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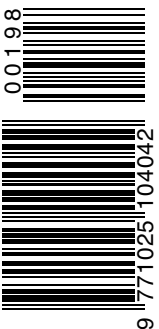


WITS FOOTBALL LEGEND VS EX-WIFE
DID SHE FILCH HIS MILLIONS OR
IS HE JUST INSANELY JEALOUS?

TSHWANE'S DASH FOR BROADBAND
FOR THE PUBLIC OR FOR THE KICKBACK?

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BODY PARTS

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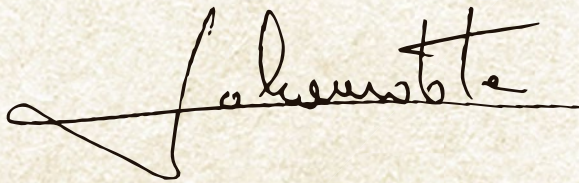


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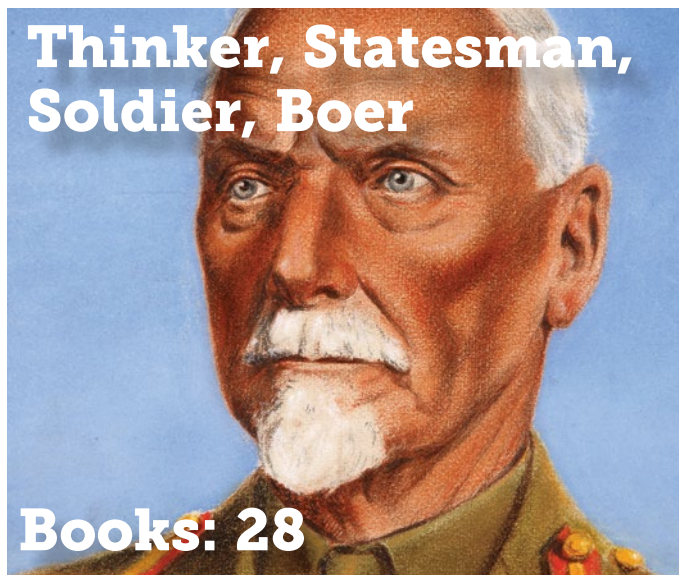
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Thinker, Statesman, Soldier, Boer

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Letters

Keep it up, Noseweek

I HAVE JUST RENEWED MY SUBSCRIPTION and have read your March editorial (*nose197*). Thank you for your service to the uninformed and for exposing corruption and greed! We will support you even if we have to collect our *Noseweeks* from your doorstep.

Neels Brits
Strand

How's that for a declaration of loyalty! Thank you! – Ed.

Monuments that offend

PETER LEWIS'S FASCINATING PIECE ON Cecil John Rhodes (*nose197*) provides yet another couple of nails for the crucifixion of the old bugger's reputation. But where the statue(s) are concerned, it's not relevant.

The argument is not about whether historical figures were good or bad people. The issue is one of tolerance. For everyone who despises Rhodes, there are people who admire him. For everyone who admires Shaka Zulu, there are people who despise him. Neither citizens nor governments should have the power to take down historical monuments simply because they, personally, object to them. For better or worse, they are part of history and heritage.

If we really want to build a nation, a

first step would be to learn to live with each other's monuments. For those whose egos are really so fragile that they simply cannot bear to walk past a particular statue, there are two possible remedies: take a different route, or find a therapist.

Ron Mcgregor
Mowbray, Cape Town

Yes – and no. Was Germany to be burdened – haunted – for the rest of time by all those self-aggrandising statues of the Führer rampant? Were all the towns of Russia and all its former subject soviet satellites to be eternally cursed with those monster statues of their oppressor, Stalin. Ditto for those of Chairman Mao that litter the hills and plains of China? "Mies" Victoria holding her spanspek, tucked away here and there has her charm, Oom Paul and his burghers have their claim to Pretoria's Church Square: they made it, even though they no longer own it.

But a monster Rhodes towering over the entrance to UCT, in effect declaring "this establishment exists to my glory" is a lot more controversial, especially if the vast majority of its current students have fair reason to think that he contributed greatly to their still-disadvantaged condition. – Ed.

■ I HAD TO LAUGH WHEN I READ THE article on Rhodes (*nose197*), in which Peter Lewis describes how Rhodes bought a controlling share in the *Cape Argus*, to use as a mouthpiece for his parliamentary speeches.

It seems we have come full circle. The *Cape Argus* is now owned by another magnate – oops, I mean self-professed philanthropist – intent on expanding his great empire throughout the entire continent of Africa and beyond. Iqbal Survé uses his "Independent" Media company as one of the vehicles to achieve this, albeit under the guise of ridding Africa of its colonial domination.

And ironically, just as Rhodes manipulated the media for his own benefit, so does Survé. Besides using his media company to continuously blow his own trumpet and promote his chosen political party, he also uses it to pursue his relentless personal vendetta against UCT and Max Price.

And speaking of vendettas, I'm getting rather bored and annoyed with Bheki Mashile regularly using his *Noseweek* column to have a go at Herman Mashaba. Mashaba's eloquent and measured rebuttal (Letters, *nose191*) is a lot more convincing than Mashile's personal attacks.

By the way, Mr Mashile, for years, before I decided I liked my hair the way it is, I used all kinds of horrible hair products to make my "relaxed" dead-straight hair curly, and still have photos of myself with an "afro".

Sandra Hewitson
Tokai, Cape Town

■ THE ARTICLE ON RHODES BY PETER Lewis reflects an imagination run riot in pursuit of the hysterical #Rhodes-MustFall campaign at Oriel College.

The first 25% of the article is a re-run of Will Hutton's letter to *The Guardian* defending the retention of the Rhodes statue at Oriel and is the target of Lewis's anger. The next 50% delivers dubious conclusions about Rhodes and his goals "to achieve total control through his De Beers fiefdom of the diamond fields on one hand, and

Gus





Statuesque... Monuments that offend

on the other, the control of its labour force to cheapen costs of production”.

The rest is about the “extant legacy” of Rhodes, which was “the blueprint for the super exploitation of the South African people” all the way to Marikana. The only issue worth responding to is the suggestion that Rhodes, through his De Beers fiefdom, sought to control diamond production so that he could cheapen the cost of labour.

It is evident from early photographs that the great hole was created by hundreds of side-by-side small-claim areas reached by a chaotic maze of cables and pulley systems. The claims often collapsed on one another and many miners and labourers were injured or killed. The only safe solution for continued downward excavation was to amalgamate the claims and to mine the floor on an even level.

Rhodes saw this, raised capital through a public flotation of De Beers shares and offered the individual miners cash or shares in De Beers for their claims. Though Rhodes became very rich, De Beers could never be considered “his fiefdom” and it cannot be concluded that his motives were to cheapen the cost of labour.

Andre Jensen
Port Elizabeth

Your points on the need for amalgamation of the De Beers mining claims is interesting and probable – but they are not the whole story. Rhodes’s strategies to control labour are a parallel

but separate issue that has undoubtedly had a long-term, negative social impact on our country – the central point of Lewis’s essay, quite apart from his pointing out that Rhodes cannot be credited with many of the “redeeming features” that his ill-informed defenders now wish to attribute to him. – Ed.

AA takes back loyalty award

HAVING BEEN A LOYAL AND CONTINUAL member of the AA for 50 years, on 13 April 2015 I was granted free life membership in terms of their stated policy, effective over all those years, presumably as an incentive to reduce cancellations. However, after four months of “free” membership, I received a letter dated 30 October 2015, which effectively unilaterally rescinds the AA’s obligation of free membership and invites me to pay R90 per month to get the same contract facilities.

The public should be made aware of this scurrilous conduct and be advised that the offer of free life membership of the AA after 50 years is a scam and not to be considered relevant should any member wish to terminate their membership.

Colin Fisher
By email

Modderfontein is making us ill

THIS COMMUNITY OF MODDERFONTEIN IS sick and tired, and really wish someone in the press, or the authorities, would run with the scandal of the

The consolation of enmity

No need to lie awake at night berating yourself for your character faults – all the things you did and said wrong today.

Somewhere, someone else is doing that for you

Finuala Dowling
(FROM: CARAPACE 104)

industrial pollution happening here.

Since the establishment of AECI (1895) and the Kelvin Power Station along with local industry in Edenvale, our Modderspruit has become a dumping ground for every kind of waste.

Check out this spectacular condensed time-lapse video by of some of the things happening here:

bit.ly/1Tss4K1

Thanks to scientist Irwin Jukes who filmed this, we now have some solid evidence that no-one wants to take charge of – neither Joburg Metro, Ekurhuleni, the Department of Water Affairs or the environmental authorities. No one gives a damn.

Allan Bartram
Modderfontein Environmental
Community Initiative

Now see story on resistance to proposed new Colenso power station on page 22. – Ed.

Here, we speak human



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The nuclear lie of the land

THE GOVERNMENT'S RECENT APPOINTMENT of Dr Kelvin Kemm as chairman of the state-owned Nuclear Energy Corporation went by, surprisingly, without comment in the press. As the only trained nuclear physicist on the board, the other NEC board members are likely to take their cue from Kemm, so maybe we ought to know a little more about the man.

But first, this, by Bill McKibben in a recent *New Yorker* magazine:

What Exxon knew about Climate Change

IN SEPTEMBER LAST YEAR JOURNALISTS AT InsideClimate News, a website that has won the Pulitzer Prize for its reporting, ran an exposé of the response of Exxon, one of the world's biggest oil producers, to the threat of climate change. The documents the journalists have compiled and the interviews they have conducted with retired employees and officials show that, as early as 1977, Exxon (now ExxonMobil) knew that its main product would heat up the planet disastrously.

This did not prevent the company from then spending decades helping to organise the campaigns of disinformation and denial that have slowed perhaps fatally the planet's response to global warming.

There's a sense, of course, in which one already assumed that this was the case. Everyone who's been paying attention has known about climate change for decades now. But it turns out Exxon didn't just know about climate change: it conducted some of the original research.

In the 1970s and 80s, the company employed top scientists who worked side by side with university researchers and the [US] Department of Energy, even outfitting one of the company's tankers with special sensors and sending it on a cruise to gather CO₂ readings over

the ocean. By 1977, an Exxon senior scientist named James Black was, according to his own notes, able to tell the company's management committee that there was general scientific agreement that what was then called the greenhouse effect was most likely caused by man-made CO₂; a year later, speaking to an even wider audience inside the company, he said that research indicated that if we doubled the amount of carbon dioxide in the planet's atmosphere, we would increase temperatures by two-to-three degrees celsius. That's just about where the scientific consensus lies to this day.

Present thinking, Black wrote in summary in 1978, holds that man has a time window of five-to-ten years before the need for hard decisions regarding changes in energy strategies might become critical. Those numbers were about right, too. It was precisely ten years later after a decade in which Exxon scientists continued to do systematic climate research that showed, as one internal report put it, that stopping global warming would require major reductions in fossil fuel combustion that Nasa scientist James Hansen took climate change to the broader public, telling a congressional hearing, in June of 1988, that the planet was already warming.

And how did Exxon respond? By saying that its own independent research supported Hansen's findings? By changing the company's focus to renewable technology? No. Instead, Exxon responded by helping to set up or fund extreme climate-denial campaigns. (In a blog post responding to the InsideClimate News report, the company said that the documents were cherry-picked to distort our history of pioneering climate science research and efforts to reduce emissions.)

The company worked with veterans of the tobacco industry to try and infuse the climate debate with doubt (see below). Lee Raymond, who became the Exxon

CEO in 1993 gave a key speech to a group of Chinese leaders and oil industry executives in 1997, on the eve of treaty negotiations in Kyoto. He told them that the globe was cooling, and that government action to limit carbon emissions defies common sense.

In recent years, it's gotten so hot [InsideClimate's exposé coincided with the release of data showing that this past summer was the United States and South Africa's hottest in recorded history] that there's no use denying it anymore; Raymond's successor, Rex Tillerson, has grudgingly accepted climate change as real, but has referred to it as an engineering problem.

In May, at a shareholders' meeting, he mocked renewable energy, and said that mankind has this enormous capacity to deal with adversity, which would stand in good stead in the case of inclement weather. The influence of the oil industry is essentially undiminished, even now. The Obama Administration may have stood up to Big Coal, but the richer Big Oil got permission this summer

to drill in the Arctic (something that Exxon secretly predicted would become possible because of climate change and the resultant melting of the ice cap).

Washington may soon grant the rights for offshore drilling along the Atlantic seaboard. All this will help drive the flow of carbon into the atmosphere the flow of carbon that Exxon knew almost 40 years ago would likely be disastrous.



After Exxon buried the evidence and waged an advertising and public relations campaign to deny the science, the company coordinated and financed several groups to confuse the public. Central to these is the Committee For A Constructive Tomorrow (CFACT).

Hired to head CFACT was Marc Morano, an expert at disinformation: he had previously been employed by the tobacco industry to persuade smokers to deny or at least doubt the scientifically established link between smoking and cancer.

