since risen rapidly under Guebuza's presidency, starting with the decision to take on \$950 million in commercial loan finance to nationalise the Cahora Bassa hydroelectric dam, purchased from Portugal in 2006. The following year, the dam was partly financed by a \$700m commercial loan from Crédito Agricole-Banco Português de Investimento at 2% over the London Interbank Offering Rate (Libor), maturing in seven years. Debt acquisition has accelerated in the past three years with \$1.8bn in debt contracted in 2010-12 and a further \$1.5bn expected by the end of 2013.

New lending is now dominated by Brazil, China and India, involving "vendor financed" public infrastructure. Although Beijing refers to these projects as bilateral aid, they are in fact commercial lending which Maputo has taken on as sovereign debt and Chinese companies typically supply their own labour to build them.

Mozambique's lending practices have breached conditions agreed under HIPC debt relief, that involve prudence in debt acquisition and project selection. The HIPC conditions for debt cancellation also included strong policy measures to use funds saved on poverty reduction – not to maintain unsustainable public projects or to create credit space to be filled with new commercial debt owed to China.

Most of Mozambique's external borrowing is now on commercial terms involving higher interest rates (8%) and shorter maturities (eg one-to-two years) creating a harder, heavier debt service burden. The no-questions-asked variety of commercial loans are especially attractive to Frelimo's elite.

Concern has risen over projects financed by new lending that involve prestige schemes close to Frelimo. Aside from Maputo's new Chinese-built airport, national stadium and government ministry buildings, these

include a plan to build a road and bridge over Maputo harbour to undeveloped land on the south bank of Maputo Bay in the village of Catembe, at an estimated cost of \$700m.

More contentious still is Mozambique's launch of an \$850m 8.5% Eurobond in September. This is being used to finance a new state-owned fishing fleet and to acquire naval vessels, and it involves shadowy state institutions and the private interests of Frelimo leaders.

Although the project is meant to be commercial and avoid public liability, there are grave doubts about its viability and lack of public disclosure. The Eurobond voids undertakings to the IMF made as recently as July, when the government committed to keeping new lending to \$2bn over the next three years and for that to be restricted to previously declared public infrastructure projects.

The fishing project had not been previously disclosed.

The borrowing spree is fuelled by a belief that the resource boom from gas and coal has freed the government from fiscal restraint. In reality, core state revenue from resources is still years away. Revenue from coal-mining is still low while that from the liquefied natural gas developments in the north, though they will eventually be enormous, will not start until 2020.

With core state revenue streams still far away, the country is nevertheless earning revenue from gas through the 32% capital gains tax on mergers and acquisitions.

The first capital gains tax transaction on the energy sector netted the state \$175m in 2012 on the sale of British company Cove Energy to state-owned PTT Exploration and Production Limited of Thailand. This year the sale of a 20% stake by ENI of Italy to the China National Petroleum Corp could result in a windfall tax payment of \$400m. Other deals include the planned sale of a stake in Mozambican gas assets to two Indian state-backed companies could produce windfall payments of over \$1bn.

But capital gains are an uncertain and volatile revenue source, dependent upon deal flow. Already, however, they are being used to cover government over-runs and plug other holes in state finances. ■



Bachman overdrive. Tender is the balsamic glaze

HAVE A CONFESSION TO MAKE. I HAVE probably exterminated more animals than Melissa Bachman. I love animals. I love loving them as pets. I love admiring their majesty and diversity. I also love them when they are drenched in a Spur BarBQ sauce or draped over me as a leather jacket, especially when it is paired with some well-fitting Levi jeans.

Ostriches are my favourites. You can eat them, wear them, ride on them at KKNK [*arts festival*] and when only the feathers are left, turn them into boas or feather dusters. Neat!

Look, I do not have the guts to personally stalk and kill the animal like Bachman. I am happy for others to slay them and present them to me in neat little plastic packages or on a plate with a side-order of chips.