Exxon-funded CFACT, along with Chevron, coal utility Southern Company and a number of other fronts forged a plan in 1998 at the American

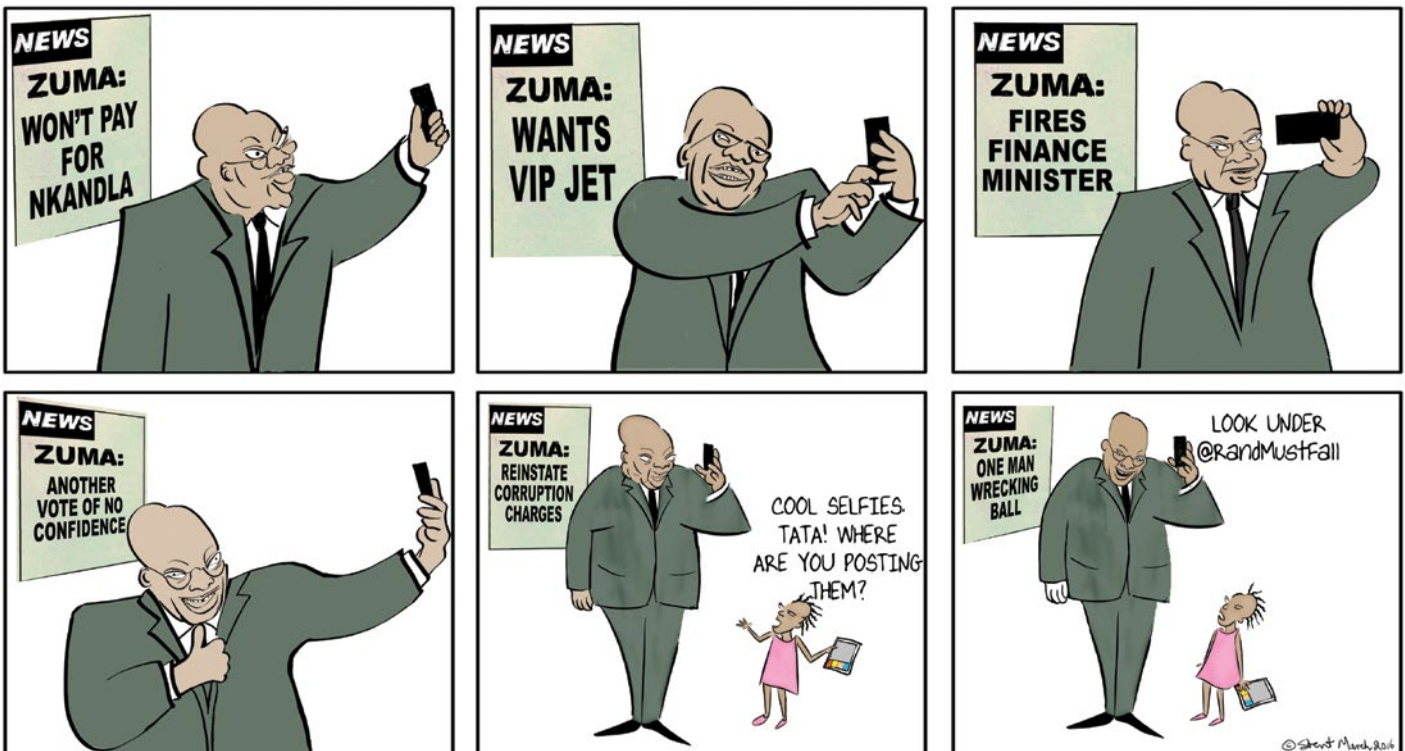
Petroleum Institute. The Global Climate Science Communications Action Plan involved placing scientists who appeared independent at these front groups, financed by coal, oil, car and other industrial corporations to make public relations sound like science to reporters and the public they report to.

And who should we find as a long-standing member of CFACT's board of expert advisors and contributor to its website but our own Dr Kelvin Kemm!

Readers might also have noticed that while Dr Kemm was long a climate-change denialist, he has more recently tempered his tune since the nuclear industry realised that it might benefit from the public awareness of the dangers of fossil fuel combustion.

They might also want to recall that Dr Kemm was the leading promoter of South Africa's failed, extremely profitable (to some) and extremely costly (to Eskom) pebble bed reactor project (noses54,66&105). The Nuclear Energy Corporation will, it has been reported, be the owner of all those new nuclear power stations so dear to the heart of President Zuma. Do we really want a man like Dr Kemm to have his finger on our nuclear button?

The Editor



Stent

Red Card for Roan?

Jealous football legend campaigns to destroy ex-wife. Fair or foul? Jack Lundin investigates

FOOTBALL LEGEND ROAN MAULGUE says he never checked his bank balance – not once – in 16 years. He claims he made no withdrawals either, living for years on cash, while millions clocked up in his retirement kitty.

Imagine the former Wits captain's surprise to learn that his Standard Bank account wasn't an estimated R31 million in credit. It was R237,000 in the red!

As far as Maulgue is concerned, there's only one person in the frame – his former wife Lindsay van den Broeck, in league with Standard Bank. He's filed a high court claim against both for a loss of R10,3m.

But is his extraordinary story true? No, it's all rubbish, declares ex-wife Lindsay van den Broeck, whose Futurevista company offers packaged computer learning centres to schools across south Johannesburg. She claims that Maulgue is on a mission to destroy her after she became engaged to the new man in her life, veterinarian Dr Neil Bouwer.

Here are the facts: readers must decide for themselves. Roan Maulgue, now 46, joined Wits when he was 20 and played for The Clever Boys for 13 years alongside legends like Peter Gordon, Ashley Makhanya and Chancy Gondwe. An aggressive defender, Maulgue hung up his boots in 2003 to join a long-time friend, Greg Fourie, in Acme Salvage, a business they launched to pick up wrecked cars from insurance companies ("insurance recoveries") and sell them for

rebuilding. That same year (2003), Maulgue's ten-year marriage to Lindsay van den Broeck ended in divorce.

At Acme Salvage, says Maulgue, the money came pouring in – all, in cash. "The company took R1.5m a week, between R5.5m and R8m/month. I was 50-50 with Greg Fourie. Greg used to drive around with R5m in a box on the back seat."

He says he never used his ATM card to draw money from his account. "Whenever we wanted money – R80,000; R100,000; R120,000 – we took it from the Acme cash pile." His R65,000/month salary went into his Standard Bank account, where it remained untouched.

"Because I always had access to cash, I never went into my bank ac-

count. If I needed fifty grand, my partner and I would take fifty grand each. If Greg wanted twenty grand I would take twenty grand too. And I never looked at my bank statements. How embarrassing is that?"

But his legendary aggression took its toll when a New Year's Eve argument with partner Fourie turned violent. "Greg and I had both been drinking and we got into a fight," says Maulgue. "I hit my head on a car and cracked my skull on the pavement and it damaged the lobes in my brain. I was in a coma for four-and-a-half months. They had to teach me to walk again. I was in rehab at Auckland Park for about six months and off work for more than a year."

At Acme Salvage, 45-year-old Fourie says now: "It's all lies." His sister Bonnie Fourie, who does the books at Acme, recalls the New Year's Eve brawl but challenges Maulgue's version of it. "Greg was trying to put his baby, who was not even nine months old, in the car. Roan was starting with Greg, as he always did when he was drunk. All Greg did was turn around and elbow him.

"Roan had brain injury before that from all the other fights that he's had. He was in fights 24/7 with 20 million people. When he drinks he's impossible."

When Maulgue finally quit Acme in 2011, he says, Greg Fourie paid R9m for his shares.

And though Maulgue had been divorced for eight years, he talked his ex-wife Van den Broeck into letting

His legendary aggression took its toll when a New Year's Eve argument with partner Fourie turned violent



Roan Maulgue, playing for Wits, tackles Kaizer Chiefs' Thabo Mooki during a July 2000 match

Picture: Tertius Pickard/Gallo Images

him in to her Futurevista business.

“Roan said he would like to invest in my company,” says Van den Broeck, 44. “He was the father of my children and he’d like to make it up to them because he’d been a bad father and a terrible husband. It took three weeks of convincing me to get involved with him. He was supposed to become the sales guru.”

In the 18 months of his involvement, Van den Broeck says Maulgue put

around R1.5m into Futurevista. But things turned nasty when she got engaged to Brackenhurst veterinarian Bouwer. “Roan switched 180 degrees,” she says. “Two days after proposing while we were on holiday in Ballito, my fiancé, my two children and I all received SMS death threats. This is when this nonsense started that I stole all his money.”

From the Hennie Alberts Veterinary Clinic, Bouwer, a specialist in the vet-

erinary care of racing pigeons, confirms the death threats but seeks to distance himself from the now-raging furore.

It started big. Maulgue, having been picked up by Moffat View police on suspicion of breaking into Futurevista’s office, screamed from the holding cell that Lindsay had stolen R70m. When he came to *Noseweek* with his story last year, it was R31m. Now, in a joint high court summons against Lindsay van den Broeck and Standard Bank, it’s R10.3m.

In court papers Maulgue, of 184 Kastaiing Road, Weltevreden Park, accuses unnamed staff at the Bedfordview branch of Standard Bank of collaborating with his ex-wife and allowing her unauthorised access to his bank account; furnishing her with duplicate credit cards enabling her to draw funds from his account; issuing her with a pin for making credit card purchases and withdrawing cash at ATM machines; and giving her a user name and password for effecting electronic transfers. His summons totals R10,284,528 in alleged fraudulent withdrawals and payments.

To *Noseweek*, Maulgue throws in a couple more charges against Van den Broeck: opening a secret money market account in his name and increasing his R35,000 transaction limit in order to make unauthorised big-sum transfers.

Lindsay van den Broeck freely admits to *Noseweek* that after Maulgue joined her at Futurevista she made a stack of transfers from his account to her own account at Standard, to Futurevista’s business account at Nedbank, and to a number of other accounts – but all on Maulgue’s instructions.

“Roan’s computer knowledge was zero and he instructed his personal banker Jane Hawthorne that I would be managing his account regarding internet transfers,” she says. “When I was called in by Bedfordview police to make a statement, the investigating officer informed me that Roan was accusing Jane Hawthorne and myself of being in cahoots, which is completely unfounded and untrue.

“I never ever had any bank cards for his account. He asked me to set up his internet banking in mid-2011 and – by his strict instruction only – did I

assist him in making internet transfers. Roan arranged to increase his internet transfer limit with Jane. His attorney Arnold Joseph recommended that he open a money market account where the funds for the sale of Acme (shares) would be deposited. This he opened of his own accord. I was not involved in negotiating an overdraft facility and have no knowledge of his overdraft debt of R237,000.”

Van den Broeck says that one Friday night last year she received a “desperate” call from former personal banker Jane Hawthorne, saying that “Roan was harassing and threatening her and causing havoc at the company where she worked after Standard Bank”.

Contacted by *Noseweek*, Hawthorne says Maulgue’s accusations against Van den Broeck and Standard Bank are “mind-boggling”. She confirms that Van den Broeck had signing authority on Maulgue’s account. Also that “Mr Maulgue did ask for an overdraft, pending some money coming in. That was documented and the bank has that on record.”

Regarding Maulgue’s claim that he never asked to have his R35,000 transaction limit raised, Hawthorne tells *Noseweek*: “He did, on several occasions. He came into the office with Lindsay van den Broeck, his ex-wife.

He was making a joke one time, that he had a gift for me in the car.”

A Standard Bank spokesperson says: “As recent as 2012 the ex-wife’s signature still appeared on the customer’s profile. During December 2012 the bank received instructions from Mr Maulgue to amend the mandate and remove Mrs Maulgue as a signatory from all his accounts, which instruction the bank duly executed.

“The bank regularly sends out account statements and the customer

has the duty to report any unauthorised debit within a reasonable time to the bank. We are comfortable that all transactions at the time on the account had been done in line with the mandate held by the bank.”

In the past three years Maulgue has launched a stream of civil and police actions against his ex-wife. Not one has stuck, although in one summary judgment he was awarded R4,9m over a disputed loan. Last August this was overturned on appeal and that matter now goes to trial.

“Roan walked into my office and insisted he would do whatever it took to destroy my life,” says Van den Broeck. “If it weren’t for my fiancé, my family and friends I would be on the streets, he’s brought so many cases against me. I had to sell my home to keep paying lawyers’ fees, school fees, college fees, medical aid. The scary part of all these cases and charges is that there is no law that protects me from being harassed. He can open unlimited cases, lay unlimited charges and I must continue to pay to prove my innocence. There’s no protection from this extreme form of abuse.”

Van den Broeck says Maulgue’s relentless smear campaign has lost Futurevista six school computer centre contracts – including R1.1m lost income from a big one with Marist Brothers Linmeyer. She bitterly regrets taking her abrasive ex into Futurevista. “Oh my word, it’s ruined my life, it’s ruined my business. For the past three years he’s made my life a living hell.”

Then there are the claimed death threats to their children Cheney, 18, and Joshua, 21. The latest, according their mother, were made on a Friday night in January, when soccer-playing Joshua was on contract to a club in Malta. “Roan threatened to kill him, and my son responded with all the pent-up fury he had been carrying on his chest for three years: he’s blocked Roan from calling him again.”

Van den Broeck says their younger child, Cheney, received a similar death-threat call the same evening, which reduced her to hysterics. Both children are changing their names to Van den Broeck.”

For her part, Lindsay van den Broeck is claiming R734,426 from Roan Maulgue for years of unpaid child

In the past three years Maulgue has launched a stream of civil and police actions against his ex-wife. Not one has stuck



GREATER CAPE TOWN 101.3 | ATLANTIC SEABOARD 97.1
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Neil Bouwer with
Lindsay van den Broeck

maintenance. She believes that her ex-husband's 2007 brain injury, fuelled by alcohol, may have provoked her ex's bizarre bank theft accusations. "I was worried about his anger problems – and he drinks like a fish."

The police take a sceptical view of Maulgue's accusations against his ex-wife and have closed the docket, despite Maulgue's desperate attempts to keep it open with a succession of complaints over detectives' handling of his case, complaints made ever-higher up the police chain of command.

When Maulgue opened the case in March 2014 the appointed investigating officer at Bedfordview police was Detective Manzini. According to Maulgue, the detective did little in six months except demand "all sorts of favours" including a bottle of Red Label whisky.

His complaint to Manzini's station commander, Colonel Fourie, resulted in the case being transferred

'Roan asked me to make the transfers'

ROAN MAULGUE'S PARTICULARS OF claim, drafted by advocate Jan Rossouw, lists "fraudulent withdrawals and payments" totalling R10,284,528 from his client's bank account, all allegedly made by ex-wife Lindsay van den Broeck between 29 August 2008 and 22 November 2012.

From these, *Noseweek* asked Van den Broeck to explain 13 internet transfers – all, over R20,000 – totalling R3.8m. She says she was instructed by Maulgue to make eight of them, totalling R507,000, into her personal bank account. The largest, for R300,000 on 6 January 2012, was made at Maulgue's insistence "that I pay off any of my debts, insisting he didn't want me to have any debt". The five others, totalling R3.3m, all went into Maulgue's money market account (which he claims he didn't know he had).

Noseweek asked Van den Broeck about 35 claimed "fraudulent" transfers, all over R20,000, totalling R1.8m, into Futurevista's business account. She agreed that she had made 33 of them, totalling R1.7m, adding that these were primarily Maulgue's investment in the Futurevista business, for "cashflow, research and development, salaries, the Ballito office".

We were curious about four "fraudulent" internet transfers that Van den Broeck says she made at Maulgue's request in 2012:

- R220,000 on January 16 to JG Koekermoe. "Roan bought this car for my son," she explains.

- R200,000 on January 18 to PC International. "Roan paid for computers."

to Commercial Crime (Germiston), where Col Selotole assigned Captain Moleko to investigate. Captain Moleko was found to be "disrespectful and we didn't want to deal with him anymore," a complaint that Maulgue carried to the desk of Brigadier Yende, Provincial Head, Commercial Crime. Yende obligingly transferred the case to Commercial Crime (Joburg Central). There SCCU director Gideon Nkoana passed it to deputy director Suren Naidoo, and finally Advocate

- R389,950 on February 1 to Springs Cars. "I arrived at the office to find this car as a gift for me as a surprise."

- R47,000 on May 22 to Coin Trading. "Roan invested in coins from the Coin Shop."

Of particular interest are six "fraudulent" payments in 2012 totalling R103,368 to Marist Brothers, the private Catholic school in Linmeyer, Joburg south, attended then by the Maulgue children. Maulgue claims the R103,368 didn't go to Marist Brothers, the payments were part of the millions stolen by his ex-wife. He tells *Noseweek*: "I went and sat with Mrs [Christine] Potter, who is an accountant at Marist, and Van den Broeck put through fraudulent documentation from beginning to end. Mrs Potter said: 'I can't believe what I'm seeing.'"

However, Marist Brothers has provided *Noseweek* with a statement of fee payments for the first eight months of 2012. This shows that the six transfers made by Van den Broeck from Maulgue's account all went straight into the school account – not into her pocket, as the soccer legend claims.

As for Maulgue's insistence that he hadn't authorised any transfers over the years, let's look at another made by Van den Broeck – a R23,419.23 payment to A. Joseph (Maulgue's attorney) on 1 February 2012. An internal email from Futurevista employee Leonie van der Merwe to Van den Broeck on 30 January 2012 states: "Hi Lins, one of the documents has the information for Arnold Joseph. Roan asked please transfer R23,419.23 as per that document." ■

Vincent Maphiri was assigned to the job.

Nine months later, on 24 July 2015 – and much to Maulgue's fury – Adv Maphiri decided not to prosecute Lindsay van den Broeck and closed the docket. A wildly protesting Maulgue was referred back to Capt Moleko in Germiston. There the "disrespectful" captain hurled the file across the desk at him, repeating that the police case was closed and he should go and fight with Standard Bank. ■

Gupta brothers Atul (far right) and Ajay (to his left) with business partners Duduzane Zuma (far left) and Jagdish Parekh



Will they hold us hostage?

Time will tell whether the Gupta business model is able to survive the tenure of President Zuma. By Barry Sergeant

WHEN, IN 1993, THE GUPTA brothers and their families arrived in South Africa from northern India's state of Uttar Pradesh, the country was experiencing the dawn of democracy. Sanctions were being lifted, tourism went into a continuous boom, the world was in love with Mandela's country. Not only the idealists celebrated. Traffickers of all kinds relished the opening of what was already a long and porous border. In the land of the free, bootleggers went into overdrive.

For Ajay, Atul and Rajesh "Tony" Gupta, this was a land of opportunity, all right. They would have found that South Africa has a vibrant community of Indian extraction, mainly in and around Durban. They would have found that some of these families were wealthy beyond imagining, but also that all – almost without exception – kept a low profile and tended to focus on low-profile money-making, not least in the retail sector. Haberdashery, textiles, materials and other value-added products being favourites.

But the competition was fierce. The first indentured Indians arrived in South Africa in 1860; some elected to stay after their five-year contract ex-

pired. In 1869, the first "passenger" Indians arrived. These immigrants had paid their own way, and were skilled in a number of areas, including trade, teaching, and as artisans.

The Guptas are come-latelys but even so the evidence suggests that they wished to become super-wealthy within a generation. They would further deviate from what can loosely be called local tradition, by venturing into high-profile areas: media, IT, and also the sacred cow of mining.

What would become most noticeable, however, was that the Guptas were guided by only one principle: pure opportunism. The evidence – which has mounted rapidly since President Jacob Zuma was elected president of the ANC in December 2007 – is that the Guptas are truly gifted at exploiting unusual business opportunities, but, at the same time, have little experience or skills in actually running a business on a sustainable basis.

The Guptas run businesses that depend on the favour of politicians and the state – on patronage. The Guptas were absolutely on the money when they decided – many years ago – to back Jacob Zuma. Duduzane Zuma, son of one of Jacob Zuma's many wives,

is the person who has long appeared as most intimately and continuously representing the Zuma family interests in whatever the Guptas do.

As mentioned, the Gupta business model depends on pure opportunism. While it is crassly so – and distinctly unlikeable – it is not what the King Principles call transparent. One of the leading examples goes back to 30 April 2010: the day when Kumba Iron Ore, a subsidiary of Anglo American, renewed its licence for its 78.6% stake in Sishen Iron Ore Company (SIOC), situated in the Northern Cape.

Sishen ranks among the most profitable mines of any kind in the world. (During 2013, when Kumba's stock price traded around R600-a-share in Johannesburg, its market capitalisation [value] was around R200bn.)

For reasons that may never be known, also on 30 April 2010, ArcelorMittal South Africa (AMSA), which held an undivided stake of 21.4% in Sishen Iron Ore, failed to file an application to renew its licence.

ArcelorMittal had seemingly developed amnesia over something worth nearly R20bn – based on Kumba's market value. Equally strange, perhaps, was that the Department of Min-

eral Resources (DMR) immediately awarded the same 21.4% minority stake in Sishen to an entity that had apparently had the foresight to file an application for it.

This entity, Imperial Crown Trading (ICT), was nothing more than a shell company, literally taken off an auditor's shelf. It would soon emerge that major shareholders in ICT included Jagdish Parekh, a key executive at a number of Gupta entities and, of course, Duduzane Zuma.

At the same time, it emerged that the same Zuma was a significant stakeholder in a consortium which had been named BEE partner in 26% of Arcelor-Mittal SA, a deal valued at just short of R10bn. It also emerged that Rajesh "Tony" Gupta – who did not fit any definition of BEE – was also a stakeholder.

Meantime, ArcelorMittal had offered Imperial a princely R800m for its apparently newly-acquired 21.4% stake in Sishen – a sensational windfall for a shell entity, with no track record, no mining experience and no directors with any knowledge of mining.

There was a serious stench attaching to the ICT saga. It was not the only case in which it could be inferred that an insider at the DMR had alerted politically favoured "external" parties to massively valuable insider information. Those who knew such information – miraculously or otherwise – were clumsy and amateurish in how it was used. For example, Ezra Thapelo Nkosi, who had been a geologist for 20 years, had never heard of ICT – yet Nkosi's name and signature appeared several times in the documents that ICT had lodged with the DMR.

For its part, there was no question that the DMR was backing the Imperial camp. After taking legal advice, Anglo subsidiary Kumba applied for the contested 21.4% stake in Sishen. The clear reaction was recorded in a letter dated 24 January 2011, in which DMR director-general Sandile Nogxina described Kumba's papers as "premature" and as having been filed in an "irregular, misleading and fraudulent manner".

Given the DMR's stance, Kumba had no choice but to resort to the courts. It was hardly a surprise that Kumba won case after case, including that heard in the Supreme Court of Appeal. The DMR, government and Imperial took

the matter to the Constitutional Court, and lost there as well. Judgment was handed down in December 2013. The DMR was directed to award the 21.4% stake in Sishen to Kumba. One of the biggest would-be heists in South African history had been laid waste.

Given the ICT debacle, cynics may well argue that the Guptas lack subtlety. As recently related (*nose197*), during a meeting with Vryheid Revival Mines (VRM) at Vryheid in KwaZulu-Natal in February 2010, potential "BEE" suitors Atul and Tony Gupta, Ravindra Nath (finance director of Sahara, a Gupta entity), and Duduzane Zuma appeared, supported by a collection of bodyguards, several police officers, the head of the Vryheid police station, and the mining ministry's regional manager: mineral regulation, for KZN, Nqobile Njoko.

VRM, aware that the Guptas did not qualify under BEE rules, and alarmed by the number of Gupta-sponsored Indian immigrants arriving in Vryheid, resisted the Guptas' advances.

The Gupta style remains crass and reckless. They are unable, or unwilling, to play by normal rules. Their deals are executed with impunity. Their use of people in high places has become legendary. Judging by recent reports, nothing has changed in the past half-dozen years: on 7 March the news agency Bloomberg reported that Duduzane Zuma (the same) had acquired a hefty chunk of the Guptas' coal entity,

Tegeta, just weeks before the Guptas announced the purchase by Tegeta of Optimum Coal from Glencore.

In December, during final negotiations for the deal, mines minister Mosebenzi Zwane travelled to Switzerland and met Glencore CEO Ivan Glasenberg. The minister said that his mission was to "save" jobs. Maybe. But he was also giving his stamp of approval to the sale of Optimum Coal by Glencore to Tegeta. On 20 November 2015, about half the shares in Tegeta, according to Bloomberg, had been transferred to Mabengela Investments, a company part-owned by Duduzane Zuma. Oakbay, a Gupta company listed in Johannesburg, owns 34.5% of Tegeta.

During 2011 and 2012, Glencore had paid \$783m to buy a controlling stake in Optimum. It would buy further parcels of shares, spending more than R12bn in all. In the end, Glencore was so happy to get rid of Optimum that it paid billions of rand extra for the privilege. Tegeta (the Gupta entity) bought Optimum for \$136m. But these proceeds were to be used "to pay Optimum's R2.55bn (\$160m) debt".

For the Guptas – and Duduzane Zuma – everything now hinges on what Eskom is prepared to pay for coal supplied by Optimum. The assumption is that Eskom will be prepared to pay a great deal more than what it was willing to pay Optimum while still owned by Glencore.

Glencore was also expected to eliminate the balance of Optimum's debt. Since Optimum changed hands, finance minister Pravin Gordhan has announced that the Treasury will be investigating the terms of Eskom's coal contracts. This was seen as a clear move to ensure that the "Gupta contract" is not abnormal. There was a strong sense – even at a public level – that the Eskom supply contract, under which Glencore had suffered losses running into hundreds of millions of rand, had been or was about to be replaced by something massively inflated to the benefit of the Guptas.