I declare that I have devoured generations of chickens and wiped out extended families of cattle, even though I haven't really been hungry in two years and 11 kilograms. I know these animals do not die from a clean, single shot from a hunter's rifle. *Carte Blanche* and the internet have shown me that they die a horrific death in profit-driven slaughterhouses. I am very uncomfortable with this knowledge, I truly am. However, a rich balsamic glaze easily tenderises my dismay. Plus, a glass of crisp dry white wine helps smooth out the prickly, blurry lines of animal rights arguments. I've also figured out it helps to simply not look.

Some people have the pluck to complain that the hunting industry earned South Africa R811 million last year. My god chaps, that's a fantastic figure. Hunting contributes to conservation. Conservation is in the busi-

ness of a sustainable supply of wildlife (including lions) – much like the chicken farmers have to continue to breed chickens so we can hunt them down at our local Pick n Pay.

Maybe if Disney made a movie about Mufasa, the Chicken King, people will

ous inconsistencies and devastating nuances.

Sure, Melissa Bachman has killed more lions than I have. But she has probably also saved more lions than I have. I have not paid a cent to wildlife conservation in the past year. I



Trophy broads: Melissa Bachman with dead lion and the author with spicy chicken leg

think about things differently.

Do not confuse my confession with an apology. This is an authentic statement about my choices. I have a “top of the food chain” mentality. I am an atheist, but when it suits me – the bit in the Bible that puts “man in charge” of animals comes in handy. We have ordained ourselves fit to decide which animals are cool enough to share our beds and living space with; which ones to kill and how to kill them. It is a vast and difficult debate, filled with obvi-

haven't even visited a game farm. I enjoy getting gooseflesh watching the annual migration across the Serengeti on National Geographic. Sometimes, I “like” antiRhino poaching posts on the internet, but I don't think I have saved even half a rhino.

When I saw the photo of Bachman with the lion I found it gut-wrenching. I was horrified. Yet I will not judge this woman just because she is an intimidating virile specimen with spectacular tits. ■



Robokemp. Trappings of power

ONE SMOGGY MORNING IN 2007, villagers in south-western China awoke to discover that a large part of their mountain had been spray-painted luminous green. Mining companies had quarried a giant chunk out of said mountain, and the local government had decided it was time to be eco-conscious and pretty the whole thing up. Cue millions of gallons of paint, and a naïve attempt to convince the world – and perhaps themselves – that the motherland was still unscarred.

These days, China is moving in the right direction where pollution and all things green are concerned. One might even say that its new environmental policies are a breath of fresh air, if such a thing existed in China. Nevertheless, it remains the world's largest polluter and, apparently, the world's largest consumer of green paint: as recently as March, Britain's *The Telegraph* revealed that the city of Chengdu was painting dead yellow grass a lovely shade of toxic electric emerald.

Given the precedent set by Africa's new political paymasters, we should

count ourselves lucky that our own government hasn't yet resorted to such measures to keep its indiscretions secret. Then again, there's not enough green paint in the world to cover Nkandla. Not that they would necessarily opt for paint: I'm still waiting for Mac Maharaj to declare Google Earth racist.

It did, however, make me wonder whether November's furore over whether it was illegal to photograph Nkandla was merely a billion gallons of paint on a mountain; a clumsy attempt to distract us from larger crises. Which is not to say that we shouldn't be appalled by the unfolding of that particular scandal. Here, in our very own backyard, we have the latest gigantic penis enlargement traditionally favoured by heads of state who have completely lost their marbles. Nkandla might be fairly modest as nut-job hideaways go, but it is nevertheless part of an architectural tradition which includes the gold-and-ivory monuments to kitsch and non-accountabili-

ty built by the likes of Tito, Kim Jong-il and Jean-Bédél Bokassa.

We are right to be offended by such obscene homes. Perhaps we are also right to be a little bit afraid of them, because they show us small glimpses of the final moments



Glenda Kemp: Is that a bionic python or are you just pleased to see me?



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

of our country, played out in golden bedrooms and marble dining rooms: a frightened El Presidente hiding behind an antique harpsichord as a squad of machete-wielding Revolutionary Guards kicks down the door.

But the problem with focusing on Nkandla is that it fixes just one number in our collective unconscious – 204, the number of millions of rands spent on security upgrades – and leaves little room for other, far larger, numbers. The year 2013 will be remembered as the year of 204 million, which is a pity because it was actually the year of 31 billion – the number of rands “mis-spent” by the government: while we were getting angry about the cost of Nkandla, the state was merrily losing, wasting or stealing 150 times that. Put another way, in 2013 South Africa’s government flushed an Nkandla-sized fortune down the toilet every 57 hours.

Perhaps we’ve all obsessed about the smaller figure because the target is one man rather than an entire corrupt system. Perhaps it’s a form of self-protection: if we grasped the full scope of the waste, our heads would explode. We’ve even stopped doing those calculations about how many schools or hospitals or houses we could have built with R31bn. Is this despair or just political maturity? After all, who’s going to build those schools and houses and hospitals? The same people currently helping make all that money disappear? No, I say, let’s calculate how many unicorns we could have bred by using that money to splice the DNA of narwhals and Lipizzaners: the results would be more interesting, and contribute just as little to the national debate on how wretched our current leaders are.

Still, it could be worse. In 2012, French authorities seized a flat in Paris owned by Equatorial Guinea leader, Teodoro Obiang Nguema. A discreet little six-

storey love-nest, it was valued at about \$140m, or R1.4bn. Not for Zuma is such outrageous and unpatriotic spending: as far as we know, he doesn’t own any property outside South Africa. Clearly Number One believes that local is lekker and has invested in the future of the country.

In late November a graph did the rounds on social media showing the expenditure on the homes of our last five presidents, and revealing an exponential trend since the advent of democracy. Compared to the relatively austere Mandela, PW Botha and FW de Klerk look like ascetics living in a hole in the ground: their combined cost to the taxpayers was R2m in today’s money. Some malcontents tried to suggest that this proved that apartheid leaders were much more ethical than the current regime, but I suspect it just proves that the Nats had very poor imaginations and a tragically stunted appreciation of bling. After all, when you’re the president of a rogue, nuclear-armed state, bankrolled by the United States, with 40 million black slaves working for you, the only explanation for your insistence on wearing dark grey suits and pork-pie hats is that you are utterly clueless. Sure, now and then on special occasions they splashed out on an orange rosette, maybe to add a bit of colour into their Day of the Vow Memorial Milk-tart Bake-Off, but for the rest – dull, dull, dull.

It’s just as well: imagine what Botha and De Klerk might have wrought had they shared the ANC’s instinct for spending other people’s money. Botha’s security cluster would almost certainly have upgraded his Wilderness retreat with a giant Glenda Kemp stripper-robot, complete with a bionic python that shot teargas out of its nostrils, while De Klerk would have had a bunker built where he could escape the diabetic coma brought on by too many koeksisters at the AGM of the Ladies of Bloemfontein Alliance Against Satan, Feminists, and White People Who Can Speak Bantu.

Ja-nee, it could always be worse. And it probably will be. But let’s cross that Astrourfed National Key Point when we come to it. ■

STILL WORRIED ABOUT RED WINE AND CHICKEN?

RELAX, TALL HORSE MERLOT LOVES ROAST CHICKEN AS MUCH AS YOU DO.



Not for Sale To Persons Under the Age of 18.



Rags to kitsch. Extravaganza of Tretchy

WE MET IN LONDON CIRCA 1969. I didn't like him. The extraordinary Vladimir Tretchikoff came across as a dodgy second-hand car dealer of possibly Ruritanian origin. The Russian accent blurred communication. It was an unsatisfactory interview.

Now, reading *Incredible Tretchikoff*, there is respect for The People's Artist, a frantically vigorous survivor of hair-raising experiences in half the world's trouble spots. Never mind the art establishment's sneers at the begetter of the emerald-hued *Chinese Girl* portrait; remember him as a hero of the admiring masses who knew nothing of his youthful battles against a variety of wartime enemies. They simply worshipped his paintings and made Tretchy a rich man.