It is arguable, however, that the high-watermark for the Guptas' taste for hopeless acquisitions was set by the Dominion (since renamed "Shiva") uranium deposit, near Klerksdorp. An extensive and professional feasibility study on Dominion was published on 13 September 1996, by the then Gold

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and Uranium Division Geology Department of Anglo American Corporation of South Africa. It concluded decisively that despite the size of the deposit, it could not be mined economically.

A decade later, a very different assessment of Dominion was provided by Johannesburg-based SRK Consulting in its “independent technical report” published in October 2006, and as endorsed by the board of directors at Uranium One (previously Aflase). In no time, Uranium One CEO Neal Froneman was advertising widely that Dominion would be able to produce uranium oxide at a cash cost of around \$18.00 a pound (at a time when the global spot price was headed for \$100 a pound, and beyond).

To cut a long story short, Froneman’s promises were a very bad case of pork pie (Mark Twain once said that “a mine is a hole in the ground with a liar standing next to it”). In November 2008, Uranium One announced that its erstwhile flagship, the Dominion mine in South Africa, was effectively closed. Uranium One wrote down mineral interests, plant and equipment to the tune of \$1.8bn on Dominion, which had been attributed with a “salvage value” of \$50.5m.

On 14 April 2010, the Guptas used their Oakbay vehicle to acquire Dominion, apparently for the equivalent of \$37m, and renamed it Shiva. Whether the Guptas paid a cent for the privilege is another question. It is evident that most if not all of the acquisition was funded by the SA Industrial Development Corporation (IDC).

When Oakbay was listed in Johannesburg in 2014, IDC loans to Oakbay amounted to R399m. Of this, R257m was capitalised interest – interest which Oakbay had not paid – and was converted into equity (shares) in Oakbay upon its listing. Yes, the Guptas had failed to pay a cent of interest – which rapidly built up to R257m.

Until Oakbay (essentially the Guptas) settles the balance of its debt with the IDC – deadlined for 31 October 2018 – the IDC continues to own Oakbay. The IDC has a mortgage bond over Shiva of R250m, a general bond over Shiva’s moveable assets to the tune of R250m, Shiva’s mining rights (valued, heaven knows how, at a mind-boggling R600m), along with Shiva’s debtors, insurance policies and cash.

While Oakbay displays a market capitalisation (value) of about R15bn, it is what’s known as a “vanity listing”. The stock is illiquid (it hardly ever trades) and it is easy for interested parties (mainly the Guptas) to exert influence over the price of the stock. The sad truth is that Shiva continues to rank as one of the biggest duds in global mining. Uranium is one of the world’s least popular and most readily available products.

At Shiva, the problems are legion. The plant is inappropriate and needs to be reconfigured, at a cost of billions of rand. Who will pay for this? Even then, long-time industry experts familiar with the deposit say costs at the putative mine are unlikely to be less than \$60 a pound – about twice the current world spot price for uranium. It can be said that uranium would need to trade sustainably above \$100 a pound for Shiva to ever make sense as an operating mine.

If Oakbay were ever to attempt to raise capital on the JSE, there is no doubt the mission would be aborted long before it could do so. The tragedy, however, lies in President Jacob Zuma’s ongoing insistence that South Africa should acquire a fleet of nuclear power stations. This, in a country which has among the world’s highest per capita coal reserves, lots of wind and sunshine – and one of the world’s highest-cost non-operating uranium mines – Shiva.

If it is even vaguely possible that a single family is holding an entire nation hostage over unaffordable future power projects, then it is possibly no wonder that there have been some calls for the Guptas to leave the country.

The family’s media interests, which include *The New Age* newspaper and the ANN7 television station, have benefited widely from advertising and sponsorship from parastatals such as Eskom and, indeed, government departments. *The New Age* is in wide circulation on SAA, the perennial loss-making state airline. The Gupta media interests are patently biased and are not taken seriously.

The family’s sense of how far it can push the limits of public perception has not been what it may have been. In April 2013, more than 200 foreigners – guests of the Guptas – touched down in various aircraft at the military’s Air

Force Base Waterkloof in Pretoria, provoking outrage that a private wedding could be used as an excuse for such privilege, when the country has international airports capable of adequately serving civilian aircraft of any size or configuration from all around the world.

The Gupta-Duduzane Zuma tentacles extend into part-ownership of VR Laser Services, which purported to enter into a joint venture in Hong Kong with South African parastatal Denel. In response to a row kicked up by the DA, public enterprises minister Lynne Brown declared the deal void, in that various provisions of the Public Finance Management Act had been violated.

The tendency of the Guptas to stray into security-related areas – be it uranium and defence and so on – raises questions over which Gupta deals have not surfaced in the public domain. These questions possibly link to the status of the IT business the Guptas run under the “Sahara” banner.

On the face of it Sahara appears to be rather vanilla – as a distributor of hardware for the likes of LG, Sony, Toshiba, HP, Genius and Lexmark. Sahara also offers software services, but this is a highly competitive market where established players can be difficult to dislodge.

The big question here is the extent to which the government and parastatals hand business to this Gupta entity. It is unlikely that Sahara is anything more than just another player in an overplayed IT market.

Time will tell whether the Gupta business model is sufficiently robust to survive the tenure of President Jacob Zuma.

The good news is that the Guptas have stimulated a desire among a growing number of South Africans for the truth to be known, and for transparency to prevail. The family’s ostentatious compound in Saxonwold, Johannesburg, and the incessant resistance to the family being awarded a licence to land helicopters in a residential suburb have been noticed.

South Africa, indeed, owes the Guptas a big thank-you for reminding us how democracy can go badly haywire. So far, the courts, the Treasury and other interested parties have done good work. ■

Dog eat dog

Nedbank and lawyers fought each other bitterly over R26m fraud. The chief villain is out of jail – but the loot is still missing. By Jack Lundin

IF THERE'S A SUB-SPECIES MORE LOATHED and despised than banks, it has to be lawyers – both cadres decidedly less than human for their heartless, money-grubbing ways. So when Nedbank fell out with attorneys Findlay & Niemeyer the battle, as can be expected when worms turn on each other, was a bitter one.

Back in 2009 *Noseweek* revealed Nedbank's then best-kept secret: that 15 of its staff, some at senior management level, were under investigation for their roles in a R26.7 million scam pulled off over seven years by Findlay's trusted equity partner Andrew Croucamp (*nose111*).

The story named the 15 bank staff and described how they received bribes or were part of a money-laundering operation to disguise Croucamp's thefts of Nedbank funds held in the law firm's trust account.

Back then Nedbank was a major client of Findlay's, with trusted partner Andrew Croucamp responsible for handling foreclosures against those who defaulted on their Nedbank bond repayments. So crucial was Croucamp to the Pretoria law firm's fortunes that it took out a R15m "keyman" insurance policy on his life.

His on-the-surface efficiency so impressed Nedbank that it awarded Findlay & Niemeyer a trophy for top-performing foreclosures attorneys of 2007.

But Croucamp, with a house in Pretoria's Silver Lakes and two BMWs, was cooking the books, pocketing the proceeds of sheriffs' sales instead of delivering the money to Nedbank for the credit of its clients' bond accounts.

The following year the bubble burst when the then 42-year-old Croucamp

pleaded guilty at Pretoria's Commercial Crimes Court to 935 charges of fraud, theft, money-laundering and corruption. He was sentenced to 47 years' imprisonment, but a controversial plea bargain with the state reduced this to an effective sentence of just 15 years. He was four months into this sentence when *Noseweek* blew the story open, describing the fraud-rich attorney's sojourn in Pretoria Central in single-cell comfort, his orange prison garb hand-tailored for a perfect fit.

We can now report that Croucamp is out – paroled last year – after serving only seven years. His early enjoyment of a single cell was apparently terminated and he ended up in the usual overcrowded mass dungeon. When forensic investigator Charles Stride (still trying to establish the extent of Croucamp's thefts) visited him 18 months ago he found the wretch "looked absolutely horrible". Another visitor reports that the now-49-year-old Croucamp only survived prison life by paying a generous retainer to a murderer to be his personal bodyguard.

Present whereabouts of the now struck-off attorney are unknown, as is the cache of any remaining ill-gotten gains.

If prison life wasn't a bed of roses for Andrew Croucamp, the past few years have been no picnic for Findlay & Niemeyer. Nedbank's fury against Croucamp's employer has known no bounds – although in its desperate attempts to keep the fiasco from public gaze, it has failed to keep its earlier pledge to bring criminal charges against some of its

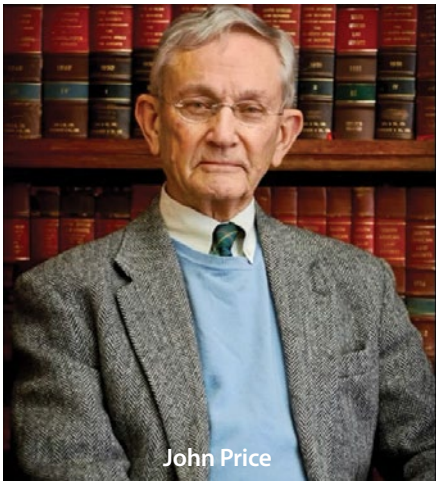
own compromised staff. They've just been quietly sacked.

The bank's litter of litigation against Findlay's kicked off with a claim for R17.4m. Findlay's counterclaimed for R45m and Nedbank responded with one for R84m.

The bank's court case started in July 2009, but spinning out the process saw it only set down for hearing in May 2013. There were more delays over Rule 37 (the pre-trial conference) and it was only towards the end of 2014 that settlement negotiations began.

Now Findlay's senior partner John





John Price

Price tells *Noseweek* the long-running war has just been settled “to our satisfaction”.

Nedbank insists that the settlement terms remain confidential, in particular who’s had to shell out what. But *Noseweek* is reliably informed that the victor is Findlay’s, who’ve received a few million in payoff by the bank. Estimates swing between R5m and R10m. But with the law firm’s legal costs over seven years exceeding R10m, the settlement is hardly a bonanza.

Nedbank confirms it has also abandoned an R80m claim against the Attorneys Fidelity Fund for its Croucamp-related losses. “They hadn’t a snowball’s hope in hell of winning,” comments Price.

Findlay & Niemeyer is one of South Africa’s oldest law firms. It was founded in 1892 by Hudson Findlay, who hailed from the Cape Colony. His wife was Bessie Niemeyer from the Transvaal republic. Her brothers fought for the boers and Findlay judged it prudent to abandon the Pretoria office when the Anglo-Boer war broke out in 1898, retreating with his family to the Cape. He returned after the cessation of hostilities and around 1910 the firm became Findlay & Niemeyer. Hudson Findlay’s son-in-law Owen Price managed the firm for 37 years, with his son and present senior partner John Price taking the helm in 1979. He’s been there ever since.

Now a formidable 85, John Price tells *Noseweek* he had to stay on and see the battle with Nedbank through. “When you’re the senior guy and the what’s-its-name hits the fan, it’s your baby,” he says. “I have personally

fought this thing the whole way.”

Some, including Bradley Brazington, former partner and co-defender in the Nedbank action, admit they wondered whether the veteran Price would “kick the bucket” before the war ended.

Croucamp, who worked at Findlay’s for almost 20 years, started off as a clerk and was considered family by Price and his wife Jennifer. “He stayed in our house when we went on holiday to look after the dogs and so forth.”

Price never suspected his faithful employee, “although when the amount of work from Nedbank reached flood proportions I introduced the need to have all cheques signed by two signatories, more to guard against sloppiness than for any specific fear of fraud. In the end it was by pure luck that we discovered the first fraud.”

Married for 56 years, with four children and six grandchildren, victory over Nedbank has left John Price elated. He might get in a bit of a muddle when he has to take his car to the garage, but despite his years, he’s as pepped up as ever and voluble when it comes to the bee in his bonnet – “dysfunctional court rules that make deep-pocket litigation possible.”

He says that he has been fighting this issue since 1952, and splutters furiously about “parties with the money but no justifiable case, who crush people into submission with costs, or waste time with endless procedures

that have to be followed”.

The long war with Nedbank has seen his staff hacked down from 80 to 40, then again to 25. “We’re now back at 43 and doing well,” Price tells *Noseweek*.

“There’s been a lot of belt-tightening, but we own the building in which we operate (in Pretoria’s Hatfield) and we have no debt. Last Christmas we paid full bonuses to everyone.”

Findlay & Niemeyer still specialises in banking work. “Standard has had the courage to stay with us,” says Price. And they’re still doing foreclosures (“a small but worthwhile part of our work”). Nedbank, though, is no longer on the client list.

Nedbank refuses to discuss the settlement terms. “A confidential settlement was concluded and Nedbank is not at liberty to disclose the terms,” says Esme Arendse, executive head of Group Communications.

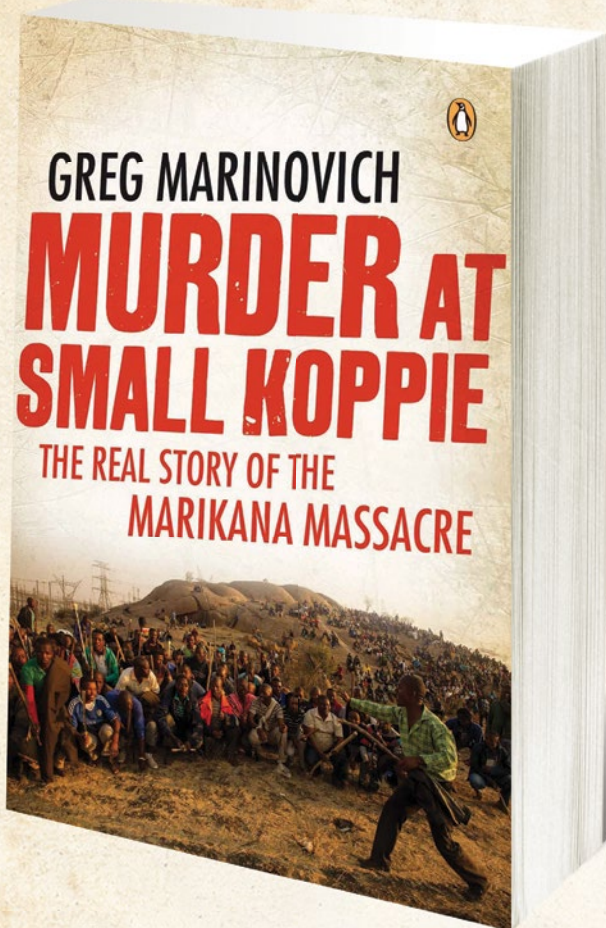
And what of that failed pledge to prosecute staff involved in the scam? “All information pertaining to the staff members that were linked to Croucamp’s activities was presented to the South African Police Service, the Specialised Commercial Crimes Unit (SCCU) and the Asset Forfeiture Unit,” says Arendse.

“It was the prerogative of the SCCU to decide which prosecutorial actions would be implemented against Croucamp and any or all the staff members.” ■



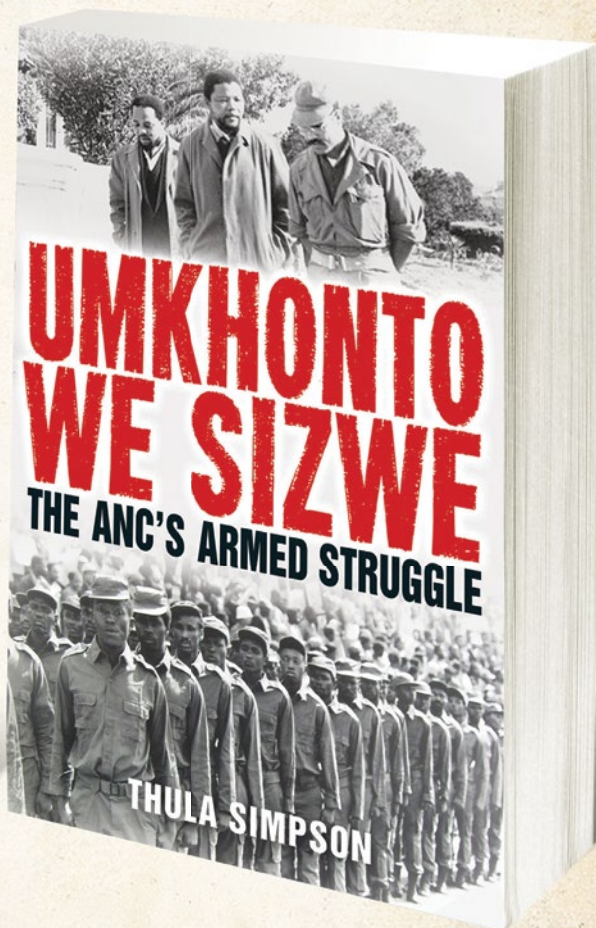
I was at a high-powered investment firm for seven years and a high-powered penal institution for a year and a half.”

NEW ON THE SHELVES



Murder at Small Koppie

The definitive account of the Marikana massacre from the journalist whose award-winning investigation into the tragedy was called the most important piece of South African journalism post apartheid.



Umkhonto we Sizwe

Written in a fresh, immediate style, *Umkhonto we Sizwe* is an honest account of the armed struggle. It does not seek to glorify or to whitewash, but rather to chronicle a fascinating series of events from the beginning of the struggle to the negotiated settlement of the 1990s.

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The Broadband Follies

Debt-ridden Tshwane municipality eyes mind-bogglingly expensive scheme – but can't deliver basic services. By Susan Puren

TO THE MAN WHO IS PAINTING MY house with skill, the fact that the Tshwane metro council is in a rush to spend billions it doesn't have on a broadband network, means both nothing – and everything.

Like so many of our countrymen, Johannes Modise has yet to comprehend the technical buzzwords of the digital age. All he knows is that his old Nokia gives him connectivity, whether by an expensive cell phone call or the please-call-me option that he uses most of the time.

Because of its age, the Nokia's battery does not last longer than a few hours and to recharge it Modise has to walk about two kilometres from his place to an RDP housing development where there is an electricity connection available. One of the homeowners collects R5 each time the Nokia is charged, blood money for the 73-year-old pensioner who survives on odd painting jobs and a government grant. But phoning some of his previous customers might just get Modise another piece-job and put food on the table for another day or two.

The place Modise calls home falls within the borders of the City of Tshwane, the ANC-run metro municipality that governs Pretoria. His house is not a makeshift one; he proudly built it himself a long time ago with bricks and mortar. But like his next-door neighbours, Modise is yet to get an electricity connection, running water and a sewage disposal point from the council.

The only recent municipal activity in the area was when the winding gravel road was suddenly graded, the windfall of a visit by Tshwane mayor, Kgosi Ramokgopa, who addressed a political meeting nearby.

No wonder the important sightseer was heckled and jeered by the community who did not want to listen to empty promises again. Word of the metro's catastrophic spending frenzy on smart electricity meters has filtered through to the masses and they are not buying the sugar-coated spin any longer.

Most of Tshwane's residents do not know there is a multi-billion-rand contract for broadband infrastructure in the pipeline for the city – and probably would not care. What they want are basic services.

"We have waited long enough," says Modise. "This municipality doesn't help us, they're just filling their own pockets." He might not know much about broadband, but he gets the drift of what's really up.

So, why is a debt-ridden local municipality getting into broadband provision when it can't even deliver basic services?

"Because it's cost saving," explains Tim Ellis, the group executive for development at Altron TMT. The company's subsidiary, Altech Alcom Matomo, won the tender for Tshwane's broadband infrastructure.

"This contract makes no financial sense. It will destroy the metro's image, so one can assume that someone regarded it as lucrative enough to abandon governance and future legacy. It is simply insane," counters Arthur Goldstuck, head of research firm World Wide Worx.

Ellis insists: "They can save a lot of money by running their own network and they can provide a lot more capacity on their network than they could if they were using some of the existing service providers like Telkom, Vodacom and MTN. This gives them a chance to provide more cost-effective bandwidth to the residents as well.



DA mayoral candidate Solly Msimanga

Broadband will provide more connectivity but current service providers don't necessarily have the full coverage of any metro and they need connectivity in more remote areas."

Broadband is nothing more than a delivery system and thousands of poor people in remote areas within Tshwane's boundaries – who are supposed to reap these benefits – will need at least a smartphone as well as electricity to charge the device. For Modise, those luxuries are unavailable and unaffordable if unemployed or on a meagre government grant.

Telecommunications is generally regarded as a licence to print money, due to the massive spending and revenues flowing through the industry, says Goldstuck. "For this reason, it is one of the favourite arenas of state patron-

age, although usually at national level. Naturally, when such “utilisation” of telecommunications to dispense favour is endorsed at the highest level, it will filter down to local authority too.”

Which is what happened in Tshwane.

In February 2014 the Gauteng provincial government announced that it had awarded a tender for a broadband network. The province claimed that the five-year contract with Altech Alcom Matomo – the same company that later won the Tshwane tender – would provide network coverage to 95% of its residents and eventually at the end of the term be transferred and owned by the province.

Soon after the announcement Tshwane followed suit and awarded its own tender: number GICT01/2014/15 for the build, operation and transfer of the city’s broadband network. Documents show that it had already been given the go-ahead by different departments in the municipality in 2013.

The public participation process only began in December last year and a month ago a report by a special mayoral committee was placed on the agenda for council approval. It needed a quick vote from the ANC majority – and would have succeeded were it not for a tip-off about serious objections and reservations from government departments that were deliberately not attached to the report to council.

DA councillor Lex Middelberg called a hasty news conference ahead of the council meeting and exposed what he called another dodgy deal by the municipality. He compared it to the electricity smart-meters fiasco where all the Treasury’s objections were simply ignored by the mayor and municipal manager and only surfaced when the contract had to be cancelled as Tshwane could no longer afford it.

“Tshwane again concealed the fact that the Treasury requested further documentation on the legal compliance and the business case for the broadband project,” the DA’s mayoral candidate for the upcoming local government elections, Solly Msimanga, told the news conference.

In several letters to Tshwane’s city manager, Jason Ngobeni, National Treasury, Gauteng Provincial Treasury and the Department of Telecommunications and Postal Services ex-

It is simply insane – and another example of sacrificing governance and quality government on the altar of patronage

pressed doubt about the constitutional and the statutory legality of the procurement process as well as the business case, saying broadband provision is a provincial competency.

The National Treasury also highlighted issues of affordability and compliance because the expense was not budgeted for and was not in line with the Telecommunications Act. It also instructed the city manager to place the letter detailing the Treasury’s concerns before the council when it considered the contract. Yet Ngobeni and Ramokgopa chose to ignore this and steam-rolled on.

The Department of Telecommunications and Postal Services objected to the fact that ICASA was not engaged in the negotiation at all and that the city’s licences would be used illegally.

The Gauteng Provincial Treasury said the public participation process had failed to communicate the financial impact of the contract as prescribed by law. It also raised the issue that the city would be locked into an 18-year agreement; that the technology would be obsolete within three years; that it lacked exit provisions, making it technically illegal; and that Tshwane could only extricate itself from the contract at the end of the 18-year term – and upon payment of a termination fee.

The DA’s main objection was that the network will take up to three years to complete, with the metro tied up and paying for another 15 years.

“Frighteningly, the guaranteed minimum value of the 18-year contract before adjustments and inflation is R4.65 billion, with no emergency brakes to any cost escalation,” said Msimanga.

But while Msimanga was addressing journalists, a surprising email landed in their inboxes. It came from Selby Bokaba, Tshwane’s spokesperson, informing the media that the report was no longer on the following day’s agenda. It was too late for damage control but it left everybody at the news conference in stitches.

“Actually there was little to laugh at because the dodgy report will now be tabled at the next council meeting and the majority vote will again try to pass it,” says Middelberg.

Goldstuck says if the 18-year contract is based on installing the infrastructure and collecting money for as many years, then it is the equivalent of buying a new car today on an 18-year instalment plan.

“The car will be old in five years, obsolete in ten, and completely replaced in 15, while you’re still paying it off. It simply makes no sense.”

Says Ellis: “It’s not that straightforward because we have to build the network and Tshwane will pay us as we provide services on that network to them. We have worked closely with the city and our legal entities to ensure we don’t breach any regulations that would have a bearing on us.”

Ellis was adamant that Tshwane put no pressure on Altech to use specific subcontractors for the work but admitted that he had not been privy to the objections raised by the National Treasury and the Gauteng provincial government.

“We will not do anything that is outside the regulations. If we do not get approval, our lenders will not lend any money. There are challenges to overcome and we will not continue until there is compliance.”

Goldstuck says that, given the size of the proposed contract, one need only follow the money to get a sense of where the patronage was flowing. Someone regarded it as lucrative enough to abandon governance and future legacy. It is simply insane – and another example of sacrificing governance and quality government on the altar of patronage.” ■

Rush to judgment

Neighbours fear new coal-fired power station will affect health

RUSHED PLANS TO BUILD A NEW coal-fired power station near Colenso in KwaZulu-Natal have not taken account of its impact on the environment, the health of neighbouring communities and/or the region's already threatened water supplies.

These are just some of the points raised in an appeal to the Minister of the Environment by three citizen organisations asking the minister to withdraw the environmental authorisation he recently granted Colenso Power (Pty) Ltd. The organisations, GroundWork, the South Durban Community Environmental Alliance, and the Centre for Environmental Rights filed their appeal on 1 March.

The entire Environmental Impact Assessment (EIA) process was conducted within just a few months, in keeping with the severely-restricted time frames in the latest EIA Regulations. GroundWork and SDCEA argue that these time frames fail to provide an adequate opportunity to assess the significant negative effects the power station will have on people and their ability to live in a clean, healthy environment, or for interested and affected parties to participate meaningfully in the EIA process.