His latter-day reincarnation as a bankable artist, after years in the doldrums, must be infuriating to the mockers. Admittedly today's new fans are a chic minority, but the collectors are once again doling out six-figure sums for the familiar originals, and good money for decent prints.

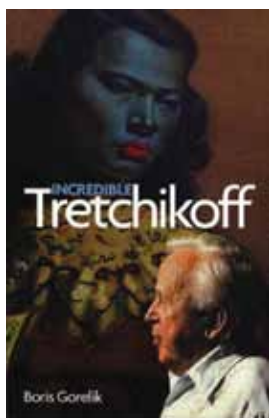
The book traces the beginnings of the defiant little serial immigrant's rage to succeed. It moves at speed from the grim realities of an impoverished childhood in Siberia, to scabbling for a living in Kazakhstan, China, Paris, marital bliss in Singapore (till the bombs rained down), and Japanese detention in Java.

His wife and daughter fled into the unknown at the beginning of hostilities, and it was long after that he discovered they had landed up in South Africa.

Russian nationality (despite a lack of ID documents) proved useful, as the Japanese were not at war with the Soviet Union and Tretchy, the young commercial artist, was released to help produce posters and leaflets. The invaders wished to impress the Javanese as leaders of an Asian power bloc.

During this period the painter met the sultry Javanese Lenka, subject of a couple of smouldering portraits, who became his lover. They both knew they would return to their absent spouses, if and when found.

**INCREDIBLE
TRETCHIKOFF**
by Boris Gorelik
(Tafelberg)



After all that upheaval, and the subsequent struggle to set up anew in South Africa, it seems distinctly unfair that such a tenacious individual should end up being vilified by the artistic establishment of the Western world.

The eventual mind-boggling material success (second only to Picasso's then, in terms of annual earning from paintings and prints) elicited a sustained storm of insults from the keepers of the flame. It must be galling to Tretchy's detractors that now, years after his death, the object of their rage is enjoying a funky reincarnation in chic international circles.

Boris Gorelik has written a meticulously researched biography, which offers a reasoned defence of a complicated man and his creations. It also catalogues furious denunciations by those who so bitterly resented the flamboyant painter's successes. Some day, perhaps Hollywood will see fit to dramatise the extravaganza of Tretchy's life.

Not that it needs much dramatisation. I see Robin Williams in the lead. He would be particularly capable as the artist who unashamedly counted the takings at his giant exhibitions in furniture stores at home and abroad. Harrods was a huge success. The thousands who queued to see *The Dying Swan*, *The Lost Orchid* etc, are the stuff of shopping legend.

While "proper" artists mocked, Tretchy swanned about in fancy cars (his powder-blue Cadillac was borrowed to cart Britain's Harold Macmillan about when the British PM called on Cape Town to deliver the *Winds of Change* speech).

Relishing a lavish lifestyle is surely understandable, given the past rigours of Siberia and dusty Kazakhstan, the horrors of wartime Singapore and Indonesia.

Tretchikoff has variously been dubbed "the Barbara Cartland of art" and a popular spell-binder.

The artist's only comment was that he understood what ordinary people wanted. He certainly did. And he gave it to them at a negotiable price. ■



Funny business. The hand of Lazarus

WITH HIGH UNEMPLOYMENT being the scourge of most municipalities, including Umjindi and Albert Luthuli, you'd think that any local authority would grab the chance to accommodate interested investors who might bring more stability and prosperity to an area.

In Umjindi it seems the opposite applies, judging by the way one such example that was guaranteed to bring jobs has derailed.

Two highly capitalised investors – a group of Pretoria businessmen in partnership with a local “black” entrepreneur; and Barberton’s Pick n Pay – were given the run-around after each had presented their respective business initiatives to the municipality.

The first entity, which operates as Fontis Development, a well established property development company, and their local black partner, Vusi Nkosi, made an R800,000 offer to purchase land on which the burnt-out Emjindini SMME Centre once stood. Emjindini is Barberton’s township, or ‘kasi (and of course, since the fire, now home to a lekker spread of African urban bush).