"The DEA has pushed through the authorisation without adequately considering critical impacts the power station will have on water, air quality, human health and climate change", said Bobby Peek, Director of GroundWork, which is based in Pietermaritzburg.

The appeal states that the chief director, as the relevant decision-maker at the Department of Environmental Affairs (DEA), failed to give adequate consideration to the National Environmental Management Act (Nema) Principles, the need for and desirability of



South Durban Community Environmental Alliance coordinator Desmond D'sa

The DEA has pushed through the authorisation without adequately considering the impacts

the station and whether the application for the authorisation included an assessment of all the impacts, including cumulative effects, of the proposed coal-fired power station. The environmental impact report (EIR) for the power station:

- Does not state where and how the power station will obtain two-thirds of the coal it will need to operate;
- Contains incorrect information (for example, estimations of the power station's greenhouse gas emissions and total water requirements – which are significantly below the true extent of these emissions and the actual quantities of water required); and
- Fails to assess adequately the im-

pact that the power station will have on, for example, climate change, air quality, water, and human health.

In their appeal, the organisations point to the impact of the current drought in KZN. The failure by the power station developers and the DEA to give consideration to effects the power station will have on water supplies – particularly on the Thukela River and the communities and other users that depend on it – is another of the grounds on which should be set aside.

The chief director cannot be said to have considered the impact of the proposed power station in circumstances where the EIR is incorrect and lacks fundamental information and assessments. In addition, the conditions and mitigation measures proposed in the authorisation are vague, lack the necessary detail and rigour to limit harm to the environment and health once the power station starts operating.

By granting this appeal, the DEA is setting the standard for one of the first Coal Baseload Independent Power Producers to use 198 cubic metres of water per day – a conservative amount given by the EIR – in a country where one million people already do not have access to the minimum quota of 25 litres of drinkable water per day. Colenso Power is looking to the Tugela River Catchment to source its water, despite the severe drought.

“If the declaration of the Highveld Air Priority Area has shown anything, it is that coal-fired power stations have a severely detrimental effect on the health and wellbeing of people living in their vicinity,” said Peek, “yet, and despite GroundWork calling upon it to do so, Colenso Power neglected to conduct a health study as part of their EIA.”

SDCEA coordinator Desmond D’sa, said, “The model of development which has rested on the myth of mining as a source of wealth for all, is slowly crumbling in the public sphere. Mine workers across the country are disgruntled with indecent conditions and low wages for risky work. Those who live next to mines and power stations, but are without employment, are realising that such ‘development’ has largely been made up of empty promises.” ■

● Taken from press release by non-profit environmental justice service and development organisation ground-Work, of 3 March 2016.

Friends, Romans etc, print me your ear

IN NOSE197 ALEXANDRA DODD outlined the animal rights movement’s worries about the burgeoning field of medical practice that involves introducing human cells into the living bodies of animals (mainly pigs and chimpanzees) – to grow human organs for harvesting.

Dr Julia Baines, science policy advisor to PETA (People for the Ethical Treatment of Animals), was quoted as saying that this new “technological sadism” could well be unnecessary. She said that the world’s most forward-thinking scientists are developing and using methods which supersede the crude use of animals.

“With more investment and use of humane, cutting-edge technology, we’ll have much better science than the monstrous ‘Frankenscience’ of creating human-animal hybrids.”

Within days of that article appearing in *Noseweek*, Design Indaba reported in its online newsletter: “A group of scientists are furthering the development of printing human tissue.”

Last year, a research paper published in the journal, *Nature Biotechnology*, detailed these scientists’ ability to fabricate cartilage, bone and muscle

structures. The report said it was possible to print a human ear using a 3D-bioprinter that they had invented.

The aim of this bioprinting technology is to quickly create tissue that can be used for an organ transplant. The organs printed by the new machine are made up of a plastic-like, porous matter punctuated with tiny microchannels that act as a capillary framework. The porous material allows the body’s natural living tissue to grow into the printed framework and form an entirely new structure such as an ear.

Over time, the plastic biological mould will degrade and all that will be left is a new living organ.

Although this is not the first attempt to create biodegradable moulds for organ regeneration, it is the first successful attempt using 3D printing technology.

Group member, Anthony Atala from the Wake Forest Institute for Regenerative Medicine in North Carolina, US, comments on the future of the new technology: “With further development, this technology could potentially be used to print living tissue and organ structures for surgical implantation.” ■



Rhodes' real legacy

In last month's edition of Noseweek, Peter Lewis set out to show that Rhodes' main contribution to history was the thinly disguised form of mass slavery known as the migrant labour system – which is currently undergoing serious challenge. This sequel makes the case for reparations.

THE GRANDNESS OF RHODES' PROJECT that set in stone relations between employers and workers has only recently become widely appreciated in South Africa and the rest of the world, as thousands of mineworkers are engaged in a class action case, now about a decade old, on behalf of perhaps 500,000 of their peers, plus another 500,000 women in the rural labour-sending areas, to claim common law damages for uncompensated silicosis and TB.

These maximum guesstimates of the numbers of surviving ex-mineworkers in the proposed "class" are based on prevalence studies among them of these dread diseases, and even among currently serving mineworkers. Such studies were vetoed by the Chamber of Mines' research funds for decades, until the onset of democracy in the 1990s.

The government is now trying to do something to help these people (identifying a few of them and attempting to deliver the compensation they are legally entitled to). The contribution of the mining industry to the new effort is negligible. The costs of redress, the industry asserts, should be met by the state from the grossly inadequate funds paid by the companies to the state in insurance premiums for occupational disease over many decades, via a long-since captured regulatory system. This ideological position is laced with threats of (further) disinvestment from South Africa due to "unaffordability".

However, regulatory capture is finally beginning to fail. For example, a few years back, the Health Department issued a directive to the mining industry – well within its statutory regulatory

powers – to increase the insurance premiums the latter must pay for compensation to workers by orders of magnitude, as a response to the emerging scale of the holocaust of disease.

The oh-so-predictable court challenge from the industry on the grounds of unaffordability resulted in a compromise that still required it to stump up more generously than in the past. The fund, however, remains technically completely bankrupt.

The coffers of the mining industry however, may not be as empty as its owners say, though of course the books remain firmly shut.

At the class action certification hearings in the South Gauteng High Court, the 36-or-so mining companies fielded dozens of senior counsel, rumoured to be charging over R100,000 per day in court, to argue that the class action cannot legally be certified. The hearing lasted 10 days, for which 24-or-so senior counsel on the respondents' payroll were paid a total of close on R25 million – for one sub-hearing of a case that has lasted nearly 10 years to date.

The court reserved judgment; though it would grant the class action in a flash, it involves changing the common law on personal damages for negligence, which has national implications for all citizens and the State – as did everything Rhodes perpetrated. The change to the law required will allow applicants – fast dying through age or illness – to pass any settlement in their name after their death to their life partners and carers, which is presently effectively impossible in law.

The three judges in the class action application will undoubtedly find a

way to achieve this change to the Common Law when their judgment is handed down, which is likely to be soon.

However, the 36-or-so respondent mining companies will as likely appeal such changes all the way to the Constitutional Court, which will take years more, while perhaps tens – or hundreds – of thousands more of the class will die, their partners and carers no doubt following them into a pauper's grave. It will be triples all round in the Johannesburg Bar, and if they are not toasting Rhodes, they ought to be.

It is well known that in the previous litigation on this point – not a class action – and settled out of court (Blom and others vs. Anglo American), Anglo dallied on discovery, but nevertheless made a practice of sending a condolence card to the family when an applicant died awaiting their day in court.

Imagine one of Rhodes's "compound blacks" – later sanitised to "migrant single-sex hostel workers" under apartheid – hewing rock, or doing other vital tasks for 20 years, at up to 4km depth, in tunnels where the rock surface temperature is 50°C, now sitting in a tiny tin shack on parched land. He is unable to walk, dress himself, work, or look after his dependents, such as his wife or another female carer, who also cannot work because of full-time caring duties. The patient's children are likewise bereft of any inheritance, as they face unemployment of over 40% (unofficial national rate), or 60% for young people.

The man and his carer are both dying penniless, sick and hungry, having created, along with millions just like them, the longest and richest gold boom in history. They performed these

services for investors who are laughing all the way to the bank, which they anyway own a significant share in. At least the family will receive a card of condolence, being the only thing they will get from the mining bosses in return for their stolen human dignity. The card does not of course mention that the family will now never receive any compensation whatsoever.

The key to understanding the singularity of Rhodes is not his racism. That was par for the course, consistent with his proposal to enfranchise a few propertied and educated Africans in the Eastern Cape in return for them kicking all their children off their communal land, as part of his electoral strategy to get his prime ministership back.

What made him very special was his hatred of all forms of egalitarianism and democracy. His workers were the principal carriers of these hated ideas, and he consequently regarded them as “loafers” who should be forced to work as slaves for him, and for Empire.

We live in a post-Piketty world [*French economist Thomas Piketty*], knowing (as opposed to suspecting) that the neo-liberal “revolution” born in the Anglo-American world of Thatcher and Reagan and since rolled out across the world created unimaginable wealth and expansion for capitalist oligarchs, not known since almost as far back as Rhodes’s time. For these gentlemen and ladies of the modern Inquisition, the oligarchic joint-stock, limited-liability company is and always was the sole creator of wealth in a “free market”, with everything that does not yield a good profit (such as socio-economic development) conjured away as “externality”, whilst prosperity trickles down to the hoi polloi.

The contrary idea that the hoi polloi create wealth, by virtue of their labour and the demand it creates for appropriate goods and services, is at best an old wives’ tale, and at worst heresy – punishable by economic death.

The “goods and services” are things like universal and equitable health, education, shelter, healthy food and water, safety and security, a financial system fit for purpose, and an inhabitable planet that is diverse in flora, fauna, culture, and language.

Piketty and his brilliant colleagues show us these things were only conceivable in the 30 years after World War II,



Rhodes, a colossus bestriding Africa, as depicted by Punch magazine in 1892 (above) and adorning Oriel College, Oxford University, 124 years later



because for the first time in capitalist history the rate of return on capital was kept below or commensurate with the rate of growth in national incomes.

Those three decades were politically possible because the Great Imperial Powers had destroyed capital almost completely through two ruinous world wars, punctuated by the Great Depression. They were therefore temporarily unable to deny those under their vast sphere of influence what they demanded as payment for being cannon fodder for their Imperial masters. These demands were clear and unambiguous

What made him very special was his hatred of all forms of egalitarianism and democracy

– democracy and egalitarian government, with a view to thorough-going redistribution of wealth, both between and within nations.

That balance of power has now tipped decisively the other way, disastrously for democracy and the possibility of our species confronting its existential challenge (global warming) in the coming century, according to Piketty. He draws our attention to the extrapolation of his data to the end of the 21st century, at which time, barring huge disruptions, the amount of accumulated capital in private hands (jaw-droppingly few of them) will be 700 times the global income (also heavily skewed towards the global corporate managerial elite).

In other words, it would take 700 years of global income at its level in year 2099 to amass the quantum of accumulated global capital in that year. The consequences of this for democracy may well themselves prompt the huge disruptions Piketty fears, and they will be entirely endogenous shocks, not the “external shocks” beloved of neo-conservative economists. If that happens again as it did in 1914-1945, all bets are off for the human species.

Now, the ghost of the Randlords ride again. They are Murdoch, Halliberton, Silicon Valley, Gupta, LUKoil, Mor-

gan Chase, HSBC, Walmart, ABInBev, China Zhongwang, Virgin, G4S, arms dealers, illicit drug cartels, human traffickers – indeed, any geographical or sectoral area of human economic activity that can be oligopolised into the smallest possible number of sweaty private palms, not excluding expanding stateless zones, though those operating there are very hush-hush so far (#theyareallrhodes).

With few shining exceptions, politicians in office are put there to uphold “shareholder value”, debt collection from the poor and bankrupt, looting nations devastated by increasingly privately waged wars, bailing out financial-sector colossi who played Russian roulette with someone else’s head and lost, and plundering nations’ fiscuses, fixed assets, and institutional memory for private investors.

Sometimes the politicians and the colossi are one and the same, as in Rhodes’s case. Think of the Bush dynasty, the Halliburton conspiracy, the front bench of the Tory party in Britain, the House of Saud, or (God forbid), the ascendancy of The Donald.

Philanthropy is a drop in the ocean, and is anyway just another tax haven, adding to the problem of sovereign debt crisis, and causing endless duplication, waste, and policy confusion.

Foreign aid is simply export credit for the colossi around the world – more fiscal problems and Imperial wars – and is anyway a mere fraction of the untaxed wealth that they spirit out of, for instance, Africa, every day. Without democracy and egalitarianism minus Empire, informed by whistle-blowers from within the inquisition, the necessary reform and eventual transformation of regional and global politico-economic institutions will be impossible.