The SMME centre was burnt out during service delivery protests in June 2012. Afterwards several councillors told this writer the municipality had no intention of rebuilding the centre, let alone had the funds to do so.

Ironically one of the issues of contention expressed during the protest was Umjindi’s failure to deliver on Local Economic Development (LED) which would naturally lead to job creation.

The Fontis plan was to build a shopping complex for which it had secured a Spar supermarket as the anchor tenant. The idea was to combine the derelict plot with the adjoining stand, owned by the aforementioned black entrepreneur Vusi Nkosi, allowing more space to accommodate what they



Umjindi mayor Lazarus Mashaba

described as “a state of the art shopping complex for the township”.

While Fontis could not say exactly how many jobs their development would create – both in the short term (eg construction workers) and in the long term (part-time and permanent jobs) – they said that, “with any such project one can imagine that capital injected into the Umjindi economy would be in the hundreds of millions and the Spar, alone, could offer up to 50 part-time and permanent jobs combined.”

The council – reported to be virtually broke – is said to have been delighted by the Fontis proposal and highly impressed by the subsequent presen-

tation which included the full development plan, architectural designs and, importantly, a list of secured core tenants including the prize anchor, Spar.

As a result the developers were given the green light to undertake an independently conducted evaluation.

Fired by the positive response to their presentation the group quickly complied and waited, fingers crossed, for the green light. One, two, three months went by before they were given a rude awakening: they were told the municipality had received a counter offer.

A counter offer? How would anybody have known to make a counter offer when there was nothing publicised about the sale of the plot, let alone that the municipality had at no stage put the plot up for sale?

It is widely suspected that Mayor Lazarus Mashaba or Speaker Vusi Mkhathshwa, or both, working in har-

loot.co.za

Over 7 million Great value **BOOKS** Massive selection of & Music, Movies Console Games At the lowest prices!

Incredible Tretchikoff Boris Gorelik

was ~~R230~~ **R220**

VISA

Free postal delivery
Telephone 0861 69-5668, info@loot.co.za

mony, saw this as an opportunity to hold out for a "better offer".

But in these parts such stalling tactics are easily misinterpreted.

Whatever the reason, it is clear Fontis was being kept at bay. First they were told the council was waiting for a presentation from the counter-offer group; then they were told the municipality had decided to conduct their own valuation; followed by a third communiqué informing them that the municipality had decided to put the plot out tender.

When this writer interviewed one of the counter-offer group's directors and asked how much capital they had to inject and what tenants they'd secured, their response was, "we are putting these things in place".

The Johnny-come-latelies told the council during their presentation that they were in discussions with Vusi Nkosi for his piece of the land.

Not so. Said Nkosi: "I said to them, you guys are mad trying to use my name. No way in hell would I be part of your so-called counter offer."

On the other hand Fontis Development's impressive website, alone, shows it is an established property development company focusing on the development of retail shopping malls in rural areas.

It clearly attracts a wide variety of

client-oriented tenants with an established customer base in city centres, thereby bringing suppliers of essential consumer goods, clothing and furniture stores, fast-food outlets, banking and pharmaceutical services, closer to the country's large rural communities.

Fontis claims that the shopping malls it develops provide residents with the convenience of large national retail outlets within easy reach by bus or taxi.

A councillor who asked not to be named for fear of victimisation said, "To nearly every councillor there was this feeling that the Fontis purchase offer was a godsend – all the more so, knowing that the municipality was not in a position to do anything about the centre's destruction."

Another councillor, who also asked not to be named, went as far as putting the blame squarely on Mayor Lazarus Mashaba, dubbing him, the "let's-talk-over-lunch mayor".

At the time of going to press the plot had not gone to tender and no business entity was known to have been granted purchase rights. And the derelict SMME centre remains an eyesore.

As for Pick n Pay, a year ago they had made an offer to buy a rather small piece of land situated between their existing supermarket and the

town's swimming pool. Their plan was to expand the supermarket.

Surprise, surprise, they fared no better than the Fontis Group and have also been given the run-around. Except on one occasion earlier this year when the mayor agreed to meet the owner of the supermarket complex.

But one problem: the Pick n Pay complex owner, Costa Cervas, came from Pretoria, expecting to meet municipality officials such as the LED director, Town Planner, Municipal Manager and of course Mayor Lazarus Mashaba.

However, instead of the scheduled meeting, he was told Mashaba was not available but would be willing to make time to meet him alone over lunch.

Cervas was livid.

The plot still stands empty and Pick n Pay appears to have accepted that it won't be made available.

Umjindi can kiss goodbye to a few more jobs for locals at Pick n Pay, which already employs about 200 people.

And of course *hamba kahle* to the potential jobs that would have been created by the Fontis development and employed desperate Umjindi youth who will continue to linger in the 'kasi, jobless.

Now that's local economic derailment for you! ■

SUBSCRIBING IS EASY

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

 <p>ONLINE</p> <p>Subscribe at www.noseweek.co.za or email subs@noseweek.co.za</p>	 <p>PHONE</p> <p>Call 021 686 0570 with your credit card details or fax 021 686 0573 or 0866 773 650</p>	 <p>POST</p> <p>Make your cheque out to Noseweek and post to: Box 44538, Claremont 7735</p>
---	---	--

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

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

CONGRATULATIONS TO THIS MONTH'S WINNERS:

Anthony Crole, Benoni
Charles Liasides, Overport

Hester Hoff, Hurlyvale
Janike Stiglingh, Tokai

Paolo Perotti, Durbanville



Motherless. Rough diamond

ROUGH DIAMOND. A STALE OLD metaphor, that, but it's what they called my old mom and it was pretty apt, though I'm not too sure about the diamond bit. Maybe agate, even flint, like a Neanderthal hand-axe. In fact it occurred to me quite early on, that the old girl might very well be a Neanderthal.

We'd had depictions of H. neanderthalensis for a good long while by then, of course, but always as males. These gents went around all hunched with their knees bent, dragging their knuckles along the ground because they were too dof to swing their arms. Their mouths always hung open and snarling with trickles of dried blood at the corners because they were too dof to wipe it away on the back of their hairy wrists. They had great big canine teeth and would smash other animals to death with handy bits of flint, tear them up with these teeth. They went about starkers winter or summer because they were too dof to put on a few skins but they were hairier than any other animal around anyway.

Then suddenly Whoa-gaa! There in certain remote corners of certain caves various scientific-ologists find certain human remains sweetly curled up with nicely braided hair and flowers and many tokens of love, also musical instruments, flutes and tinkly things and percussion things all made of bone with tools of some precision, and the scientific community takes over from the media mongers and presents a new view of these folks. The -ologists measure the brain-cases of all skulls and find they are on average 13% bigger than H. sapiens'. Then Madame Tussaud's puts on a show "The Neander Family at Home", and I bloody nigh spill my tea when I see it on the TV. There they all are, quite skilfully clothed in skins, hair nicely done with a bone comb, the kids too cute, there is the Great Neanderthal Schnoz on young and old, a warming device for ice-age air entering the headbone. And there... there in the flesh in the wax

is...is... my ma! The Old Girl herself!

Well, all that is background to her story. The stage is set. It is a deathbed scene, Addington Hospital, Durban, an august and highly professional teaching hospital back in 1974. Here sit my sister and I, waiting, hour after hour, mindlessly watching the grim swollen body and skinny limbs of the Old



Girl, mindlessly monitoring the shallow breathing. Silent. What is there to talk about? Her eyes are closed, she is full of easeful medication. I wonder if she's thinking at all or just easefully asleep. Towards sunset a monitoring team comes by: a pompous old supervisor doctor with a neat white beard and a clipboard, two young novice intern doctors, the ward sister plus a couple of ward nurses on standby. They examine the chart at the foot of the bed. They make with their ballpoints. They whisper. The OG feebly opens her eyes. After a bit she faintly beckons to one of the novice docs, a handsome young Jewish fellow name

of Weber with curly hair. He comes to her, she beckons him close to her lips. Will you marry me? says she.