In this broader context, I return to my much narrower focus. I say #Rhodesmustpaybackthemoney. This should furthermore be done before his heirs call in the good ship enterprise to beam their accumulated capital up and out of South Africa altogether.

On the Ides of March 2016, Anglo American and AngloGold conceded another out of court settlement, again with no legal liability admitted, of a case lodged four years ago, of R464m;

the money goes to the Qhubeka Trust to compensate 4,365 silicotic and tuberculotic ex-mineworkers. That is an average of R106,300 per person as an “ex-gratia” payment, out of the goodness of the oligopoly’s heart. The ex-mineworkers – average age, 61 – came from the Eastern Cape, Lesotho, and Free State. The class action goes on.

The Qhubeka Trust is open to contributions: I suggest the Rhodes Trust dissolve and hand over its fortune to the Qhubeka Trust. That might go some way towards converting liberal “atonement” (which costs nothing) to proportionate repatriation. As for the bleating about how this would bankrupt Oriel College: that institution is an elite finishing school for the sons and daughter of the Colossi.

And yes, the statue on the façade of Oriel College should be taken down, and put in the Ashmolean Museum, as Beinhart proposed. I also propose it be replaced by something honouring someone like Piketty, or Edward Snowden, both true democrats with something of value to offer the future of the human species. ■

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Soupy. The flesh is weak

WHEN WE GO SHOPPING AT A well-known and, well established supermarket we expect quality. And most certainly we expect that the said food retailer has checked and certificated the goods that they are selling and we are buying.

So, it is not only disappointing but infuriating when that trust is broken and you end up buying something so disgusting that it is not fit for human consumption, let alone my dog.

What am I on about? Well, one of my favourite treats is to make soup – a tasty big pot of split-peas, sugar beans and all sorts of delectable veg. And I throw in chunks of meat.

So, on this one good day on which I am looking forward to enjoying a hearty bowl of soup, I am in the township after visiting my sister. I'm feeling too lazy to go to my favourite supermarket, Pick-n-Pay, where I can get my fresh slab of ham or the lovely granny's boerewors, so instead I stop at the KasiU\$ave – you know, the chain of small shops mostly found in the townships that are part of the Shoprite franchise. There I buy a pack of wors, with the brand name Superfecta, and I put the stuff in my soup.

Later that evening, as I am trying to enjoy my – what was supposed to be – lovely meal, I find that I am biting into bones and chunks of what I believe to be gristle, or something worse.

Infuriated, with my appetite gone, I throw out the soup. I am also reminded of recent government reports about what kind of rubbish is put in wors. I should have gone to my Pick n Pay.

Anyway, I give KasiU\$ave the benefit of the doubt. I go back and buy two more packs of the wors. This time, not to ruin my soup. I won't take that chance. Instead I throw it on a braai. Same thing again: chunks of bone and, well, whatever other crap is in there.

That does it! I send an email to my *Nose* editor warning him that I will be hitting Shoprite. He writes back, say-



ing, Bheki, just make sure you have your facts in order; we cannot afford to be sued by Shoprite.

So, being the investigative journalist that I am, it's back to the shop where I interview several customers as well as employees. My method was simple, I bought another pack of the wors and asked, have you ever bought this and if you have what is your opinion of this wors?

The answer from one and all was, *ma samba lento lena* (this is shit, it's disgusting).

One of the employees was so scared to talk to me that I found myself walking around the shop figuring out how I can get this guy to speak to me about the wors.

Finally I said to him, "Look, I am not writing anything bad about the shop, but rather the product and the company that supplies it." And Bingo! he spilled the beans, telling me that customers have complained and

returned the wors, very angry.

Now, what do we do about this? Simple. I would like to appeal to Shoprite to please, please, please check on this company that supplies this product because it is absolute crap. The *Nose* editor has asked me to tone down the language, but how else can I describe this wors?

Right now we as a country are facing astronomical food prices and shops such as U\$ave are seen by many a township resident as being slightly cheaper – affordable, if you like – but at what cost?

Anyway, my request to Shoprite is simple: please, please check up on your suppliers. The poor people of this country have it tough enough.

As my editor warned me, I did my homework and I gave you guys the benefit of the doubt and checked and checked. So much so that I bought another pack – which is going into the rubbish after I take a photo! ■



Thinker. Big picture visionary

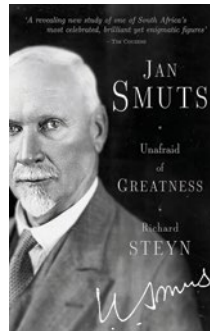
IT'S JUST NOT FAIR. IN A WORLD OF POLITICAL mountebanks, downright crooks and shady “statesmen” of all shades and persuasions, critics still find time to revile one of the most dazzling world leaders of modern times: the redoubtable Jan Christiaan Smuts.

He is branded with the one-size-fits-all “colonialist” stain – but how many of today’s political Big Beasts, domestic or international, could list a smidgeon of comparable attainments and honours? It’s so much easier to condemn Smuts for his failure to tackle and slay the apartheid dragon. He was an internationalist, a big-picture visionary in a time of world wars, and paid the political and family price for lengthy service overseas.

But he was an ethical man and, despite a hectic life, made overtures to the likes of the Mahatma and various black leaders. Who knows what he might have accomplished in South Africa if his career demands had not kept him abroad so often and so long? Certainly nobody else, today, looks remotely capable of tackling South Africa’s racial nemesis.

Would that Nelson Mandela and Smuts had known each other. Madiba would have been the heart that encouraged the diamond-bright Slim Jannie to focus on looming home-front troubles, despite his worldwide diplomatic activities. Richard Steyn’s illuminating book makes it clear that, despite Smuts’s daunting intellect, he made loyal friends of both high and low degree. And they remained true when an ungrateful nation kicked him out of prime ministerial office in 1948. By then, the warrior, the bush fighter, the thinker, the multi-portfolio prime minister, military commander, chancellor of Cambridge, Field-Marshal, philosopher, United Nations co-founder, naturalist etc was understandably weary.

But he was also understandably mortified at being cast out after spending his life in the struggle for international peace. At home he had worked harder than anyone else as a politician mediating between viciously warring white language groups, unions, racists; and he

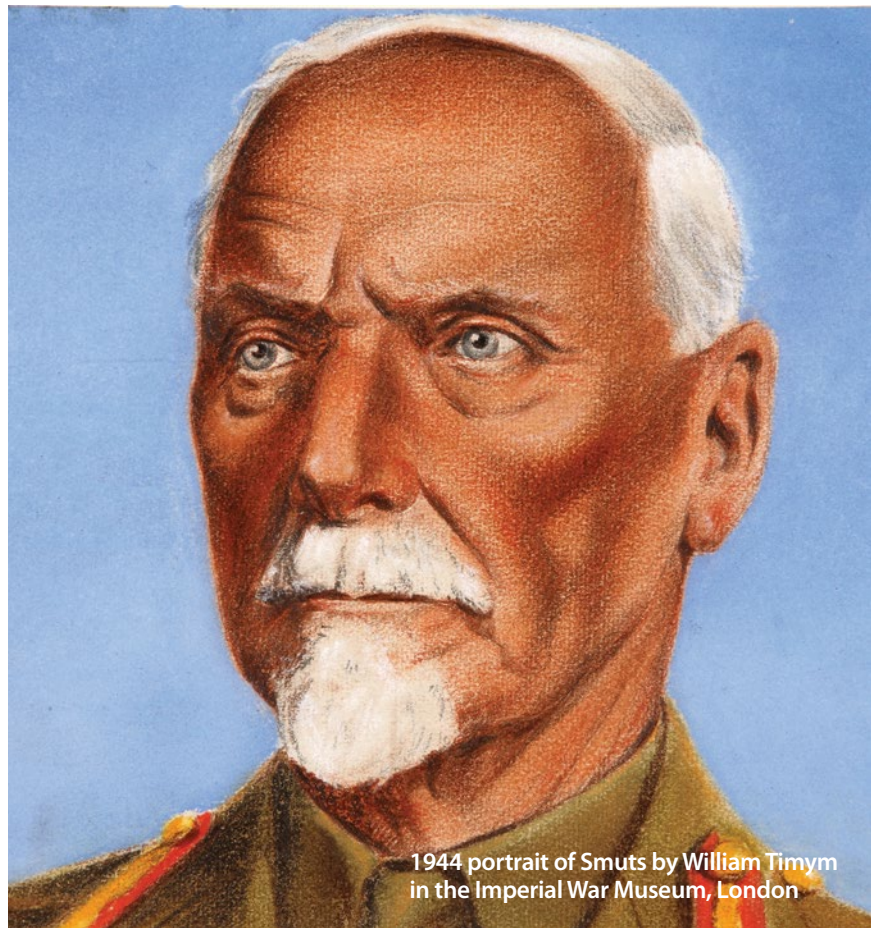


**JAN SMUTS:
UNAFRAID OF GREATNESS**
By Richard Steyn
(Jonathan Ball)

took tough decisions. Steyn says he “was prepared to court unpopularity in his drive to combat cronyism and corruption. Unlike some of those before and after him, he let it be understood that public resources were not there to be plundered by politicians or public servants.”

Oh Slim Jannie, thou shouldst be living at this hour.

Perhaps not. The Riebeeck West farm boy who won a scholarship and awed Cambridge academia was an idealist who fiercely adhered to his principles despite being sorely tested in war and peace. It ill behoves lesser beings to cast aspersions on the limitations of an extraordinarily gifted man who accomplished much. Richard Steyn tells an engaging tale. ■



1944 portrait of Smuts by William Timym in the Imperial War Museum, London

1960

An excerpt from Thula Simpson's newly published book **Umkhonto we Sizwe: The ANC's Armed Struggle**

ROBERT SOBUKWE, PRESIDENT OF the Pan-Africanist Congress (PAC), the new organisation formed by the Africanists who split from the ANC in 1958, informed a press conference on Friday 18 March that the PAC would commence its own sustained, non-violent campaign against the pass laws the following Monday. Africans will leave their passes at home and surrender themselves at selected police stations under the leadership of local PAC members. They will tell the police: "We do not have passes. We will not carry passes again. Millions of our people are arrested under the pass laws so you had better arrest us all now."

On Monday 21 March 1960, *The Star* reports a serious disturbance unfolding in Vanderbijlpark and the Sharpeville location in Vereeniging.

At around 1.30pm that afternoon, a hastily formed line of police reinforcements on the western side of Sharpeville Police Station opens fire on a group of demonstrators who are pressing against the station's perimeter fence. This causes a chain reaction which spreads to policemen positioned in Saracen tanks in the station yard. They fire on protesters who are trying to flee northwards across open veld. Many are shot in the back. The shooting lasts less than a minute.

The death toll in Sharpeville rises through the day, reaching an official to-



Albert Luthuli

tal of 67 Africans dead and 186 wounded.

Albert Luthuli issues a statement from the ANC's Johannesburg headquarters on the evening of the 23rd. He says that instead of the planned anti-pass demonstration on the 31st, he is calling on "Africans and all other sections of the people" to observe the 28th as a day of mourning for the dead of Sharpeville and Langa.

The government, however, is clear in its intent not to compromise. Frans Erasmus, now justice minister, tells the House of Assembly that he will introduce a bill that will, inter alia, give

the governor-general emergency powers to ban the ANC, the PAC and other organisations if the need arises.

A car bearing a Cape Town registration number arrives in Lobatse in the Bechuanaland protectorate at 7.30am on Monday 28 March.

Oliver Tambo, the passenger, is interviewed by the local district commissioner. Tambo says he is ANC deputy president and his organisation is about to be banned in South Africa. He says he fears action will be taken against him by the Union government. Therefore he hopes to receive political asylum. Tambo says he has in his possession suitcases containing ANC files and he eventually hopes to go to the United Kingdom.

Ronald Segal, the driver, says they left Johannesburg at 3.30am because they feared Tambo would be detained when the strike planned for later that day occurred.

A *Star* correspondent and his colleague are driving in Emdeni, Soweto, at about 3pm that afternoon when they see a group of Natives making a bonfire of their passes. The crowd are jubilant: singing, dancing, posing for photographers, giving the thumbs-up

sign and chanting "Afrika!"

Then an ANC district official approaches the journalist and warns: "It's time you left, sir. Big trouble is coming to the townships tonight."

On the road out they see an angry crowd stone a black motorist to death. Other drivers are hauled from their cars to see if they have gone to work. As their car approaches Phefeni Station, they see a large crowd tearing down rediffusion telegraph poles. The crowd then streams on to the road to block the car's path. One man lashes at the driver with a knobkerrie, missing his skull by a fraction. After being held up for several minutes, the car manages to get clear of the crowd and escape, under a torrent of bricks and stones.

Oscar Tamsen of the *Rand Daily Mail* is driving in Soweto later that afternoon. He is accompanied by a photographer colleague. At sunset, large groups of Africans start patrolling the streets. Many are carrying rocks and threatening passing motorists.

Tamsen drives to Dube Railway Station. En route, pedestrians pelt the car with objects.

The station is crowded with shouting people. Some are threatening to kill anybody arriving by train from Johannesburg. Within minutes, the nearby bridge over the railway line is completely blocked, barring the car's route out of the township. Tamsen and his colleague drive into the veld and es-



Bram Fischer

Hendrik Verwoerd, moments after having been shot by David Pratt at the Union Exposition in Milner Park

cape via a little-used side road before heading to Meadowlands Police Station

Justice minister Frans Erasmus moves the second reading of the Unlawful Organisations Bill in the House of Assembly on 29 March. He says he has included the term "certain other organisations" in the Bill just in case the ANC and PAC try to reappear under different names.

That evening Bram Fischer phones his comrade Wolfie Kodesh: "Look Wolfie," he says, "I've just had a call from an anonymous chap who spoke to me in Afrikaans, and he said: 'Bram, they are going to raid all over South Africa within the next two hours or so, you better duck it, duck.'"

Around midnight, Jack Hodgson appears at Ben Turok's home. Hodgson says there has been a call from Durban warning that a large number of police cars were seen at Special Branch headquarters and similar activity has been reported in other areas. The advice is that people should leave their homes in case of mass arrests.

Turok packs a small suitcase. His wife Mary drives him to a house in Mons Road in Johannesburg's Observatory. Turok knocks on the door. Ralph Sepal opens and greets him. Turok goes to a prepared bedroom. Later, in the early hours, Wolfie Kodesh and Michael Harmel arrive and find Turok and Moses Kotane already there.

Pre-dawn raids are conducted that morning in Johannesburg, Pretoria, Durban, Ladysmith, Cape Town, Port Elizabeth, East London, King William's Town, Grahamstown and Pietermaritzburg. Over 100 activists are arrested, including Albert Luthuli, Nelson Mandela, Walter Sisulu, Ronald Press, Duma Nokwe, Govan Mbeki, Raymond Mhlaba and Moses Mabhida. When the police arrive at Jack Hodgson's home they find that he is gone, but they arrest his activist wife Rica.

A *Star* staff reporter visits the ANC's Transvaal provincial headquarters in Bezuidenhout Street, Johannesburg, on 4 April 1960. He finds an ANC district official standing outside a locked door. The official tells him simply: "We have gone underground."

Justice minister Erasmus informs Parliament in Cape Town on 8 April that the government has just signed a proclamation under the Unlawful Organisations Act that will see the ANC and PAC banned for a year.

At Milner Park showgrounds the following afternoon, Prime Minister Verwoerd is among 30,000 people at the Union Exposition. It is 3.15pm and he is in the President's Box surrounded by officials of the Witwatersrand Agricultural Show.

A tall, slightly built, brown-haired European man wearing slacks and a green-and-fawn sports jacket pushes his way through the crowd. The man reaches the Presidential Box at about 3.20pm and asks softly, "Dr Verwoerd?" upon which Verwoerd turns smiling. The man suddenly produces a .32 automatic pistol from his right trouser pocket, presses it against Verwoerd's

right cheek and fires a shot.

The would-be assassin, a 51-year-old farmer named David Pratt, is overpowered by policemen and spectators on the main stage and is taken, struggling, to the police station behind the main grandstand. Pratt is politically unaffiliated, and was driven by a "feeling" that first came over him the previous day when he saw about 100 prisoners being loaded into a van and thought to himself: "What the hell will be happening next? This cannot go on. Where can we see any light?" The thoughts that afflicted him before shooting Verwoerd were: "What is the country going to do? What is all this leading to?"



In December 1960, Ben Turok drives a minibus containing various individuals to a large vacant house near Zoo Lake in Johannesburg.

The occasion is the SACP's annual congress. About 20 people attend. Besides Hepple, Mandela and Turok, Fred Carneson, Bram Fischer, Michael Harmel, Govan Mbeki, Raymond Mhlaba, MP Naicker, John Nkadimeng, Walter Sisulu, Joe Slovo and Dan Tloome are there.

Inside a room within the house, Bram Fischer chairs the meeting. Walter Sisulu delivers the main political report, and Michael Harmel delivers a report-back on a conference in Moscow from which he has just returned. Rusty Bernstein reads a discussion

document. Based on the feedback to Harmel's "South Africa What's Next?", it recommends that the party "should create an armed force to prepare for a new phase", because the old ways of struggle are so circumscribed, given the state's willingness to resort to the most extreme forms of repression to defend the system. A debate on the proposal follows. Nelson Mandela is sitting next to Sisulu at the back of the room. He reminds the delegates that the ANC's policy is against violence and it will be difficult to sell this to the movement, especially to Luthuli.

The prevailing view is in favour of the proposal. This is reflected in an interim decision that is unanimously approved by all those present.



Moses Kotane was not present at the SACP Congress. When Ben Turok informs him of what was decided, he is not happy. While he had agreed to the circulation of Michael Harmel's "South Africa What's Next?" as a discussion document, he fears his more impetuous colleagues have just sent the movement careering towards disaster. He tells Turok: "If you break people's windows they're going to come out and break your neck, so don't do it unless you know what you are doing!"

• Excerpted from *Umkhonto we Sizwe, the ANC's Armed Struggle*, by Thula Simpson, published this month by Penguin Books. ■



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Organ exchange. Transplants and Mardi Gras

SO FAR, IT SEEMS, SO GOOD FOR THE largest organ exchange in Australia's history. Late last year it facilitated 14 synchronised operations involving seven kidney donors and seven recipients at six hospitals in three cities. Under the Organ and Tissue Authority's "paired kidney exchange programme", a patient and his/her willing-but-unsuitable donor join forces with another pair in the same situation. The donor kidneys are a pooled resource, allocated to the patients they will suit best – significantly increasing the "matchmaking possibilities" with an extra organ thrown into the mix last year – by a 54-year-old tradesman from Victoria. He had got himself in shape to give a healthy kidney to a friend. He had lost 20kg, stopped smoking and was working on his cholesterol. But the friend received a kidney sooner, from the transplant waiting list. Doctors were amazed when Paul Bannan said: "Hang on, can't I give it to somebody else?"

But "tradies" do not always fare well. "Every two days in Australia, a construction worker kills himself," says Jorgen Gullestrup, head of Mates in Construction, a suicide prevention charity. Suicide among construction workers aged 15-24 is more than twice as high as other young males. "It is male culture on steroids," says Gullestrup, "where workers in goggles cannot see each others' eyes and suffering." Tradies are six times more likely to die from suicide than a work-related injury, affected by long hours and commutes, divorce, debt, drinking, the stigma of mental health problems and bullying.

On the eve of Sydney's Gay Mardi Gras, with 12,500 participants on 170 floats, *The Sydney Morning Herald* apologised for the "hurt and suffering" caused to the original Gay and Lesbian Mardi Gras marchers, called the 78ers, 53 of whom were arrested and had their names, occupations and other personal details published on the paper's front page in 1978. Many suffered from being forcibly outed, including by losing their jobs. NSW parliament also made a formal apology, with MP Bruce Notley-Smith saying it was an acknowledgement of the struggles and harm caused to marchers, both that night and in the weeks, months and years to follow.

"As a Member of the Parliament which dragged its feet in the decriminalisation of homosexual acts, I apologise. And as a proud gay man and member of this parliament offering this apology, I say thank you." The NSW Police also offered a belated apology.

Meanwhile, the Attorney-General George Brandis stated publicly for the first time that he supported marriage equality and said that a same-sex-marriage referendum, which will cost about A\$158 million, and a parliamentary vote, would take place this year.

He was contradicted by the PM, Malcolm Turnbull, who is proving to be quite a nonentity for those who had high hopes after he ousted Tony Abbott earlier this year.

Is a handbag a tax deduction? Insurance broker Carolyn Roche, quoted in the *Australian Financial Review*, is taking on the tax office to claim a portion of her purchases of two or three luxury handbags a year, as work related. Having a good handbag (in which she carries her iPad, two phones and pens) is part of "projecting the right image" in a corporate environment, and should be allowed since her male colleagues can claim a briefcase.

A furore is raging around Cardinal George Pell, Australia's most senior Catholic in Rome and a former Archbishop of Melbourne, who heads the Vatican Secretariat for the Economy. He pleaded ill-health as his reason not to come home to testify at the Royal Commission into Institutional Responses to Child Sexual Abuse hearing in Ballarat. The commission wanted to question him over his knowledge of abuse between 1978 and 2001. Instead, with \$200,000 raised through crowdfunding, 14 survivors flew to Rome to hear the cardinal testify. He repeatedly denied knowledge of events, despite a police investigation into the now-jailed Gerald Ridsdale's offending at Victorian parishes, that found it was "common knowledge" among the congregation in the 1970s.

He has his defenders – one pointed out he was "only 28" at the time, but then lost some when he said: "It's a sad story and it wasn't of much interest to me... I had no reason to turn my mind to the extent of the evils Ridsdale had perpetrated." ■



Scenes from the Mardi Gras



M-Plan. Malema's got it right!

MPLAN? WHAT M PLAN? NOBODY anymore has ever heard of it. We-e-ell, to put it more tactfully, nobody mentions it anymore, I mean it's a bit embarrassing, it is the Mandela Plan of the late 1950s. Govan Mbeki and his communist activists in the Eastern Cape were all for it, and it went like this: political debate and unrest were ineffective in South Africa, armed struggle was the only option. The instrument of this struggle now was to be the Spear of the Nation, uMkhonto we Sizwe, MK. And lo, the programme of MK was announced as the M Plan.

There being a warrant of my arrest issued in Durbs, I had gone to ground in PE, and there Govan dug me up and appointed me along with a Xhosa guy Joseph Jack as the technical committee, myself because I had been a bomber pilot and knew about bombs, Jack because he was a photographer and knew about chemicals. But we did a good job and produced thermite, as used to demolish the twin towers on 9/11, and ammonal, a WW1 explosive described by Robert Graves in *Goodbye to All That* (from the PE public library).

Also I became Govan's chauffeur, driving him about in a bloody great Oldsmobile car belonging to a PE factory owner who saw himself in the role of Marx's Engels and furtively financed MK. Then too, Govan wanted his technical staff along at meetings with visiting top leaders from else-

where, particularly Joburg: Walter Sisulu, Nelson Mandela, Joe Slovo et al. And there, though not party to discussion of the M Plan, I heard it all. 1961, and MK day approaching: phase one would be industrial sabotage, and when the country was brought to a standstill, phase two would be attacks on the police and army. Bloody hell, Gov, said I when we were alone, have you ever seen the devastation of a single military aircraft? Have faith, Jock, said he (that was my *nom de guerre*). So I had faith like anything and we both ended up in boep and lucky we didn't get the rope. Mandela, when asked about getting Life, said "Life is better than no life".

Okay. So time flies, in prison it ground on, the end of the Cold War approached, and pretty soon neither the US nor the USSR would be ingratiating themselves with the ANC in exile. The cards are down. And the Power Elite of the capitalist world get Mandela shunted from Robben Island to Pollsmoor where they make him nice and comfy with his own private warder in a nice house and now call him Mister, and there they groom him for the role of neoliberal leader of a free South Africa. Liberal meaning not liberty for people as in the old Liberal Party but liberty for capital to plunder where it will in the world. Drop all that socialist verbiage of the Freedom Charter 1954, they say, and we'll see that you don't have a civil

war. Well, seemed and still seems a bargain, I dare say.

So the great day comes: '94, and our socialist exiles return. On the Berea in Durbs I bump into Dennis Brutus from PE days, he's been running the sports boycott of South Africa from overseas places. Hoosit, ou Dennis, say I, Welcome home. U-U-Uh, he moans. Nothing's changed. F'chrissakes, does he really think because the World has not played rugby with SA that the wretched shanty dwellers of last year will now occupy the luxury homes of Durban's elite? And a bit after that South Africa wins the Rugby World Cup and there's President Mandela happy with the rest of us at the handing over ceremony and dear old Dezzie Tutu comes all overjoyous and giggly because Madiba and Francois Pienaar have exchanged rugby jerseys and we all love one another and G-o-o-od has given us liberation and a rainbow nation.

Well, bullshit. What happened in '94 was that we'd got rid of colonial racism as an instrument of imperial rule. It was just obsolete. To stick with racist accusation is obsolete. Sure enough, for the whites I am obliged to mix with, nothing has changed, they still have a subject race, a defeated nation, though blacks are in parliament. For the Indians I meet, there's the same subject race. It infuriates me, but racial accusation is beside the point. It's time now for the redistribution of wealth that should have happened in '94 or, if you want it straight in Marx's terms, the class struggle. If you want it even straighter, the Class War.

It's going to be tough, dirty and merciless, but it's got to happen. And we don't need Mandela as a strange admixture of Mahatma Gandhi, Mother Theresa and Che Guevara. No prophets, no saints. You see, the trouble with Malema is: he's right. ■



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