This is so sudden, says he, I will need time to think about it. We don't have any time, Sweetheart, says the OG, ask that old bugger with the clipboard to do it now. You mean like the captain of a ship? Ja, says she, and feebly closes her eyes. Supervisor with clipboard beckons Dr Weber to one side. You should realise, says he, if you want to get on in your career as doctor you should not stand about making facetious jokes with dying patients. The ethics of our profession make clear that the doctor's duty at the time of death is to put the patient's mind at ease, to calm the patient mentally where appropriate medication has put her or him physically at ease. He writes with his ballpoint on the clipboard. Something appropriate in a certain square of a questionnaire.

Round about midnight and it's over. She missed the New Year by a day. A nurse gives us each a Valium with a glass of water and we're off for some desperate sleep. The morrow is bright and chirpy and I'm off to the Bottlestore Galactica for something nice, then off to Addington. Down a lesser corridor is a small office with DR WEBER on the door, I enter with a small knock, and there sits Dr Weber at a small table, silently staring at a bare wall. He slowly rises, his face aghast; more complaints, more trouble, more shit, says his body language.

The last words my mother spoke, say I, were that I should buy for you a bottle of good Scotch, and you can't get more Scotch than this. I take from my bag a presentation bottle of Glenfiddich, its sleeve cheerily decorated with the Hunting Stuart tartan, and there on a curly banner in curly writing it says LANG MAY YEER LUM REEK. Long may your chimney smoke. Happy 1975, say I. Dr Weber's smile stretches ear to ear. What a celebration! says he. Yes, say I, you almost became my father. ■

Smalls ads must be booked and paid for online. Book at:

www.noseweek.co.za

FOREIGN HOLIDAY ACCOMMODATION

Paris apartment Centrally located Montergueil (2nd) Reasonable rates, internet, tv, etc; Lindsaygunn@noos.fr; +33 62 034 6710.

Bordeaux Modern self-catering in the heart of the winelands. Ideal for wine tours. From €73/day. Visit www.bordeauxwinelands.com

LOCAL HOLIDAY ACCOMMODATION

Hermanus Serviced apartments close to Old Harbour with sea views. Call 028 312 1799; www.hermanusvillage.com

V&A Waterfront Fully serviced apartments. Call 021 421 5040; www.waterfrontvillage.com

Camps Bay serviced and self-catering apartments and homes. Call 021 438 5560; www.campsbayresort.com

Langebaan serviced self-catering studios on the beach. Call 022 772 2062; www.speelhuis.co.za

Umhlanga 2 bed, 2 bath stunning, serviced sea-facing apartment with DSTV; 082 900 1202; anne@pvalery.com

Southbroom Holiday House. KZN South Coast. 150m from main beach. Sea and lagoon views. Sleeps eight. Good security;

www.southbroomhouse.co.za or bookings@southbroomhouse.co.za

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

Plettenberg Bay Anlin Beach House B&B/self-catering. Affordable 4-star luxury, 100m from Robberg Beach; 044 533 3694. See website for special offers: www.anlinbeachhouse.co.za; stay@anlinbeachhouse.co.za

Pinelands, Cape Town B&B and self-catering accommodation for leisure or business. Go to www.pinelandsonline.com

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

Cape Town, Camps Bay 5 star, 2, 4, 5 and 6 bedroomed villas. Beach House on Glen Beach. Main House and/or penthouse. www.glenbeachvillas.co.za, mlpope@telkomsa.net

PROPERTY TO LET AND FOR SALE

Sabi Luxury Goldcrown Timeshare. 2 bedrooms en suite, 6 sleeper, fully equipped. Golf course. Call 082 437 6715.

Dargle, Midlands Immaculate home, 1ha established treed garden facing indigenous forest. R3,750,00.00. Call 083 659 5317.

PROPERTY SERVICES

Selling your business? Contact a Chartered Accountant with 25 years of experience in business sales. Call Wally 082 556 2943 or wal@telkomsa.net

FOR SALE

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

Tent Pro cc sells new army (5x5m and 10x5m) and dome tents; call Philip 082 537 2894; www.tentpro.co.za

Masons are specialist appliance, electronic and furniture retailers. We stock the latest brands. Nationwide delivery; www.masons.co.za

WANTED

Mercedes-Benz Alpha Junior or Spider and VW or Karman Ghia classic cars wanted by collector: 083 273 2014.

SERVICES

DVDs New concept in Claremont area, Cape Town. Call 021 671 4187 or book online www.thevillagedvd.com; email thevillagedvd@gmail.com

Illustrator Illustrations using wide variety of styles and mediums including watercolour, ink, lino and black and white line drawing. Meg: 021 788 5974 or 082 926 7666; megjordi@gmail.com

Silver Spoon Function hire. Hiring of cutlery, crockery, linen, glasses, marquees, stretch tents, heaters, etc. For all your hiring requirements; 011 262 2227; www.silverspoonhire.co.za

French sworn translator Countrywide. Experienced in mining rights, court and tribunal papers, official documents. My CV, testimonials and samples of my translations are available on request. Christine: 071 356 8279; christine@thefrenchpage.com

LM Garden Design & Maintenance For irrigation and maintenance. Call 021 713 1285.

Penthouse Travel for all international marathons. Call Marie 021 976 8110.

BUSINESS FOR SALE

Famous Old Klein Karoo Bookshop & Tobacconist for sale; brigg60@gmail.com

LEGAL, INSURANCE & FINANCIAL

PPS Insurance Please tell about coin-toss decision-making and other horrors. Member-victim. Call 082 387 3699; gabrie.jansen@gmail.com

Jurgens Bekker Attorneys, Bedfordview Commercial and litigation. Call 011 622 5472;

jurgens@jurgensbekker.co.za

Schoeman, Kellerman, Kotze Inc Welkom For all legal matters. Call 057 352 7241.

Trade finance available for small to medium sized businesses. For further details www.anglocape.co.za or anglofin@iafrica.com

COURSES AND TUITION

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



HEALTH

Somerset West Phonak Hearing Centre Niall Welch Hearing For hearing tests and hearing aid fittings Call 021 851 1837.

PERSONAL

Good luck to Craig Stansfield and Ollie Cowan for their cycling odyssey through Africa.

Noseweek Team I love you and your magazine. No subscription increase. Only 1 in 5 years. Unique. Noël, Tulbagh

DO GOOD

Support scholarships for deserving girls. Visit www.ruthfirstjeppeitrust.co.za

“Never pick a fight with people who buy their ink by the barrel”

Mark Twain

FOR THE BIGGER PICTURE



SUBSCRIBE TO NOSEWEEK ONLINE

WWW.NOSEWEEK.CO.ZA

KEN FORRESTER
VINEYARDS
SINCE 1689

Tasting room open
Monday - Friday 09:00 - 17:00
& Saturday 09:30 - 15:30

One of 204 & Wilby road,
between Somerset West & Stellenbosch.
021-851 3306 | 021-851 3307
021-851 3308
info@kenforrester.com
www.kenforrester.com



SMALLS ADS

The deadline is the 24th of the month, two months prior to publication.

Ads are prepaid at R200 plus VAT for up to 15 words, thereafter R15 per word plus VAT

Please note that multiple (long-term bookings) are now available online.

BOXED ADS

Boxed ads are 6cm (1 column) wide, and are charged at R250 per cm (length) plus VAT.

Payment is due within 30 days of invoicing
Please contact ads@noseweek.co.za to book or phone Adrienne 021 686 0570.

DISCLAIMER

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

QUALITY PUBLICATIONS CHOOSE A QUALITY PRINTER

COLOURTONE ARIES PRINTERS OF CHOICE

For all your printing, packaging and display requirements
contact colourtone aries on 021 429 6700 or

www.colourtonearies.co.za

info@colourtonearies.co.za



@colourtonearies



Colourtone Aries



COLOURTONE ARIES

print | packaging | display

